

## **APPLICATION REPORT – 22/00169/FULHH**

**Validation Date: 13 February 2022**

**Ward: Chorley North East**

**Type of Application: Householder Application**

**Proposal: Single storey rear extension with balcony (retrospective)**

**Location: 153 School Lane Brinscall Chorley PR6 8PT**

**Case Officer: Mrs Hannah Roper**

**Applicant: Helen Jones**

**Agent: Mr Jake Rothwell, WBC Drawings**

**Consultation expiry: 14 March 2022**

**Decision due by: 10 April 2022**

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### **RECOMMENDATION**

1. It is recommended that planning permission is granted.

### **SITE DESCRIPTION**

2. The application site is located within the settlement area of Brinscall on School Lane, Brinscall. It is bounded on either side by a bungalow and to the rear by a football pitch. Further pitches and a sports pavilion are located on the opposite of School Lane. The land falls to the east and south with no.151 located at a lower level than the application property.
3. The existing property is a detached, two storey dwelling that has been previously extended by the addition of a two storey rear extension and a single storey side extension.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application seeks planning permission for a single storey extension to the rear of the dwelling which would project 3.8m and would have a width of 8m, with a height of 3m. Windows are located in all three elevations, albeit to the north elevation these are high level. This element of the proposal has already been completed.
5. Located above the extension it is proposed to construct a balcony, with 1.8m high privacy screens to the north and south elevations, which would be accessed by a set of patio doors at first floor.

### **REPRESENTATIONS**

6. Councillor Margaret France has requested that this application is determined by the Planning Committee for the following reasons:
  - This retrospective planning application would have a detrimental effect on the neighbouring properties in terms of their amenity
  - The large balcony which has been built means their gardens are totally overlooked
  - The privacy which they have previously enjoyed would be lost

- The balcony is large enough for groups of people to congregate with resulting noise and disturbance

7. One representation has been received citing the following grounds of objection:

- The white render does not look aesthetically pleasing
- The proposed terrace would result in a loss of privacy to neighbouring gardens
- The open roof terrace would reflect noise and light

## CONSULTATIONS

7. Brinscall Parish Council – No comments have been received.

8. CIL Officers – Have commented that the proposal is not CIL liable.

## PLANNING CONSIDERATIONS

### Design and impact on the dwelling and streetscene

8. *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.*

9. *The Householder Design Guidance SPD requires that extensions are subservient to the existing dwelling and respect the scale, character, proportions of the existing dwelling and surrounding area. In particular it states that the installation of balconies and terraces are almost always problematic and in many cases unacceptable. One possible solution is to incorporate some form of privacy screen. Privacy screens can significantly increase the visual impact of a proposal, and should only be used with great care. Ideally, they should be designed into the fabric of an extension rather than be added as an afterthought.*

10. The proposed extension and balcony above are located to the rear of the dwelling and as such are not visible within the streetscene. Longer range views of the property and extension can be gained from the playing fields to the rear, however these are in private ownership with located access gates.

11. Whilst the extension is white rendered, it is not of excessive scale and given its rear location it is considered that it is not detrimental to the host dwelling, streetscene or surrounding locality. Render is not alien within the front or rear streetscene with the neighbouring bungalow rendered in grey in its entirety. On this basis the extension and balcony are considered to accord with policy HS5 and the Householder Design Guide SPD in respect of design considerations.

### Impact on the amenity of neighbouring occupiers

12. *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.*

13. *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 single storey extensions shall not project further than 3 metres beyond a '45-degree' guideline drawn on plan from the near edge of the closest ground floor habitable room window on an adjoining/affected property. In addition, the SPD states that balconies or terraces which lead to an unacceptable level of overlooking or are visually intrusive are unacceptable.*

14. The proposed extension and balcony above are located to the rear of the property. The neighbouring properties on both sides are bungalows, with the dwelling at no.151 set at a lower level than the application property.
15. Considering the relationship with no.155, a 2m high close boarded fence separates the two dwellings. This neighbouring property has a single storey rear extension with rear facing windows. The proposed extension does not project beyond this extension. The neighbouring dwelling has a carport located adjacent to the common boundary. Given the set in off the boundary and that the neighbouring property is a bungalow, the proposed privacy screen to the boundary would not result in an overbearing impact on the property or garden at no.155.
16. Considering no.151, this bungalow is located at a marginally lower level than the application property. A c.1.6m high fence lies along the common boundary, however this is partially trellis and as a result, the two properties enjoy a relatively open existing aspect between them.
17. This neighbouring property is angled away from the application dwelling with the nearest habitable room window set in some way from the boundary. As such the extension itself does not bisect a 45-degree line drawn from the nearest habitable room window and does not result in an overbearing impact on this dwelling.
18. The proposed extension has a side facing, full height window. The insertion of side facing windows is generally not acceptable, however given that a higher boundary treatment could be installed, the existing open aspect between the two dwelling and that the extension is set in 4m off the boundary, on balance the relationship is considered to be acceptable in this instance. It is noted that no objection has been received from the occupiers of this dwelling.
19. Given the set in off the boundary, it is not considered that the proposed extension or the proposed privacy screens would result in an overbearing impact on this neighbouring garden or the occupiers of the property.
20. The height of the privacy screens, at 1.8m is considered to be acceptable to preserve the privacy of the neighbouring gardens. A condition is recommended to secure an appropriate obscurity level and their erection prior to the use of the balcony.
21. Taking the above factors into consideration, it is considered, on balance that the proposed extension with balcony above is acceptable and accords with policy, subject to the use of appropriate conditions.

## **CONCLUSION**

22. 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 the amenity of neighbouring residents subject to the provision of privacy screens. 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.

### Suggested conditions

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

<b>Title</b>	<b>Plan Ref</b>	<b>Received On</b>
Proposed single storey rear extension to a detached house	138/SLB/BR Rev D	15 March 2022

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

2. Prior to the use of the balcony hereby approved, the 1.8m high privacy screens indicated on the approved plan shall be installed. The privacy screens 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, and they shall be retained at all times thereafter.

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

#### **RELEVANT HISTORY OF THE SITE**

**Ref:** 93/00087/FUL      **Decision:** PERFPP      **Decision Date:** 23 April 1993

**Description:** Two storey rear extension and erection of detached garage

**Ref:** 99/00391/FUL      **Decision:** PERFPP      **Decision Date:** 24 June 1999

**Description:** Attached garage to side