

Application Recommended for APPROVAL
Briercliffe Ward

FUL/2019/0301

Full Application

Proposed erection of one detached (4 bedroom) tow storey dwelling (resubmission of APP/2019/0119)

LAND AT WALVERDEN ROAD, WALVERDEN ROAD, BRIERCLIFFE

Background:

The site is located at the end of row of terraced properties on Walverden Road. The area currently consists of an area of hardstanding with a detached garage which is enclosed by a 1.8m high fence.

This application is a resubmission of a previous application APP/2019/0119 which was withdrawn due to an incorrect ownership certificate being completed. As part of the previous application several amendments were made to the design, scale and appearance of the dwelling.



Existing site viewed from
Walverden Road



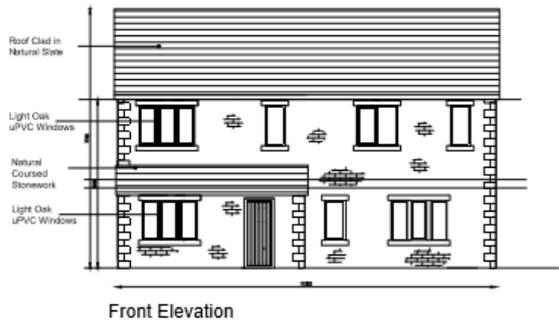
Garage which is not in the ownership of the
applicant

Proposal

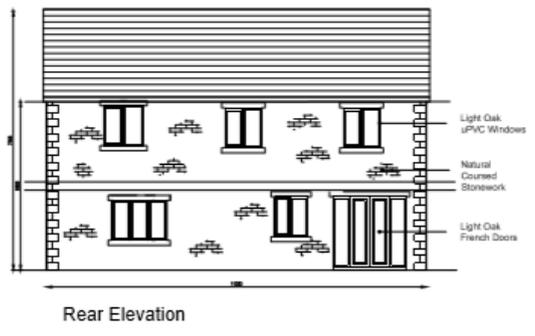
The application seeks consent for a two storey 5 bedroom detached dwelling with access from Walverden Road.

The dwelling would be constructed in natural course stone with stone quoins, light oak uPVC windows and doors and a natural slate roof. The dwelling would measure 11m in length, 7m in width, 5m to the eaves and 7.7m to the ridge. The footprint of the dwelling would be 85sqm.

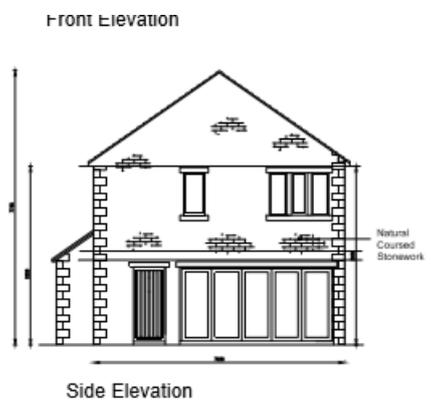
Proposed elevations



Front Elevation

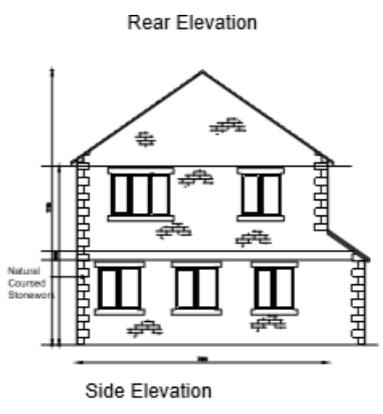


Rear Elevation



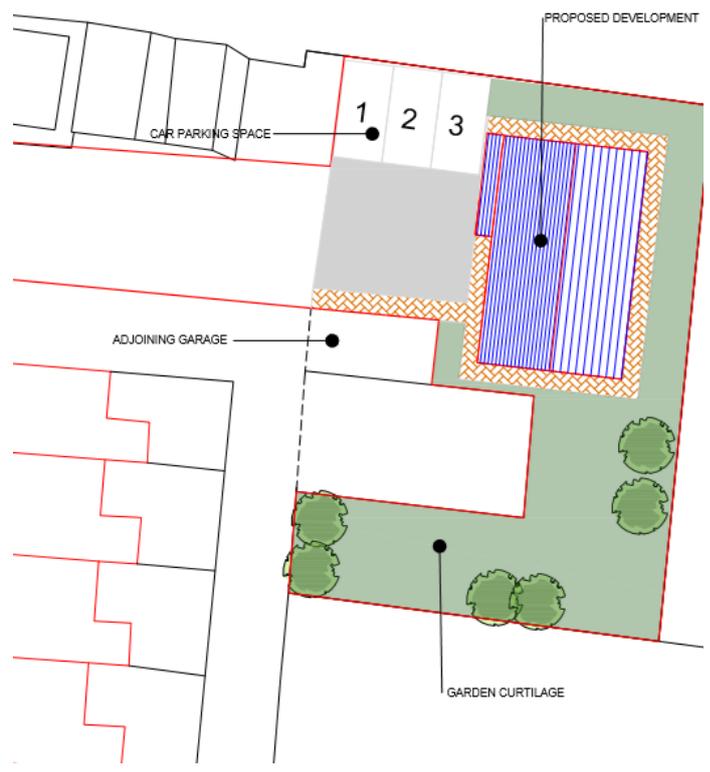
Front Elevation

Side Elevation



Rear Elevation

Side Elevation



Proposed site plan

Relevant Policies:

Burnley's Local Plan 2018

SP1 – Achieving Sustainable Development
SP4 – Development Strategy
SP5 – Development Quality and Sustainability
HS4 – Housing development
IC3 – Car parking standards

National Planning Policy Framework 2019

Site History:

APP/2019/0119 – erection of detached 5 bedroom property - Withdrawn
APP/2012/0531 – Proposed garage - Approved
APP/2010/0420 – Erection of garage (adjacent plot) - Approved

Consultation Responses:

LCC Highways

No objection.

Following a site visit it was observed that the site appears to be currently used as a garage or workshop with a number of vehicles on site. It is not expected that the proposed new dwelling will significantly alter the number of vehicles using the site.

It is noted that the amended property no longer includes a garage, consideration should be given to providing some sort of covered secure cycle storage large enough to accommodate 4 cycles and general gardening equipment.

Should you wish to support the application we would wish for the following conditions to be added to your decision notice:-

1. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i) The parking of vehicles of site operatives and visitors*
- ii) The loading and unloading of plant and materials*
- iii) The storage of plant and materials used in constructing the development*
- iv) The erection and maintenance of security hoarding*
- v) Routing of delivery vehicles to/from site*

Publicity

Ward Councillor (M. Lishman)

Objects for the following reasons:-

- The proposal is out of keeping with the stone properties along Walverden Road
- Unacceptable access, unadopted road, unsuitable for HGV's, the junction with Halifax Road is already dangerous
- Recent planning application on the same site was refused
- Overhead electric cables and pylons
- Loss of parking spaces for residents on Walverden Road

Other Neighbour comments

Seven letters of objection have been received which are summarised below:-

- Infrastructure issues - insufficient sewerage capacity
- Unsuitable access and poor sight lines from Halifax Road
- Possible danger to further traffic passing the children's play area
- Out of character with the surrounding
- Designated green belt
- Overhead electric cables and pylons
- Impact upon parking on the area of hardstanding, space is already limited along Walverden Road
- A precedent would be set of other developments of this kind
- Trees have been felled on the site
- Improvements to the design doesn't go far enough and isn't in scale to the surrounding properties
- Evidence of birds and bat sin the area which could be put at risk
- Adverse effect of the development on the landscape setting of the surrounding area
- Impact on the privacy of the houses on the Walverden Road as the backs will look into the site
- Concerns that the development will lead to development in the future of the fields to the rear

For clarification the site is not located in green belt, the site is located within the defined settlement boundary.

Planning and Environmental Considerations:

The principle of development

Paragraph 59 of the Framework states, to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Policy SP1 states that when considering development proposals, Burnley Borough Council will take a positive approach that reflects the presumption in favour of sustainable development set out in the NPPF.

The site is located within the development boundary of the adopted Local Plan, as such policy SP4 states that development will be focused on Burnley and Padiham with development of an appropriate scale.

The site is considered to be in a sustainable location and in principle the development of a dwelling would be appropriate subject to the proposals meeting all other relevant policies.

Comments have been raised about the possible development of the field to the rear of the site. The land surrounding the site falls outside the settlement boundary, as such development within the open countryside which does not accord with any of the exceptions set out in the NPPF, would not be supported by current policies.

Main issues

The main issues in the consideration of this application are;

- the impact of the development on residential amenity
- design/materials
- traffic/parking
- other considerations

Design and Appearance

Paragraph 124 of the NPPF states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The predominant house type within the area surrounding the property are terraced with cottages along Lane Bottom. Whilst the site is located within a settlement boundary, it is clearly a rural location and the existing mix of properties reflect this. Stirling Court lies to the east of the site (approximately 60m away) across an open field. The properties on this estate are detached with a range of styles and at the time of building did not respect the character of the immediate rural area.

Walverden Road is not a through route, and as the property will be located at the end of the road the property will not have a direct impact on the existing street scene. The site is set back from Walverden Road by approximately 25m.

The proposed materials of the property will be natural slate, coursed natural stone with stone heads and cills and light oak uPVC windows. The use of natural materials compliments the surrounding properties and would be accordance with policy SP5 of the adopted Local Plan.

Residential Amenity

Policy SP5 of the adopted Local Plan seeks to ensure that there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users, including by reason of overlooking.

The closest property to the application site is No. 31 Walverden Road which sits approximately 17m to the west of the site when measured from the proposed south elevation to the rear outrigger of No. 31.



Image showing the gable of 31 Walverden Road which is approximately 17m to the southern elevation of the proposed dwelling. The impact on this property is considered to be acceptable.

Traffic and Parking

Paragraph 32 of the NPPF states that planning decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Several concerns have been raised regarding highways and safety issues. Accepting that the road is unadopted, and the condition of it is not ideal, the site proposes a single dwelling and the potential impact is not considered to be significant.

LCC highways have provided comments on the application and do not object to the principle of development.

Other issues

No details have been supplied of boundary treatment to form the residential curtilage, this can be conditioned.

There are no protected trees on the site and therefore any felling of trees does not need any formal consent from the Council.

Conclusion

The proposed dwelling which falls within the Development Boundary as defined in Burnley's Local Plan can be accommodated on the proposed site without any significant impact on the character and appearance of the surrounding area, on existing residential amenities and on highway safety. The proposal complies with the

development plan and there are no material considerations which outweigh this finding.

Recommendation: Approve with Conditions

Conditions:-

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development shall be carried out in accordance with the approved plans listed on this notice below.

Reason: To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.

3. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings and shall not be varied without the prior written approval of the Local Planning Authority.

Reason: To ensure that the development will be of a satisfactory appearance and to comply with policies SP5 and HS5 of Burnley's Local Plan (July 2018).

4. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i)The parking of vehicles of site operatives and visitors
- ii)The loading and unloading of plant and materials
- iii)The storage of plant and materials used in constructing the development
- iv)The erection and maintenance of security hoarding
- v) Routing of delivery vehicles to/from site

Reason: In the interests of highway safety in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan (July 2018).

5. The development shall not be occupied until the car parking areas to serve the developments have been laid out and hard surfaced in accordance with approved drawings and made available for use and retained as such thereafter.

Reason: In the interests of highway safety in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan (July 2018).

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification):
 - (i) no external alterations, including roof alterations, or extensions shall be carried out to the building

(ii) no garages or outbuildings shall be erected within the curtilage of the building;
unless planning permission for such development has been granted by the Local Planning Authority.

Reason: To enable the Local Planning Authority to consider future development having regard to policies SP5 and HS5 of Burnley's adopted Local Plan (July 2018).

7. Prior to occupation, full details of the boundary treatment to the development including dimensions and materials shall be submitted and approved in writing by the Local Planning Authority. The approved boundary treatment shall thereafter be carried out prior to the first occupation of the dwelling.

Reason: In order to ensure that boundary treatment does not have a detrimental impact on the long term appearance of the site and harmonises with its surroundings in accordance with policy SP5 of the adopted Local Plan (July 2018).

8. Unless otherwise approved in writing by the Local Planning Authority, all works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 08:00 hours and 17:00 hours on Mondays to Fridays and between 08:00 hours and 13:00 hours on Saturdays and at no time on Sundays, Bank Holidays or Public 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.

Reason: To safeguard the amenities of nearby residents in accordance with policy SP5 of Burnley's adopted Local Plan (July 2018).