

Application Recommended for Refusal

Rosehill with Burnley Wood

HOU/2022/0021

Town and Country Planning Act 1990

Proposed part two storey and part single storey rear extension to existing dwelling
242 Manchester Road, Burnley, Lancashire, BB11 4HF

Background:

A traditional two storey stone/render and blue slate 3 bedroom detached dwelling on Manchester Road, to the south of Burnley town centre. This length of Manchester Road is characterised by dwellings of varied design and appearance. Within the urban area as defined by the Local Plan. Whilst relatively original in appearance when viewed from the front, the rear elevation appears to have been extended in the past via a single storey element with a roof terrace and parapet walls, and the side (south western) elevation has a single storey conservatory.

The proposal is to remove the conservatory and construct two storey and single storey elements to the side (south western) elevation, materials to match. Creation of a fourth bedroom. Whilst not mentioned in the application description, the submitted site and block plans also show alterations to the existing off street parking area within the curtilage, to the front of the house. These alterations include widening of the point of access to Manchester Road. The proposal constitutes an evolution of HOU/2021/0372 identified below in respect of roof design. I have listed the reasons for refusal below also.

The application is presented to Development Control Committee as an objection has been received from an employee of the Council.

History:

HOU/2021/0372 – *Proposed two storey rear extension to existing dwelling and conversion of garage into a home gym. (Re-submission of HOU/2021/0218) – Refused 29.09.2021.*

The application was refused on the following grounds:

- 1. The proposed development, by virtue of its size, siting, massing and design would result in an incongruous, discordant and unsympathetic addition that would detract significantly from the character and appearance of the host building and the visual amenities of the locality. It is further considered that the development would result in the introduction of a highly prominent addition resulting in the visual detriment of the host property and the character and visual amenities of the area. The development is therefore contrary to Policy SP5 of the Local Plan and the NPPF.*
- 2. The level of development proposed would be of significant detriment to the character and appearance of the existing dwelling and surrounding area, insofar that the proposed development, when considered cumulatively, would undermine the inherent character of the existing building contrary to Policy SP5 of the Local Plan and the NPPF.*

3. *The proposed development would lead to an unacceptable level of amenity for the adjacent occupiers No. 244 Manchester Road, by virtue of the proposal not meeting the required separation distance standards as set out in HS4. Therefore, the proposal would result in an overbearing and overdominant addition which would result in a loss of light and outlook to habitable room windows contrary to the requirements of Policies HS5 and SP5 of the Local Plan and the NPPF.*

HOU/2021/0218 - *Proposed two storey side extension and rear extension to existing dwelling and conversion of garage into home gym. Refused 10.06.21.*

Relevant Policies:

Burnley`s Local Plan July 2018.

- HS5 – House extensions and alterations
- HS4 – Housing Development
- SP1 – Achieving sustainable development
- SP4 – Development Strategy
- SP5 – Development quality and sustainability
- IC3 – Car Parking Standards (plus App.9)

National Planning Policy Framework 2021

Consultation Responses:

Highways – no objection in principle. The Highways Consultee does request that if approved, the following Conditions be imposed relating to works to the access to Manchester Road shown on the submitted plans:

1. 45° visibility splays (residential driveway).

45° visibility splays shall be provided between the highway boundary and points on either side of the drive measured 5m back from the nearside edge of the footway. 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. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

Reason: To protect pedestrians passing the drive and ensure adequate inter-visibility between drivers and pedestrian traffic, in the interests of highway safety.

2. Highway works constructed prior to occupation.

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 in consultation with the Highway 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.

3. Electric vehicle charging points.

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.

4. Car Parking.

No building or use hereby permitted shall be occupied or the use commenced until the car parking area has been surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan. The car parking area shall thereafter be kept free of obstruction and available for the parking cars at all times.

Reason: To allow for the effective use of the parking areas.

Objections/Comments

One letter of objection received, points being:

The amended scheme does not overcome our previous objections to two schemes which have already been refused.

One of the main living room windows (the french doors) in the facing elevation of No.244 would face the two storey element of the proposed extension at a distance of around 7 metres, contrary to Local Plan Policy which requires a minimum distance of 15m.

Overbearing impact and consequential loss of amenity for occupants of No.244.

A representation has also been received from an occupant of the host property, in support.

Article 35 Statement

The application as submitted was in accordance with the local plan policies and the National Planning Policy Framework and there was no need for any negotiation with the applicant.

Visuals:

Front Elevation

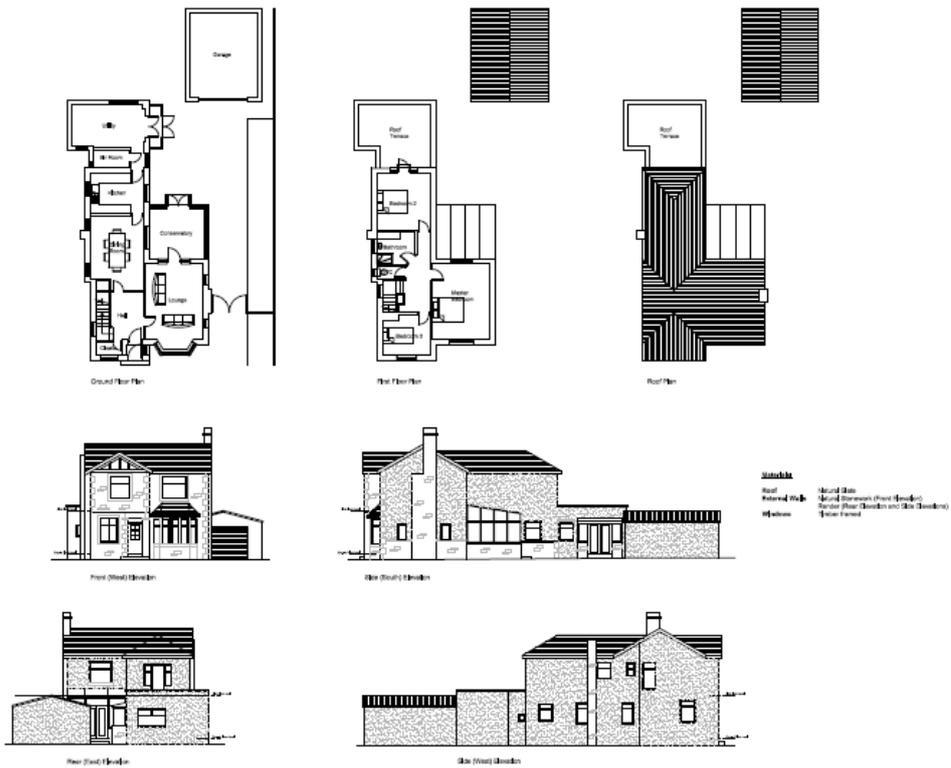


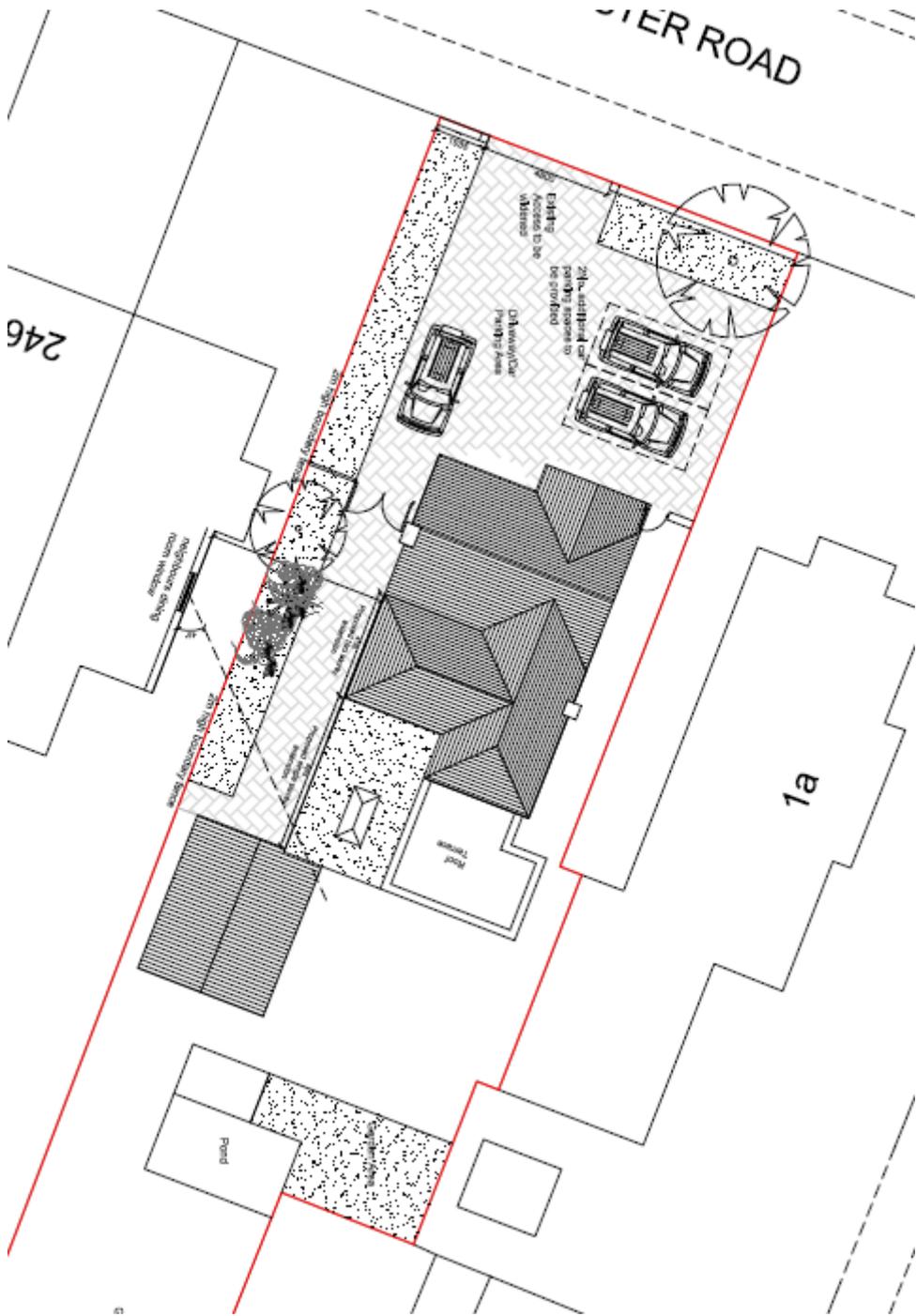
Views From Rear Taken from Host Property Rear Garden





Existing Elevations and Floor Plan





Planning and Environmental Considerations:

The main issues for consideration in the determination of this application include:

- Principle
- Design and impact upon the area
- Impact upon neighbouring amenity
- Parking/Access

Principle

The property is within the Development Boundary of a Principal Town (i.e. Burnley) as identified within the Adopted Burnley Local Plan. Subject to compliance with other Local Plan Policies, the principle of alterations to dwellings is acceptable if *'of an appropriate type and scale'* in this area under Policy SP4.

Design

Policy SP5 requires *'high standards of design, construction and sustainability in all types of development.'* This is reiterated in Policy HS5, which states *'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'*. Policy HS5 further sets out specific requirements for the design of house extensions and alterations stating that the design, scale, massing and external appearance of the development should harmonise with the existing building and should not have an adverse impact upon the character of the street scene.

Paragraph 124 of the NPPF states that planning policies and decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting (including residential gardens), and the importance of securing well-designed, attractive and healthy places.

The proposed development would result in the creation of a substantially sized two storey element along part of the south-western side of the host building. This element would present a blank elevation to the facing elevation of No.244 at a distance of 7.0m. Previous applications were submitted and refused under the same juxtaposition. The difference between the current proposal and the most recent refusal (HOU/2021/0372) is in the roof design. Whilst the previous proposal had a pitched roof with ridge running perpendicular to the side of the host dwelling (to replicate the ridge of an existing two storey element), the current proposal has a hipped roof with a gable facing No.244 and a smaller footprint. The proposed single storey element has a correspondingly larger footprint.

The existing single storey extension with roof terrace is unsightly and of detriment to the character and appearance of the host dwelling. However, this exists and has clearly existed for decades. The proposed addition of two more elements to the side and rear is not considered to be of sufficient combined detriment to necessitate refusal on grounds of appearance or impact upon the character of the host dwelling.

The proposed development would be visible from Raeburn Avenue and Manchester Road, albeit not to the degree that the previous proposal was as the two storey element will be set in slightly from the existing rear two storey element and will therefore be less obtrusive. The proposed two storey element is neither set down at eaves level or ridge height. However, on balance it is not considered that the size, scale, bulk, mass and design of the proposal is unacceptable when viewed from public vistas.

No.244 has a habitable room window that faces the position of the proposed extensions, albeit the view from this window is limited by existing wooden boundary fence and planting. It is considered that the impact, when viewed from the habitable room window, will on balance be unduly obtrusive due to the juxtaposition of dwellings, and the fact that the habitable room window is the only source of outlook from the room.

Neighbouring Amenity

With regard to the amenity of neighbours and to the provisions of Policy HS4:

To north – all elements of the proposal are attached to elements of the existing dwelling. No implication.

To east – habitable room window at ground floor level within the existing single storey element to face the host property garden with a 1.8m fence at the bottom at a distance of 30.0m. No implication.

To west – all elements of the proposal are attached to elements of the existing dwelling. No implication.

To south – the two storey and single storey elements will sit 4.0m from the boundary fence, and 7.0m from the facing habitable room window in the ground floor of No.244. These elements will contain an office and a kitchen window at ground floor level, both reasonably considered to be habitable rooms. HS4 requires a minimum distance of 15m between habitable room windows and blank gables, and whilst the fence and side wall of No.244 aren't a 'blank gable', the impact in terms of amenity of occupiers of the host property will be similarly deleterious. The habitable room window in No.244 does allow views above the boundary fence and planting, and the proposed two storey element would be clearly visible when viewed from an angle above horizontal. The juxtaposition will result in a loss of amenity for occupiers of No.244 therefore and the amended design does not address this. I consider this to be in contravention of HS4.

Parking/Access

The proposal includes use of a greater degree of the front garden for parking than takes place presently. The creation of an extra bedroom to four in total requires a need for three off-road parking spaces under Policy IC3. The proposed area is large enough to accommodate three vehicles. If approved, Highways request Conditions as listed earlier in this Report.

Conclusion

It is my view that the proposal is an improvement over the previous scheme in that the two storey element will be less obtrusive from public vistas. However, the scheme does include habitable room windows in close proximity to a fence and a neighbour's property plus would introduce a wall at 7.0m distance from a habitable room window in a neighbouring property, to the detriment of the amenity of occupiers of both. On balance the application is recommended for refusal.

Recommendation:

That planning permission be **REFUSED**.

Reason for Refusal:

1. The proposed development would constitute an overbearing and over-dominant addition to the building which will lead to an unacceptable level of amenity and outlook for occupants of the host dwelling and for occupants of No. 244 Manchester Road. The proposal does not meet the required separation distance standards set out in Local Plan Policies HS4.3.c and referred to in HS5.1.c, and as such it is contrary to the provisions of the Adopted Local Plan and the NPPF.

