

Application Recommended for Approve with Conditions

FUL/2021/0393

Cliviger With Worsthorne

Town and Country Planning Act 1990

Erection of bungalow with bedrooms in the roof space and formation of amended access to Lennox Street

The Stables Plot 4 Lennox Street Worsthorne-with-hurstwood

Applicant Details:

Mr Ashley

Background:

The application site relates to a plot of land on Lennox Street that was formerly occupied by a barn and stable block. Consent was granted in 2007 for the demolition of the barn and stable block and the erection of a detached two storey dwelling. Since 2007 the land to the south of this plot has had planning permission for four dwellings. The access was amended under the permission for the four dwellings. This application proposes further amendments to the access and to revise the house type to a dormer bungalow.

The application has been brought to development control committee as 4 letters of representation have been received objecting to the development with concerns that the development has continued despite being in breach of the planning consent as the access hasn't been constructed as approved. No concerns have been raised with regards to the erection of the bungalow.



Relevant Policies:

Burnley's Local Plan Adopted July 2018

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

NPPF

Proposed Development:

Consent is sought to change the house type of the approved dwelling under APP/2007/0791 from a two storey dwelling house to a bungalow with accommodation in the roof space.

The bungalow has a slightly reduced footprint to the approved dwelling. The bungalow has a width of 4.5m and has a maximum length of 15.4m and the ridge measures at 6.5m. The dwelling is to be constructed using natural stone, with a slate roof and upvc windows and doors. The bungalow would be 3 bedroomed and would have a private garden to the rear.

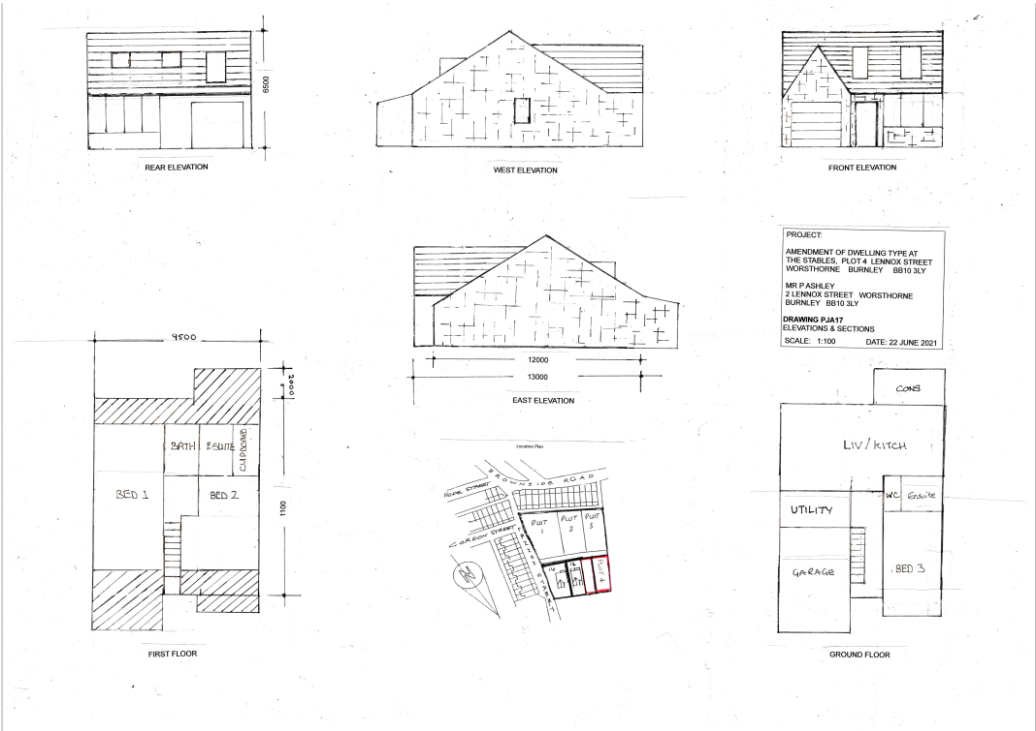
The sewage connection point is at the front of the property to the sewer connection already laid in the private road. The surface water connection is to the existing watercourse located on Lennox Street.

The garage will accommodate one vehicle with cycle storage. Two additional parking space are proposed to the front of the dwelling. Bin storage will be at the rear of the property.

The site will be accessed off Lennox Street as previously approved. The revised access road will measure 5m at the entrance to the site and in sections will reduce to 4.5m in width. The turning head has also been relocated to the east of the proposed dwelling.



Previously approved development.



Proposed Elevations.



Proposed Site Plan showing access and parking associated with proposed dwelling.

Site History:

App Number	Proposal	Status	Received Date	Decision Date
APP/2007/0791	Proposed demolition of existing barn and stable block and build one new detached dwelling	A/C	07.09 2007	18.09 2007
APP/2010/0466	Discharge of conditions 2 and 3 on Planning Application APP/2007/0791	Approval	23.08.2010	20.09.2010

Consultation Responses:

Highways - The Highways Depot (Burnley District)	No objections subject to conditions
Environmental Health	No objections subject to conditions relating construction hours and details of refuse storage to be submitted.
Streetscene (Refuse)	No Comment Received.
Local Plans & Policy Team	No Comment Received.
Worsthorne With Hurstwood PC Planning Committee	The Parish Council object to the development due to concerns regarding the amended access. The PC had no concerns with the proposed bungalow.

Planning and Environmental Considerations:

Principle of Development:

The principle of developing this site for a residential unit has already been accepted APP/2007/0791 and this permission has been implemented.

The main considerations in respect to this application are whether the revised house design has any impacts upon the amenity of occupiers of nearby properties or whether there will be any additional visual impact upon this location. The application also proposes amendments to the approved access.

Impact on Residential Amenity:

In accordance with Local Plan Policy SP5 and HS4 development should 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.

The nearest neighbouring property with the potential to be impacted by the proposal is the dwelling to the east. When compared with the previously approved dwelling the built form of the development has not been brought any closer to this property. The height of the building has been reduced and the windows on the side elevation have been removed. As such when compared with the two-storey dwelling the impact on the neighbour is reduced. As such the development is considered to have minimal impact on this neighbour.

It is considered that there is a sufficient separation distance from the other properties surrounding the site.

Taking account of the above, it is considered that given the scale and positioning of the proposed dwelling would not cause a significant loss of privacy or overlooking with neighbouring properties and would not result in a significant or unacceptable reduction of outlook or daylight in accordance with Policies SP5 and HS4.

Impact on Visual Amenity and Design:

Local Plan Policy SP5 requires new development to be of a high standard of design and to respect their townscape setting and locally characteristic street layouts, scale, massing and use an appropriate palette of materials. This is detailed further in Policy HS4 stating new housing developments should be high quality in their construction and design.

The application site is one of 7no plots of consented dwellings on the land off Lennox Street. The proposed dwelling will be erected at the north western side of the overall site and therefore when viewed from the highway the new dwelling will be seen in context with the other 6 dwellings, 3 of which have already been constructed. The proposed building materials match that approved on the previous approval and are similar to the other dwellings in the immediate vicinity.

The proposed private garden area is considered to be proportionate to the size of the dwelling, and suitable bin storage is provided. In respect of scale, form and massing, the proposed dwelling will sit comfortably within the streetscene.

In view of the above it is considered that the proposed development would comply

with
Policies SP5 and HS4.

Highways:

Local Plan Policy IC1 requires development to provide safe access to, from and within the site, including adequate visibility splays. The NPPF supports the need to avoid adverse impacts through development and to mitigate them where they occur.

The amended access proposes a maximum width of 5m and in sections reduces to 4.5m. The previously approved access measured 5m in width the full length of the road. The turning head has also been relocated. The highways engineer has confirmed that the amended access is sufficient.

As such The Highway Authority has raised no objection to highways considerations subject to conditions. Accordingly, it is considered that the proposal meets the requirements of Policy IC1.

Policy IC3 requires car parking to be provided in accordance with the Council's car parking standards which in this case would require two in-curtilage parking spaces. The proposal makes sufficient provision in accordance with Policy IC3

Drainage:

The sewage connection point is at the front of the property to the sewer connection already laid in the private road. A condition will be attached to any permission requiring that foul and surface water be drained on separate systems.

Other Matters:

In the interests of visual amenity of the area and to protect the amenity of the neighbouring dwelling it is considered appropriate to removed permitted development rights for outbuildings (class E) from this new dwelling.

Recommendation:

That planning consent be granted subject to conditions.

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Proposed Location Plan, Elevations and Floor Plans: Dwg no PJA17
Site Plan: Dwg no PJA 7A

Reason: For the avoidance of doubt and to clarify which plans are relevant to the consent.

3. Notwithstanding the submitted details, precise specifications or samples of walling, door/window surrounds, rainwater goods, roofing/ridge materials including surfacing materials, their colour and texture shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development and shall be retained as such thereafter.

Reason: To ensure that the materials to be used are appropriate to the locality.

4. No development shall start until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. Hard landscaping shall include proposed finished levels or contours; means of enclosure; parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting etc.); Soft landscaping shall include schedules of plants, noting species, plant sizes and proposed numbers/ densities where appropriate, and shall include details of the condition of existing trees and specify which are to be retained.

Reason: In order to ensure that landscaping works contribute to a satisfactory standard of completed development and the long term appearance of the site harmonises with its surroundings

5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme approved in writing by the local planning authority.

Reason: In order to ensure that landscaping works contribute to a satisfactory standard of completed development and the long term appearance of the site harmonises with its surroundings

6. No construction work shall take place on the development hereby approved outside the hours of 8am to 6pm Monday to Friday, 8am to 1pm on Saturday and not at any time on Sundays and Bank 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 protect the amenities of nearby residents.

7. No part of the development hereby approved shall be occupied until all the highway works have been constructed and completed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

8. Before the dwelling is occupied, that part of the access extending from the highway boundary into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other hard material to be approved by the Local Planning Authority.

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

9. The surface water from the approved driveway should be collected within the site and drained to a suitable internal outfall.

Reason: In the interest of highway safety to prevent water from discharging onto the public highway.

10. No part of the development hereby approved shall be occupied until the turning head, as indicated on the approved plans, has been constructed, drained, surfaced in tarmacadam, and is available for use for the turning of vehicles entering or leaving the proposed access from Lennox Street. The turning head shall not at any time be used for any other purpose or be obstructed and shall be retained in perpetuity for the turning of vehicles.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before the occupation of the dwelling.

11. All garage facilities or off-street parking shall include provision of an electrical supply suitable for charging an electric motor vehicle.

Reason: To support sustainable transport objectives and to contribute to a reduction in harmful vehicle emissions.

12. Full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. All boundary treatments thereby approved to bound the site shall be erected in accordance with the approved details before the approved dwelling is occupied.

Reason: To ensure a visually satisfactory form of development.

13. The residential curtilage of the dwelling hereby approved shall be restricted to that shown on approved drawing Site Plan: Dwg no PJA 7A.

Reason: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality

14. Notwithstanding the provisions of Classes E of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, no additional buildings or structures shall be erected within the external area of the dwelling hereby permitted unless planning permission has first been granted by the Local Planning Authority.

Reason: In the interests of the appearance visual appearance

15. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

16. Vehicular access to the proposed development shall be from Lennox Street only and not from any other route or road.

Reason: To ensure a safe and adequate means of access to the site, in accordance with the details that have been assessed as part of the application,

Rebecca Bowers
26th November 2021