

Application Recommended for Delegation
Rosehill with Burnley Wood Ward

APP/2018/0524

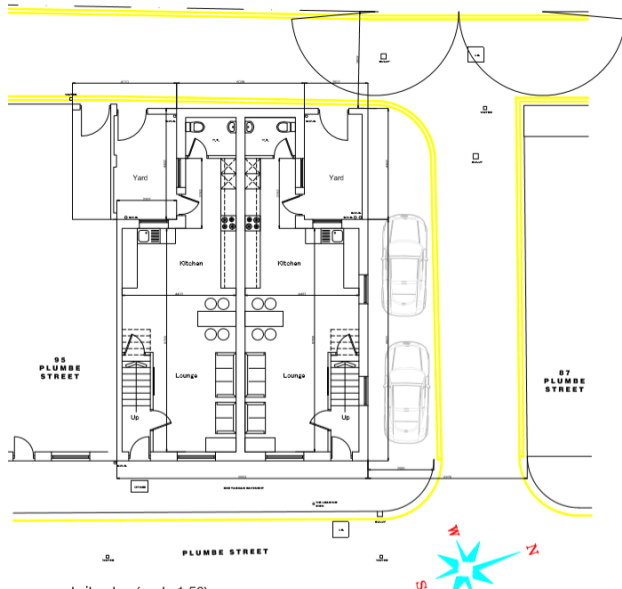
Full Planning Application
Proposed erection of 2no. terraced dwellings
LAND ADJACENT 95 PLUMBE STREET

Background:

The proposal is to extend the existing terrace at 91-93 Plumbe Street across vacant ground to form two dwellings and parking for two cars. The application has been amended since first submitted to reduce the number of proposed dwellings from 3no. to 2no. in order to include a car parking space for each of the proposed dwellings.



Proposed site plan

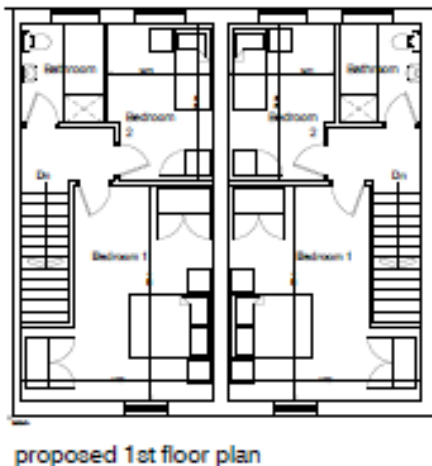


The proposed terraced houses would continue the line and rhythm of the existing terrace. Two parallel car parking spaces would be provided between the new gable end of the terrace and the side street which leads to the back street and various businesses at the rear of Lutner Street.

The proposed front elevation would continue the roofline of the terrace and display similar fenestration details to the existing terrace.



The front and side elevations would be constructed in natural stone and the rear elevation would be rendered and painted. The roof would be constructed in natural slate. Each property would be similar with two bedrooms.



House design has been amended from 3no. to 2no. bedrooms.

Relevant Policies:

Burnley's Local Plan (July 2018)

SP1 – Achieving sustainable development

SP2 – Housing requirement 2012-2032

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:

APP/2008/0663 - Proposed erection of 4no. apartments. Application not determined following a request for a Flood Risk Assessment that was not received. Application withdrawn.

Consultation Responses:

LCC Highways

No objections following the submission of an amended plan for two dwellings, inclusive of one car parking space for each dwelling. The provision of the parking area will require a formal boundary to the adopted highway be formed by a kerbline which should be undertaken by way of a section 278 agreement.

Environmental Health

No objections. Request consideration be given to conditions to require a contaminated land report and to controlling hours of construction work.

Lead Local Flood Authority

No comments; standing advice should be applied.

United Utilities

Raise no objections. 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. Recommend a condition in respect of this and requiring and, in the event of surface water discharging to a public sewer, to require the rate of discharge to be restricted to the lowest possible rate which should be agreed prior to connection to the public sewer.

Publicity

Letters of objection have been received from neighbouring properties to each side of the application site. A second letter of objection was received from 87 Plumbe Street following re-notification of amended plans. A summary of the points made in representations is provided below:-

- Side street is too narrow and used by traffic to the industrial units to the rear. Motor vehicles have collided into gable wall 7 times over the last 15 years (the most recent occurrence being in November 2018), causing damage to gable wall. This proposal would reduce the access to the industrial unit by approximately one third of its width;
- The reduced width of the side access would prevent access by the Fire Service and emergency services;
- Loss of sunlight and daylight to two windows on gable end wall [of 87 Plumbe Street];
- The proposed buildings are in Flood Zone 2;
- A previous planning application of a similar nature was not approved due to, amongst other reasons, the proposed building being in a flood area;
- The proposal would cause a lot of disruption towards the business behind the site;

- The proposal could affect the structure to the existing end house [95 Plumbe Street];
- Parking is very limited on the street and this would be made worse for the residents of the area.

Planning and Environmental Considerations:

Principle of proposal

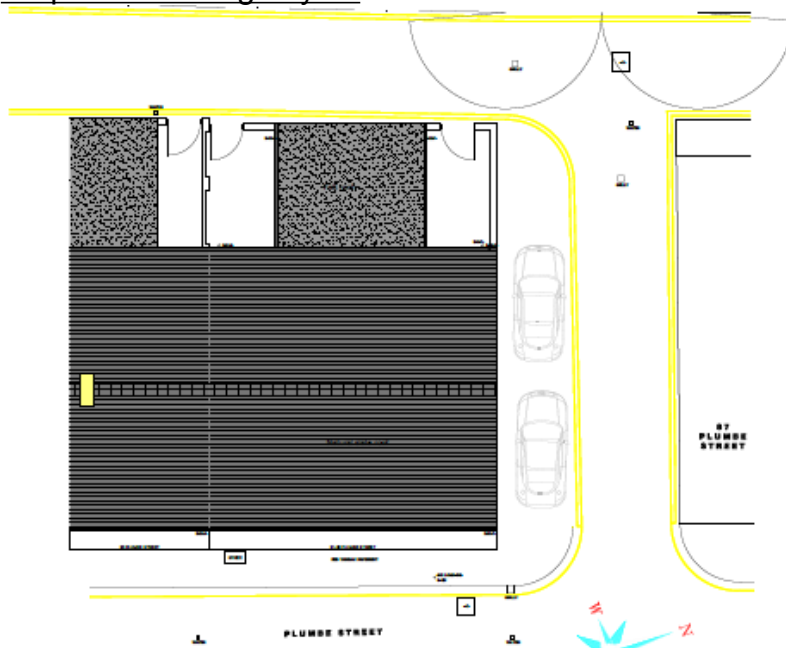
Policy SP4 identifies Burnley as the principal town at the highest tier in the settlement hierarchy where it is expected that large scale, major and a variety of smaller sites will deliver a comprehensive range of choice of types and tenures for housing. In addition to allocated sites, Policy SP4 states that new development will be supported within Development Boundaries where it is an appropriate type and scale and where, amongst other things, it makes efficient use of land and buildings. The site is located within an established urban area of mixed industrial uses and adjacent housing. The site would have been once occupied by housing but has been vacant in the more recent past. The proposal would not in principle conflict with Policy SP4; it would be located in a reasonably sustainable location close to amenities and public transport; and, would contribute to the supply of housing by a windfall opportunity. Other factors to take into account include its impact on highway conditions and safety, residential amenity, the visual impact of the development and the risk of flooding.

Parking and highway considerations

Policy IC1 seeks to promote sustainable travel by locating development where it is or can be well served by walking, cycling and public transport and ensure that development is provided with safe and convenient access. It also requires proposals to provide safe pedestrian, cycle and vehicular access. Policy IC3 sets out the car parking standards for development, requiring one car parking space for each 2no. bedroom dwelling.

The proposal has been amended since first submitted to reduce the scheme from three to two dwellings in order to allow space within the site for parking. Two parking spaces are proposed along the length of the new gable wall, running parallel with the adjoining side street.

Proposed Parking Layout



The car parking standards set out in Appendix 9 of Burnley's Local Plan indicates that there should be one parking space for a new dwelling with up to two bedrooms. The amended scheme provides for that and would be sufficient to meet the car parking requirements of the development. Objections also refer to the narrowing of the side street. The kerb edging and double yellow lines on the side street clearly indicate the limits of the carriageway over which vehicles can pass. This application will not



change that and does not encroach into the highway. LCC Highways has no objections to the proposal. Notably, there are two narrow streets leading to the businesses to the rear of Plumbe Street. The proposal would not significantly affect surrounding highway conditions and would provide adequate parking.

Impact on residential and visual amenities

Policies HS4 and SP5 seek to protect the amenities of existing occupants and future occupiers of development. Policy SP4 also states that new development will be supported within Development Boundaries where, amongst other things, it would not have an unacceptably detrimental impact on residential amenity or other existing land users. Policy HS4 also requires new housing to be high quality in its construction and design in accordance with Policy SP5 which requires development to respect locally characteristic street layouts, scale and massing, as well as have regard to high quality materials appropriate to the site's context.

The existing terraced houses on Plumbe Street are close to businesses and potential noise sources and to this extent there may be some level of background noise. However, where businesses already co-exist with neighbouring properties, it is unlikely that that this would be at unacceptable levels. The Council's Environmental Health Officer (EHO) has no objections in respect of this. Disruption during construction work can be mitigated by controlling hours of work as recommended by the Council's EHO.

In respect of the amenities of existing neighbours, the gable windows to the opposing gable as shown below are small windows that do not affect habitable rooms.



There would be no facing windows above ground floor level towards the above property and overlooking from rear windows would be consistent with a row of terraced properties. The amenities of neighbours would therefore be satisfactorily safeguarded.

The appearance of the proposed dwellings would respect the scale, form, design and materials of the terrace and would be likely to have a positive impact on the street scene.

Risk of flooding

Policy CC4 seeks to ensure that development does not result in increased flooding either on the development site or elsewhere. In this case, the site falls within Flood Zone 2 where there is an increased risk of flooding. A Flood Risk Assessment has been submitted which indicates that the risk is moderate and can be satisfactorily mitigated by access to warning systems and construction details. The Local Lead Flood Authority do not comment on minor development proposal and refer to standing advice which should be followed by the applicant. This refers to a minimum finished floor level of 300mm above ground level. In this instance, due to the sloping nature of the site, this figure is not wholly achieved. Further advice is being sought on this issue and will be reported in late correspondence.

Other issues

Policy NE5 states that on sites that are known to be contaminated, applicants will be expected to carry out an appropriate survey. The site has the potential to be affected by historic uses. A condition is necessary therefore to require a desk top study and where necessary, a remediation strategy prior to the commencement of the development.

Conclusion

The proposal would in principle comply with development plan policies in respect of the location of new residential development and would be beneficial in infilling a vacant gap within the street frontage. Objections have been received but it has been found that there are no overriding reasons which would prevent development from being permitted subject to considerations of flooding which will be reported on further prior to determination of the application.

Recommendation: Delegate authority to the Head of Housing and Development Control to grant planning permission subject to a satisfactory resolution of flooding issues and 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: amended drawings 1, 2, 3, 4, 5 and 6, received on 18 March 2019.
3. Prior to construction work commencing on the approved dwellings, 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. The development shall thereafter only be carried out in accordance with the approved materials.
4. During the demolition and construction phase of the development, no construction work or use of machinery or deliveries to the site shall take place on Sundays and Bank/Public Holidays or other than between 08:00 and 18:00 hours Monday to Friday and between 08:00 and 13:00 hours on Saturdays.
5. Prior to the commencement of development, the following shall be submitted to and approved in writing by the Local Planning Authority:-
 - a) A desktop study to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced.
 - b) If necessary following the recommendations of a) above, a site investigation designed for the site using the information obtained from (a) above; and,
 - c) a site investigation and associated risk assessment; and,
 - d) a Method Statement and remediation strategy, based on the Information obtained from c) above.

The development shall then proceed in strict accordance with the measures approved. Work shall be carried out and completed in accordance with the approved method statement and remediation strategy referred to in (d) above, and to a timescale which shall be agreed in writing by the Local Planning Authority.

6. Neither dwelling shall be first occupied until its associated off-street parking provision of one space for each dwelling has been constructed, surfaced and is

available for use as indicated on the approved plans. The approved car parking space for each dwelling shall thereafter be retained at all times.

7. No dwelling shall be first occupied until its associated refuse and recycling storage has been provided within the rear yard of each property and is available for use. The refuse and recycling storage facilities shall thereafter be retained at all times.
8. No development shall be commenced until a scheme for off-site works of highway improvement to provide a kerblineline between the edge of the application site and the adjoining side has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out and completed prior to either of the approved dwellings being first occupied.

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, in accordance with Policies HS4 and SP5 of Burnley's Local Plan (July 2018).
4. To protect the amenities of local residents, in accordance with Policy NE5 of Burnley's Local Plan (July 2018).
5. To ensure the site is made suitable for residential use, in accordance with Policy NE5 of the Burnley's Local Plan (July 2018). The investigation and report is required prior to the commencement of development to ensure that measures that are necessary to make the development acceptable can be carried out at an appropriate stage in the development.
6. To ensure adequate off-street parking to meet the needs of the development, in accordance with Policy IC3 of Burnley's Local Plan (July 2018).
7. To ensure adequate refuse and recycling storage for the approved dwellings in order to cater for the needs of the development and to protect the visual amenities of the area, in accordance with Policy SP5 of Burnley's Local Plan (July 2018).
8. To ensure a suitably defined edge with the adjoining highway, in the interests of highway safety, in accordance with Policy IC1 of Burnley's Local Plan (July 2018). The scheme is required prior to the commencement of development to ensure that acceptable works can be agreed before works start and can then be implemented at an appropriate stage in the development.

18.4.19