

**Application Recommended for Approval**  
Brunshaw Ward

**APP/2016/0570**

Full Planning Application

Proposed conversion of garage to living accommodation ancillary to use of existing dwelling

2 RIDGE ROW RIDGE AVENUE BURNLEY

**Background:**

The property is set within a terrace of dwellings off Ridge Avenue. The majority of dwellings on the terrace have garden space to the rear separated by the unadopted back street. The gardens are used for garaging, parking and leisure use.

The application building is a single storey double garage set 5 metres back from the back street and measuring 12.59 metres by 4.43 metres.

It is proposed to convert it to a modest one-bedroomed annexe to the main dwelling to accommodate the applicants' elderly parents who are struggling to live independently. The applicant will provide the day-to-day care needed. A full medical history and supporting statement by the doctor has been provided.



Existing garage showing two car parking spaces.

**Relevant Policies:**

Burnley Local Plan Second Review

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

H2 – The sequential release of further land for housing development.

H13 - Extensions and conversion of existing single dwellings

TM15 - Car parking standards

## Site History:

APP/2005/0432 – Proposed kitchen extension to dwelling – granted

APP/2002/0215 – Proposal to demolish and rebuild the existing garage - granted

## Consultation Responses:

1. Lancashire County Council (Highway Authority) – the proposal is for a ‘granny annexe’ for an adjacent property. The applicant has suggested a Section 106 agreement to the effect that the new dwelling remains ancillary to the main dwelling. Preference would be that it was also a named permission. If this was attached to any permission granted then no objections would be raised on highway grounds. A condition requiring the retention of the two existing car parking spaces would also be required.
2. Burnley Civic Trust – ‘We do not know if the garage is suitable for dwelling purposes and make no comment about this but we are unhappy with the proposal though we have sympathy with the intentions.

There is no room for further parking on the back street and we feel that if this application were granted it would set a precedent for similar applications for buildings abutting upon this back street

If the Council is minded to grant the application we would ask that the consent is given personal to the present applicants and their intended occupants and could not be used future owners and occupiers’.

3. One letter from a neighbouring resident comments that as there is no space for parking on the back street by No. 2 Ridge Row or at the front on the main road, any extra vehicles will cause access problems. If permission is granted and work goes ahead, then every effort should be made to keep the back street clear for residents and other people.

If this application is granted, it may well create a precedent for the future, as if the converted garage becomes vacant at any time, what happens if it is sold as a separate item from the house, other residents may wish to do the same sometime.

## Planning and Environmental Considerations:

The main issues to consider are whether or not the conversion of the garage to a separate residential annexe would lead to the establishment of a dwelling which would not normally be permitted in this location; the design of the proposed residential unit and its impact on residential amenity; highway safety considerations.

### Principle of the conversion of the garage to a dwelling.

The land is a brownfield site within the urban boundary and although it is not close to existing shops and services it is reasonably well served by public transport. The Council have a sufficient supply of housing to meet its needs and there is no over-riding need to release further land for housing development, in unsuitable locations.

The site would not normally be considered suitable for a dwelling as it is in a backland location with restricted parking provision and would potentially set a precedent for further development along the back street.

The main issue to consider would be whether there are special circumstances to warrant an exception to local plan policy.

The applicant has provided confidential information from a GP which supports the need for the accommodation and Policy H13 recognises that this type of accommodation can provide an ideal solution to caring for elderly or disabled relatives. It sets out that the Council will be sympathetic to applications provided that a genuine need can be established by the applicant.

The policy goes on to say that to ensure that the extension does not become a completely independent dwelling unit in future years the extension will normally be limited to a one-bedroomed unit and there will be a requirement for an internal link with the existing house and for a shared pedestrian and vehicular access.

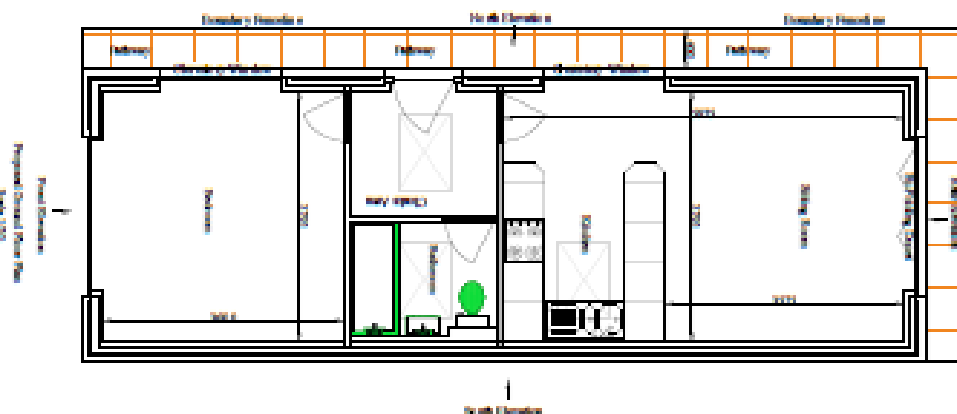
It is not possible to provide an attached extension to the existing dwelling of sufficient size to accommodate the applicant's parents, nor is it possible to accommodate them in the existing house because of the needs of the existing family.

The conversion of the garage would not fit with the policy but, with conditions, it is possible to provide the accommodation needed for the parents without leading to the establishment of a separate dwelling unit.

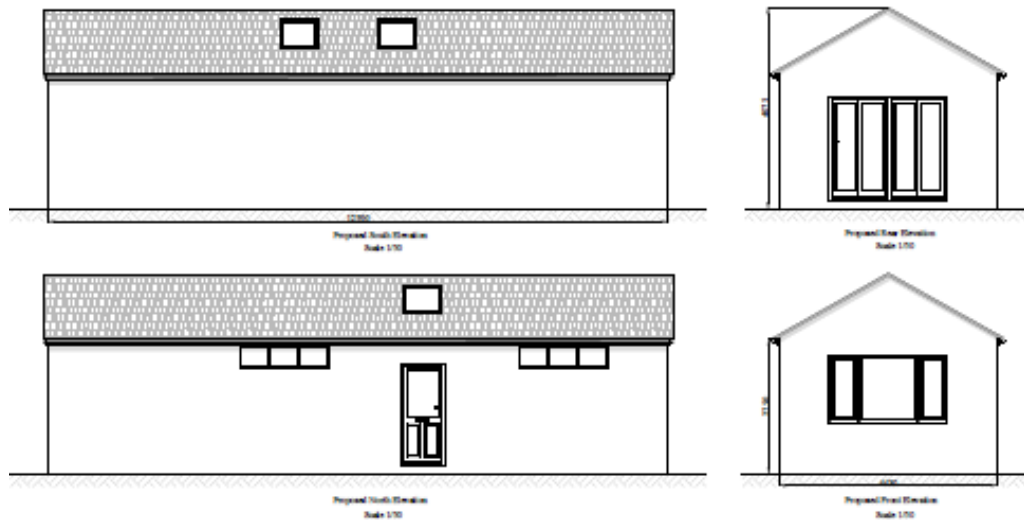
It is proposed that a condition is imposed to limit the use of the dwelling for the period required by the elderly parents and when it is no longer needed, it would revert back to the use as a private garage.

In principle the use would be acceptable on this basis.

### *The design of the proposed residential unit and impact on residential amenity*



The dwelling unit would have one-bedroom a kitchen, bathroom and sitting room giving access to the garden area with bi-fold doors. It would provide an adequate standard of amenity for the occupiers and would not adversely impact on other neighbouring properties in the terrace.



### Proposed alterations to garage

The changes to the building would be relatively minor, with a new window replacing the garage door facing the back street and bi-fold doors to give the occupants access to the rear garden area.

The design of the unit is acceptable and would not have an adverse impact on residential amenity.

### Highway Safety

The Highway Authority raise no objections to the proposal provided that it can be controlled to that applied for. A personal permission as they suggest is not necessary as the use can be controlled by a condition requiring the building to revert back to a garage when it is no longer required for the applicant's parents.

A condition can be imposed requiring that the two existing parking spaces remain.

### Conclusion

The principle of the use as a residential annexe for the applicant's elderly person is acceptable with suitable conditions to prevent a permanent use as a dwelling.

The proposed changes to provide living accommodation are acceptable and there would be no significant impact on residential amenity or highway safety.

### **Recommendation:**

That planning permission be granted subject to the following conditions:

### **Conditions**

1. The development must be begun within three years of the date of this decision.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Detailed General Arrangement Plan, drawing 1 of 1 received 8 December 2016.
3. The building subject of this application shall be used only as accommodation for the applicant's elderly parents, ancillary to the main use of the existing dwelling at No. 2 Ridge Row and not as separate unconnected living accommodation. The residential use of the building shall cease and its use shall revert back to a private garage when it is no longer required for the applicants' elderly parents.
4. The two existing car parking spaces in front of the garage shall remain available at all times for use in connection with the existing dwelling and proposed annex.

### **Reasons**

1. 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. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. To ensure that a new separate dwelling, unconnected to the main use of No. 2 Ridge Row is not established having regard to Policies H2 and H3 of the Burnley Local Plan Second Review.
4. In the interests of highway safety having regard to Policy TM15 of the Burnley Local Plan Second Review.

CMR