

Application Recommended for Approve with Conditions
Briercliffe

HOU/2019/0220

Town and Country Planning Act 1990
Proposed erection of an outbuilding
50 Clockhouse Avenue Burnley Lancashire BB10 2SU

Background:

The site is located with the defined settlement boundary on an estate of predominantly de properties. The property is positioned at the head of the cul-de-sac on an elevated position.

The dwelling has a generous rear garden, which is enclosed by mature hedgerow. To the north are open fields, to the east the property shares a common rear boundary with 76 – 86 Grassington Avenue. To the south is No. 48 Clockhouse, a detached property which share a similar building line with the application site.

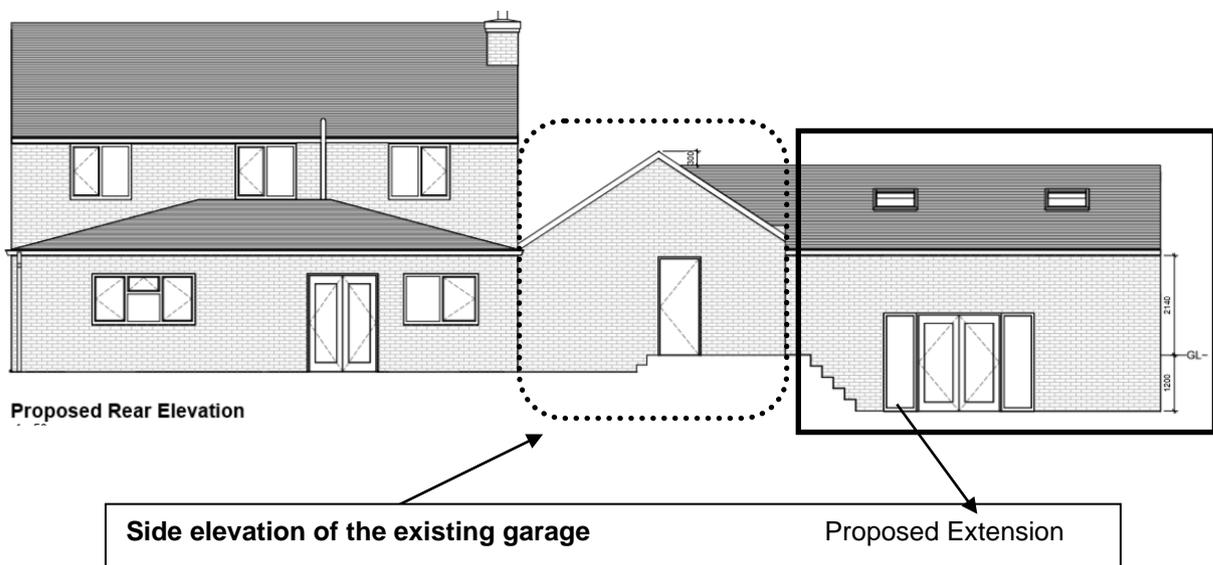
Proposal

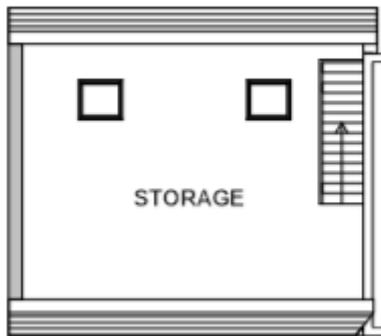
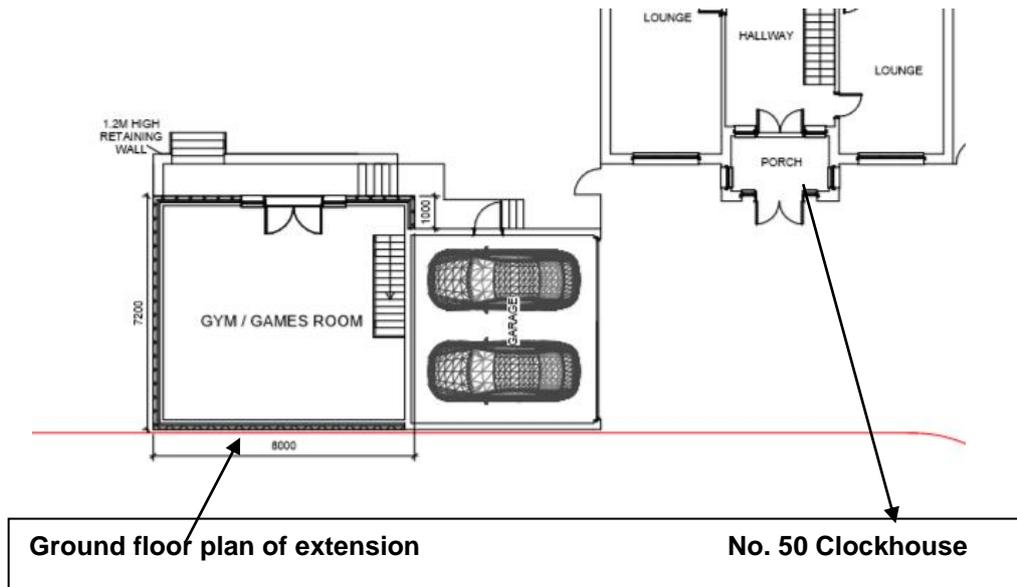
The application seeks consent for an extension to an existing double garage which is positioned to the front of the property. The additional space proposes a gym/games room split over 2 floors with patio doors onto the garden area.

The proposal plans have been altered since the original submission as there were concerns with the overall scale and massing of the outbuilding. The original plans showed a 12.7m length extension to the rear of the garage, with a width of 7.2m, and ridge height of 7m.

Amended plans were received by the Council on the 18th June which showed a reduction in the length of the extension to 8m, maintaining the same width and with a reduction in ridge line to fall below the existing ridge of the garage by 300mm.

Proposed plans following amendments – side elevation when viewed from within the garden





Proposed roof space with storage

Relevant Policies:

Burnley's Local Plan 2018

- HS4 – Housing Developments
- HS5 – House Extensions and Alterations
- SP5 – Development Quality and Sustainability

NPPF 2019

Site History:

NOT2018/0333 – Single storey rear extension - prior approval granted 4/9/18

APP/2013/0160 – dwelling within the curtilage of the property. Conditional Approval 28/6/13

Consultation Responses:

Highways – no objection subject to conditions on the following:

1. Outbuilding not to be used as living accommodation
2. Electric charging facility

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

The NPPG outline a hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

- 1. into the ground (infiltration)*
- 2. to a surface water body*
- 3. to a surface water sewer, highway drain, or other drainage system*
- 4. to a combined sewer*

Publicity

The application has been subject to 2 separate rounds of consultation. The first round of consultation ran from the 30th May for 21 days. The second round of consultation on amended plans which were received on the 18th June, ran from the 19th June for a further 10 days.

8 objections were received to the most recent round of consultation:

- risk of flooding (historic surface water flooding) concerns about further use of concrete and that surface water will exacerbate
- increase noise
- flooding which appears to start at the path adjacent to 86 Grassington Dive. Water runs off the field to the rear and at times has been knee high. Water cascades through gardens finding it's most natural route
- flooding appears to start when a concrete fence was erected at the property 8-10 years ago
- loss of privacy, overlooking caused by the erection of a rear dormer

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Planning and Environmental Considerations:

The principle of development

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.

Main issues

- Impact on the character of the area including design and appearance
- Impact on amenity of neighbours

Design: Impact on the character of the area

Policy SP 5 of the adopted Local Plan amongst other considerations seeks new development to respect existing, or locally characteristics street layouts, scale, massing and use an appropriate palette of materials. This is detailed further in policy HS5, stating alterations and extensions to dwellings should be high quality in construction. This is further supported in the NPPF, Paragraph 124, which states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

The extension will not be visible from the front elevation of Clockhouse Avenue but it will be visible from the side elevation especially from the footpath which runs along the side of the property. The existing garage is substantial in size and has an overhanging roof pitch. Given that the extension is to the rear of the existing garage following the northern boundary of the curtilage of the property, it is not considered that the proposed extension will have a detrimental impact on the street scene.

Initial concerns over the size of the extension have been resolved, with a reduction in the overall length and height. Whilst the extension is still relatively large, given the plot size and the remaining garden size is still generous garden I do not consider the extension to be detrimental to the character of the area.

The proposal will match elements of the host dwelling by virtue of matching materials and on balance it is not considered the proposal will have an unacceptable impact on the character of the area in terms of design and appearance.

Impact on the amenity of neighbours

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 reasoning of overlooking.

The extension proposes no windows on the side elevation closest to the footpath, with the main openings facing directly onto the garden. There is a distance of approximately 26m from the front of the extension to the rear boundary fence with properties 76 – 86 Grassington Drive which is sufficient enough distance to avoid concerns of overlooking.

Objectors have raised concerns over the existing approved rear extension and most recently works to the roof. The Council is aware of the work to the roof which may be achieved under permitted development. The Council has advised the owner to submit a lawful development certificate for the works to establish whether or not the work would can be considered under permitted development.

Each planning application must be taken on its merits in accordance with the policies within the development plan. The revised plans are now acceptable and is it considered that the extension to the garage would not be detrimental to the amenity of neighbouring residents in terms of overlooking, loss of privacy or overshadowing and as such complies with policies HS4 part 3, HS5 and SP5.

Other issues

Given the concern expressed from surrounding residents, United Utilities were consulted on the application. There would appear to be some historical issues with surface water run off especially affecting properties on Grassington Avenue.

This application will connect to the existing system and following comments from UU they have no objection to the application.

Residents have been directed to contact United Utilities in the first instance on any issues with surface water.

Recommendation: Approve subject to 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 received on 18/6/19 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 2018.

4. The outbuilding hereby approved shall only be used for uses ancillary to the main dwelling and shall not be used as a separate dwelling.

Reason: In the interests of highway safety and to protect off street parking provision in the future in accordance with policy IC3 of Burnley's adopted Local Plan.

Paula Fitzgerald
12th August 2019