



**REPORT FROM: PLANNING, ECONOMIC DEVELOPMENT AND  
REGULATORY SERVICES MANAGER**

**TO: POLICY AND RESOURCES COMMITTEE**

**DATE: 22<sup>nd</sup> SEPTEMBER, 2022**

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## **PLANNING APPLICATIONS**

### **PURPOSE OF REPORT**

To determine the attached planning applications.

## REPORT TO POLICY AND RESOURCES COMMITTEE ON 22 SEPTEMBER 2022

**Application Number:** 22/0353/HHO

**Proposal:** Full: Erection of first floor and single storey ground floor extensions.

**Site Address:** Monkholme Lodge Robinson Lane Brierfield Nelson  
Lancashire  
BB9 5QS

**On behalf of:** Mr S. Choudrey

**Date Registered:** 27th May 2022

**Expiry Date:** 22nd July 2022

**Case Officer:** Yvonne Smallwood

This application has been referred from Nelson, Brierfield & Reedley Committee as members were minded to approve the application, contrary to officer recommendation. The approval of this application would represent a significant departure from policy as it would result in inappropriate development in the Green Belt without very special circumstances.

### **Site Description and Proposal**

The application site is a detached house located within the Green Belt adjacent to the settlement of Brierfield.

The proposal seeks to erect a first floor and single storey extensions and a balcony to the first storey of the north-west elevation. The materials would be stone and slate with UPVC fenestration to match existing. The balcony would have a glazed balustrade.

### **Relevant Planning History**

20/0317/HHO - Full: Erection of a first floor extension on the South West side elevation and a first floor balcony on the North West front elevation. Refused 2020

13/10/0449P - Full: Erect single storey domestic side extension. Approved 2010.

13/10/0629P - Full: Erection of single storey domestic side extension to dwelling house (Re-Submission). Approved 2010.

13/13/0472P - Lawful Development Certificate (Proposed use): Use of a detached outbuilding for domestic storage and garaging. Approved 2013.

## **Consultee Response**

Highways LCC –

Having considered the information submitted, the above proposal raises no highway concerns. Although the number of bedrooms is proposed to be increased from five to eight four parking spaces would be retained, which complies with the borough council's maximum Parking Standards for the type and size of development proposed. Therefore, the Highway Development Support Section would raise no objection to the proposal on highway grounds.

Cadent Gas –

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions)

Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

Reedley Hallows Parish Council –

No objections

Environmental Services (Health)

## **Public Response**

Nearest neighbours notified –

I write in relation to the application for Monkholme Lodge and would like to confirm the planning application has no impact on where I live.

My property Galen is detached and in its own ground, therefore there is no visual impairment.

I support this application and would like to confirm this application will not cause any inconvenience to myself or to members of the family who reside at my address.

## **Officer Comments**

### **Policy**

Policy ENV2 states that all new development should seek to deliver the highest possible standards of design, in form and sustainability, and be designed to meet future demands whilst enhancing and conserving heritage assets. Where applicable proposals should maintain the openness of the Green Belt.

Policy ENV4 (Promoting Sustainable Travel) requires new development to have regard to potential impacts that may be caused on the highway network.

## Replacement Pendle Local Plan

Policy 31 of the Replacement Pendle Local Plan sets out the maximum parking standards for development.

### **National Planning Policy Framework**

Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 148 states that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 149 states that the extension or alteration of a building is acceptable if it does not result in disproportionate additions over and above the size of the original building.

Paragraph 150 sets out the circumstances where development within the Green Belt is not inappropriate. This includes the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

### **Green Belt**

The site is located within the Green Belt. The exceptions for new buildings that are not inappropriate within the green belt include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

In this context the 'original building' is external volume of the building as first built, or if built before 1<sup>st</sup> July 1948, as it was on that date.

Maps available from the 1940s show that a building has been present on the site since then. It is not entirely clear from the details we have how much the original building was altered between the 1940s and 2010, when a planning application was submitted for its extension, however, the footprint appears to have remained relatively similar until 2010.

As there is not sufficient evidence available of how the building appeared before 2010, and no additional details have been provided by the applicant, the evidence we have from planning applications submitted in 2010 are taken to show the scale of the original building for the purpose of assessing this application.

The building as it was in 2010 had an external volume of approximately 293 m<sup>3</sup>.

A large single storey detached garage/storage building was erected in around 2013 and that has since been attached by an unauthorised side and rear extension built at some point since 2013. Without evidence to the contrary, that unauthorised extension appears to have become immune from action due to the passage of four years.

Those extensions to the building have increased its total external volume to approximately 737 m<sup>3</sup>.

The proposed extension would increase that by approximately 480 m<sup>3</sup> to 1217 m<sup>3</sup>. That would be a total increase in the external volume of the original building of approximately 253%.

This would represent a significant and clearly disproportionate extension of the original property. The proposed further extension of the building does not meet the exception for proportionate extensions and is inappropriate development in the Green Belt.

Due to its elevated position the proposed first floor extension would also be more prominent than the existing extensions in public views from Robinson Lane and would result in unacceptable harm to the openness of the Green Belt. No very special circumstances have been demonstrated to outweigh that harm.

The proposed extension is therefore contrary to policy ENV2 and paragraphs 147-150 of the Framework.

### **Visual Amenity**

The proposed extension would not result in unacceptable visual amenity impacts, however, it would cause unacceptable harm to the openness of the Green Belt contrary to policy ENV2.

### **Residential Amenity**

The proposed development is a sufficient distance from neighbouring properties to ensure that the extension would not result in any unacceptable loss of light, privacy or overbearing impacts and therefore acceptable in terms of residential amenity in accordance with Policy ENV2 and the guidance of the Design Principles SPD.

### **Highways**

The site would maintain an acceptable level of car parking and the proposed development is acceptable in highway safety terms in accordance with policies 31 and ENV4.

### **Other Matters**

The percentage increase in volume that the proposed extension would add to the original dwelling was requested from the agent. This information has not been received.

### **RECOMMENDATION: Refuse**

For the following reason/s:

1. The proposed extension would result in a further disproportionate extension of the original building and is therefore inappropriate development in the Green Belt, the extension would cause harm to the openness of the Green Belt and no very special circumstances have been demonstrated that would clearly outweigh that harm, the proposed extension is therefore contrary to policy ENV2 of the Pendle Local Plan Part 1: Core Strategy and paragraphs 147-150 of the National Planning Policy Framework.

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