

REPORT OF:	ASSISTANT DIRECTOR PLANNING, BUILDING CONTROL AND REGULATORY SERVICES
TO:	DEVELOPMENT MANAGEMENT COMMITTEE
DATES:	30TH JANUARY 2024

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning application.

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE ON 30TH JANUARY 2024

Application Ref: 23/0715/HHO

Proposal: Full: Erection of a two storey rear extension with a single storey element and internal alterations with site works.

At 30 Rowland Avenue, Nelson.

On behalf of: Mr Kashif Saleem.

Date Registered: 27/10/2023

Expiry Date: 22/12/2023

Case Officer: Joanne Naylor

The application has been referred to the Development Management Committee as Members were minded to approve the application which goes against the planning officers recommendation.

Site Description and Proposal

The application site is a two-storey mid-terraced property in a row of four. The site has natural stone plinth with pebble dash walls above to the front elevation and pebble dash coloured cream to the rear elevation with a pitched roof of natural slate tiles, to the front there is a drive for off-street parking and a garden to the rear. It is located within a predominately residential area of similar design and scale and within the settlement boundary of Nelson.

The proposal seeks to erect a two storey rear extension with a pitched roof which would be located close to the party boundary with No. 32 Rowland Avenue, the proposal would have a single storey rear extension with a pitched roof located close to the party boundary with No. 28 Rowland Avenue.

Relevant Planning History

Non relevant.

Consultee Response

LCC Highways

LCC Highways raise no objection to the proposed development subject to comments being noted relating to:

- The proposal would increase the number of bedrooms from three to four, it is proposed that the existing hard standing would be widened to provide three parking spaces which is an adequate level of parking for this proposal.
- The existing dropped kerb needs to be extended and carried out by contractors authorised by the Lancashire County Council.
- A means of collecting surface water across the site front shall be installed across the full width and drain to an internal outfall to prevent water from discharging onto the public highway network.
- material being carried onto the highway and pose a hazard to other users.

Parish/Town Council

No comment.

PBC Environmental Health

Environmental Health is concerned with noise nuisance during the construction phase, and would require the hours of operation to be controlled for hours of operating 8am to 6pm weekdays and 9am to 1pm Saturdays and no machinery operated on Sundays, Bank or Public Holidays.

Public Response

The nearest neighbours have been notified by letter, no responses received.

Officer Comments

The main considerations for this application are the policies, design and materials, residential amenity, and highways.

Policy

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 (Presumption in Favour of Sustainable Development) takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy ENV1 seeks to ensure a particularly high design standard that preserves or enhances the character and appearance of the area and its setting. It states that the impact of new developments on the natural environment, including biodiversity, should be kept to a minimum.

Policy ENV2 (Achieving Quality in Design and Conservation) identifies the need to protect and enhance the heritage and character of the Borough and quality of life for its residents by encouraging high standards of quality and design in new development. It states that siting and design should be in scale and harmony with its surroundings.

Replacement Pendle Local Plan

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

National Planning Policy Framework

The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that there are three dimensions to sustainable development: economic, social and environmental. The policies in the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system. The Design Principles Supplementary Planning Document (SPD) applies to extensions and sets out the aspects required for good design.

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Design and Materials

The proposal seeks to erect a two storey rear extension and a single storey rear extension which would have pitched roofs. The proposed materials for the walls would be off-white render and stone plinth, with natural slate roof tiles and UPVC windows and doors which would match the existing materials.

The Design Principles SPD states that for two storey rear extensions where properties are attached and neighbouring properties have no extension adjacent to the boundary, any first floor element of an extension should be set in from the party boundary by a minimum of 1m.

The proposed two storey rear extension would be set in from the party boundary by circa 0.15m with No. 32 Rowland Avenue, it would extend 4.35m from the rear elevation, however, No. 30 is set back by circa 1m from No. 32 where the proposed two storey rear extension would appear as extending 3.35m. Although the design principles advise that up to 4m is acceptable for a single storey rear extension, here the proposal would be two storeys high and set very close to the party boundary, it would not be set in from the party boundary by 1m minimum as stated in the Design Principles SPD and therefore would appear overbearing to the adjoining property at No. 32.

The Design Principles SPD states that single storey rear extensions located on, or immediately adjacent to the party boundary with neighbouring property will normally be acceptable if it does not project more than 4m from the rear elevation. The proposed single storey rear extension would extend 4.35m from the rear elevation and would be set in by circa 0.15m from the party boundary with No. 28 Rowland Avenue. The Design Principles goes on to state that a single storey extension of greater depth will

normally be permitted if it does not breach the 45 degree guidance. The proposed single storey extension extends 4.35m from the rear elevation, No. 28 has a rear habitable room window, the proposed single storey extension would breach the 45 degree guidance to the lounge window at the rear, however there is a secondary source of light to this room from the front elevation, and therefore the proposed rear extension would be acceptable.

The proposed two storey extension would not be set in from the party boundary by 1m resulting in an overbearing impact to the adjoining property at No. 32 Rowland Avenue and would be poor design.

The proposed development would result in an overbearing impact to No. 32 Rowland Avenue due to the height of the two storey rear extension not being set in from the party boundary by 1m minimum, the proposed development would have a detrimental impact to the residential amenity of the occupants at No. 32 Rowland Avenue, the proposal would be poor design and would not comply with Policy ENV2, the Design Principles SPD and paragraph 134 of the Framework.

Residential Amenity

The Design Principles SPD advises that rear extensions should avoid causing overshadowing, loss of outlook and privacy and to not appear unduly dominant and overbearing.

The proposed two storey rear extension would be located close to the party boundary with No. 32 Rowland Avenue and would extend 4.35m from the rear elevation. No. 30 is set in by circa 1m, which would result in the proposed two storey extension having a rear extension extending 3.35m in length to No. 32, however, the Design Principles states that for two storey rear extensions any first floor element of an extension should be set in from the party boundary by a minimum of 1m, the two storey extension would be set in by 0.15m and would result in an overbearing impact to No. 32, this would result in a detrimental impact to the residential amenity of the occupants at No. 32.

To No. 28 Rowland Avenue, the proposed two storey rear extension would extend 4.35m from the rear elevation, there is a bedroom to the rear elevation of No. 28, the proposed two storey extension would not breach the 45 degree guidance.

The proposed single storey rear extension would extend 4.35m from the rear elevation, No 28 has a habitable room window to the rear, there is a secondary source of light to this habitable room.

The proposed development would result in an overbearing impact to No. 32 Rowland Avenue due to the height and length of the two storey rear extension not being set in from the party boundary by 1m minimum, the proposed development would have a detrimental impact to the residential amenity of the occupants at No. 32 Rowland

Avenue, the proposal would be poor design and would not comply with Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy and the Design Principles Supplementary Planning Document and paragraph 134 of the Framework.

Highways

The proposal would increase the number of bedrooms from three to four, three parking spaces can be accommodated within the curtilage to the front and is an adequate level of car parking space. The existing hardstanding and the existing dropped kerb would need to be extended under an agreement (Section 171) with Lancashire County Council and only contractors authorised by the County Council must carry this work out. The hardstanding shall be of a bound porous material and a means of collecting surface water across the site front shall be installed the full width and drain to an internal outfall to prevent water from discharging onto the public highway network.

RECOMMENDATION: Refusal

1. The proposed development would result in an overbearing impact to No. 32 Rowland Avenue due to the height and length of the two storey rear extension and it not being set in from the party boundary by 1m minimum, the proposed development would have a detrimental impact to the residential amenity of the occupants at No. 32 Rowland Avenue, the proposal would be poor design and would not comply with Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy and the Design Principles Supplementary Planning Document and paragraph 134 of the National Planning Policy Framework.

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