

**UPDATE REPORT**

**FOR DEVELOPMENT CONTROL COMMITTEE  
MEETING OF 12<sup>th</sup> October 2021**

**Item B1. 2021/0028 - 13 Fernhill Crescent, Stacksteads**

4 further letters of objection received, the concerns raised are as follows:

**19 Fernhill Crescent**

We wish to object to the most recently submitted drawings for 13 Fernhill Crescent, Stacksteads. The raised decking is clearly not in keeping with the area and is too high. We are 2 houses away, yet we will find this improper and imposing. The decking floor level is actually higher than the adjoining fence!

This exact proposal was previously refused and pulled from Committee by Mike Atherton on the grounds of privacy loss. Why has this been allowed to be resubmitted when it was not acceptable previously in planning terms? We are aware that similar planning applications have been refused with platforms exiting the property at floor level due to loss of privacy for neighbouring properties.

The revised plans do not take into consideration the other houses on the same row. If this application was to be accepted, the rear of the property would be elevated far higher than every other property.

This is not in keeping with the area, as we all have conservatories, yet this is a solid brick wall, protruding out into the middle of the garden. The 2.5 metre fence will be unsightly and will not mitigate overlooking from the raised decking, from the bi-fold doors.

**11 Fernhill Crescent**

Previous exact proposal was removed from the Committee Agenda in May due to concerns over loss of privacy. Why has it been re-submitted?

The proposed raised platform will allow overlooking, leading to a loss of privacy.

The extreme fence height at 2.5 metres will not protect privacy due to the sloping nature of the garden at number 13.

Similar planning application have been refused with raised platforms existing at floor level due to loss of privacy issues.

The proposal would be out of keeping with the character of the area and does not respect surrounding properties in terms of scale, size & design.

All properties on the south side of the Crescent were built with a step back of 2-3m from the neighbouring property in order to maintain privacy. This proposal would create a boxing in effect to a neighbouring property due to it being situated within 1m of the boundary.

Consent will not be provided for the removal of the existing boundary fence or boundary gate post which is co-owned by both properties, as confirmed by the previous owner of No.13 and was also requested not to be removed by No.13 when we were installing our own new fences which we respected.

Permission, will not be granted, under any circumstances, for access to be gained to the rear of No.13 via our driveway or land.

We would be more accepting of the following: Instead of walking out onto upper raised decking, it would be more courteous of number 13 to step down into their new extension. This would allow the occupants to then immediately step out of bifold doors onto lower decking at a more neighbour friendly height of 400-500mm. There would still be ample space within the extension itself to allow for a large room whilst respecting our right to privacy within our home

### 3 Fernhill Crescent

I am writing regarding the proposed planning application reference 2021/0028 which is my neighbours property. single storey rear extension and associated decking to the rear garden. (revised plan) I know I keep repeating the following, but, I need to make it clear that 13, Fernhill Crescent is situated in an elevated position which overlooks the front of my property and garden. The front garden of my property and the back garden of 13 Fernhill Crescent are separated by a fence and hedge. There is no road between them.

I have had a good look at the revised plans, but, I still feel that this extension will affect my property. My objections are, overlooking, loss of privacy, effect on amenities.

Because the proposed extension protrudes forwards by 4 metres then there is 3.8 metres of decking, which is raised up and elevated due to the sloping nature of the land. This large structure will be overbearing due to the height and encroachment towards my property. This will cause Overlooking, loss of privacy, and effect how I use and enjoy my home and garden.

There is no mention on the plans what they intend to do with the boundary at the bottom of their garden, which is between their property 13 Fernhill Crescent and mine. At present there is a decaying fence and a tall hedge, both properties have our own tall hedges. If the hedges were to be cut low, or to die off this would leave me with no privacy at all. As the current and any future residents would be able to see directly into my home from the proposed viewing platforms. I still feel the loss of privacy will affect how I use my outdoor space. I live alone and will feel uneasy and restricted if severely overlooked.

I once again respectfully ask you to take the points I have raised into consideration when dealing with this application.

### 15 Fernhill Crescent

We wish to object in the strongest possible way to the most recently submitted drawings for 13 Fernhill Crescent.

There is STILL a clear loss of amenity and privacy to the whole of our garden. We agree with the Planning Managers decision to decline the application due to overlooking on the last time this plan was submitted.

The 2.5 metre fence clearly does not mitigate this loss. This is due to the 1.7metre raised platform from the bifold doors. A committee member stated that the new drawings must include steps from the bifold doors. This drawing clearly has steps from the raised platform and NOT the bifold doors. This is a major concern. (see photograph of the proposed height of the fence against an average sized person, this is to scale and how it will look).

If 2 metres is the permitted height of fencing in a rear garden on a residential estate, why would you go against your own policy when it clearly does not mitigate what the applicant is trying to hide. The fence would need to be in excess of 3 metres high to prevent loss of privacy/overlooking from the raised platform.

2.1 of your Supplementary Planning Document (SPD) states The separation distances between dwellings is an important consideration to maintain adequate privacy distances and at the same time avoid overbearing relationships and undue loss of light and outlook, as such the Council will seek to ensure that extensions:

Maintain a minimum distance of 6.5m between a principal window to a habitable room\* in one property and a single storey blank wall of a neighbouring property.

This proposal clearly goes against this rule as a solid brick blank wall 4 metres out will be considerably less than 6.5 metres away from my principle window. How can this be deemed acceptable?

The SPD also states extensions do not detract from the character of neighbouring properties through siting, excessive bulk, ill-matched materials, or inconsistent design.

The proposal is inconsistent with other properties that have either no extension or a modest conservatory. How can this be deemed acceptable?

SPD states where the proposed extension would be on or within 1m of the party boundary of an adjacent property it should not normally project more than 3m beyond the rear wall of that property

This proposal is 4 metres more than the rear wall of the property and then an additional metre being proposed of raised decking i.e. your approving an additional 2 metres from what your SPD states. How can this be acceptable?

The revised drawing is far from neighbour friendly and gives carte blanche to all other applicants to submit what they like as clearly the SPD is not adhered to.

I would like to add that a suggestion was put to the Council what residents would be more accepting of and still included everything the applicant requested, i.e. the brick extension, bifold doors, a large level decked area leading out from the bifold doors. If this was stepped down from the rear of his property to ground level it would mitigate all the objections as it would ensure neighbouring and visual amenity would not be compromised and privacy be enjoyed by both neighbours and the applicant.

#### **Item B2 2021/0454 – Hawthorne House, Edenfield**

Condition 2 listed within the report should be amended to read as follows (with four drawing numbers amended to reflect the most up to date revisions (those amended are shown in bold below):

2. *The development shall be carried out in strict accordance with the following unless otherwise required by the conditions below:*

- *Application form*
- *2122-PL-01 - Location Plan*
- *2122-PL-02 - Block Plan*
- **2122-PL-04 Rev. A - General Arrangement (With Dimensions)**
- **2122-PL-05 Rev. A - General Arrangement (With Plots 6 and 9 Ground Floor Plans)**
- *2122-PL-06 Rev. B - Plots 1 and 2 - Ashley (Handed)*
- *2122-PL-07 Rev. B - Plot 3 - Alderley Plus*
- **2122-PL-08 Rev. D - Plot 4 - Lytham plus (Handed)**
- **2122-PL-09 Rev. D - Plot 5 - Lytham Plus**
- *2122-PL-10 Rev. C - Plot 6 - Appleton Plus (Handed)*
- *2122-PL-11 Rev. B - Plots 7 and 8 - Lytham (Handed)*
- *2122-PL-12 Rev. B - Plot 9 - Appleton (Handed)*
- *2122-PL-13 Rev. A - Detached Garage to Plots 3 and 6*
- *2122-PL-14 - Boundary Details*
- *4765.05A - Planting Plan*
- *4765-04A - Landscape Plan*
- *Construction Environmental Management Plan (CEMP) revision - 1st Issue*
- *Arboricultural Report (4765 – May 2021)*
- *Drainage Statement (OTD-HH-E-DS01)*
- *SW Drainage Report (15/05/2021)*
- *21-074-1 - Drainage Layout*
- *21-074-2 - Longitudinal Sections*
- *21-074-3 - Manhole Schedules*
- *21-074-4 - SW Impermeable Area Plan*
- *21-074-5 - External Works Layout*
- *21-074-5 - Proposed Road Contour Plan*
- *21-074-6 - Road Construction Details*
- *21-074-7 - Timber Unilog Retaining Wall Details*

*Reason:* *For the avoidance of doubt.*

The affected plans were updated to show the roof light windows to the front roof slopes of plots 4 and 5, and plots 4,5 and 6 were also repositioned to provide a greater separation distance to the neighbouring property.

The amended plans do not affect officers' recommendation on the application, and were received and assessed prior to the Committee report being written (the condition contained in the Committee report erroneously contained the incorrect drawing revision numbers).

**Item B7 2021/0083 – Unit 2, Laburnum Street, Haslingden**

In Condition 3 the word, 'no,' has been omitted, it should read:

The vehicle repairs and cleaning operations will only take place between 08:00Hrs and 18:00Hrs Monday to Saturdays. There will be **no** working at any time on Sundays and Bank Holidays.

**Mike Atherton**  
**Head of Planning**

**08/10/2021**