

Application Recommended for Delegation

Daneshouse with Stoneyholme Ward

Full Planning Application

Proposed double storey dwelling (re-submission of APP/2016/0387).

LAND AT BURLEIGH STREET, BURNLEY

Background:

A previous proposal to build a large 3-storey dwelling (APP/2016/0387) with underground parking on the land was refused in October 2016. The land previously had terraced dwellings on which were demolished some time ago.

An objection letter has been received.

Relevant Policies:

Burnley Local Plan Second Review

E16 - Areas of traditional construction

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

GP5 - Access for All

H1 - Land for new housing development

H2 - The sequential release of further housing land for development

H3 - Quality and design in new housing development

TM15 - Car parking standards

Site History:

APP/2016/0387 – erection of three storey dwelling - refused

Consultation Responses:

Highway Authority – The proposal raises no highway concerns and I would therefore raise no objection to the proposal on highway grounds.

Environmental Health – Suggests conditions are attached if approved in respect of construction hours and burning of waste.

The Coal Authority – The site falls within the defined Development High Risk Area. The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority recommends that the LPA impose a planning condition should planning permission be granted requiring further investigation works prior to commencement of development.

In the event that the site investigations confirm the need for remedial works to treat any areas of shallow mine workings to ensure the safety and stability of the proposed development, these should also be conditioned to be undertaken prior to commencement of the development.

United Utilities – The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Neighbour (5 March Street) – Objects to the proposals for the following reasons:

- The dwelling will hinder both daylight entering my house, and interfere with the views that I and my children have been living with for years.
- It will also generate more road traffic, where parking issues and general traffic is beyond acceptable levels, hence making it unsafe for the areas children population.
- Should the dwelling had been suited in this land they would have not been removed in the first place.

Planning and Environmental Considerations:

The proposal involves the erection of a 2-storey dwelling on a plot of land bounded by Burleigh Street, Clive Street and the back street to March Street properties. The terraced row of houses on Clive Street originally continued on this cleared grassed site.

The ground floor accommodation would consist of a kitchen, utility room, living room, an office/play room and a WC/ shower room. The first floor would consist of three bedrooms, a bathroom and a shower room.

The main considerations are design/materials, privacy/outlook/daylight issues, highway issues and refuse storage.

Design/materials

The area where the site is located is a traditional area where dwellings are mainly 2-storey terraced properties with ridged roofs of Welsh slate. There are some more modern properties on the opposite side of Burleigh Street.

The applicant wishes to erect a two storey dwelling with parking at the rear; the dwelling would cover the majority of the site. There would be a gap (1m approx.) between the end of the terraced dwellings on Clive Street and the proposed dwelling.

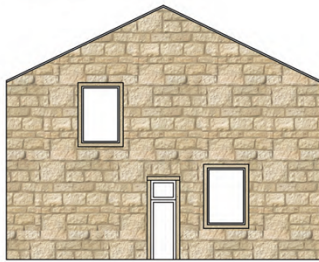


The dwelling would extend slightly further back than the adjacent terraced row and be on line with the front elevation of the terrace. The roofline would be set slightly lower than the adjacent terrace (which is on a slope). The appearance of the frontage would emulate the terraced frontage with two windows on the first floor, two windows below on the ground floor and an additional 2 windows on the ground floor replicating the pattern of the doorways in the adjacent terraced row. On the rear elevation there are three windows proposed at first floor level, two at ground floor level and a central doorway. On the gable elevation facing Burleigh Street there is a window at first floor level and a window and the main entrance door at ground floor level; there is a small window on the gable elevation at first floor level facing the terraced gable on Clive Street.

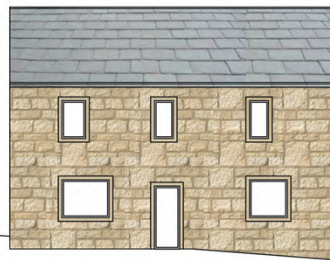
proposed Clive Street elevation



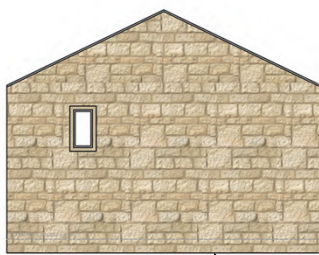
Front Elevation
Clive Street
Easier construction of level roof plans,
windows and doors on same level; pattern still replicates street scene.



proposed Burleigh Street elevation



proposed rear elevation



Side Elevation
Facing Gable end of Clive Street

proposed gable elevation facing end of terrace gable.



There are no chimneys proposed on the dwelling; from a visual point of view it would be beneficial to have one or more chimney(s) on the property to emulate the adjacent terrace, but not essential.

The proposed materials are sandstone for the elevations and slate for the roof to match the surrounding dwellings in the area. The proposed materials are considered to be acceptable.



the site viewed from Burleigh Street



looking towards Clive Street



looking towards rear of March St houses

Privacy/outlook/daylight

The terraced row on Clive Street previously extended down as far as Burleigh Street; the end dwellings were demolished some time ago and the area is currently grassed over.

Consideration needs to be given to whether there are any privacy, outlook or daylight issues with regard to the surrounding properties.

On the opposite side of Clive Street there is a cleared site, however, no.5 Clive Street does mainly face the site and has windows on the front elevation. The distance between the front elevations of the proposed dwelling and 5 Clive Street is 10.43m which is below the usual privacy distance that is required, however the windows will not directly face each other and given that there were previously dwellings on this site opposite no.5 March Street it would be unreasonable to ask for the dwelling to be set further back on the site.

On the Burleigh Street frontage the dwelling would be 17m from properties on the opposite side of Burleigh Street; there are no windows directly facing.



looking towards Burleigh Street



side/ rear of 8 Clive Street

The gable elevation facing the gable of the Clive Street terrace extends further back by approx. 1m extending back in front of the kitchen extension to no.8 Clive Street; the dwelling would not however extend in front of the kitchen window and privacy/outlook/daylight would not be significantly affected for no.8.

Consideration needs to be given to the windows at the rear of March Street dwellings. The elevation facing the back street is opposite the rear of dwellings on March Street. There are bedroom windows at first floor level facing the proposed dwelling; these windows are approx. 10.6m away from the rear of the rear elevation of the proposed dwelling. There are two bedroom windows and a bathroom window on the elevation of the dwelling which faces the rear of the March Street terrace.

The rear elevation of the proposed dwelling extends back further towards the back street by approx. 1m more than the 2-storey rear elevations of the rest of the properties on Clive Street. The bathroom window on the elevation facing the backs of March Street houses is not a habitable room and would be obscurely glazed. There are two bedroom windows which are proposed on the rear elevation opposite the March Street dwellings; one of these is a secondary window (main window on Burleigh Street) and could be moved further towards the Burleigh Street frontage so that it is not directly opposite the rear windows at 3 March Street (or obscurely glazed). The other proposed bedroom window would be opposite the rear of no.5 March Street and would need to be obscurely glazed.

The applicant has been asked to reduce the depth of the dwelling so that the rear elevation is more on line with the rear elevation of the adjacent terrace; also to move one of the bedroom windows on the rear elevation nearer the Burleigh Street elevation and change the other rear bedroom window to obscure glazing (as mentioned above).

This has been agreed but at the time of the reports submission, the amended plans have not yet been received.

Refuse storage

There is adequate space available within the large rear yard area adjacent to the back street for refuse storage.

Highway issues

It was intended to have off-street car parking within the yard area adjacent to the back street, the Highway Authority however stated that the preference would be for no onsite parking as the parking proposed was adjacent to the back street and may have caused issues. There is adequate on street parking available and the Highway Authority have no highway concerns and raise no objection to the proposal on highway grounds.

Conclusion

Small changes are required to the proposals as mentioned above to make the proposals more acceptable in terms of privacy and outlook.

Recommendation:

Unless suitable plans are received before the 31st May, the final decision shall be delegated to the Head of Housing and Development Control, to approve, if appropriate, and subject to the conditions below and any other conditions deemed appropriate.

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:
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3. No construction work shall take place on the development hereby approved outside the hours of 8am to 6pm Monday to Friday, 8am to 1pm on Saturday and not at any time on Sundays and Bank Holidays. Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to the Local Planning Authority.
4. There shall be no burning of waste or other materials within the curtilage of the premises.
5. Prior to the commencement of development on site the following shall occur,
 - 1 - Intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.
 - 2 - The undertaking of that scheme of appropriate intrusive site investigations and the submission of a report of findings arising from the intrusive site investigations;
 - 3 - The submission of a scheme of remedial works for approval; and

4 - Implementation of those remedial works and confirmation that they have occurred.

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 protect the amenities of nearby residents.
4. In the interest of residential amenity and to prevent air pollution
5. The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment Report that coal mining legacy potentially poses a risk to the proposed development and this must be investigated prior to work commencing on site.

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