

**REPORT FROM: ASSISTANT DIRECTOR PLANNING, BUILDING CONTROL
AND REGULATORY SERVICES**

TO: NELSON, BRIERFIELD AND REEDLEY COMMITTEE

DATE: 5TH AUGUST 2024

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PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 5TH AUGUST 2024

Application Ref: 24/0320/HHO

Proposal: Full: Erection of a rear extension to ground and basement floor.

At 262 Manchester Road, Nelson, Lancashire

On behalf of: Mr Wajid Nadeem

Date Registered: 21.05.2024

Expiry Date: 16.07.2024

Case Officer: Athira Pushpagaran

This application has been called to Committee by the Chair.

Site Description and Proposal

The application site is a mid-terrace dwelling situated in a row of terrace along the busy A682. It is situated in the Whitefield Conservation Area within the settlement boundary of Nelson. The main access is from Manchester Road (A682). The terrain slopes downwards from the front to the rear resulting in the basement floor being on ground level at the rear. All the dwellings within the terrace have two storey outriggers to the rear (basement and ground floor) with each breaching the 45-degree guide for rear and side windows of their neighbour. The existing dwelling has stone walls, a slate tiled pitched roof and UPVC doors and windows.

The proposed development is the erection of a two-storey rear extension to the ground and basement floors.

Relevant Planning History

No relevant planning history.

Consultee Response

Highways

No objection

Parish/Town Council

No response

PBC Environmental health

No objection

Public Response

The nearest neighbours have been notified by letter with no response.

Relevant Planning Policy

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 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 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 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 and protecting residential amenity.

The Conservation Area Design and Development Guidance SPD sets out that new development should use good quality and predominantly natural building materials, be well detailed, and respect local architectural detailing and styles. It provides specific guidance on development relating to agricultural building and their sensitive adaptation to other uses.

Officer Comments

The proposed development is in a residential area situated within the settlement boundary of Nelson. There are no underlying policies which would prevent the development in principle. The principal material considerations for the application are as follows:

Design and Heritage

The proposed extension would have a pitched roof and would extend 4.27m from its existing rear outrigger. It would adjoin the rear boundary of the application site and the party boundary with No. 264. The proposed extension would project outwards from the existing rhythmic repetition of two storey rear outriggers of the terrace; however it would not be highly visible from public vantage points. On balance, therefore the proposed extension would not have any unacceptable impact on the character of the dwelling and the Whitefield Conservation Area.

The proposed extension would use sandstone finish blocks, concrete tiles on pitched roof and UPVC windows. The proposed materials would not be an exact match to materials of the existing dwelling however located to the rear not highly visible from public vantage points, it would not have an unacceptable impact on the character of the dwelling and the conservation area.

Overall, the proposed development would be acceptable in terms of design in accordance with policies ENV1 and ENV2 of Pendle Local Plan Part 1: Core Strategy, the Design principles SPD and the Conservation Area Design and Development Guidance SPD. The development would have a neutral impact on the significance of the conservation area and thus would not require an assessment as per paragraph 208 of the NPPF.

Residential Amenity

The Design principles SPD advises that two storey extensions will be acceptable only if they do not breach the 45-degree rule.

All the dwellings within the terrace already have 4m long two-storey outriggers to the rear. These existing outriggers have windows to the eastern side elevation and a blank wall to the west, with the western wall of the outrigger only separated from the eastern windows of its neighbour by circa 1.7m and therefore having an existing overbearing impact on them.

The proposed two-storey rear extension would extend 4.27m from the rear outrigger and would adjoin the rear boundary of the application site and the party boundary with No. 264. There already exists an overbearing impact due to the blank western wall of the existing outrigger on the kitchen and bedroom windows of No.264. The proposed extension would not have any greater impact on these windows of No.264.

The proposed extension would extend more than 4m from the rear lounge windows on both the basement and ground floor of No.264 and would breach the 45-degree rule for those windows. Effectively, this would leave the rear windows at No. 264 in a tunnel / corridor with an overbearing extension either side of them. These are habitable room windows and therefore the proposed extension would have an unacceptable overbearing impact on the living conditions on the occupiers of No.264.

The proposed extension would also breach the 45-degree guide for the rear kitchen window on the existing outrigger of No.260 marginally. However, this is a kitchen and not a dining kitchen and therefore less protection is afforded to it than living spaces such as lounges and bedrooms. Considering it is a marginal breach to a kitchen window, on balance, there would be no unacceptable impact on the living conditions of the residents of No.260 due to the proposed extension. The proposed bathroom windows on both floors would overlook the rear garden of No. 260. There is only an existing circa 1.5m high stone wall at the party boundary. Any possible overlooking of the neighbour's rear yard due to these proposed windows can be controlled through a condition to obscure glaze them.

The proposed extension faces the rear yard and windows of No. 4 Kensington Street which are circa 5m and 7m away respectively across the street from the proposed rear extension. The SPD advises a separation of 12m between a habitable room window and a blank wall of properties facing each other. However, in this case it is noted that the existing outrigger was already short of this separation distance at circa 8.5m. Albeit shortening the separation the extension would not be directly facing the window of No. 4 and therefore would not have any greater unacceptable overbearing impact on its occupants.

In conclusion, the proposed development would have an unacceptable impact on the living conditions of the occupiers of adjoining No. 264 and therefore would not be acceptable in terms of residential amenity and would be contrary to policy ENV2 and the Design principles SPD.

Highways

The development raises no issues of highway safety.

PBC Environmental health

The development raises no environment health issues.

RECOMMENDATION: Refuse

For the following reason(s):

The proposed development would have an overbearing impact on the residential amenity of neighbours resulting in an unacceptable impact on the living environment of the occupants of No. 264 Manchester Road and hence would be contrary to policy ENV2 of the Adopted Pendle Local Plan Part 1: Core Strategy, and the principles set out in the Adopted Pendle Design Principles Supplementary Planning Document.

Application Ref: 24/0320/HHO

Proposal: Full: Erection of a rear extension to ground and basement floor.

At 262 Manchester Road, Nelson, Lancashire

On behalf of: Mr Wajid Nadeem

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 5TH AUGUST 2024

Application Ref: 24/0321/HHO

Proposal: Full: Erection of a rear extension to the ground and basement floor.

At 264 Manchester Road, Nelson, Lancashire

On behalf of: Mr Mohammad Nawaz

Date Registered: 21.05.2024

Expiry Date: 16.07.2024

Case Officer: Athira Pushpagaran

This application has been called to Committee by the Chair.

Site Description and Proposal

The application site is a mid-terrace dwelling situated in a row of terrace along the busy A682. It is situated in the Whitefield Conservation Area within the settlement boundary of Nelson. The main access is from Manchester Road (A682). The terrain slopes downwards from the front to the rear resulting in the basement floor being on ground level at the rear. All the dwellings within the terrace have two storey outriggers to the rear (basement and ground floor) with each breaching the 45-degree guide for rear and side windows of their neighbour. The existing dwelling has stone walls, a slate tiled pitched roof and UPVC doors and windows.

The proposed development is the erection of a two-storey rear extension to the ground and basement floors.

Relevant Planning History

No relevant planning history.

Consultee Response

Highways

No objection

Parish/Town Council

No response

PBC Environmental health

No objection

Public Response

The nearest neighbours have been notified by letter with no response.

Relevant Planning Policy

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 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 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 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 and protecting residential amenity.

The Conservation Area Design and Development Guidance SPD sets out that new development should use good quality and predominantly natural building materials, be well detailed, and respect local architectural detailing and styles. It provides specific guidance on development relating to agricultural building and their sensitive adaptation to other uses.

Officer Comments

The proposed development is in a residential area situated within the settlement boundary of Nelson. There are no underlying policies which would prevent the development in principle. The principal material considerations for the application are as follows:

Design and Heritage

The proposed extension would have a pitched roof and would extend 4.27m from its existing rear outrigger. It would adjoin the rear boundary of the application site and the party boundary with No. 266a. The proposed extension would project outwards from the existing rhythmic repetition of two storey rear outriggers of the terrace. The proposed extension would be visible from public vantage points on Kensington Street however would not be prominent on the street scene due to its position to the rear. On balance, therefore the proposed extension would not have any unacceptable impact on the character of the dwelling and the Whitefield Conservation Area.

The proposed extension would use sandstone finish blocks, concrete tiles on pitched roof and UPVC windows. The proposed materials would not be an exact match to materials of the existing

dwelling however being to the rear not highly visible from public vantage points it would not have an unacceptable impact on the character of the dwelling and the conservation area.

Overall, the proposed development would be acceptable in terms of design in accordance with policies ENV1 and ENV2 of Pendle Local Plan Part 1: Core Strategy, the Design principles SPD and the Conservation Area Design and Development Guidance SPD. The development would have a neutral impact on the significance of the conservation area and thus would not require an assessment as per paragraph 208 of the NPPF.

Residential Amenity

The Design principles SPD advises that two storey extensions will be acceptable only if they do not breach the 45-degree rule.

All the dwellings within the terrace already have 4m long two-storey outriggers to the rear. These existing outriggers have windows to the eastern side elevation and a blank wall to the west, with the western wall of the outrigger only separated from the eastern windows of its neighbour by circa 1.7m and therefore having an existing overbearing impact on them.

The proposed two-storey rear extension would extend 4.27m from the rear outrigger and would adjoin the rear boundary of the application site and the party boundary with No. 266a. There already exists an overbearing impact due to the blank western wall of the existing outrigger on the side windows of the outrigger of No.266a. The proposed extension would not have any greater impact on these windows of No.266a.

The proposed extension would extend more than 4m from the rear lounge window on the ground floor of No.264 and would breach the 45-degree rule for this window. Effectively, this would leave the rear window at No. 266a in a tunnel / corridor with an overbearing extension either side of them. This is a habitable room window and therefore the proposed extension would have an unacceptable overbearing impact on the living conditions on the occupiers of No.266a.

The proposed rear extension would not have any windows to the rear and would face the gable of No. 4 Kensington Street with a window circa 5m away from the proposed rear extension across the street. The gable window of No. 4 is the only window to a bedroom which is a habitable room. The Design principles SPD states that extensions should maintain a minimum distance of 12 metres between a principal window to a habitable room in one property and a two-storey blank wall of a neighbouring property. In this case the proposed extension would have an overbearing impact on the living conditions of the occupiers of No. 4 and therefore would be unacceptable.

The proposed rear extension would have a bathroom window each on basement level and ground floor level to the side facing towards the rear yard of No.262. It is noted that No. 262 currently has an application under consideration for a similar two storey rear extension which if built would completely block any views from the proposed windows to their rear yard. In the event if it is not built, any possible overlooking of the neighbour's rear yard due to these proposed windows can be controlled through a condition to obscure glaze them.

In conclusion, the proposed development would have an overbearing impact on the occupants of No. 4 and No.266a and therefore would not be acceptable in terms of residential amenity and would be contrary to policy ENV2 and the Design principles SPD.

Highways

The development raises no issues of highway safety.

PBC Environmental health

The development raises no environment health issues.

RECOMMENDATION: Refuse

For the following reason(s):

The proposed development would have an overbearing impact on the residential amenity of neighbours resulting in an unacceptable impact on the living environment of the occupants of No. 4 Kensington Street and No.266a Manchester Road hence would be contrary to policy ENV2 of the Adopted Pendle Local Plan, and the principles set out in the Adopted Pendle Design Principles Supplementary Planning Document.

Application Ref: 24/0321/HHO

Proposal: Full: Erection of a rear extension to the ground and basement floor.

At 264 Manchester Road, Nelson, Lancashire

On behalf of: Mr Mohammad Nawaz

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 5TH AUGUST 2024

Application Ref: 24/0333/HHO

Proposal: Full: Erection of new boundary wall with pedestrian and vehicle access gates.

At: 97 Brier Crescent, Nelson.

On behalf of: Mr Umar Zaman.

Date Registered: 20/05/2024.

Expiry Date: 15/07/2024.

Case Officer: Joanne Naylor

Site Description and Proposal

The application site is a detached two storey rendered dwelling house located on a corner plot formed by Brier Crescent and Hibson Road. It is surrounded by houses to three sides with a school opposite. The site has hard surfacing to the front which provides off-street parking, a detached double garage and a garden to the rear. The application site is located within the settlement boundary of Brierfield.

The proposal seeks to erect a new boundary treatment to Brier Crescent and Hibson road, the proposal would have a boundary treatment of rendered walls with brick columns at 2.2m high which would have timber panels and railings above and seeks to infill part of the garden to form a level garden. The proposed boundary treatment would be built along the boundary along Brier Crescent and Hibson Road. It is also proposed that vehicle access and pedestrian access would be sought onto Brier Crescent.

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Relevant Planning History

20/0306/HHO: Full: Erection of a detached double garage to side and erection of boundary wall/fence to front and side (Maximum height 2.2m). Approved with Conditions (3rd August 2020).

19/0096/HHO: Full: Erection of 2m perimeter walls with vehicle and pedestrian gates. Refused (29th March 2019).

16/0429/FUL: Full: Change of use from nursing home to single dwelling including erection of single storey extension to rear and reconfiguration of windows (Amended Description). Approved with Conditions (8th September 2016).

13/98/0063P: EXTEND ACCOMMODATION AT FIRST FLOOR. Approved with conditions (1st April 1998)

13/97/0509P: EXTERNAL ALTERATIONS. Approved with Conditions (2nd December 1997).

Consultee Response

Highways LCC

The National Planning Policy Framework (NPPF) states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe' (Paragraph 115). Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority does not raise an objection regarding the proposed development and concludes that there are no highway grounds to support an objection as set out by NPPF.

The scheme submitted appears to be similar to that approved under Planning Permission ref 20/0306/HHO with alterations now proposed to the boundary treatment fronting Hibson Road.

Nelson Town Council
No comment.

Public Response

Nearest neighbours notified by letter, no responses received.

Officer Comments

Policy

Pendle Local Plan Part 1: Core Strategy Policy SDP1 takes a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

Policy ENV2 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.

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) provides advice for the design of gates, walls and fences and the important role these have in the character of the area.

Design and Materials

The Design Principles Supplementary Planning Document (SPD) advises that the design of gates, walls and fences, particularly on highway frontages play an important role in defining the character of all residential areas. Many residential estates are designed on 'open plan' principles where the general presumption is one of keeping the frontages of properties open unless a particular case can be put forward for enclosing the front of a particular property. In more traditional areas, the character of the estate is often determined by existing attractive hedging, sandstone walls or brick walls, where the existing character of the boundaries should be preserved.

The street scene on Brier Crescent is that of open frontages with low front walls being either red brick or stone walling and some properties have hedging which add to the street scene in an attractive way.

The proposal seeks to enclose the frontage of the property with a 2m high boundary treatment of rendered walls to the lower part with timber panelling infilling between the pillars and metal railings above. The proposal would have a sliding gate 2m high for the vehicle access and a 2m high pedestrian gate opening onto Brier Crescent. At the time of the visit, the party boundary between number 97 and No. 95 had a solid fence circa 1.6m high.

The proposed 2m high boundary treatment would enclose the frontage of the property with a 2m high wall on Brier Crescent and extend the 2m high boundary treatment along Hibson Road, it would form a long and high solid boundary treatment of 2m in height and appear as a fortress adjacent to the highways on Brier Crescent and Hibson Road which would adversely impact on the character of the street scene and the visual amenity of the area, it would appear as a dominant structure along a busy public highway, it would be a dominant and alien feature in an area of open frontages and low walls, it would harm the street scene and visual amenity of the area.

The applicant would have the option to erect an alternative boundary treatment up to a maximum height of 1m under permitted development.

The proposal would also seek to increase the land level towards Hibson Road increasing the height by a maximum of circa 1.2m higher, this would bring the land levels in line with the land levels on the site.

The proposed boundary treatment of 2m high extending along Brier Crescent and Hibson Road would result appear as a fortress, it would harm the street scene and the visual amenity of the area and would not conform with Policy ENV2 and the Design Principles Supplementary Planning Document.

Residential Amenity

The Design Principles SPD states that proposals should avoid causing overshadowing, loss of outlook or loss of privacy to the neighbours, or appear unduly dominant to neighbours.

The proposal would raise the land level to the application site which would increase by circa 1.2m higher to make the land the same level as the hardstanding. There is a primary school opposite which is over 21m away from the application site and across a highway.

The proposed boundary treatment would not result in an unacceptable impact on the residential amenity of neighbouring properties, and would conform with Policy ENV2 and the Design Principles SPD.

Highways

The application can accommodate off-street parking within the curtilage of the site, and there is a double garage located next to the dwellinghouse. LCC Highways raise no objection to the proposal on highways safety impacts, therefore the proposal would comply with Policy 31 of the Replacement Local Plan Part 1.

RECOMMENDATION: Refuse

For the following reason(s):

The erection of a boundary wall/fence of 2m in height to Brier Crescent and Hibson Road would result in harm to the street scene and the visual amenity of the area, the proposal would be contrary to Policy ENV2 and the Design Principles Supplementary Planning Document.

Application Ref: 24/0333/HHO

Proposal: Full: Erection of new boundary wall with pedestrian and vehicle access gates.

At: 97 Brier Crescent, Nelson.

On behalf of: Mr Umar Zaman.

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 5TH AUGUST 2024

Application Ref: 24/0356/HHO

Proposal: Full: Erection of new roof over existing house.

At: Monkholme Lodge, Robinson Lane, Brierfield.

On behalf of: Mr S. Choudrey.

Date Registered: 29/05/2024.

Expiry Date: 24/07/2024.

Case Officer: Joanne Naylor

Site Description and Proposal

The application site is a detached two storey and single storey dwellinghouse located on a generous plot, it has natural stone walls and pitched roof. The site is within the green belt and the open countryside and adjacent to the settlement boundary of Brierfield.

The proposal seeks to erect a new roof over the existing house and the proposed materials would be slate to match the existing.

Relevant Planning History

22/0353/HHO - Full: Erection of first floor and single storey ground floor extensions. Refused 2022

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. Refused 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

LCC Highways

Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority does not raise an objection regarding the proposed development

Parish/Town Council

No comment.

Public Response

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

Relevant Planning Policy

Pendle Local Plan Part 1: Core Strategy

Pendle Local Plan Part 1: Core Strategy Policy SDP1 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 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.

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.

Paragraph 134 of the National Planning Policy Framework (2021) states that poor design should be refused where it fails to reflect local design policies.

Paragraph 152 of the National Planning Framework (2023) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 154 states that the construction of new buildings as inappropriate in the Green Belt, there are exceptions to this which includes:

- (a) buildings for agriculture and forestry;
- (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- (c) 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;
- (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- (e) limited infilling in villages;
- (f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

The Design Principles Supplementary Planning Document (SPD) applies to extensions and sets out the aspects required for good design.

Development in the Open Countryside Supplementary Planning Guidance has relevance.

Officer Comments

Green Belt

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

Maps from the 1940s show that a building was in place on the site since the 1940s, however there is not sufficient detail or information to establish the original building and any alterations undertaken since then. A planning application was submitted for an extension, the footprint appears to have remained relatively similar until 2010. Without sufficient information of how the building appeared before 2010, therefore the evidence the Council has from the planning application submitted in 2010 would be 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 293m³.

In 2013 a large single storey detached garage/storage building was erected, since then an unauthorised side and rear extension was built, and is likely now immune.

Those extensions have increased the total external volume to approximately 737m³.

The proposal seeks to erect a new roof to replace the existing roof as the applicant states that the roof is failing and causing damp within the building due to the pitch of the existing roof which is viewed as being inadequate resulting in rainwater ingress and damp due to the existing roof having a pitch of 16 degrees. The existing hipped roof and rear roof would be replaced with a pitched roof with a 30 degree pitch. Although the application site has damp and pests entering the roof space, issues with damp and pests do not constitute very special circumstances.

The existing roof has a volume of approximately 33.47 m³, the proposed pitch roof would have a volume of approximately 108.13 m³, the proposed pitch roof would result in an additional 74.66m³ more volume compared to the existing roof. The extensions already in place have increased the total external volume by 444m³ resulting in an approximate external volume of 737m³.

The proposed roof would increase that by approximately 74.66m³ to 811.66m³ external volume. That would be a total increase in the external volume of the original building of 177%.

This would represent a significant and disproportionate extension of the original property. There are exceptions to this for extensions and alterations to a building, however it would have to not

result in a disproportionate addition over and above the size of the original building, in this case the existing extensions and the proposed roof alteration would be disproportionate.

Furthermore, due to the elevated position the proposed roof replacement would be more prominent than the existing roof at 1m high, the proposed roof would be 2.9m high resulting in an increase of 1.9m over and above the existing roof height. The proposal would be more prominent from public views from Robinson Lane, it would result in unacceptable harm to the openness of the Green Belt and no very special circumstances have been demonstrated to outweigh that harm. The applicant has not provided other options to address the issues of the roof, there are roof systems available which can address water ingress at pitches of 12 degrees for slate tiles.

The proposed roof alteration is contrary to Policy ENV2 and paragraphs 152 – 155 of the Framework.

Design and Materials

The existing dwellinghouse has a hipped roof to the two storey building and a pitched roof to the two storey rear building, the existing roof is 1m high and appears proportionate to the building. The proposed roof would have natural slate tiles, it would increase the height of the roof to 2.9m high, although it would have a pitched roof the proposal would change the design of the dwellinghouse due to the height of the roof, the proposed roof would dominate the dwellinghouse and would be out of character with the dwellinghouse. The proposed development would have a detrimental impact on the appearance of the building due to the proposed roof being 2.9m high, it would be visually prominent from public vantage points and would be out of character to the dwellinghouse, it would result in poor design and would be contrary to paragraph 139 of the Framework, Policies ENV1 and ENV2 of the Local Plan Part 1: Core Strategy, the Design Principles SPD.

Visual Amenity

The proposed roof alteration would change the design of the roof from a hipped roof circa 1m high to a pitched roof of circa 2.9m in height, the application site is located on prominent land and the proposed roof would be more prominent due to its greater height compared to the existing, therefore it would cause unacceptable harm to the openness of the Green Belt contrary to Policy ENV2.

Impact on Amenity

The proposed alteration to the roof is sufficient distance from neighbouring properties, it would not result in loss of outlook, loss of privacy nor cause an overbearing impact. Therefore, the proposal would have no unacceptable impact on neighbouring properties and would conform with Policy ENV2 and the Design Principles SPD

Highways

LCC Highways raise no objection to the proposal, therefore it would conform with Policy 31 of the Replacement Local Plan.

RECOMMENDATION: Refuse

For the following reasons:

1. The proposed roof alteration would result in a 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 152-155 of the National Planning Policy Framework.

2. The proposed development would have a detrimental impact on the appearance of the building, it would be out of scale and character of the building and would be visually prominent from public vantage points. The proposal would result in poor design and would be contrary to paragraph 139 of the Framework, Policies ENV1 and ENV2 of the Local Plan Part 1: Core Strategy, and the Design Principles SPD.

Application Ref: 24/0356/HHO

Proposal: Full: Erection of new roof over existing house.

At: Monkholme Lodge, Robinson Lane, Brierfield.

On behalf of: Mr S. Choudrey.

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 5TH AUGUST 2024

Application Ref: 24/0367/HHO

Proposal: Full: Erection of front porch, rear single storey extension with roof lantern and erection of dormers to North and South elevations.

At 6 Hillside Avenue, Reedley, Burnley, Lancashire

On behalf of: Mr and Mrs M Akhtar

Date Registered: 10.06.2024

Expiry Date: 05.08.2024

Case Officer: Athira Pushpagaran

This application has been called to committee by the acting chairperson.

Site Description and Proposal

The application site is a modern semidetached dwelling situated in a residential neighbourhood within the settlement boundary of Reedley. The main access is from Hillside Avenue which is a cul-de-sac off Reedley Road. The existing dwelling has a pitched roof with a gable to the front, a garage attached to the garage of neighbouring No. 8, a dormer to the southern roof slope and a flat roofed UPVC vestibule to the front. The existing dwelling has exterior walls finished in stone and render, sloped roof of tiles and a garage with a felt flat roof, UPVC door and windows.

The proposed development is the erection of a front porch, rear single storey extension with roof lantern and erection of dormers to northern and southern elevations.

Relevant Planning History

No relevant planning history.

Consultee Response

Highways

Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

The proposed development would reduce the number of bedrooms from four to three. Whilst the existing single integral garage is considered sub-standard in size internally to count as a parking space, two off-road spaces can be provided on the existing driveway. This is in line with the borough council's Parking Standards for a three-bed dwelling.

Parish/Town Council

No response

Public Response

One neighbour response has been received raising the following issues:

- Loss of privacy due to overlooking of bedroom and garden
- Disturbance due to construction vehicles

Relevant Planning Policy

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 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 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 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.

Paragraph 139 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵⁵, taking into account any local design guidance and supplementary planning documents such as design guides and codes

The Design Principles Supplementary Planning Document (SPD) applies to extensions and sets out the aspects required for good design and protecting residential amenity.

Officer Comments

The proposed development is in a residential area situated within the settlement boundary of Reedley. There are no underlying policies which would prevent the development in principle. The principal material considerations for the application are as follows:

Design and Materials

The proposal seeks to extend the existing dormer on the southern roof slope and erect a new dormer to the northern roof slope. The existing dormer is set back from the front elevation by 4.2m and from the southern side elevation by 1m.

The Design principles SPD advises that care should be exercised to ensure that their design is in keeping with the dwelling and that they do not overlook neighbouring property. Dormers should not be so large as to dominate the roof slope resulting in a property which appears unbalanced.

The proposed extension to the southern dormer would cover almost the entire slope of the roof on the southern side extending all the way from eaves to the ridge of the roof. The new dormer to the northern slope would be set back by 3.6m from the front elevation and by 4m from the rear elevation and extends from the ridge to the eaves of the northern roof slope. The dormers would be clad in matching roof tiles as the main roof. There are three other dwellings visually related to the application site with dormers to one of their side elevations. However, in this case the combination of large dormers to both the sides would dominate the roof slope giving the dwelling the appearance of a flat roofed two storey building. This would be an unsympathetic addition that would be out of keeping with the scale of the original dwelling resulting in unacceptable harm to the character of the dwelling and the overall streetscape. Therefore, the proposed dormers would not be acceptable.

The proposal seeks to demolish the existing flat roof vestibule to the front and replace it with a pitched roof porch. The existing vestibule measures 2.4m x 1m while the proposed porch would be 2.4m x 1.5m. The pitched roof design of the porch would be an improvement on the existing vestibule and would be harmonious to the original dwelling in terms of scale and design.

The proposal seeks to erect a single storey rear extension with a roof lantern behind the existing attached garage. The extension would extend 6.5m from the rear elevation of the attached garage of No. 8 and would be in line with the rear elevation of the application site. The extension would not be highly visible from public vantage points and only the roof lantern and the gutters of the extension would be visible above the garage. In this case the proposed extension would not have any unacceptable impact on the character of the dwelling and its surroundings.

The proposal also seeks to demolish the existing vestibule that housed a utility, to the southern elevation. There would be no unacceptable impact on the character of the dwelling due to this element of the development.

In conclusion, the proposed development would not be acceptable in terms of design and would be contrary to paragraph 139 of the Framework, policies ENV1 and ENV2 of the Adopted Pendle Local Plan Part 1: Core Strategy and the Adopted Pendle Design principles SPD.

Residential Amenity

The proposed extension of the dormer would bring the face of the dormer closer to the eaves on the southern slope. This would introduce three new bedroom dormer windows looking down on the side elevation of No.4. No.4 has a glazed utility vestibule, a bathroom window and a living room window on this side. The utility and bathroom are non-habitable room windows. It is also noted that the existing dormer windows already has a relationship with these windows. The living room window of No. 4 is a secondary window and therefore there would be no unacceptable impact on their privacy due to the proposed dormer extension. The proposed extension of the dormer would also have a window to the front, this would not however impact residential amenity in any way.

The proposal also seeks to demolish the existing vestibule that housed a utility, to the southern elevation. This would expose a door and a window serving a hallway to face the windows of No.4. However, this would not result in any greater impact on the neighbour's privacy since there already existed a relationship between the ground floor windows of both properties.

The proposed new dormer on the Northern roof slope would also extend to the eaves of the dwelling and would have an opaque glazed bathroom window facing towards No. 8. No. 8 has a

ground floor bedroom window directly facing this dormer which would be circa 5m away from the face of the dormer. The SPD guidance advises a minimum separation of 12m between a habitable room in one property and a two-storey wall of another. In this case the new dormer would have an unacceptable overbearing impact on the living conditions of the occupants of No.8.

The new porch due to its function and position would not have any unacceptable impact on residential amenity.

The proposed extension to the back of the garage would be set circa 2m back from the rear extension of No. 8 and would not breach the 45-degree guidance for any of their windows.

In conclusion, the proposed development would not be acceptable in terms of residential amenity and would be contrary to policies ENV1 and ENV2 of the Adopted Pendle Local Plan Part 1: Core Strategy and the Adopted Pendle Design principles SPD.

Highways

The development raises no issues of highway safety.

Other matters

Noise disturbance during construction stage can be controlled through a condition for a construction management statement however it would be unreasonable to impose such a condition on a householder development of this scale.

RECOMMENDATION: Refuse

Due to the following reasons:

1. The combination of the dormers to both sides highly prominent on the street scene represents poor design and would have an unacceptable impact upon the design of the original dwelling and in turn cause harm to the wider character and appearance of the neighbourhood. The proposal would be contrary to paragraph 139 of the Framework, Policies ENV1 & ENV2 of the adopted Local Plan: Part 1 Core Strategy and the adopted Pendle Design Principles Supplementary Planning Document.
2. The proposed development would have an overbearing impact on the residential amenity of neighbours resulting in an unacceptable impact on the living environment of the occupants of 8 Hillside Avenue and hence would be contrary to policy ENV2 of the adopted Local Plan: Part 1 Core Strategy, and the principles set out in the adopted Pendle Design Principles Supplementary Planning Document.

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Proposal: Full: Erection of front porch, rear single storey extension with roof lantern and erection of dormers to North and South Elevations.

At 6 Hillside Avenue, Reedley, Burnley, Lancashire

On behalf of: Mr and Mrs M Akhtar

REPORT TO NELSON, BRIERFIELD AND REEDLEY COMMITTEE ON 5TH AUGUST 2024

Application Ref: 24/0455/HHO

Proposal: Full: Erection of a front dormer to facilitate loft conversion.

At 10 Cooper Street, Nelson, Lancashire

On behalf of: Mr Yasir

Date Registered: 08.07.2024

Expiry Date: 02.09.2024

Case Officer: Athira Pushpagaran

This application has been called to Committee by the acting Chair.

Site Description and Proposal

The application site is a mid-terrace dwelling situated in a predominantly residential neighbourhood within the settlement boundary of Nelson. The main access is from Cooper Street. The existing dwelling has stone walls, pitched roof of slate tiles, and UPVC doors and windows. The dwelling already has a rear dormer clad with grey composite tiles. There are no other front dormers within the terrace or the one across the road, the only other front dormer visible from this part of Cooper Street is further down on the other side of Scotland Road, on Every Street.

The proposed development is the erection of a front dormer to facilitate loft conversion.

Relevant Planning History

No relevant planning history.

Consultee Response

Highways

Having reviewed the documents submitted, Lancashire County Council acting as the local highway authority does not raise an objection regarding the proposed development.

The proposed development would increase the number of bedrooms from three to four. There is no associated existing off-road parking provision, nor could any be provided. However, the site is within acceptable walking distances of local amenities and facilities, including public transport, which may reduce the reliance on the use of private motor vehicles.

Parish/Town Council

No response

Public Response

The nearest neighbours have been notified by letter with no response.

Relevant Planning Policy

Pendle Local Plan Part 1: Core Strategy

Policy SDP1 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 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 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 and protecting residential amenity.

Officer Comments

The proposed development is in a residential area situated within the settlement boundary of Nelson. There are no underlying policies which would prevent the development in principle. The principal material considerations for the application are as follows:

Design and Materials

The Design Principles SPD advises care should be exercised with the insertions of dormers, to ensure that their design is in keeping with the dwelling and that they do not overlook neighbouring property. Dormers should not be so large as to dominate the roof slope resulting in a property which appears unbalanced. In general, dormers on the front of a roof slope will not be acceptable unless they are a feature of other similar houses in the or the dormer would otherwise be appropriate in visual design terms.

The proposal is for a flat roof dormer to the front. It would be set 0.125m below the ridge of the roof, and 0.1m from the western elevation, 0.2m from the eastern elevation and 0.16m from the front elevation. This dormer would dominate the entire roof slope of the dwelling and have a harmful effect upon the character and appearance of the original dwelling. This would also result in a wider effect on the street scene in a terrace which has a simple and uninterrupted roof line. The proposed dormers are to be clad with grey cladding on its walls and a membrane on the roof. The materials for the proposed dormer would differ from the original slate roof of the dwelling. The proposed dormer would cause harm to the character and appearance of the original dwelling and have a wider unacceptable impact upon visual amenity.

Overall, due to the dominance of the dormer to the front roof slope, the design and materials of this development are unacceptable in this location and as such conflict with Policies ENV1 and ENV2, and the Design Principles SPD.

Residential Amenity

The proposed dormer is to have a window to the front elevation. There are no windows to the side elevation. The proposed dormer would be no closer to the dwellings on the opposite side of Cooper Street than the existing front elevation windows, as such they would not cause any greater neighbouring amenity issue.

Therefore, the proposed development would be acceptable in terms of residential amenity in accordance with ENV2 of the Adopted Pendle Local Plan Part 1: Core Strategy and the Adopted Pendle Design principles SPD.

Highways

The development raises no issues of highway safety.

RECOMMENDATION: Refuse

Due to the following reason(s):

By virtue of its position to the front elevation of the dwelling, the proposed dormer would have an unacceptable impact upon the design of the original dwelling and in turn cause harm to the wider character and appearance of the street scene, in conflict with Policy ENV2 of the Local Plan: Part 1 Core Strategy and the Design Principles SPD.

Application Ref: 24/0455/HHO

Proposal: Full: Erection of a front dormer to facilitate loft conversion.

At 10 Cooper Street, Nelson, Lancashire

On behalf of: Mr Yasir