

Application Recommended for Approval
Rosehill With Burnley Wood

HOU/2019/0234

Town and Country Planning Act 1990
Proposed Conservatory extension to 1st floor rear terrace
95 Rosehill Road Burnley Lancashire BB11 2JH

Background:

The application site is a two storey detached dwelling fronting onto Rosehill Road. A large extension with roof terrace is located to the rear of the property. A detached small wooden garage is also located to the rear of the property. The application site benefits from private amenity space to the rear and side of the property, with a garden at the front of the property.

The surrounding area can be classified as a mix of house types, including, semi-detached, detached and terraced dwellings. Healy Woods is located adjacent and east of the application site.

Photograph A – rear of property



Photograph B – rear of property



Proposal

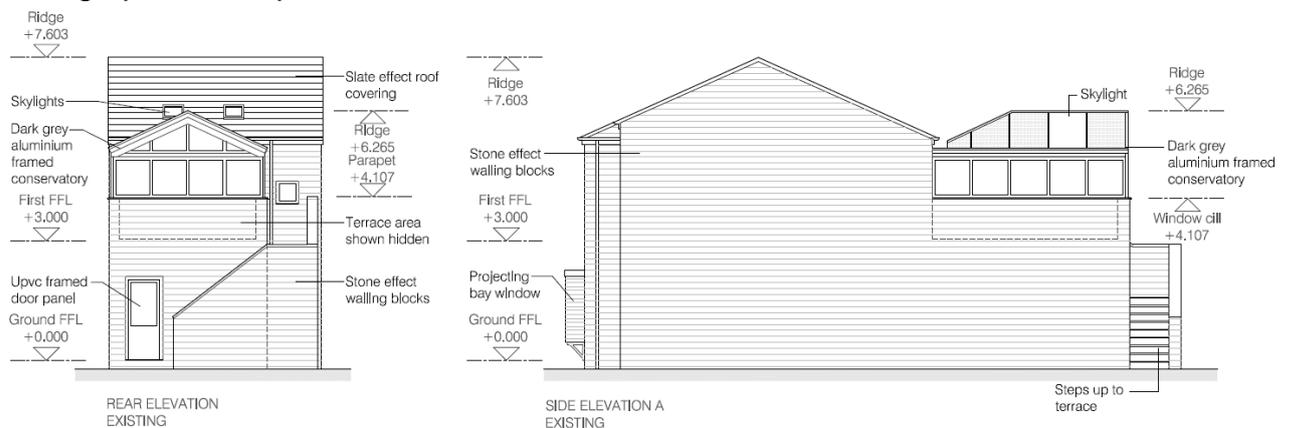
This application seeks planning permission for a proposed conservatory extension over the existing 1st floor rear terrace.

The proposed conservatory extension would have a maximum height of 2.15m, dropping to 1.25m at the eaves. The proposed width would be 3.95m and the depth would be 4.95m. The proposed conservatory extension would have a pitched roof design.

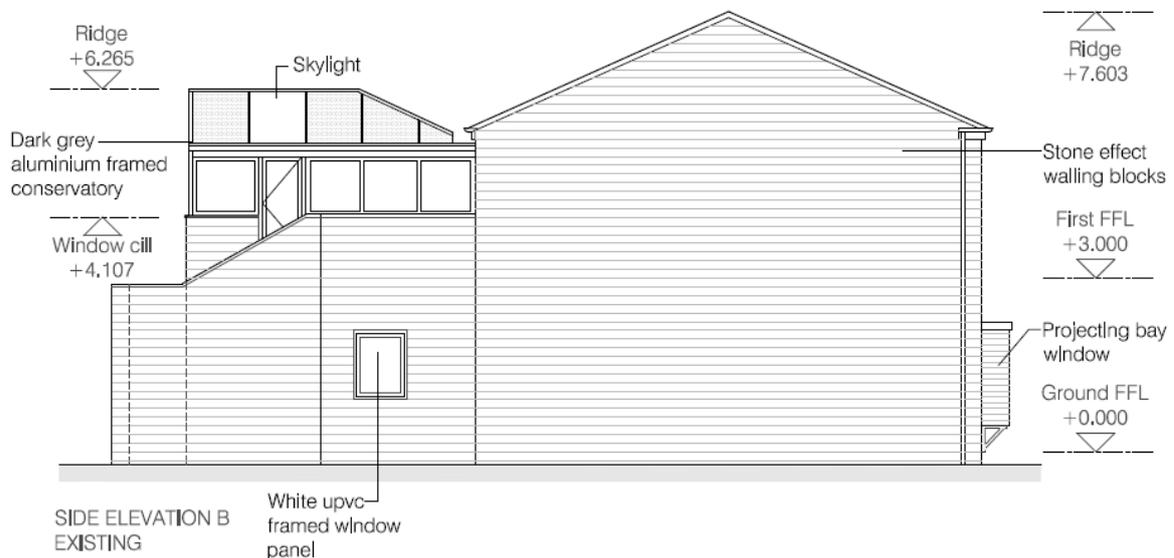
The applicant has stated that the proposed materials would be as follows:

- Walls – Dark grey aluminium frame

Photograph C – Proposed Rear and Side Elevations



Photograph D – Proposed Side Elevations



Relevant Policies:

- National Planning Policy Framework 2019
- National Planning Practice Guidance
- Burnley's Local Plan 2018
 - HS4 – Housing Developments
 - HS5 – House Extensions and Alterations
 - SP4 – Development Strategy

- SP5 – Development Quality and Sustainability

Site History

Reference: APP/2003/0898

Address: Land Adjoining 97 Rosehill Road, Burnley

Decision: Permission Granted subject to conditions

Decision Date: 8TH December 2003

Description: Erection of 2 dwellings including details of means of access (all other matters reserved for future approval)

Reference: APP/2005/0967

Address: Land Adjacent 97 Rosehill Road, Burnley, Lancashire, BB11 2JH

Decision: Permission Granted subject to conditions

Decision Date: 3RD February 2006

Description: Proposed erection of two, two-storey detached dwellinghouses

Consultation Responses

None

Publicity

One objection has been received regarding the proposed development. There objections have been summarised below:

- Loss of privacy.
- Significant loss of sunlight into the rear garden

Consultees

No consultations were necessary.

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. The Councils main policy in relation to extensions to houses/dwellings is outlined in HS5 'House Extension and Alterations'.

Main issues

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

Design: Impact on the character of the area

Any proposed scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the site's context and comply with development plan policies in these respects. 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 of Burnley's Local Plan, stating the following:

Alterations and extensions, including roof extensions and the erection of buildings and structures within the curtilage of dwellings, should be high quality in their construction

and design in accordance with Policy SP5. The Council will permit extensions and modifications to existing residential properties where:

- a) The extension is subordinate to the existing building, to allow the form of the original building to be clearly understood;
- b) The design respects the architectural characteristics, scale and detailing of the host building and its setting. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context. This would not preclude proposals that are innovative or contemporary where these are of an exceptional design quality;
- c) The proposal will not have a detrimental impact on the amenity reasonably expected to be enjoyed by the occupants of neighbouring properties through overlooking, lack of privacy or reduction of outlook or daylight, using the distances set out in Policy HS4 3)c);
- d) The proposal does not lead to an unacceptable loss of parking, both in curtilage or on street and does not create a danger to pedestrians, cyclist or vehicles; and
- e) The proposal does not lead to an unacceptable loss of useable private amenity space.

Regarding criteria a), the proposed conservatory extension would convert the existing outrigger to the rear into a two storey element. The conservatory extension at first floor level is considered to be subordinate in scale when compared to the main dwelling. The proposed extension would be set approximately 1.3m below level with the ridgeline of the main dwelling. The proposal results in a development which would allow for the form of the original building to be understood.

For criteria b), the extension has been designed taking into account the existing characteristics and traits of the main dwelling. The proposed conservatory extension, if approved would result in a form of development which is considered to compliment the dwelling. This development and appear sympathetic, and with the extension being to the rear of the property it would not have an impact upon the street line.

Regarding criteria c), it is noted that the proposed extension is approximately 4.4m from the shared boundary with No.97 Rosehill Road. The extension would be constructed flush with the shared boundary with No.93 and would be 2.6m from the dwelling. The extension would be built on the existing footprint of the terrace. While it is noted that the development would result in some loss of sunlight and overshadowing to No.93, it is not of a level which would be so significant as to warrant refusal of the application. Concerns have been raised regarding loss of privacy, however, it is noted that the current site is used as a roof terrace with no balcony screen. The proposal would not therefore result in an increase in overlooking over and above what currently exists on the site. Therefore, the proposed extension is not anticipated to have any significant detrimental impact on amenity of the neighbouring properties.

With regards to criteria d), the proposal would not result in an unacceptable loss of parking, both in curtilage or on street and does not create a danger to pedestrians, cyclist or vehicles

The proposed development would not lead to an unacceptable loss of useable private amenity space, therefore complying with criteria e).

Conclusion

The proposed raised conservatory would not lead to a unreasonable level of overlooking or cause a significant loss of sunlight/daylight to neighbouring properties. The proposed scale, design and appearance of the extension would be acceptable.

Recommendation: Approve

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 permitted shall be constructed in complete accordance with the specifications in the application and approved plans listed below.

Reason: To avoid doubt and to ensure an acceptable development as indicated on the submitted drawings.

Ronan Kelly
13th August 2019