

**Application Recommended for Approve with  
Conditions**  
Lanehead

**VAR/2021/0214**

Town and Country Planning Act 1990

**Proposed Development:** Variation of Condition No 2 pursuant to planning application HOU/2019/0531 to amend the roof design and proposed exterior materials to be used.  
**Site Address:** 111 Thursby Road, Burnley

**Applicant:** Mr Umair Khan  
**Agent:** Mr Hamaad Anwar

The application is before the committee following receipt of objections.

**Background:**

Planning permission was granted for the erection of a 2-storey side and rear extension and a single-storey rear extension in May 2020 under planning application HOU/2019/0531.

It was brought to the Council's attention that the development had not be built in complete accordance with the approved plans. Following discussions with the Councils Enforcement Officer, the applicant decided to submit a variation of condition application to legalise the development built.

This application seeks to vary condition 2 (plans compliance) pursuant to planning application HOU/2019/0531 to amend the roof design and proposed exterior materials to be used.

Condition 2 states:

The development hereby permitted shall be carried out in accordance with the following approved plans; 20190704- nos.1, 2, and 5 and 7 received 21<sup>st</sup> Oct 2019, nos.6A and 8A received 6<sup>th</sup> March 2020 and nos.3A and 4A received 9<sup>th</sup> March 2020.

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

**Relevant Policies:**

Burnley's Local Plan July 2018:

SP1 – Achieving Sustainable Development  
SP4 - Development Strategy  
SP5 – Development Quality and Sustainability  
HS5 – House Extensions and Alterations  
IC3 – Parking Standards

National Planning Policy Framework (NPPF)

**Site History:**

APP/2017/0198 – Proposed two storey extension to side and rear – withdrawn  
APP/2017/0610 – Proposed 2 storey extension to side and rear – refused/appeal dismissed

HOU/2019/0531 – Proposed 2-storey side and rear extension and single-storey rear extension – approved with conds.

**Consultation Responses:**

*Neighbouring resident* – Objects to the proposals for the following reasons;

- The steeper pitch of the kitchen roof provides a significantly increased overbearing effect and reduces the amount of light into our conservatory and kitchen from mid-afternoon.
- The flat roof, behind the kitchen pitch, could/will be transformed into a balcony which will invade out right to privacy in both our conservatory and back bedroom.
- The proposed render (off white K) will significantly affect the outlook of the whole block, whereby all the other properties have visibly maintained the stone and pebbledash look when viewing from the street.

**Planning and Environmental Considerations:**

The principle of the development has already been established by the approval of planning application HOU/2019/0531 which was granted permission for the erection of a 2-storey side and rear extension and a single-storey rear extension.

This application seeks approval for the amendments made during construction to the approved extension consisting of amendments to the roof design affecting the pitch and shape of the roof of the single-storey rear extension and changes to external materials; areas where stone and pebble-dash render were proposed to be changed to k-render above the stonework at the front and the entire side and rear elevations.

**Change to external materials**

Approval was given for stonework to the lower section of the front, side and rear elevations with pebbledash above; to match the existing dwelling. It is proposed to keep the stonework to the lower section of the new front elevation, to k-render above this and to k-render the side and rear elevations of the extension.

The rear elevation is not visible from the street and k-render is acceptable on this elevation. With regard to the side elevation, this is not easily visible from the streetscene and the adjacent dwelling no.109 is rendered on the full side elevation therefore it is unreasonable to insist on stone and pebbledash for this elevation as it is not easily viewed from the road.

On the front elevation stone is still proposed on the lower section to match the existing front elevation; k-render is proposed above this on the front of the extension and the existing front elevation; as the stonework is being retained on the front elevation it is considered that k-render above this will not significantly affect the appearance of the front elevation providing that an appropriate colour of k-render is used. The applicant has agreed to use a light grey K-render which will blend in better than off-white as proposed.

**Change to the roof design at the rear**

The pitch of the roof of the single-storey extension has been changed slightly, this is understood to have been carried out because a greater slope, than that approved, was needed for the roof tiles. So that the height of the roof of the single storey extension was not significantly increased a flat roof has been carried out on the

section which is to the right of the 2-storey extension. The height of the approved and proposed (as built) single-storey extension to the eaves is 2.55m and the height to the highest part of the roof of the single-storey section as approved is 3.325m and as proposed (as built) is 3.65m; which is a slight increase of 0.325m at its highest point (see drawings below).



*elevations as approved*



*elevations as proposed*

The neighbour has stated that the steeper pitch of the kitchen roof creates an overbearing effect and reduces light to their conservatory and kitchen from mid-afternoon. The slight change to the roof slope will have a minimal effect on the conservatory and kitchen of no.113 and not significant enough to refuse the application on this basis.

The neighbour is concerned that the flat roof will be transformed to a balcony. There is no reason to suggest that the flat roof will be used as a balcony; there is a window to the roof above the flat roof and not patio type doors.

### **Conclusion**

The proposed changes to the original consent are considered to be acceptable and in accordance with the Local Plan policies listed above.

### **Recommendation:**

Approved subject to the following conditions:

1. 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.

2. The car parking provision shown on Dwg. No 20190704 – 4A shall be provided as approved before any part of the extension hereby permitted is brought into use.

Reason: To ensure that adequate parking provision is in place in the interests of highway safety and in accordance with policy IC3 of Burnley's Local Plan July 2018.

3. All windows on the side elevations of the extensions hereby permitted shall be obscurely glazed before the extensions are brought into use/occupation. The obscure glazing shall thereafter be maintained to the satisfaction of the local planning authority.

Reason: To protect the amenities of the adjoining residents having regard to Policy HS5 of the Burnley's Local Plan July 2018.

4. Before the driveway is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

5. The K-render to be used for the elevations shall be a light grey colour.

Reason: In order to blend with the adjacent dwellings in the interests of visual amenity and in accordance with policy HS5 of Burnley's Local Plan July 2018.

6. The flat roof on the single-storey rear extension shall not at any time be used as a balcony.

Reason: In order to protect privacy for neighbouring residents and in accordance with policy HS5 of Burnley's Local Plan 2018.

LB  
Planning & compliance Officer