

Report Title	PLANNING APPLICATIONS
Meeting	COLNE AND DISTRICT COMMITTEE
Meeting Date	10TH SEPTEMBER 2026
Report Author	NEIL WATSON
Directorate	PLACE
Lead Executive Member(s)	COUNCILLOR L. WHIPP
Wards Affected	BOULSWORTH & FOULRIDGE
Public. Part Exempt, or Fully Exempt	PUBLIC
Appendices (if any)	NONE

PLANNING APPLICATIONS

PURPOSE OF REPORT

To determine the attached planning applications.

REPORT TO THE COLNE AREA COMMITTEE ON 10TH OF SEPTEMBER 2026

Application Ref: 26/0340/HHO

Proposal: Full: Erection of a three-storey rear extension, two storey side extension and replacement dormer windows.

At High Lea, Hill Top, Foulridge, Lancashire

On behalf of: Mr Nathan Hugill

Date Registered: 26.05.2026

Expiry Date: 21.07.2026

Case Officer: Athira Pushpagaran

This application was discussed at the Colne Area Committee meeting that took place on the 6th of August. The resolution was for approval subject to confirmation and being satisfied that the plans/measurements of the relationship with the neighbouring property Ridgeway, as detailed in the submitted updated plans, were accurate. Should the plans be inaccurate, the matter be referred back to this Committee. Amended plans were submitted following this where the angle of orientation between the two properties were updated. The agent has confirmed that measurements of the layout have been taken. Therefore, this application is being referred back to the committee.

Site Description and Proposal

The application site is a detached dwelling situated within the open countryside outside the defined settlement boundary of Foulridge. There are similar detached properties surrounding the site, with open fields to the west. The main access is by a track from Whitemoor Road. PROW FP1312004 passes through the front of the dwelling and FP1312004a passes along the side and rear boundaries.

The site slopes down from the entrance to the rear boundary, forming a split-level dwelling with a basement to the rear. From the front, the dwelling is a dormer bungalow consisting of a ground floor and a first floor built into the roof space.

The dwelling currently has a single storey extension to the side accommodating a garage and utility, a pitched roof with a gable to the front, and a flat-roof dormer to the southeast roof slope. It also has a rear extension with a conservatory at the ground floor level and a basement below it. The existing dwelling has stone, brick and timber panelling to its exterior walls, and UPVC doors and windows.

The proposed development is the demolition of the existing garage extension to the side, the dormer and the conservatory extension to the rear, and the erection of a rear extension, a two-storey side extension and the installation of dormers to the side, rear and front roof slopes.

Relevant Planning History

25/0284/HHO Full: Erection of a three-storey rear extension, two-storey side extension and replacement dormer windows. Refused. 2025

19/0228/HHO Full: Erection of single storey extension to rear, replacement front porch and implementation of roof lift with window alterations. Approved with Conditions. 2019

13/13/0496P Full: Erection of single storey front and rear extension and raise the existing roof of the dwelling. Approved with Conditions. 2013

13/12/0180P Full: Erection of two storey side extension. Refused. 2012

13/08/0132P Full: Erection of domestic porch to front elevation, two storey extension to side, single storey extension to rear and detached garage to side. Refused. 2008

Consultee Response

Highways

No objection

Parish/Town Council

No objection

PBC Environmental health

To minimise the impact on local residents, the following standard hours for noisy works should be adhered to: • Monday to Friday: 08:00 – 18:00 • Saturday: 08:00 – 13:00 • Sundays and Bank Holidays: No noisy works permitted.

PBC Public Rights of Way

No response

Public Response

The nearest neighbours have been notified by letter, and 8 responses received, 7 of which were in support and one objection. These are summarised as below:

Supports

- The house is in need of refurbishing
- The new scheme accords with policies
- It will add value to the houses at Hill Top
- the design complements the character of the existing house and the surrounding area
- despite all windows and doors on the proposed extension facing directly towards Great Hey Farm, the proposed development would not give rise to unacceptable overlooking or loss of privacy
- The assertion that the extensions represent a 130% increase in floorspace does not, in itself, demonstrate a breach of planning policy. There is no specific policy within DM24 that imposes a numerical cap on percentage increase.
- The proposal maintains the original dwelling as the visually dominant element
- The proposal integrates appropriately within the surrounding character and landscape
- While concerns regarding loss of light, overshadowing, and overbearing impact are noted, these effects must be assessed against established planning standards and guidance. Not all loss of light or change in outlook constitutes unacceptable harm

- The relationship between High Lea and neighbouring properties, including separation distances and orientation, ensures that any additional overshadowing-particularly during winter months-is limited in duration and extent.
- It is also important to note that planning policy does not safeguard private views or guarantee the preservation of existing levels of sunlight where reasonable development is proposed.
- The proposal has been designed and revised to accommodate ALL statements within DM24 1 (a) & 2 (b) and those raised by neighbours in the previous application.
- If you look on google maps the shadow that comes off the site, it falls way short of the boundary hedge with the neighbouring property.
- The proposal will have a similar effect on light pollution as the neighbouring houses and is not relevant.

Objections

This is a precis of the points and is not verbatim

- The proposal does not meet policy standards DM24 1 (c) & 2 (a)(b) of the local plan. The dominance and elevated position of High Lea as it currently exists, and as seen on the northerly approach along Hill Top, will be greatly exacerbated by the addition of these proposed extensions.
- Would result in loss of light to adjoining neighbour contrary to DM24 1 (a) & 2 (b).
- Light pollution from the additional windows and vast expanses of glass in the proposed extensions
- It is the same proposal as last year's application (with minor modifications).
- The foundations for the proposed extension and, in particular, the underground games room, will significantly interfere with the natural drainage of the land.
- If approved, it is requested that conditions be imposed to require that additional drainage works be carried out to ensure that the structures do not impede the natural drainage of the land.
- There would be overlooking from the proposed dormers to the neighbouring property's conservatory and decking
- Previously refused applications 13/12/0180P and 13/08/0132P set precedents and, whilst the size/volume threshold may have increased in subsequent iterations of the Local Plan, the principle established cannot be ignored.
- The proposal is disproportionate to the original dwelling and is incapable of integrating effectively into the wider street scene taking into account the built character, topography and land uses
- The original dwelling does not remain the dominant element in terms of size and overall appearance. The proposal would have a detrimental impact on the original building, adjacent buildings or the wider area in terms of its scale or visual impact.
- The angle and distance between the application site and Ridgeway is not accurate on plans and therefore the angle of the line from Ridgeway's window to the application site is much greater than 45 degrees, at 62 degrees. The properties are shown as parallel when they are not.
- On all Site Layout Plans, Ridgeway's walls have not been at 90°. It appears that, when proximity measurements between the two properties have changed, our South-facing wall has been moved to suit the measurements, and our house has not been rotated to account for the adjustments. Loss of amenity to adjoining neighbours to use their conservatory the light to which will be blocked by the proposal.
- The intervening hedge between High Lea and Ridgeway is tall because the applicant does not maintain it. When they start to maintain their hedge, it will be brown and will not recover

- We don't believe due weight has been given to our objections or to the evidence we have submitted along the way, and everything seems to be heavily influenced by what applicant and his architect say
- No councillor questioned the inaccuracies in the plans despite knowing the likely repercussions on the Council if the application were to be approved based flawed/incorrect information
- the applicant's latest measurements, if correct, show a breach of the 45 Degree Rule threshold by a margin of circa 10 Degrees (50 Degrees), the same as the assessment made last year, which resulted in the refusal of the planning application. Establishing the correct orientation of the properties and the distance between makes a hugely significant difference, resulting in the impact from this being exactly the same as it was when the application was refused last year.

Relevant Planning Policy

Pendle Local Plan Fourth Edition (2021-2040)

Policy SP01 (Presumption in Favour of Sustainable Development) echoes the presumption set out in National Policy and promotes the three strands of sustainable development: economic, social and environmental. Applications which accord with policies contained within the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy SP02 (Spatial Strategy) sets out the spatial development principles for developments in Pendle. Proposals to develop outside of a defined settlement boundary will only be permitted for exceptions to Policy DM09 that are identified in the NPPF, an adopted development plan document, or a made neighbourhood plan, or that are in accordance with Policy SP04 part 5 when the Council is unable to demonstrate a five year housing land supply.

Policy SP13 (Transport and connectivity) Proposals for new development should have regard to the potential impacts they may cause to the highways network, particularly in terms of safety and the potential to restrict free flowing traffic, causing congestion.

Policy DM04 (Biodiversity Net Gain) sets out that development is required to provide a measurable 10% enhancement above the baseline conditions. If this cannot be provided on site, it should be provided by way of an off-site contribution or biodiversity credits.

Policy DM09 (Open Countryside) sets out the exceptions to develop outside the settlement boundary.

Policy DM13 (Environmental Protection) seeks to ensure development does not result in any adverse impacts relating to air quality, lighting, noise and vibration and soil and water from the development and from the construction phase.

Policy DM16 (Design & Place Making) seeks high-quality design in all new developments. Proposals should promote local character and distinctiveness and demonstrate a good standard of amenity for existing and future occupants.

Policy DM24 (Residential extensions and alterations) sets down the requirements for proposals for residential extensions or alterations.

Policy DM37 (Parking) standards are set out in Appendix 5 of the plan, adequate parking provision is required to serve all new 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.

Policy DM3 (Determining development proposals)

1. When considering development proposals, local planning authorities should:

- a. Work with the applicant in a positive and proactive manner, where necessary seeking solutions to problems arising from initial proposals, to enable a timely decision;
- b. Take a proportionate approach to the consideration of the planning matters raised by the proposals, in a way that reflects their scale, complexity and potential impact;
- c. Take account of planning matters raised during any pre-application engagement, including any positive responses to this engagement, as well as representations on the proposals;
- d. Consult statutory or internal consultees only where it is necessary to do so. Decisions on development proposals should not be delayed in order to secure advice from a statutory or internal consultee beyond their statutory deadlines unless there is insufficient information to make the decision, there are public safety risks from proceeding without advice, or more detailed advice may enable an approval rather than a refusal;
- e. Consider whether otherwise unacceptable development proposals could be made acceptable through the use of planning conditions or planning obligations; and
- f. Not refuse applications for development which should clearly be approved, having regard to their accordance with the development plan, the policies in this Framework and any other material considerations.

Policy S3 (Presumption in favour of sustainable development) states that decisions on development proposals should apply a presumption in favour of sustainable development.

Policy S4 (Principle of development within settlements) states that development proposals within settlements should be approved unless their adverse effects would substantially outweigh their benefits, having regard to the national decision-making policies contained within the Framework.

Policy S5 (Principle of development outside settlements)

1. Only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework:

- c. The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the existing building. In the case of proposals for a replacement building, it should be for the same use and not disproportionately larger than the one it replaces;

Policy DP3 (Key principles for well-designed places)

1. Development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.

3. Development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

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

Supplementary Planning Guidance: Development in the Open Countryside places great importance on proportion and setting and provides guidance on the materials which would be acceptable for agricultural buildings. Developments must not be detrimental to the landscape and the materials and design must reflect traditional farm buildings.

Part 5.7 states:

Single Storey Rear Extensions

Subject to it being appropriate in terms of relationship to other properties, aspect, design and scale, a single storey rear extension located on, or immediately adjacent to, the party boundary with a neighbouring property will normally be acceptable if it does not project more than 4m from the rear elevation of the existing dwelling. A single storey extension of greater depth (or in a situation where the application property has a rear elevation which is set further back than the rear elevation of the neighbouring property), will normally only be permitted if it does not breach the 45 degree rule where this would not cause detriment to the character of an area. This dimension (4m) can be increased where the distance between dwellings are considerable, or where the extension itself would stand away from the boundary with the adjoining property.

Two Storey Rear Extension

Two storey extensions will be acceptable only if they do not breach the 45 degree rule. In addition, where the properties are attached and the neighbouring property has 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. Where the properties are attached (semi-detached and terraced) and there is already a single storey extension at the neighbouring property adjoining the boundary, a two storey extension may be allowed provided the 4m guide is respected for any first floor windows affected.

Officer Comments

The proposed development is for an extension to a dwelling. There are no underlying policies which would prevent the development in principle.

Comments have been made that this application is effectively the same as a refused application and that precedents have been set by other older applications. The two earlier other applications referred to were applications considered under a different Local Plan and prior to the publication of the NPPF. There was a different policy position at that time. The current application has been amended from the previous one (25/0284/HHO) and has a different design and different impacts. No previous application has set any precedent for this application which must be determined based on its individual planning merits.

Comments have been received that indicate that Councillors at the previous meeting did not question the accuracies of the plans. This is clearly not the case. The whole decision was predicated on the plans being accurate and if there were changes the matter was to be brought back to Committee. Clearly the accuracy of the plans was at the forefront of the mind of Members in reaching their decision. The matter is now back before Committee with an objector still of the view that the plans are not accurate.

The applicant has been asked to confirm that the plans are accurate and that they have been subject of measurement and not scaled of imagery such as Google Earth. The applicant has confirmed that the plans are accurate and been subject of measurement. Committee should make a decision based on the information before it.

The Council has planning policies in the Local Plan that inform how development is considered. In order to help decision makers on applications Supplementary Documents have been developed. The Design Principles SPD helps developers and decision makers assess proposals. At 1.3 and 1.5 it makes clear that it is guidance and not policy. The footnote at page 11 makes clear that in looking at developments changes in levels must be taken into account. That is important here as the application site and the neighbouring property have height differences that affect the impact the development would have were the finished floor levels to be equal.

The principal material considerations for the application are as follows:

Design and Materials

The proposal seeks to demolish the existing single-storey side extensions (garage and utility) and erect a two-storey side extension in its place. The existing extension projects further from the rest of the front elevation of the dwelling. The proposed extension would project 1.6m more to the side than its replacement and would be set back by 2.6m from the front elevation of the dwelling. The proposed side extension would be less than the frontage of the original property and would introduce a new gable to the side elevation. Its dual pitched roof would be set below the ridge line of the existing roof and would match its pitch. It would be sympathetic to the scale and proportions of the existing dwelling. There would be no actual or potential, terracing effect due to the extension.

The proposal also seeks to demolish the existing dormer to the side and erect a dormer each to both the side slopes and to the front roof slope of the proposed side extension. There would also be an L-shaped dormer to the rear roof slope of the proposed extension. All proposed dormers would be set below the ridge and set back from the front elevation and sides in accordance with the guidance set by the Design Principles SPD. With it being a detached dwelling set back from the front boundary, most parts of the proposed dormers would not be prominently visible from public vantage points. Considering this and the modern design of the existing dwelling with a flat dormer visible from the front elevation, and the varied designs of dwellings in the surroundings, the proposed dormers would not have any unacceptable impact on the character of the dwelling and its surroundings.

The proposal also seeks to replace the existing flat roof porch to the front with a pitched roof open design porch. The existing porch is 1.3m deep and 2.12m wide while the proposed porch would be 1.2m deep and 2.8m wide. The proposed porch in timber would be comparable in size and an improvement from the UPVC glazed existing porch. This element of the development would therefore be acceptable.

The proposal also includes the demolition of the existing two storey extension (basement and ground) to the rear and erection of a three-storey extension (basement, ground and first floors) in

its place. The existing rear extension projects 2.8m from the rear elevation of the dwelling and has a short, pitched roof. It does not relate well to the proportions of the existing dwelling.

The proposed rear extension would be as wide as the existing building and would extend the existing rear facing gable elevation. On the basement level, it would extend a total of 8m from the main rear elevation of the existing dwelling. On the ground floor level and first floor level the extension would project 4m from the rear elevation. The first floor would be an attic floor fully within the sloping roof space of the proposed rear extension. The proposed rear extension would form a patio on the ground floor level, with glass balustrades. Another patio is proposed to the southeast at the corner created by the side elevation of the rear extension and the rear elevation of the side extension. The proposed rear extension would be visible from public footpath FP1312004a especially when the hedges along the boundaries are not in leaf however these views would not be prominent due to the difference in levels of the site and the footpaths. Additionally, the proposed extension would be read as an extension of the existing gable rather than an additional element that compete with the form of the main dwelling. Considering the existing design and scale of the dwelling within the site, the proposed extensions, would not have an unacceptable impact on the character of the dwelling and its surroundings.

The existing dwelling has red brickwork, painted render, stone and timber cladding on its exterior, with UPVC doors and windows, and concrete tiled roof. The proposed materials include stone, painted render, stone and timber cladding on the walls, UPVC and aluminium windows and doors and concrete roof tiles on the roof of the extensions and elevations of the dormers. There would also be extensive glazing to the rear extensions on the ground floor. The proposed materials would match the variety of materials already used on the existing dwelling. A condition for samples would be necessary to ensure the exact materials are in keeping with the character of the area.

The area in which the building sits has a range of properties in the area with different designs. There are more modern properties with single stories, properties with conservatories, two storey dwellings, split level dwellings with a range of materials from stone through render and brick. There is no style or character of design which is typical of the area and no form of predominant design on which to base a decision on overall design. The design proposed would fit into this eclectic range of designs. It is proportionate in both its scale and overall features to the range of designs surrounding. Overall, the design would fit well into visual appearance of the area.

Overall, the proposed development would be acceptable in terms of design in accordance with policies DM16 and DM24 of the Adopted Pendle Local Plan Fourth Edition (2021-2040) and the Adopted Pendle Design principles SPD.

Residential Amenity

The application site slopes down significantly from the front to the rear boundary, forming a split-level dwelling with a basement to the rear. From the front, the dwelling is a dormer bungalow consisting of a ground floor and a first floor built into the roof space.

The application site is situated adjacent to Ridgeway; a detached dormer bungalow separated from the site by a mature hedge. The two properties are not parallel to each other but have a tapered relationship. There is a height difference between the two with the application site having its entire basement floor and up to half the height of its ground floor level below the ground floor level of Ridgeway. Ridgeway has a conservatory, a decked patio and two habitable room windows to the rear.

It is important to understand this relationship between the site and its neighbour as it is material to understanding impacts and how guidance, which does not specifically deal with situations where there are, as described below, height differences between properties. Committee have to

recognise the specific characteristics of the relationship with the neighbouring house and look at what that means for the interpretation of the Design Principles SPD.

The proposed development includes a two storey extension to the rear with proposed accommodation in the roof space. It which would be as wide as the existing building. This includes an extension at the basement level, at the ground level and at the attic level. Adjacent to the boundary with Ridgeway, the proposed extension would project 8m at the basement level, and 4m at the ground floor levels from the existing rear elevation of the dwelling.

The part of the rear extension at basement level would not have any unacceptable impact on the living conditions of the occupants of Ridgeway due to it being set entirely below Ridgeway's finished floor levels.

The rear elevation of Ridgeway is set back from the rear elevation of High Lea and therefore the proposed 4m extension on the ground and first floor levels would project circa 6.2m from the rear elevation of Ridgeway. When viewed from Ridgeway the proposed rear extension would sit with its floor level 1.6m below the finished floor level of the proposed extension. The impact therefore on Ridgeway is not that of a 2-storey extension were that to be built starting at the finished floor level of Ridgeway. The impact is of a reduced height single storey extension as the proposed extension has a floor level below that of the floor level of Ridgeway.

The Design SPD refers to different ways of assessing extensions and their impact as detailed in the policy section above. It indicates that 4m extensions will normally be acceptable for single storey extensions whereas the Design Principles SPD states that two-storey extensions will be acceptable if they do not breach the 45-degree line from the neighbour's nearest habitable room window.

The purpose of the SPD is to guide on looking at how various forms of development impact on neighbouring developments. It is about development impacts and has to be considered according to the specific circumstances of each development. The purpose of identifying single storey and two storey development is to look at what the impacts of both are likely to be. Here, although the rear extension would be two storey the impact on Ridgeway would be that of a single storey. That is also a single storey that is lower than the floor level of Ridgeway. It would be logical and proportionate to consider the SPD guidance based on the single storey guidance as the impact on Ridgeway is not one of a two storey extension.

As indicated above there are significant level differences between the two sites which in effect lowers the height of what would be a two-storey extension were the finished floor levels to be equal. The floor level of Ridgeway is at a height that starts above the ground floor level of High Lea. Due to the height differential and the pitched roof the rear extension would effectively read as a single storey extension from Ridgeway. The 45-degree guide is a tool to help assess whether a development would have any unacceptable impact on neighbouring properties. However as set out in the SPD, it should be applied along with the consideration to the specific circumstances of the development, the site and its relationship with other properties. The height differential between the two properties, the design of the roof and the intervening hedge to be taken into account in assessing what the impact of the proposal would be on the neighbouring property. This needs to be given appropriate weight whilst also considering the 45-degree guide.

As per the updated plans the proposed extension would breach the 45-degree line from Ridgeway's nearest rear window. The side elevation walls of the proposed extension and the proposed privacy screen to the side would both be below the cill level of Ridgeway's rear window and would have no impact on the amenity of the occupants of Ridgeway. Only the pitched roof of the extension would be at the height of Ridgeway's window. The 45-degree line is effectively measured on plan against the eaves line of the roof that slopes away from the neighbour. The 45-

degree breach is only by the pitched roof. The impact of a breach of the 45-degree line by only a pitched roof would be significantly less than when the breach is by a vertical wall. The pitch of the roof would also reduce the impact. The SPD also indicates that single storey extensions up to 4m in length would normally be acceptable.

Moreover, while it breaches the 45-degree line on the horizontal plane, it would not breach a 45-degree line taken from the neighbour's window on the vertical plane. In terms of light this is assessed under the Building Research Establishment (BRE) Sunlight and Daylight Indicators assessment on light into the rooms in Ridgeway. This works on the basis of calculating impact of the vertical sky component. The relationship between the two is such that the development would pass that test with a good margin. The BRE test also indicates that where a development does not subtend a 25 degree line from the adjoining windows there would not be a light impact. The proposed extension, due to the level differences, would not subtend the 25-degree line and hence would pass the BRE assessment. There would be no detrimental impacts on light.

Considering the pitched roof of the extension, the height differentials between the two properties and the intervening hedge, it would result in the extension effectively having, although there would be a breach of the 45-degree line, no overbearing or oppressive impact on the neighbours and there would be adequate light reaching the window. Whilst there would be a breach of the 45-degree line, in my professional opinion the height differential, slope of the roof, and intervening vegetation mean that the extension would not have an unacceptable impact on the living conditions of the neighbours.

As per the previous set of plans there was a marginal breach of the 45-degree line from Ridgeway's nearest rear window. The latest submitted plans show that Ridgeway is oriented more towards the application site than what was shown on previous plans. This means that the 45 degree-breach is slightly greater. Policy DM3 of the NPPF states that when considering development proposals, local planning authorities should take a proportionate approach to the consideration of the planning matters raised by the proposals, in a way that reflects their scale, complexity and potential impact. Such a proportionate approach has been undertaken in consideration of the matters in this case. All reasonable measures have been taken to ensure the developer has submitted measured accurate plans.

In any event, even if there remains some discrepancy in the plans, and the 45-degree breach is marginally greater than shown, this will not materially alter the assessment of the overbearing impact or loss of light in this case. This is due to the height differential, slope of the roof, and intervening vegetation along the boundary and based on the officer's onsite assessment from having visited both the application site and the neighbouring property. This is not a marginal case.

The proposed rear extension also creates a patio on the ground floor level that projects up to 10m from the rear elevation of Ridgeway. There is an existing hedge between the two properties which gradually slopes down in line with the terrain. A 2m high privacy screen is proposed along the side of the patio adjacent to the boundary hedge. During the site visit, scaffolding was erected on site at the ground level of the proposed extension, projecting out from the rear elevation of the existing dwelling. Viewing from this scaffolding from a point that would be roughly 8m from the rear elevation of the dwelling, any views into the closest rear windows or the patio of Ridgeway was fully blocked by the existing hedge. Only the top portion of the side walls of the conservatory was visible. A 2m high privacy screen would effectively screen any overlooking from the proposed development onto Ridgeway, even when the hedge is not in leaf.

While the previously refused scheme had a 2m overhang over the patio, which has been removed from the current proposal. Due to the level difference between the two properties, the top of the proposed privacy screen would be roughly at the cill level of the nearest window of Ridgeway. As such in effect the privacy screen by itself would not breach the 45-degree line for this window and

would not result in any unacceptable overbearing impact for occupants of Ridgeway. In addition to that the screen would be mostly blocked from view from Ridgeway by the existing boundary hedge.

The proposed replacement porch would not result in any unacceptable impact on residential amenity due to its scale and relationship with the neighbouring property.

The proposed side extension to the southeast elevation would have a garage door and landing door on the ground floor and a landing window on the first floor on the southeast elevation. The southeast roof slope would also have new dormer windows that serve bedrooms. All of these new openings to the southeast would be circa 33m from the nearest neighbouring dwelling Innisfree. They would not impinge upon their privacy.

The proposed dormers to the front face the open countryside. The proposed dormer windows to the rear elevation would be at least 33m from the rear neighbour Great Hey Farm. The proposed dormer to the northwest roof slope would face the blank side elevation of Ridgeway. A portion of one of the windows would have a line of sight towards the glazed side elevation of the conservatory of Ridgeway. However, this is a bathroom window and would be obscure glazed and can be ensured through condition to ensure it wouldn't result in any overlooking. All of the dormer windows would be more than 21 m away from the neighbouring properties that they directly face.

The proposal would introduce a new dining room window to the existing side elevation facing Ridgeway on the ground floor. This would face the blank elevation of Ridgeway and is set lower than the ground floor of Ridgeway. Views of Ridgeway would also be blocked by the boundary hedge.

The proposed rear extension would not have any windows towards Ridgeway. All other windows to the rear and sides would be sufficiently distant from neighbours to the rear and sides that they would not result in any unacceptable overlooking.

Therefore, the proposed development would be acceptable in terms of residential amenity in accordance with policy DM16 and DM24 of the Adopted Pendle Local Plan Fourth Edition (2021-2040), and the Adopted Pendle Design principles SPD.

Highways

The development raises no issues of highway safety and would be acceptable in accordance with policies SP13 and DM37 of the of the Adopted Pendle Local Plan Fourth Edition (2021-2040).

Other Matters

Concerns have been raised by members of the public that two of the previous refusals at this site from 2012 and 2008, established a principle established a planning position which should continue to carry significant weight. These previous decisions were made in accordance with the relevant National and local policies at that time which have since been superseded. Each application is dealt with on its own merits taking into account the specific details of what is proposed. While the previous refusals form part of the site's planning history and a material consideration, they do not establish a fixed precedent which prevents a different conclusion being reached where other material considerations differ.

Concerns have been raised by a member of the public regarding the loss of light and overshadowing to the adjoining property and against the recommendation for refusal despite a breach of the 45-degree line. As explained in the residential amenity section, as stated in the SPD Guidance, the 45-degree rule is designed to protect the amenities of neighbouring dwellings from

overshadowing or obstruction of outlook. It is used as a guideline to decide how much a property can extend without causing harm to neighbouring properties. However, the specific circumstances of the proposal and its context have to be considered in assessing the impact. The proposal has been assessed on that basis in the residential amenity section, while taking into consideration the specific site constraints and characteristics.

Concerns have been raised about potential drainage issues from the proposed development and comments received requesting a drainage scheme conditioned. However, considering this is a small-scale householder development, that is retaining the majority of the unbuilt land within the curtilage, a condition for a drainage scheme would not be reasonable or necessary.

Reason for Decision

Section 38 of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The proposed development would accord with Local Planning Policy and would be compliant with the guidance set out in the Framework, subject to compliance with planning conditions. The development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - ADM/23/13/04 Location Plan
 - ADM/23/13/02C Proposed Site Layout
 - ADM/23/13/01 Rev E Amended Design & Layout

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Notwithstanding any indication on the approved plans and application form, prior to any external works commencing, samples of all the external materials and finishes to be used on the elevations and roof shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter times be carried out in strict accordance with the approved materials.

Reason: To ensure a satisfactory form of development in the interest of visual amenity of the area and character and appearance of the area.

4. The dormer windows on the northwest side elevation of the development hereby permitted shall at all times be fitted with obscure glazing to at least level 4 or above unless otherwise agreed in writing by the Local Planning Authority. Any replacement glazing shall be of an

equal degree or above. The window shall be hung in such a way as to prevent the effect of the obscure glazing being negated by way of opening.

Reason: To ensure an adequate level of privacy to adjacent residential properties.

5. Prior to the first use of the development, a fixed opaque privacy screen shall be installed along the northwestern edge of the raised patio in accordance with approved Dwg. ADM/23/13/01 Rev E. The screen shall be a minimum of 1.8 metres in height measured from the finished floor level of the patio and shall thereafter be retained and maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an adequate level of privacy to adjacent residential properties.

Informatives

All construction work shall be carried out only within the hours of 8am – 6pm Monday – Friday, 9am – 1pm Saturday and no working Sundays and Bank holidays. Failure to work within these hours may result in a service of a notice under the Control of Pollution Act 1974, and potentially prosecution thereafter.

Application Ref: 26/0340/HHO

Proposal: Full: Erection of a three-storey rear extension, two storey side extension and replacement dormer windows.

At High Lea, Hill Top, Foulridge, Lancashire

On behalf of: Mr Nathan Hugill

REPORT TO COLNE AND DISTRICT COMMITTEE ON 10TH SEPTEMBER 2026

Application Ref: 26/0443/HHO

Proposal: Full: Replacement and enlargement of the existing pitched roof, extension to the rear elevation, insertion of front and rear dormers with balconies at first-floor level, and erection of a detached domestic double garage.

At: Greystones, Skipton Old Road, Foulridge

On behalf of: Mr David Atkinson

Date Registered: 07.07.2026

Expiry Date: 01.09.2026

Case Officer: Luke Jones

This application has been called in by the Chair.

Site Description and Proposal

The application site is a detached bungalow dwelling situated within the defined settlement boundary of Foulridge. The original dwelling has rendered walls, a pitched roof of slate tiles, and UPVC doors and windows.

The proposed development seeks to replace the existing pitched roof with a larger replacement, increasing the height to accommodate roof space, with the addition of dormer windows and an integrated balcony to the front and rear roof slopes. The proposed development also includes the erection of a detached garage to the front of the main dwelling.

Relevant Planning History

None.

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 is unlikely to have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. The following comments should be noted and condition and informative note applied to any formal planning approval granted.

Proposed garage

A large, detached garage is proposed to be erected within the site entrance following the excavation and removal of the existing landscaped area. As this is immediately next to the carriageway on Skipton Old Road a means of wheel washing and mechanical road sweeping must be provided to prevent any dirt or debris being carried onto the road. Any dirt or debris that is carried onto the road shall be removed as soon as possible by means of mechanical road sweeping.

Rainwater from the garage roof must drain wholly within the site and shall not be allowed to discharge onto the adjacent publicly maintained highway network. (Section 163 of the Highways Act 1980 - Prevention of water falling on or flowing on to the highway refers.)

The highway authority recommends that the following condition and informative note are applied to any formal planning approval granted.

Condition

For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The road adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones and mud from being carried onto the highway to the detriment of highway safety.

Informative note

Rainwater from the garage roof must drain wholly within the site and shall not be allowed to discharge onto the adjacent publicly maintained highway network. (Section 163 of the Highways Act 1980 – Prevention of water falling on or flowing on to the highway refers.)

Parish/Town Council

No objection.

Environmental Services (Health)

To minimise the impact on local residents, the following standard hours for noisy works should be adhered to:

- Monday to Friday: 08:00 – 18:00
- Saturday: 08:00 – 13:00
- Sundays and Bank Holidays: No noisy works permitted.

PBC Public Rights of Way

No response.

Public Response

The nearest neighbouring properties have been notified by letter with no response received.

Relevant Planning Policy

Pendle Local Plan Fourth Edition (2021-2040)

Policy SP01 (Presumption in Favour of Sustainable Development) echoes the presumption set out in National Policy and promotes the three strands of sustainable development: economic, social and environmental. Applications which accord with policies contained within the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy DM16 (Design & Place Making) seeks high quality design in all new developments. Proposals should promote local character and distinctiveness and demonstrate a good standard of amenity for existing and future occupants.

Policy DM21 (Design & Quality of Housing) requires residential development to make a positive contribution to the built and natural environment. It sets out that new homes should make efficient use of land.

Policy DM24 (Residential extensions and alterations) states that in defined settlement boundaries residential extensions and alterations will be supported where the amenity of neighbours is retained, and design and materials respect the character of original dwellings.

Policy DM37 (Parking) standards are set out in Appendix 5 of the plan, adequate parking provision is required to serve all new development.

National Planning Policy Framework

Policy S4 (Principle of development within settlements) states that development proposals within settlements should be approved unless their adverse effects would substantially outweigh their benefits, having regard to the national decision-making policies contained within the Framework.

Policy DP3 (Key principles for well-designed places) sets out the expectations of design which are relevant to the nature of the development and its location.

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 neighbourhood situated within the defined settlement boundary of Foulridge. 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 provides general guidance for roof alterations and dormer extensions. Care should be taken to ensure such alterations are sympathetic to the host dwelling and do not appear unduly dominant. Dormers should remain subordinate to the roof slope and roof alterations should respect the character and appearance of the existing building. The SPD advises that raising ridge heights will generally be unacceptable unless it can be demonstrated that this would not adversely affect the character and appearance of the dwelling or the wider street scene.

The proposal comprises the removal of the existing pitched roof and its replacement with a larger pitched roof extending across the full footprint of the dwelling. The ridge height would increase by approximately 2.53m, from 5.39m to 7.92m. Whilst this is a significant alteration to the original form of the dwelling, the property occupies a generous plot and is set back from the highway, which assists in accommodating the increased scale of development. The surrounding area is characterised by a range of dwellings and does not display a strong degree of uniformity. As such, whilst the proposal would materially alter the appearance of the dwelling, the increased roof height and bulk would not appear incongruous or result in unacceptable harm to the character of the dwelling or the wider street scene.

The proposal also includes front and rear dormers incorporating first-floor balconies. The dormers would remain subordinate to the enlarged roof form and would not dominate the roof slopes. The balconies would be integrated into the dormer structures, with large, glazed sliding doors providing access. Whilst these elements introduce a contemporary design approach, they would be appropriately proportioned and would not appear out of keeping within the varied residential context. Therefore, they would not have an unacceptable impact on the character or appearance of the dwelling or surrounding area.

The proposal also includes the erection of a detached double garage measuring approximately 7.94m by 11.5m, incorporating a pitched roof with an eaves height of 3m and ridge height of circa 5.19m. The detached garage would be positioned in the corner at the front entrance of the site directly adjacent to the public highway (Skipton Old Road) and would be built across both the front and side boundaries. The external materials would include ivory rendered walls and a pitched roof of concrete tiles, matching the existing dwelling.

Whilst this would be a significant addition of built form which would be present in the immediate view from the highway, it is noted that there are other garages directly opposite the site, and therefore the development would not look out of place in the street scene. Given the single storey scale and use of matching materials to the host dwelling, the proposed garage would be acceptable in design terms.

The proposal would therefore preserve the character and appearance of the site and the wider street scene. As such, it is acceptable in design terms and accords with Policies DM16 and DM24 of the Pendle Local Plan Fourth Edition (2021-2040), the NPPF, and the adopted Design Principles SPD.

Residential Amenity

The Design Principles SPD advises that extensions should be designed to avoid having an overbearing effect or causing loss of light or privacy for neighbours.

To the North, the directly adjacent property Tregay, Skipton Old Road includes two habitable room windows facing towards the existing gable elevation of the application site, with the ground floor window serving a lounge area and first floor window serving a bedroom. The distance between the gables is approximately 7m. Whilst the roof alterations would increase the pitch of the roof, given the existing relationship between the dwellings there would be no unacceptably greater overbearing or overshadowing impacts than already arise to the occupants of Tregay.

The proposed rear extension of circa 2m would result in a total extension beyond 4m when measured from the rear windows of the directly adjacent property Tregay. However, due to the separation distances from the property, the 45-degree line would not be in breach from any rear facing windows and therefore no unacceptable overbearing or overshadowing impacts would arise.

Given the separation distances from the main dwelling to other residential properties, no unacceptable overbearing or overshadowing impacts would arise from the extensions and alterations to the main dwelling.

The detached garage would be positioned at the front of the site, directly opposite neighbouring properties along Skipton Old Road. Due to the single storey scale, and separation distances from neighbouring windows, no unacceptable overbearing or overshadowing would arise from the proposed garage.

In terms of privacy, the Design Principles SPD advises that careful consideration should be given to the siting and potential screening of first floor balconies to avoid overlooking and loss of privacy.

The front-facing balcony would be situated approximately 4.6m from the shared side boundary with Tregay and approximately 8.5m from the gable elevation. Whilst the balcony would be set forward of the habitable room windows of Tregay, there would still be potential overlooking into these windows which would be unacceptable. Therefore, to ensure no unacceptable overlooking or loss of privacy to neighbouring occupiers, a condition will be attached requiring the installation and retention of 1.8m high privacy screens along both sides of the balcony. Subject to this condition, the proposal would not result in an unacceptable loss of privacy or overlooking.

The proposed rear balcony, by virtue of the separation distances involved and the absence of direct views into neighbouring habitable room windows, would not result in unacceptable privacy impacts.

The east gable elevation incorporates extensive first floor glazing. These windows would be positioned approximately 13m from the shared boundary with the rear garden of No. 9 Noyna Road and approximately 17.5m from the conservatory at that property. Whilst views towards the conservatory would not be at the same level, the outlook would be direct and would give rise to overlooking and a loss of privacy. To safeguard the residential amenity of neighbouring occupiers, a condition will be imposed requiring the glazing to be obscure glazed and non-opening below a height of 1.8m above the finished floor level of the rooms. The glazing shall thereafter be retained in that form for the lifetime of the development. Subject to this condition, the development would not result in unacceptable overlooking or loss of privacy.

The detached garage would include garage door openings within its south elevation. Given the separation distances to neighbouring properties the development would not result in any unacceptable loss of privacy.

Subject to appropriate conditions, the proposal would therefore be acceptable in residential amenity terms, in accordance with Policies DM16 and DM24 of the adopted Pendle Local Plan Fourth Edition (2021–2040) and the adopted Pendle Design Principles SPD.

Highways

The proposed development would increase the number of bedrooms at the property from two to three. This would increase the maximum parking requirements from one space to two spaces. Given the size of the plot and addition of garage space, sufficient off-road parking would remain available to serve the site in accordance with Policy DM37 of the Pendle Local Plan Fourth Edition (2021-2040).

The proposed garage would directly border Skipton Old Road and would be adjacent the vehicular access into the neighbouring property Tregay. This would not result in any unacceptable visibility impacts due to the existing boundary treatment of the properties and given that the garage would not extend beyond the access where this would cause severe implications.

LCC Highways raises no objection to proposal subject to suitable condition to ensuring wheel washing and mechanical road sweeping are provided to prevent any dirt or debris being carried onto the road, in the interest of highway safety.

Subject to this condition, the development is therefore acceptable in highway safety terms.

RECOMMENDATION: Approve

Subject to the following conditions:

1. The proposed development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
ATK/01-DWG01; ATK/01-DWG02; ATK/01-DWG03; ATK/01-DWG04; ATK/01-DWG05

Reason: For the avoidance of doubt and in the interests of proper planning.

3. All the external materials to be used in the elevations and roof of the development hereby permitted shall be as stated on the application form and approved plans and there shall be no variation without the prior consent of the Local Planning Authority.

Reason: These materials are appropriate to the locality and in order to allow the Local Planning Authority to control the external appearance of the development.

4. Prior to the first use of the front balcony, privacy screens 1.8m above the floor level of the balcony shall be installed on both side elevations of the balcony, these shall either be extension of the approved wall material or obscure glazing to a minimum of Pilkington Level 4 (or an equivalent standard). The screens shall thereafter be retained for the lifetime of the development.

Reason: To safeguard residential amenity and prevent overlooking.

5. The first-floor glazing in the east elevation of the dwelling facing No. 9 Noyna Road shall at all times be fitted with obscured glazing to a minimum of Pilkington Level 4 (or an equivalent standard). The obscured glazing shall be provided to a minimum height of 1.8 metres above the internal finished floor level of the room in which the window is installed. Any opening parts of the window below this height shall be fixed shut or otherwise restricted so as to prevent the effect of obscure glazing being negated by way of opening.

Reason: To safeguard the privacy and residential amenity of the occupants of number 9 Noyna Road.

6. For the full period of construction facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The road adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones and mud from being carried onto the highway to the detriment of highway safety.

Informative Notes

1. Rainwater from the garage roof must drain wholly within the site and shall not be allowed to discharge onto the adjacent publicly maintained highway network. (Section 163 of the Highways Act 1980 - Prevention of water falling on or flowing on to the highway refers).
2. To minimise the impact on local residents, the following standard hours for noisy works should be adhered to:
 - Monday to Friday: 08:00 – 18:00
 - Saturday: 08:00 – 13:00

- Sundays and Bank Holidays: No noisy works permitted.

Application Ref: 26/0443/HHO

Proposal: Full: Replacement and enlargement of the existing pitched roof, extension to the rear elevation, insertion of front and rear dormers with balconies at first-floor level, and erection of a detached domestic double garage.

At: Greystones, Skipton Old Road, Foulridge

REPORT TO COLNE AND DISTRICT COMMITTEE ON 10TH SEPTEMBER 2026

Application Ref: 26/0459/CND

Proposal: Approval of Details Reserved by Condition: Discharge Condition 4 (Sample and colour of K-Render) of Planning Permission 23/0125/HHO.

At: 38 Skipton Old Road, Colne

On behalf of: Mr Lewis Wilkinson

Date Registered: 13.07.2026

Expiry Date: 07.09.2026

Case Officer: Luke Jones

This application has been brought before Committee due to a Councillor call in.

Site Description and Proposal

This application is made under article 21 of the Town and Country Planning (General Development Procedure) Order 2015 to seek confirmation of compliance with conditions of Planning Permission 23/0125/HHO.

This application requests the discharge of condition 4.

Condition 4

Samples of the roughcast k-render and its colour shall be submitted to the Local Planning Authority for written approval prior to any external rendering. The development shall be carried out using only the agreed materials.

Reason: In order that the Local Planning Authority can assess the materials in the interest of the visual amenity of the area.

Relevant Planning History

23/0125/HHO – Full: Demolition of existing conservatory, erection of a single storey rear extension and the demolition and reconstruction of an existing garage. Approved with Conditions.

Consultee Response

None necessary.

Public Response

None necessary.

Officer Comments

Condition 4

Condition 4 requires the submission and approval of details relating to the roughcast k-render and

its colour.

The submitted information confirms that an Ecorend MR1 Monocouche One Coat Render System will be used. The render will be applied as a roughcast finish to the areas identified on drawing SK01 (Existing & Proposed Plans & Elevations) and sprayed to achieve a textured appearance. The proposed colour is Antique White, a muted off-white shade with warm cream undertones.

The application site lies within the Lidgett and Bents Conservation Area, where stone and slate are the predominant building materials, alongside examples of rendered properties. Whilst the proposed Antique White finish is lighter in tone than the existing sand-coloured pebbledash, it remains a sympathetic and subdued colour which would not appear unduly prominent or incongruous within the street scene and would preserve the character and appearance of the Conservation Area.

Accordingly, the submitted details are acceptable and comply with the requirements of Condition 4.

RECOMMENDATION: Discharge Condition 4

Condition 4 (Sample and colour of K-Render) – The submitted details are acceptable. The condition is discharged subject to implementation.

Application Ref: 26/0459/CND

Proposal: Approval of Details Reserved by Condition: Discharge Condition 4 (Sample and colour of K-Render) of Planning Permission 23/0125/HHO.

At: 38 Skipton Old Road, Colne

On behalf of: Mr Lewis Wilkinson

LIST OF BACKGROUND PAPERS

Planning Applications

NPW/MP

Date: 06th August 2026