

**Application Recommended for Approval with  
Conditions**  
Briercliffe

**HOU/2022/0011**

Town and Country Planning Act 1990  
Proposed Two Storey Side Extension and Rear Extension. Erection of rear dormer.  
Kenmuir Burnley Road Briercliffe Lancashire

**Background:**



The application site relates to a semi-detached property located in Briercliffe.

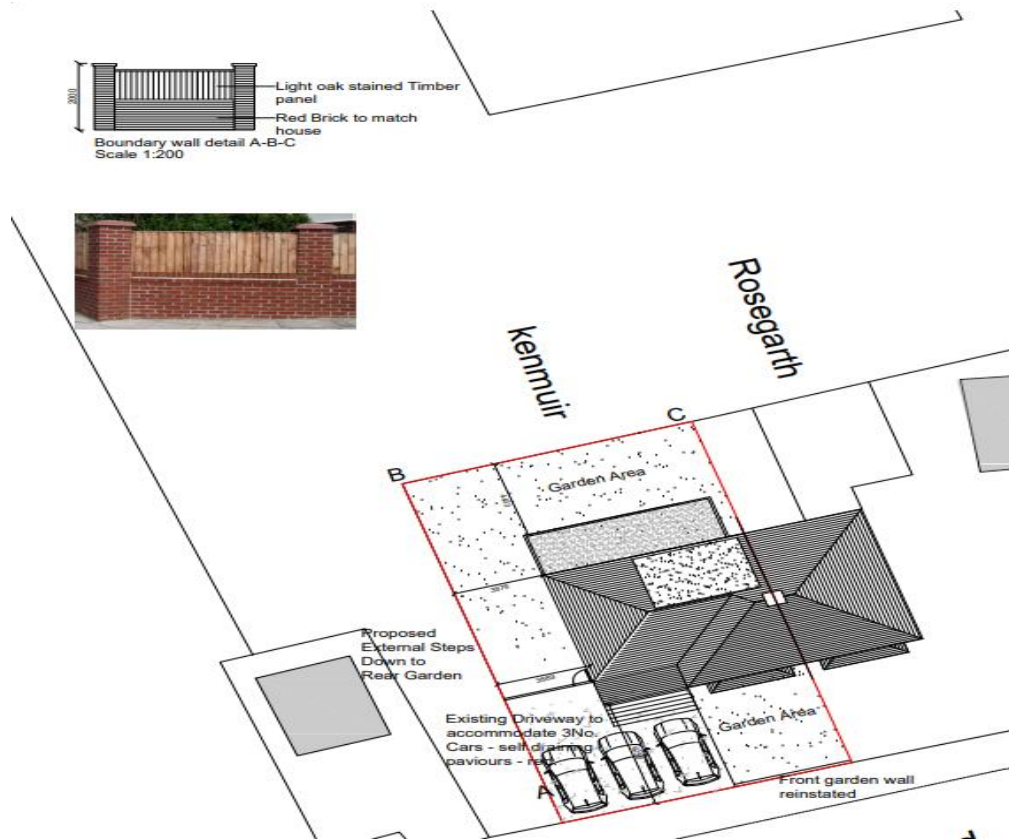
The property benefits from a detached garage that is to be demolished and has a garden to the front and private garden to the rear. Due to the sloping nature of Burnley Road and the topography of the application site the property benefits from a basement level to the rear.

The application is the fourth application to be submitted at this property. All three previous applications were refused. The most recent refusal was dismissed at appeal.

The application has been brought to development control committee as an objection to the application has been received.







**Relevant Policies:**

Burnley Local Plan

- SP1: Achieving Sustainable Development
- SP4: Development Strategy
- SP5: Development Quality and Sustainability
- HS5: House Extensions and Alterations
- HS4: Housing Development
- IC3: Car Parking Standards
- National Planning Policy Framework

**Site History:**

App Number	Proposal	Status	Received Date	Decision Date
HOU/2020/02 75	Proposed Three Storey Side Extension, Rear Dormer Extension and Internal Alterations	REF	24.06.2020	09.10.20 20
HOU/2020/04 93	Proposed three storey side extension, rear dormer and internal alterations	REF	21.10.2020	14.12.20 20
HOU/2021/00 06	Proposed three storey side extension, rear dormer and internal alterations	REF	05.01.2021	11.06.20 21

**Consultation Responses:**

Highways - The Highways Depot (Burnley District)	No objections subject to conditions
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**Interested Party Comments:**

The neighbour has concerns with the size of the extensions and considers the site an eyesore.

**Planning and Environmental Considerations:**

The key issues in relation to this application are:

- Principle of Development
- Visual Amenity / Design

- Residential Amenity

### **The Principle of Development:**

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

### **Impact on Residential Amenity:**

Both policies SP5 and HS5 seek to ensure that development does not result in an unacceptable adverse impact on the amenity of neighbouring occupants of adjacent land users, with reference to issues including loss of lights, privacy / overlooking and outlook.

The only neighbour with potential to be affected by the development is the attached neighbouring property. The proposed two storey side extension will have minimal impact on this neighbour as the extension is located on the west elevation and this neighbour is on the east of the property. The two-storey rear extension will be sited adjacent to this neighbour. When assessed against the 45 degree rule the development would not result in the loss of light to this neighbour. No windows are proposed to face this neighbour and therefore the development would not result in loss of privacy or overlooking.

### **Impact on Visual Amenity:**

Local Plan policy SP5 sets out requirements for the design quality of all types of development. Policy HS5 further sets out a requirement for the extension to remain subordinate to the existing building with appropriate building materials and that the extension should not have an adverse impact upon the character of the street scene. Also, the proposal should not lead to an unacceptable loss of useable private amenity space.

Paragraph 126 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.

When compared with the previous refusal the following changes have been made to try to overcome the reason for refusal. The width of the two-storey size extension has reduced from 4m to 3.5m and the porch to the side has been removed. The development also includes soft landscaping to the front whilst retaining the three off street parking spaces. A section of the front wall will be reinstated across the length of the soft landscaping. A two-storey rear extension is proposed to the rear of the property.

The proposed extension is set down at the ridge and set back from the front of the property. The adjacent site is heavily wooded, and this helps to screen the site from Burnley Road. It is considered that the reduced sideward projection and removal of the porch results in a scheme that would not result in a dominant addition that would unbalance the pair of properties when viewed from Burnley Road.

When viewed from the field at the back of the house, the rear elevation is partly screened by a garden tree and wooden fence, but the proposed extension, including the altered roof with box dormer, would be clearly visible. The box dormer would be positioned within the extended roofscape and would not appear particularly dominant when viewed from the rear. Although, the rear extension is two storeys due to the level of the land the extension has a lower basement level and ground level. Therefore, when viewed from this footpath the extension will not look out of keeping with the area as the neighbour benefits from a single storey flat roof extension.

With all of the above considered on balance the development is considered to have an acceptable relationship with the visual amenity of the area.

### **Highways:**

The highways Development Control Technician had no objections to the development subject to conditions. The conditions require that the driveway be appropriately paved; the visibility splay shall maintain free of obstructions with a maximum height of 0.9m for any structures or planting etc. Finally, an electrical supply should be installed that is suitable to charge an electric vehicle.

### **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 Elevations and Floor Plans: ALI/M/01/ Dwg no 04F  
Proposed Site Plan: AL/01 Dwg 03E

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

3. The external facing materials, detailed on the approved plans, shall be used and no others substituted.

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

4. The landscaping proposals hereby approved dwg no 03E shall be implemented in the first planting season following occupation or use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority.

This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

Reason: In the interests of visual amenity.

5. Before the widened parking area is used for vehicular purposes, it 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.

6. Nothing shall be erected, retained, planted and / or allowed to grow at or above

a height of 0.9 metres above the nearside carriageway level which would obstruct the visibility splay of the proposed parking area. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

Reason: To ensure adequate inter-visibility between highway users at the street junction or site access, in the interests of highway safety.

7. The parking facilities 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.