

Application Recommended for APPROVAL
Briercliffe Ward

FUL/2022/0412

Full Application
Erection of detached dwelling
LAND AT WALVERDEN ROAD, WALVERDEN ROAD, BRIERCLIFFE

Background:

The site is located at the end of row of terraced properties on Walverden Road. The area currently consists of an area of hardstanding with a detached garage which is enclosed by a 1.8m high fence. For clarification the site is not located in green belt, the site is located within the defined settlement boundary.

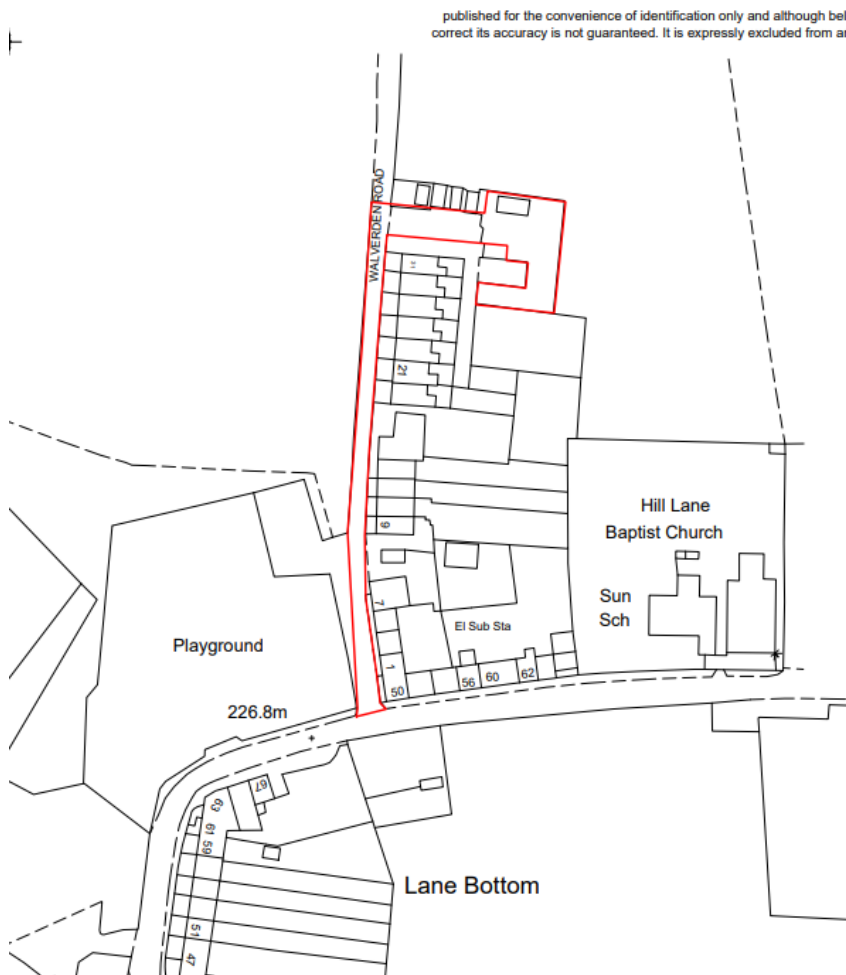


Fig 1: Site Location Plan showing access from main road.



Fig 2a: Access Road viewed south from the site



Fig 2b: Site access -site is to the rear of the picture

Proposal

The application seeks consent for a two storey 4-bedroom detached dwelling with access from Walverden Road.

The dwelling would be constructed in natural course stone with stone quoins, light oak uPVC windows and doors and a natural slate roof. The dwelling would measure approximately 11.3m in length, 7m in width, 5m to the eaves and 7.8m to the ridge. The footprint of the dwelling would be approximately 80sqm.

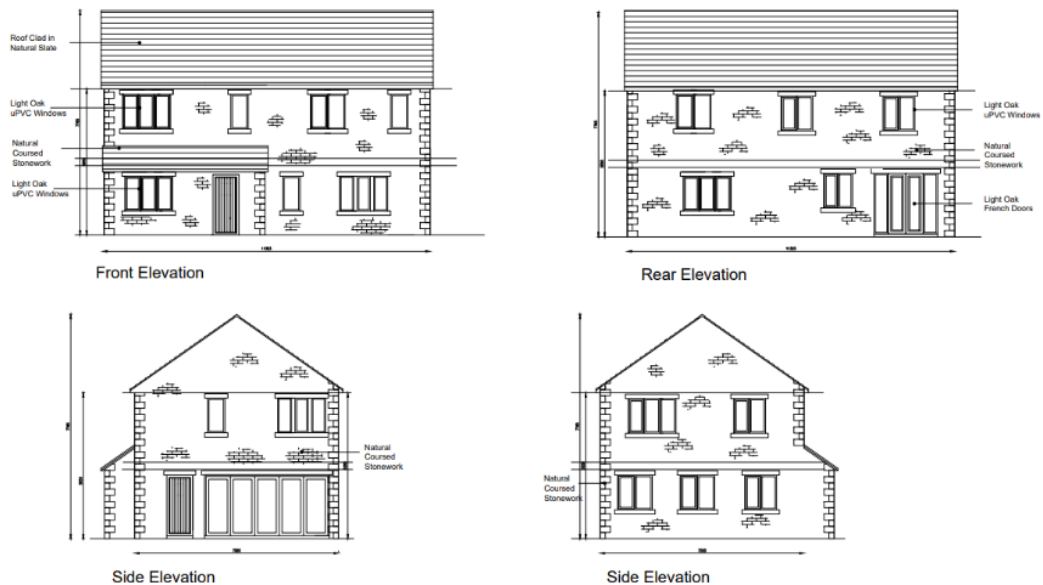
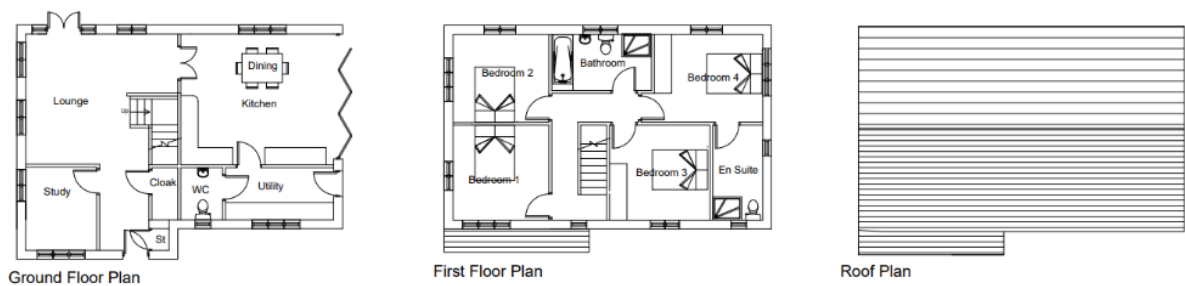


Fig 3: Proposed Elevations



Fig 4: Proposed Site Plan

Relevant Policies:

Burnley's Local Plan 2018

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

National Planning Policy Framework

Site History:

- FUL/2019/0301 – erection of detached dwelling – Approved
- APP/2019/0119 – erection of detached 5-bedroom property - Withdrawn
- APP/2012/0531 – Proposed garage - Approved
- APP/2010/0420 – Erection of garage (adjacent plot) - Approved

Consultation Responses:

LCC Highways: No objection, consideration should be given to covered cycle storage to accommodate 4no cycles and general garden storage, along with charging unit for electric vehicle. Requires a Construction Method Statement condition.

Environmental Health: No comments received

Street Scene: No comments have been received

Publicity: 4 letters of objection have been received to the planning application, and the reasons are summarised below:

1. Health and safety- the overhead powerline would inevitably have to be moved towards neighbouring properties putting occupants at risk.
2. Traffic and parking issues
3. Sewerage system is overloaded already
4. Damage to Walverden Road by the increase in traffic
5. Too big- the house would have a detrimental impact on Walverden Road and would be overbearing and out of character.

Planning and Environmental Considerations:

The principle of development

Policy SP1 states that when considering development proposals, Burnley Borough Council will take a positive approach that reflects the presumption in favour of sustainable development set out in the NPPF. The site is located within the development boundary of the adopted Local Plan, as such policy SP4 states that development will be focused on Burnley and Padiham with development of an appropriate scale. The site is considered to be in a sustainable location and in principle the development of a dwelling would be appropriate subject to the proposals meeting all other relevant policies.

Main issues

The main issues in the consideration of this application are;

- Residential Amenity
- Design, Scale and Layout
- Traffic and Highway Safety
- Other matters

- **Residential Amenity**

Policy SP5 of the adopted Local Plan seeks to ensure that there is no unacceptable adverse impact on the amenity of neighbouring occupants or adjacent land users, including by reason of overlooking. Policy HS4 gives more detail in relation to specific separation distances to protect occupants in terms of levels of privacy and outlook for occupants and for existing adjacent residents.

Proximity to neighbours:

The closest property to the application site is No. 31 Walverden Road which sits approximately 17m to the west of the site when measured from the proposed south elevation to the rear outrigger of No. 31. The impact on this property is considered to be acceptable and meets with the requirements of local planning policy. As such the development is considered acceptable in this regard.

No comments have been received in relation to residential amenity for the Council's Environmental Health officer.

Comments have been received in relation to the overhead powerlines and how these would have to be moved if a new house were to be built on the site. The developer would be required to discuss this matter directly with the company who own the overhead cables and consideration to their requirement to be moved would be made at that stage. This is not a planning consideration and as such Officers do not consider this is a suitable reason to refuse the application.

Officers consider the proposal is acceptable in relation to its impact on residential amenity, and is therefore in accordance with the relevant local and national planning policy in this regard.

- **Design, Scale and Layout**

Policy SP5 of the Burnley Local Plan states that '*The Council will seek high standards of design, construction and sustainability in all types of development*'. It lists criteria which should be met in relation to design, layout and materials.

Paragraph 126 of the NPPF states '*the creation of high-quality, beautiful and sustainable 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*'.

Objection to the application has been received on the grounds that the proposed dwelling is too big and that the house would have a detrimental impact on Walverden Road and would be overbearing and out of character.

The predominant house type within the area surrounding the proposed dwelling are terraced, with cottages along Lane Bottom. Whilst the site is located within a settlement boundary, it is clearly a rural location, and the existing mix of properties reflect this. Stirling Court lies to the east of the site (approximately 60m away) across an open field. The properties on this estate are detached with a range of styles and at the time of building did not respect the character of the immediate rural area. Separation distances to adjacent properties are considered appropriate and in line with the relevant planning policy as discussed in the 'residential amenity' section above.

Walverden Road is not a through route, and as the property will be located at the end of the road and set back; as such, the property will not have a direct impact on the existing street scene. The site is set back from Walverden Road by approximately 25m.

The proposed materials of the property will be natural slate, coursed natural stone with stone heads and cills and light oak upvc windows. The use of natural materials compliments the surrounding properties and would be in accordance with the relevant local and national planning policy. There is adequate garden and off-road space for parking. As such the development is considered acceptable in this regard and in accordance with the relevant local and national planning policy.

- **Traffic and Highway Safety**

Policy IC1 of the Burnley Local Plan notes that development schemes should, as appropriate to their nature and scale, promote sustainable travel and have safe and convenient access. Policy IC3 of the same document requires that there is adequate parking provided at development in line with the requirements set out in the Local Plan. The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Objection has been received to the application in relation to traffic and highway safety and damage to the highway caused by delivery vehicles and increased traffic.

The development would be accessed from an unadopted road (Walverden Road). There would be parking provide for 3 no cars within the site, in line with the requirements of the Local Plan.

Several concerns have been raised regarding highways and safety issues. Accepting that the road is unadopted, and the condition of it is not ideal, the site proposes a single dwelling, and the potential impact is not considered to be significant. If Members have concerns in relation to the development having a detrimental impact on the surfacing of Walverden Road, a condition can be imposed to ensure that pre and post surveys of the road are taken and any further damage to the road is rectified; this would usually be by the provision for hardcore in any potholes created through additional wear and tear of delivery trucks, for example.

The Highways Authority have also stated that it may be useful for a storage area to be provided for up to 4no cycle spaces and garden equipment, and an electric vehicle charging point to be installed. However, they have not requested this as a condition. It is useful to highlight that in this case, it is not considered necessary to remove 'Permitted Development Rights', and as such should the occupier wish, they could erect a shed under 'Permitted Development Rights' which can house the cycles should they wish to. There are also 'Permitted Development Rights' which allow electric vehicle points to be installed should they wish to have this facility not, or in the future.

LCC highways have provided comments on the application and do not object to the principle of development subject to the condition listed in the consultation section of this report.

In the absence of an objection from the statutory consultee, and with the required construction method statement condition as requested by them, officers consider that the proposal is acceptable and in accordance with the relevant local and national planning policy in this regard.

Other issues

Bins: No details for bin storage have been submitted with the planning application, however there is ample room within the garden curtilage for these to be stored at the rear of the property, and this can be conditioned.

Curtilage: No details have been supplied of boundary treatment to form the residential curtilage; this can be conditioned.

Trees: There are no protected trees on the site and therefore any felling of trees does not need any formal consent from the Council.

Sewerage: Objection has been received in relation to the existing sewage system already being overloaded. The applicant has checked the box on the application which states that sewage would be disposed through the mains sewer. It is up to United Utilities to ensure that when the house is constructed adequate sewerage facilities are provided; the developer will be required to liaise with them when he starts construction to ensure this is the case.

Conclusion

The proposed dwelling which falls within the Development Boundary as defined in Burnley's Local Plan can be accommodated on the proposed site without any significant impact on the character and appearance of the surrounding area, on existing residential amenities and on highway safety. The proposal complies with the development plan and there are no material considerations which outweigh this finding.

Recommendation: Approve with Conditions

Conditions:-

- 1 The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with Section 91(1) of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The development shall be carried out in accordance with the approved plans listed below.

Application form received 4th July 2022
Location Plan STO/01/DWGB
Proposed Plans and Elevations STO/01/DWG 03B
Proposed Site Plan STO/01/DWG04
Existing site plan STO/01/DWG01
Design and Access Statement

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

3. All bin and recycling facilities shall be stored at the rear of the property and shall only be brought to the roadside on bin collection days.

Reason: In the interest of visual amenity of the area in accordance with Policy SP5 of the Burnley Local Plan and the provision of the National Planning Policy Framework.

4. Prior to their use in the development, details for the external materials to be used in the development (walls, roof, windows, doors and water goods), shall

eb submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed from the approved materials and retained thereafter.

Reason: To ensure that the development will be of a satisfactory appearance and to comply with Policy SP5 of Burnley's Local Plan and the provision of the National Planning Policy Framework.

5. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development
- iv) The erection and maintenance of security hoarding
- v) Routing of delivery vehicles to/from site

Reason: In the interests of highway safety in accordance with policies IC3 and SP5 of Burnley's adopted Local Plan and the provision of the National Planning Policy Framework.

6. Prior to occupation, full details of the boundary treatment to the development including dimensions and materials shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall thereafter be carried out prior to the first occupation of the dwelling and retained for the duration of the development.

Reason: In order to ensure that boundary treatment does not have a detrimental impact on the long-term appearance of the site and harmonises with its surroundings in accordance with Policy SP5 of the adopted Local Plan and the provision of the National Planning Policy Framework.

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26.09.2022