

APPLICATION REPORT – 21/00119/FULHH

Validation Date: 1 February 2021

Ward: Brindle And Hoghton

Type of Application: Householder Application

Proposal: Two storey rear extension

Location: Prospect Cottage Gregson Lane Brindle Preston PR5 0ED

Case Officer: Mrs Hannah Roper

Applicant: Mr Lee Robert Steel

Agent: Mr Ryan Ogden

Consultation expiry: 31 March 2021

Decision due by: 28 April 2021 (Extension of time agreed)

RECOMMENDATION

1. It is recommended that planning permission is granted subject conditions.

SITE DESCRIPTION

2. The application relates to a detached, double fronted cottage located on Gregson Lane, Brindle. The property is brick built with slate roof and stone cills. It has a gravelled frontage and sizeable rear garden that slopes towards it furthest extent.
3. The property is bounded by an extended end terraced dwellinghouse to the east and a Methodist church to the west. The church is modern in appearance and is constructed of red brick and grey slate roof. It extends some way along the common boundary to the rear of the application property.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The application seeks planning permission for a two storey rear extension which would be set in 0.3m from the side elevations of the host property. It would project 3.8m before the corners chamfer and would have a maximum projection of 5m. A balcony, 4.5m in width, would be positioned centrally to the first floor and would have a privacy screen on the side elevation nearest no.2 Oak Bank.

REPRESENTATIONS

5. Two representations were received in relation to the plans as originally submitted citing the following grounds of objection:
 - The extension would, due to size, width, height and massing have an unacceptable impact on the neighbouring property
 - The proposal would result in overlooking and loss of privacy
 - There would be an impact on right to light

- The 45-degree line has not been adhered to from the first floor bedroom window or the ground floor side facing kitchen window
 - The balcony would allow views into neighbouring gardens of 2, 3, 4 and 5 Oak Bank
 - The balcony would be for recreation purposes and therefore would be occupied for longer periods than a window or Juliette balcony would be
 - The plans are inaccurate as they show extensions on neighbouring properties. It is wrong to accept this as a precedent
6. Following amendments to the proposed scheme an additional letter has been received from the occupier of the neighbouring property citing the following grounds of objection:
- Failure to comply with the 45 degree line from the habitable, side facing kitchen window. It has been drawn from the first floor bedroom window.
 - Light and privacy would still be impacted as the proposed extension projects beyond the neighbouring kitchen extension.
 - Window now directly overlooking the rear garden. The obscure glass on the plans would not be permanent.
 - The neighbours were not initially advised of the balcony which doubles the length of the cottage.
 - The privacy screen now proposed to the balcony is inadequate and not permanent.
 - There is no site plan and the block plan is incorrect.
 - All points in the original letter of objection still stand.

CONSULTATIONS

7. Brindle Parish Council – Have confirmed that they have no objection.
8. CIL Officers – Comment that the proposal is not CIL liable.

PLANNING CONSIDERATIONS

Design and impact on the dwelling and streetscene

9. *Policy HS5 of the Chorley Local Plan 2012 – 2026 stipulates that the proposed extension respects the existing house and the surrounding buildings in terms of scale, size, design and facing materials, without innovative and original design features being stifled.*

10. *The Householder Design Guidance Supplementary Planning Document (SPD) requires that extensions are subservient to the existing dwelling and respect the scale, character, proportions of the existing dwelling and surrounding area.*

11. The proposed extension would be located to the rear of the property and as such would not form part of the streetscene, although it would be visible due to the open aspect to the rear. The proposed extension, although sizeable would have a set down from the main ridge and a small set in from both side elevations which reduce the visual mass. The corners would be chamfered and whilst not necessarily traditional in style would emulate the appearance of the neighbouring church which is more modern in design but has similar detail.

12. Materials would match those of the host dwelling and as such it is considered that the proposal would not result in a detrimental appearance to the host dwelling or to the surrounding streetscape and given the rear location would not impact on the prevailing character of the area. As such the proposal accords with policy.

Impact on the amenity of neighbouring occupiers

13. *Policy HS5 of the Chorley Local Plan 2012 – 2026 states that there should be no unacceptable adverse effect on the amenity of neighbouring properties through overlooking, loss of privacy or reduction of daylight.*

14. *The Householder Design Guidance SPD seeks to ensure that property extensions have a satisfactory relationship with existing neighbouring buildings, do not have overbearing impacts on adjacent properties and amenity areas and do not lead to the excessive loss of daylight or overshadowing of habitable rooms and amenity spaces of adjacent properties. Furthermore, it asserts that extensions should be located, and windows orientated, to prevent direct overlooking of habitable rooms or private amenity space that belongs to nearby properties. In particular, the SPD states that two storey rear extensions should not project beyond a '45 degree' guideline drawn from the near edge of the closest ground floor habitable room window on an adjoining/affected property. Furthermore, where the extension has more than one storey, it must be a minimum 7 metres away from any boundary of its curtilage which is opposite the rear wall of the house being enlarged.*

15. To the north west of the property is a church which stretches along the common boundary and the proposed extension would have no detrimental amenity on this property.

16. To the south east is a row of terraced dwellings. No.2 Oak Bank has a single storey rear extension built along the common boundary. This extension has a kitchen window along the common boundary of the two properties directly overlooking the garden of the application property and a first floor rear facing bedroom window.

17. With regard to the side facing window, it is not clear when this extension was added to the property. The window serves a kitchen, however the property benefits from other sources of light and outlook by means of windows to the rear and opposite side elevation. These windows take light from and overlook the occupant's open private amenity space. As such the window would be considered to be a secondary window and would not be afforded protection under planning policy.

18. Whilst this side facing window has benefited from views and a source of light from across the neighbouring garden, it should also be considered that a 2m high fence or an outbuilding could be erected along this boundary under permitted development rights that would have a greater impact on the window than the proposed extension. The chamfered corners of the proposed extension would reduce the impact on this window and would remove the extension from sitting directly in front of it for its full extent. The proposed extension itself would be set 1.2m off the common boundary and 2m from this window. As such taking all of these factors into consideration, it is considered that the resultant relationship with this window would be acceptable.

19. To the first floor, the chamfered corners of the proposed extension, and set in from the side elevation of the dwelling, result in a projection of 0.3m beyond a 45 degree line drawn from the nearest point of the rear facing first floor habitable room window. There is no policy protection for a first floor window, however when the impact of a single storey extension is considered on a ground floor window a projection of 3m beyond a 45-degree line is considered to be acceptable. It would, therefore, seem appropriate to consider the potential impact of a first floor extension on a first floor window in the same manner. On this basis the proposed extension is considered to be acceptable.

20. The first floor bathroom window on the chamfered section of the proposed extension would not serve a habitable room and a condition is recommended to require it to be obscurely glazed and top hung in perpetuity to ensure that there are no overlooking issues. A side facing, first floor window in the neighbouring property has been confirmed by the owner to serve a bathroom.

21. The proposed balcony would be set in 3.5m from the common boundary with no.2 Oak Bank. Amendments have been made to the proposed scheme since the application was originally submitted and it now incorporates a privacy screen along the elevation of the proposed balcony nearest the common boundary which would reduce the potential overlooking issues associated with a balcony. The proposed privacy screen would ensure that no additional overlooking beyond that of a window would occur. A condition is recommended to ensure that the privacy screen is installed prior to first use of the balcony and retained in perpetuity. As such, it is

considered that the proposal complies with policy and that there is no justification for its refusal on the grounds of adverse impact on residential amenity.

Highway safety

22. Policy HS5 of the Chorley Local Plan 2012 – 2026 states that permission will be granted provided that the proposal does not have an unacceptable adverse effect on highway safety.

23. The Householder Design Guidance SPD states that off-street parking should be provided at a ratio of 2 spaces for a two or three bed dwelling, and 3 spaces for a larger property, including garages. It also states that car parking spaces occupy a space of 2.5 metres by 5.5 metres but spaces in front of a garage should be 2.5 metres by 6 metres to allow for opening/closing doors and if a garage is to be classified as a parking space the size must be 6m by 3m.

24. The proposal would retain three bedrooms at the dwelling and the current parking arrangements would be as existing. As such there would be no net change from the existing and the proposal is therefore considered to be acceptable.

CONCLUSION

25. The proposed development would not have an unacceptable adverse impact on the character and appearance of the existing dwelling or the surrounding area, nor would it cause any significant harm to highway safety. Whilst there would be some impact on the side facing window in the neighbouring extension, this is a secondary window to this room and on balance, the resultant relationship is considered to be acceptable. It is, therefore, considered that the development accords with policy HS5 of the Chorley Local Plan 2012 – 2026 and the Householder Design Guidance SPD. Consequently, it is recommended that the application is approved.

RELEVANT POLICIES: In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

RELEVANT HISTORY OF THE SITE

There is recent relevant planning history.

Suggested conditions

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans below:

Title	Plan Ref	Received On
Proposed Plans and Elevations Option 1	L01(002) Rev A	24 March 2021

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

3. The external facing materials, detailed on the approved plans, shall be used and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning

Authority, when the development shall then be carried out in accordance with the alternatives approved.

Reason: To ensure that the materials used are visually appropriate to the locality.

4. The first floor window in the chamfered part of the extension adjacent to no.2 Oak Bank, shall be fitted with obscure glass and top opening, with the obscure glazing and top opening window retained at all times thereafter. The obscure glazing shall be to at least Level 5 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.

Reason: In the interests of the privacy of occupiers of neighbouring property.

5. The privacy screen to the balcony shown on approved plan L01 (002) Rev A shall be installed prior to the first use of the balcony and shall be retained at all times thereafter. Any glazing to the screen shall be to at least Level 5 on the Pilkington Levels of Privacy, or such equivalent, as may be agreed in writing by the local planning authority.

Reason: In the interests of the privacy of occupiers of neighbouring property.