

## **Application Recommended for Approval**

Cliviger with Worsthorne Ward

**APP/2018/0306**

Full Planning Application

Proposed bungalow in garden (revised scheme)

REAR OF 542 BRUNSHAW ROAD BURNLEY

The application site is part of an existing rear garden of a semi-detached house that fronts Brunshaw Road at its corner with Mayfair Road. Planning permission was first granted for a bungalow on this site in February 2016. This proposal is for a similar but revised scheme.

The site is within an existing established residential area within the Burnley urban area.

### Rear garden of 542 Brunshaw Road



Part of the rear garden and a short driveway and garage adjoining No. 1 Mayfair Road form the application site with a frontage onto Mayfair Road.

The proposal involves demolishing the existing garage and erecting a detached two bedroom bungalow towards the rear portion (north end) of the garden, leaving the existing house with a rear garden of approximately 9m in length.

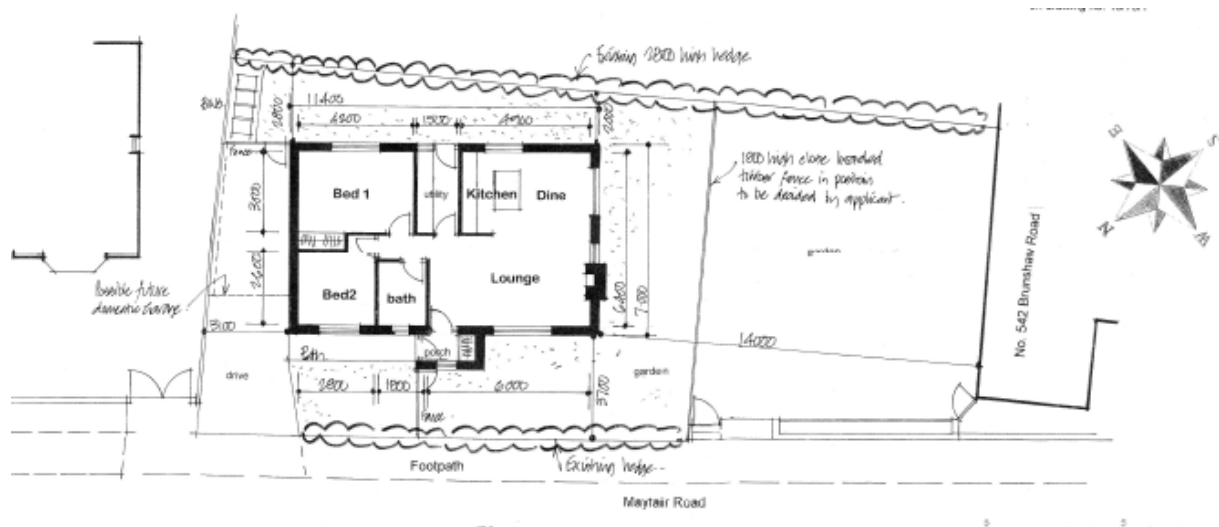
The proposal involves demolishing the existing garage and erecting a detached two bedroom bungalow towards the rear portion (north end) of the garden. The proposed bungalow would measure up to 11.4m long x 7.0m depth and have a gable sided roof to a ridge height of 4.0m.

## Application site frontage on Mayfair Road



The proposed bungalow would have a formal frontage to Mayfair Road, set back approximately 3.7m from the edge of the footway which is currently bound by a brick wall and hedge.

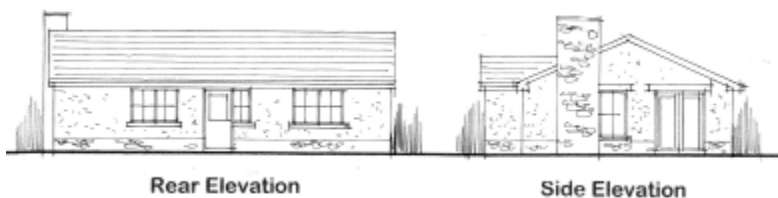
## Proposed site layout



## Front and side elevation (facing No. 1 Mayfair Road)



## Rear and side elevation (facing 542 Brunshaw Road)



The rear elevation of the proposed bungalow would include lounge and bedroom windows and would be sited at between 2.0m and 2.8m from the common side boundary with 544 Brunshaw Road. The interface distance between the gable end of the proposed bungalow and the rear facing wall of the existing house would be approximately 14.0m. To the opposing side, there would be an approximate gap of 5.3m between the two storey side elevation of No.1 Mayfair Road and the blank side gable of the proposed bungalow.

The proposed bungalow would have two driveway spaces in tandem whilst the existing house would be served by two off-street spaces at the front of the property. A new dropped kerb would be required at 542 Brunshaw Road.

Amended plans have been received during the course of the application that have amended the scheme as originally submitted to reduce the height of the bungalow [to 4.0m which is the same height as previously approved] and to remove a proposed dormer to the front roofslope.

**Relevant Policies:**

Burnley's Local Plan (July 2018)

SP1 – Achieving sustainable development

SP4 – Development strategy

SP5 – Development quality and sustainability

HS4 – Housing developments

NE5 – Environmental protection

CC4 – Development and flood risk

IC1 – Sustainable travel

IC3 – Car parking standards

The National Planning Policy Framework

**Site History:**

12/1997/0274 – Proposed bungalow. Refused July 1997.

APP/2016/0006 - Proposed bungalow in garden. Approved February 2016.

**Consultation Responses:**

LCC Highways

No objection. The proposals will require an alteration to the dropped crossing on Mayfair Road. Conditions are recommended to require the appropriate paving (with a bound surface) of the new driveway and the provision and maintenance of sight lines from the access for the new bungalow.

Environmental Health

No objections. Recommend conditions relating to the construction of the development.

Publicity

Two letters of objection have been received, one of which is withdrawn following the submission of amended plans. The remaining objection is from the adjoining property and expresses concerns over the height of the development and its close proximity to their garden.

## **Planning and Environmental Considerations:**

### Principle of proposal

Policy SP4 seeks to locate new development according to a hierarchy of settlements where the town of Burnley is in the highest tier. The site is at an accessible location within the urban area, reasonably close to public transport facilities and amenities. There is therefore no objection in principle to the proposal. The main considerations are the same as the previous application (APP/2016/0006) and relate to the impact of the proposal on the street scene and character of the area; residential amenities; and parking and highway safety. Then only significant change in circumstances is the adoption of a new local plan, in which case these considerations will be considered against current policies.

### Street scene and character of local area

Policy HS4 states that new housing should be high quality in its construction and design in accordance with Policy SP5. Policy SP5 states, amongst other things, that development should respect existing or locally characteristic street layouts, scale and massing.

The sub-division of the existing long rear garden (28m long) to provide a frontage bungalow would be similar to the approved development (APP/2016/0006). The single storey height of the bungalow would differ from the adjoining two storey semi-detached houses but within this short section of Mayfair Road the contrast is unlikely to appear stark or out of place. The spacious character of the existing street layout would not be significantly compromised, maintaining a minimum gap of 14m between the proposed bungalow and the rear elevation of 542 Brunshaw Road. The proposed layout also indicates that the frontage wall and hedge would be retained which would maintain elements of the established nature of the residential area. External materials of construction would be mostly render with dark grey roofing tiles to match the local area. A stone plinth and chimney is indicated which should be changed to red brick to match the surrounding properties.

### Current street scene





The overall impact of the proposed bungalow on the street scene and character of the local area would be similar to the extant permission (APP/2016/0006) and would be acceptable.

#### Impact on residential amenities

Policies HS4 and SP5 seek to protect the amenities of existing occupants and future occupiers of development by setting standards on spacing between habitable rooms and to ensure there is regard to daylight and overlooking.

Policy HS4 states that there should be a minimum of 20m between facing windows of single storey and two storey dwellings. This is an equivalent standard to that contained within the now superseded local plan.

#### Properties on Mayfair Road opposite the application site

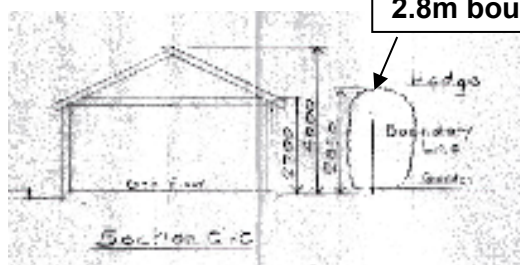


In this instance the distance between the principal elevations would be approximately 20m which is similar to the extant permission and would comply with the policy requirement. This is considered to be sufficient to safeguard the privacy and outlook of properties to the front of the site.

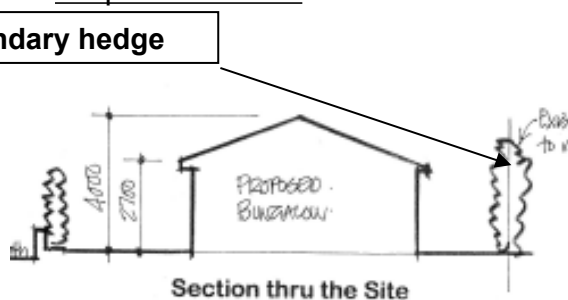
Impacts on the adjacent neighbour at No. 1 Mayfair Road would be minimised due to the absence of gable windows. Windows and doors are proposed to the other gable elevation which would be visible from 542 Brunshaw Road but direct views would be reduced due a proposed 1.8m high screen fence.

An objection has been received from the adjoining property, based on the impact of the development on the daylight and outlook within the rear garden. The proposed scheme has however been amended since originally submitted to reduce the ridge height of the proposed bungalow to no higher than that of the extant approval (4.0m high). The proposed bungalow would be sited in a similar position to the approved scheme (see below).

#### Approved section



#### Proposed section



**Both 2.7m to eaves and 4.0m to ridge with minimum distance of 2.0m from 2.8m high boundary hedge**

Given the height and substantial screening from the boundary privet hedge and the modest scale and height of the proposed bungalow, the impacts on privacy, daylight and outlook would be minimised.

Neighbouring amenities would therefore be adequately protected and should be further safeguarded by the removal of permitted development rights and similar conditions to the previous approval, including a condition to require the retention of the privet hedge on the rear boundary (east side) of the site.

#### Impact on parking and highway safety

Policy IC1 requires new housing development to have adequate safe access and Policy IC3 sets out car parking standards. Adequate access and parking for two cars would be provided, utilising the existing access adjacent to no. 1 Mayfair Road to serve the new development and the existing parking provision to the front/side of 542 Brunshaw Road to serve the existing house. This is the same arrangement that was previously proposed and approved. A condition is necessary to require a new dropped kerb for vehicles to cross the pavement.

Two car parking spaces for existing house



Subject to the conditions recommended by LCC Highways, the proposed development would provide adequate car parking and regard to highway safety. Its impact on these matters is therefore acceptable.

#### Conclusion

The proposed development represents an acceptable infill development at a sustainable location within an existing primarily residential area and can be accommodated on the site without any significant impact on the amenities of neighbouring properties or adversely affecting the character and appearance of the local area. The application would therefore comply with the relevant policies of the development plan and there are no material considerations which would outweigh this finding.

#### **Recommendation: Approve with 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: Loc1 (1:1250 location plan), received on 28 June 2018; 18/76/3, received on 13 September 2018; Site Levels 1 (existing and proposed site levels), received on 31 October 2018; and, Block1 (1:500 block plan), received on 1 November 2018.
3. Notwithstanding any description of materials in the application, details and representative samples of the external materials of construction to be used on the walls and roof of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any construction work being commenced on the approved dwelling. The development shall thereafter only be carried out in accordance with the approved materials.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), no development shall be carried out on any part of the development within the terms of Classes A, B, C and E of Part 1 and Class A of Part 2 of Schedule 2 of the Order without the prior written permission of the Local Planning Authority.
5. Prior to any construction of the approved dwelling, a scheme of landscaping to comprise hard and soft landscaping works which shall include schedules of plants, species, plant sizes and proposed numbers/ densities where appropriate, shall be submitted to and approved in writing by the Local Planning Authority.
6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the approved dwelling or its completion, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation.
7. The existing wall and hedge on the site's boundary with Mayfair Road and the hedge on the rear (eastern) boundary of the site shall be retained throughout the development and at all times in the future. Details of measures for the protection of these features during construction work shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and shall be implemented thereafter until the completion of the development.
8. During the construction phase of the development, no construction work or use of machinery or deliveries to the site shall take place outside the hours of 08:00 and 18:00 hours Monday to Friday and 08:00 and 13:00 hours on Saturdays.
9. The approved development shall be built in accordance with the details of levels as indicated on the approved plans and shall not be varied unless otherwise previously agreed in writing by the Local Planning Authority.

10. The approved dwelling shall not be first occupied until facilities for the storage of refuse and recycling waste have been installed at the site in accordance with the details as indicated on the approved plans. The approved facilities shall thereafter be retained at all times.
11. Prior to the commencement of any development, off-site works to provide a driveway crossing to the proposed parking spaces for 542 Brunshaw Road, as indicated on the approved plans shall be carried out and completed.
12. The approved dwelling shall not be first occupied until two driveway car parking spaces for the dwelling have been constructed, hard surfaced and are available for use as indicated on the approved plans. The parking spaces shall thereafter be retained for the purposes of car parking at all times.
13. The proposed garden boundary fence between the southern boundary of the application site and the rear garden to 542 Brunshaw Road shall not at any time exceed 1.0m in height within 2.0m of the adjoining pavement.
14. No structure, wall or shrub, tree or other vegetation exceeding 1.0 m in height shall be constructed or allowed to grow within the visibility splay to the south side of the approved access. The visibility splay shall be defined as the area formed from the centreline of the access at a point 2m back from the edge of the highway for a distance of 5m in a southerly direction (this includes land within the application site only).

## **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 a satisfactory appearance to the development and its locality, in accordance with Policies HS4 and SP5 of the Burnley's Local Plan (July 2018).
4. In order that the Local Planning Authority can assess any future changes to the approved dwelling, having regard to the potential impacts on the residential amenities of neighbouring properties and the character of the area, in accordance with Policies HS4 and SP5 of Burnley's Local Plan (July 2018).
5. In the interests of the visual amenity of the site and its surroundings, in accordance with Policies HS4 and SP5 of Burnley's Local Plan (July 2018).
6. In order that the landscaping works contribute to a satisfactory standard of completed development and its long term appearance harmonises with its surroundings, in accordance with Policies HS4 and SP5 of the Burnley's Local Plan (July 2018).
7. To aid the integration of the development into the street scene and to safeguard the privacy and amenities of the occupiers of the adjoining property at 544



Brunshaw Road, in accordance with Policies HS4 and SP5 of the Burnley's Local Plan (July 2018).

8. To protect the amenities of nearby residents, in accordance with Policies HS4 and SP5 of the Burnley's Local Plan (July 2018).
9. To ensure the satisfactory implementation of the proposal in order to control the scale of the development and its impact on the outlook and amenities of neighbouring properties, in accordance with Policies HS4 and SP5 of Burnley's Local Plan (July 2018).
10. To ensure adequate provision for the appropriate storage of refuse and recycling storage facilities away from public views of the site, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
11. To ensure adequate off-street parking for the existing property at 542 Brunshaw Road, in the interests of highway safety and amenity, in accordance with Policy IC3 of Burnley's Local Plan (July 2018). The driveway crossing is required to be carried out and completed prior to the commencement of development to ensure that appropriate parking facilities are available for use for the existing dwelling prior to the removal of the existing parking space and garage within the application site.
12. To ensure adequate off-street parking for the approved bungalow, in the interests of highway safety and amenity, in accordance with Policy IC3 of the Burnley's Local Plan (July 2018).
13. To ensure a satisfactory appearance to the development within the street scene, in accordance with Policies HS4 and SP5 of Burnley's Local Plan (July 2018).
14. To ensure adequate visibility for drivers emerging from the approved driveway onto Mayfair Road, in the interests of vehicular and pedestrian safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018).

JF

1.11.2018