
Appeal Decision

Site visit made on 5 June 2017

by David Cross BA (Hons), PGDip, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 June 2017

Appeal Ref: APP/E2340/D/17/3173584
21 Hollins Road, Nelson BB9 8JY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Abdul Majeed against the decision of Pendle Borough Council.
 - The application Ref 16/0737/HHO, dated 13 November 2016, was refused by notice dated 2 March 2017.
 - The development proposed is described as “resubmission of a previous application. Width of side extension now reduced. This development includes front first floor extension above porch, two storey side extension and single storey rear extension”.
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Decision

1. The appeal is dismissed insofar as it relates to the front first floor extension above porch. The appeal is allowed insofar as it relates to the two storey side extension and single storey rear extension and planning permission is granted for two storey side extension and single storey rear extension at 21 Hollins Road, Nelson BB9 8JY in accordance with the terms of the application, Ref 16/0737/HHO, dated 13 November 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: LU021-PL102B (revision C); LU021-PL201D (revision D); LU021-PL101D (revision D); and LU021-PL001.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Application for costs

2. An application for costs was made by Mr Abdul Majeed against Pendle Borough Council. This application is the subject of a separate Decision.

Procedural Matter

3. The ground floor proposed layout depicted on Plan Reference LU021-PL101D refers to a “Proposed rear single storey extension, 4m deep”. However, this would appear to be a discrepancy, as I note that the first floor proposed layout on the same plan clearly states the projection of the rear extension to be ‘3000’ (i.e. 3m) and that Revision A on this plan and a number of others

specifies "rear extension reduced to 3m projection". For the avoidance of doubt, I have determined this appeal on the basis that the single storey rear extension would have a projection of 3m from the rear wall of the existing dwelling.

Main Issue

4. The main issue in this appeal is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons

5. The appeal property is one of a pair of semi-detached dwellings which are typical of dwellings in the vicinity which have an understated modern character. Although these dwellings have flat roofed porches and other extensions to the ground floor, the dwellings are characterised by a simple uncluttered appearance at first floor and above.
6. Within this context, the first floor extension above the porch would appear as an incongruous addition detracting from the understated character of the host dwelling and its symmetrical relationship with its immediate neighbour. The gable roof of the extension projecting beyond the roof slope would be at odds with the uncluttered character of the upper front elevations of the dwellings. The vertical emphasis of the elongated obscure glazed windows on the side elevations would add to this incongruous appearance. Whilst the appeal site is set back at an angle from Hollins Road, I saw that the extension above the porch would be readily visible from the public realm, particularly when heading north-west along Hollins Road, and from neighbouring properties. I conclude that the first floor extension above the porch would be an unsympathetic and intrusive element that would detract from the character and appearance of the host property and the surrounding area.
7. The two storey extension to the side of the property would be of an unorthodox design in that it would have a partially angled wall to the side and an elongated front roof slope. However, this form is partially dictated by the site boundary to the south west which is also at an angle to the host dwelling. Also, the ridge of the roof of the side extension would be set lower down in relation to the ridge of the main roof of the host dwelling. The effect of this design would be to create a side extension which is clearly subservient to the host property. Despite its unorthodox design, the side extension would not be widely visible from the street scene, and due to the sloping topography of the area it would not be unduly visually intrusive or overbearing in relation to the setting of nearby residential properties. I conclude that the side extension would not harm the character and appearance of the area.
8. The flat roofed single storey extension to the rear would be of a limited scale and massing. It would also be of a simple design and would not be widely visible due to its location in the rear garden of the property. I therefore conclude that the rear extension would not harm the character and appearance of the area.
9. Notwithstanding my comments in relation to the side and rear extensions, this does not outweigh my findings in relation to the front first floor extension above the porch which I conclude would harm the character and appearance of the host property and area for the reasons set out above. The proposed first

floor extension above the porch would therefore conflict with Policy ENV 2 of the Borough of Pendle Core Strategy 2015 which states that development should seek to deliver the highest possible standards of design, amongst other things. The proposal would also conflict with the National Planning Policy Framework which states that permission should be refused for development of poor design.

Other Matters

10. Concerns have been raised locally that the proposal will lead to an increase in parking. I note that the Highway Development Control Section did not object to the proposal, although their response refers to no increase in the number of bedrooms and resultant parking provision. Notwithstanding this, from the submitted plans, it would appear that a number of rooms in the extended property could be used as bedrooms with a potential increase in parking demand, depending on the personal circumstances of the residents. With this in mind, I saw that there were no parking restrictions in the area and that off-road and on-road parking provision was readily available. I acknowledge that my visit took place during the day and that the peak time of demand for parking in this primarily residential area is likely to be in the evening and at weekends. However, even allowing for an increase in residents, any effect on parking arising from the proposal is likely to be very limited due to the overall level of parking provision in the area.
11. I am also mindful of the concerns expressed in relation to living conditions. The rear extension would be located to the south of the garden and rear elevation of 19 Hollins Road, although the single-storey flat roofed design and projection of 3m would suitably ameliorate impacts on outlook and light in relation to that property. In relation to properties in the wider area, potential loss of privacy and overlooking would be minimised due to the arrangement of windows on the side extension, as well as the separation distances, screening and relative site levels from the proposal as a whole. An increase in the number of residents, including children, would not be out of character with this residential area. The proposal would also retain a suitable amenity area for a dwelling of this type. I conclude that the proposal would not lead to undue harm to the living conditions of neighbours or residents of the extended dwelling.
12. I note the comments in relation to sewerage, but no evidence has been provided to me to demonstrate issues of sewerage capacity in the area. Drainage issues arising from previous works carried out on the site do not fall within the remit of this appeal which relates to proposed works. Furthermore, such matters may also be addressed as part of a Building Regulations application. Although there may be some disturbance arising from building works, this would be for a limited time and does not represent a reason to withhold planning permission.
13. I have also had regard to the appellant's comments in relation to a previous application on the site which was refused for reasons of amenity rather than design. I have not been provided with substantive evidence in relation to the previous application or the process undertaken by the Council when determining it. However, it may be that the process leading to the decision on the appeal proposal identified issues that were not previously of concern to

Members in relation to the prior application. I have in any event determined the current appeal on its own merits.

Conclusion

14. For the reasons given above, I conclude that the appeal should be dismissed insofar as it relates to the front first floor extension above porch. The appeal should be allowed insofar as it relates to the two storey side extension and single storey rear extension.

Conditions

15. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans in the interests of certainty. In order to protect the character and appearance of the area I have also imposed a condition requiring that external materials used in the construction of the extensions match those of the existing building.

David Cross

INSPECTOR