

**Application Recommended for Approve with  
Conditions**

**HOU/2021/0694**

Coal Clough With Deerplay

Town and Country Planning Act 1990

Demolition of existing single storey rear conservatory and erection of single storey rear extension (Resubmission of HOU/2020/0455)

429 Cog Lane Burnley Lancashire BB11 5HR

**Background:**

The application relates to a semi-detached property located in Burnley. The property benefits from a detached garage and private garden to the rear. Consent was refused and dismissed at appeal for the erection of a replacement extension with a terrace above ref (HOU/2020/0455).

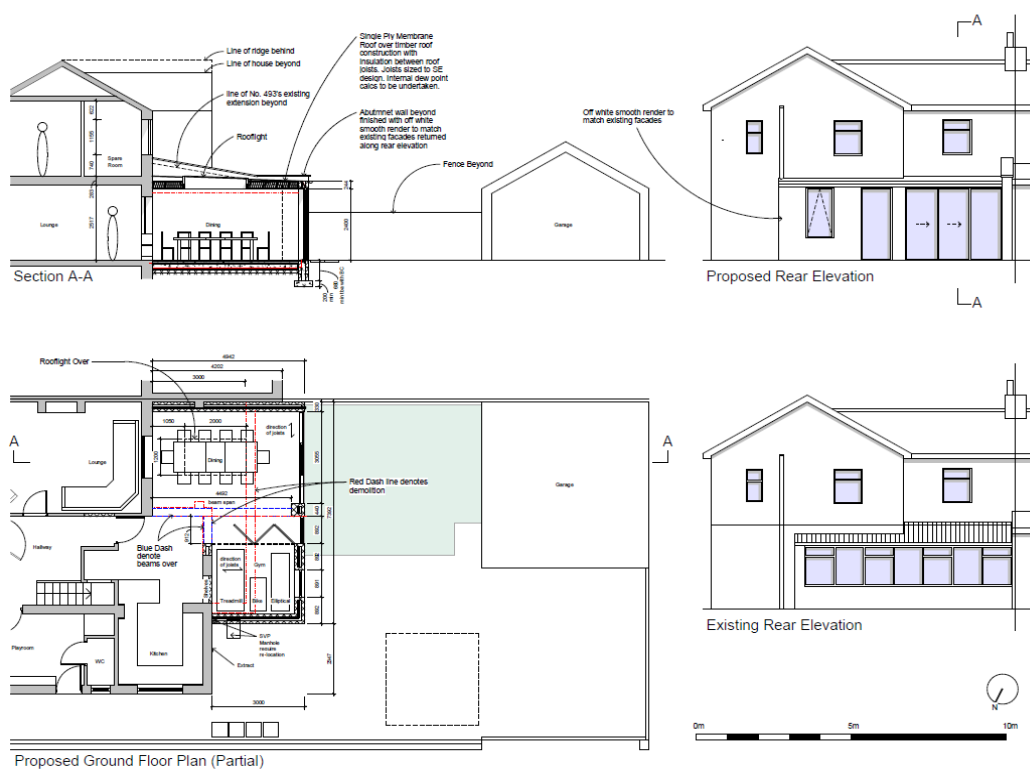
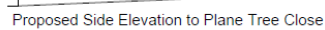
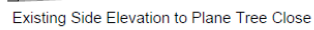
This application is a resubmission of the development for the erection of a rear extension. The terrace has been removed from the scheme.

The application has been brought to Development Control committee as an objection has been received.



**Proposed Development**

Consent is sought to demolish the existing single storey lean to extension and erect a larger single storey extension in its place. The extension proposes a rearward projection of 4.9m and measures 7.3m in width. The extension will have a flat roof measuring approximately 2.8m maximum height.



### Relevant Policies:

## Burnley Local Plan

SP1: Achieving Sustainable Development  
SP4: Development Strategy  
SP5: Development Quality and Sustainability  
HS5: House Extensions and Alterations

**Site History:**

App Number	Proposal	Status	Received Date	Decision Date
HOU/2020/0455	- Demolition of existing single-storey rear conservatory. - Replacement with single-storey rear extension including roof terrace accessed from adjusted first floor window.	REF	07.10.2020	10.03.2021

**Consultation Responses:**

N/A

**Interested Party Comments:**

A letter of objection has been received within concerns regarding loss of light and overbearing impact.

**Planning and Environmental Considerations:**

The key issues in relation to this application are:

- Principle of Development
- Visual Amenity / Design
- Residential Amenity

**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. Given that the works will take place within the curtilage of an existing dwelling sited within the development boundary of Burnley the principle of the development is considered acceptable.

**Visual Amenity/Design.**

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.

Whilst the extension is single storey and located on the rear of the application property, the host dwelling is located on a corner plot resulting in the rear being highly visible on the approach from Plane Tree Close. The previously refused application involved the erection of an extension that extended the full width of the existing dwelling with a rearward projection of over 5m. The proposed extension no longer extends the full width of the property, and the rearward projection has been reduced to 4.9m. In addition, the overall height of the extension has been reduced from 4.7m to 2.8m. Therefore, when viewed from the rear it is considered that the proposed extension would not result in a prominent addition and the use of matching materials ensures that the extension will remain subservient to the main dwelling. As such it is considered that the development will have an acceptable impact on the visual amenity of the area.

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

Policies SP5 and HS5 seek to ensure that development does not result in an unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users, including by reasoning of overlooking, lack of privacy or reduction of outlook or daylight.

As the property occupies a corner plot the only neighbour with the potential to be impacted by the development is the attached neighbour, no 431 Cog Lane. The proposed extension will share a boundary wall with this property as this neighbour also benefits from a single storey rear extension. The proposed extension will project beyond the rear wall of this neighbour's extension by approximately 1m. The neighbour has concerns that the 1m by 2.8m high wall would result in the loss of light to their garden and dining room. When assessed against the 45 degree rule the proposed extension would not result in a detrimental impact to the garden area of this property or the dining area. Nor is it considered that the 1m expanse of wall would have an unacceptable overbearing impact on the garden or dining room to warrant refusal of the application.

### **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:

Location Plan and Block Plan: Dwg no 1 RLB

Rear Elevations, Section and Floor Plan: Dwg no A102 Rev 08 amended plan received 12.04.2022

Proposed Side Elevations: Dwg no A1205 Rev 05 amended plan received 12.04.2022

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

3. All new external work, materials and finishes shall match those of the existing dwelling/building in their detailed execution, colour, texture, form, scale and finished appearance except where indicated otherwise on the approved drawings.

Reason: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality and respond positively to the inherent character of the parent dwelling/building.

Rebecca Bowers  
6th July 2022