

**Application Recommended for Approval with  
Conditions**  
Queensgate

**HOU/2022/0474**

Town and Country Planning Act 1990

Proposed single storey side extension and new conservatory to the rear.  
41 Lower Mead Drive, Burnley, Lancashire BB12 0ED

**Background:**

A semi-detached two storey, three bedroom dwelling, brick and concrete tile. Established residential area. The dwelling appears to have been altered considerably since its original construction in what I assume to be the 1970s, in that the original dormer on the front elevation has a sloping roof rather than a flat one, and the original dormer on the rear elevation has been replaced by what appears to be construction upwards off the rear wall and a flat roof to replace the original pitch. In addition, at some point in the past the main door has been moved from the side elevation to the front. I base these observations on differences between this property and other unaltered ones on the street.

This planning application is submitted following refusal for a two storey extension under HOU/2021/0349.

Within the development boundary limits of the Principal Town of Burnley as defined by the Adopted Local Plan.

Coal mining constraint standing advice area.

**Proposal:**

To construct a single storey side and rear 'wrap-around' extension, two mono-pitch roof planes, brick and roof tiles to match host dwelling.

**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 - Parking

National Planning Policy Framework 2021

**Site History:**

HOU/2021/0349 - Proposed 2 storey side extension and single storey rear extension refused 25.04.2022 for the following reason:

*'The proposed two storey side extension by reason of its design, scale and massing,*

*would not appear as subservient to the host dwelling; as such appearing as a dominant and incongruous feature within the street scene unbalancing the pair of semi-detached properties of which it would form part of; to the detriment of the visual amenity of Lower Mead Drive. This is contrary to Policy SP5 of the Burnley Local Plan and paragraph 24 of the NPPF.'*

### **Consultation Responses:**

Highways – no objection. Informative needed re. need to contact Highways to discuss alteration of access in respect of proximity to public highway.

### **Objections/Comments:**

Two letters of objection received to date (30.08.2022), points being:

Main door moved from side to front leading to profusion of rainwater goods on elevation facing adjacent dwelling.

Extension would have overbearing impact upon occupiers of adjacent property due to relative heights.

No other single storey extensions on street due to lack of space to sides of houses.

Extension would be 8' from side door of adjacent property, resulting in loss of light to hall and secondary kitchen window in that elevation.

Combination of extensions to the property would exceed 50% of what was constructed originally.

Potential noise disturbance from construction works during inappropriate hours.

### **Article 35 Statement**

The Local Planning Authority has acted positively in determining this application, in accordance with paragraph 38 of the National Planning Policy Framework by assessing the proposal against relevant planning policies and all material considerations. The nature of the proposal has not necessitated any liaison with the applicant prior to determining to grant planning permission in accordance with the presumption in favour of sustainable development.

**Visuals:**

Host property



Host property



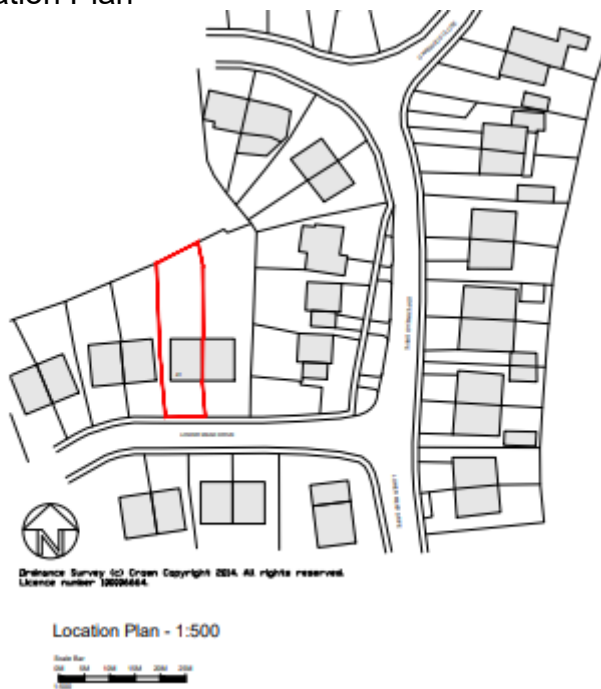
Host property



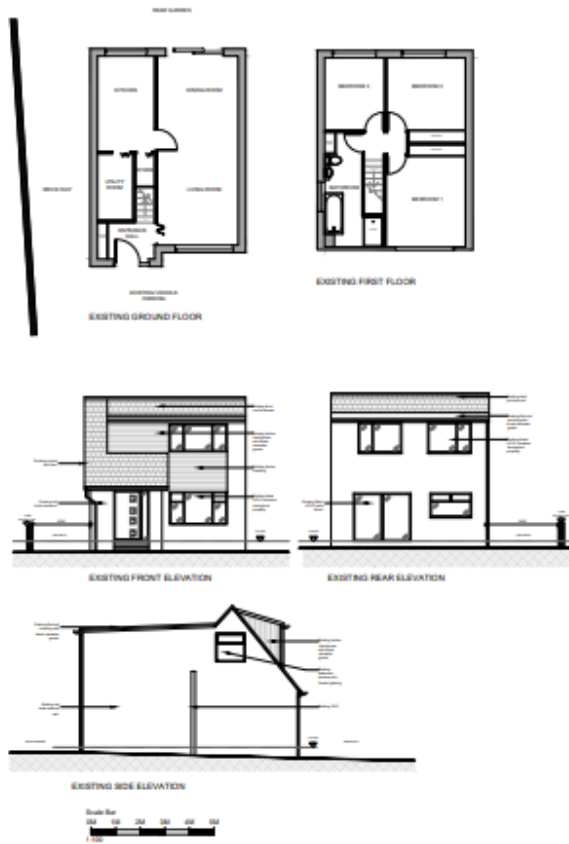
Next door (No. 43 Lower Mead Drive)



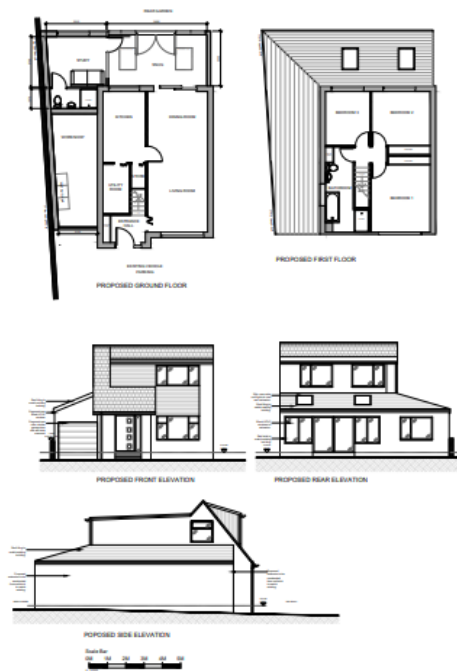
Location Plan



# Existing



# Proposed



HOU/2021/0349 refused proposal for comparison



## 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

### 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'*

HS5.1.a states that the Council will permit extensions and modifications to existing residential properties where *'the extension is subordinate to the existing building, to allow the form of the original building to be clearly understood'*. In this instance I

consider that the form of the original building has been lost already by virtue of the flat-roofed element at the rear, and a sloping roof to the front dormer, and that a single storey mono-pitch element to side and rear will make no appreciable difference to the appearance of the building.

The front elevation of the proposed extension would be set back from the front elevation of the dwelling, at a point 1.0m approx. behind the element containing the front door. The frontage of the extension visible from the street will be approx. 2.4m wide. Note that the submitted plans show what appears to be a 2.125m wide garage door, however the space inside is annotated as 'workshop' and is the location of bins. It isn't the intention of the applicant to use the space to park a car therefore.

The side elevation (west) would abut the property boundary directly and beyond that the neighbour's driveway. This relationship was considered overbearing during consideration of the previous two storey proposal, however I consider a single storey to be acceptable on balance. It should be noted that if the neighbour wished to construct a similar extension on his/her side, it would link with the one currently under consideration and whilst the link would be obvious from the street, the appearance as separate dwellings would still remain by virtue of the gap at 1<sup>st</sup> floor and roof level.

The side elevation (east) would be inset very slightly from the boundary with the attached property. The boundary is formed by a high fence presently so the proposal would have no impact upon neighbours to the east in visual terms. If approved however I would recommend a Condition preventing further openings, to remove any possibility of future overlooking should the fence be removed.

The rear elevation would face into the host property garden, and in my view would improve the appearance of this elevation which is currently monolithic given the flat roof.

### **Neighbouring Amenity**

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

To front – no habitable room windows proposed.

To rear – habitable room windows to face into own garden, rear boundary fence at approx. 16.0m and rear elevation of dwellings beyond at approx. 30.0m. No conflict

To side (west) – blank elevation to abut boundary directly. Side elevation of dwelling to west (No.43) on opposite side of driveway containing what appears to be a kitchen window at ground floor level. Assuming that No.43 hasn't been rearranged internally, the kitchen will have its main window to the front as per the other dwellings of similar design on the street, so the impact of a single storey side extension on loss of amenity will be tempered. On balance acceptable therefore despite less than 15.0m between a habitable room window and a blank elevation as per HS4 requirement.

To side (east) – blank elevation to face high fence on boundary directly. Note that attached property (No.41) has a rear extension directly beyond the boundary fence. No conflict.

### **Parking**

IC3 App.9 requires a minimum of two off-street parking spaces for a 3 bedroom dwelling, which this is and will remain. The front garden currently accommodates two cars with ease and there is nothing in the proposal to suggest that this situation will not continue. The proposed garage doors are irrelevant to parking provision therefore and I see no need to Condition retention of the space within as a domestic garage.

### **Points of Objection**

The majority of points of objection are discussed above. Outstanding points and consideration are as follows:

In respect of rainwater goods, the proposal would necessitate installation of a length of guttering to take rainwater from the new roof. Due to the direction of slope this would run along the elevation facing No. 43. I do not consider a horizontal length of guttering to be sufficiently obtrusive nor of visual detriment to require exclusion or refusal of the planning application. From the submitted plans it appears that the extension will be constructed so it abuts the existing wall that divides the driveways of the host property and No.43. If one assumes that this is a party wall and that the brick used in its construction is standard in size (i.e. 240mm long), then the gutter could protrude over this wall to half its width (i.e. 120mm) before it encroaches on the neighbouring property.

In respect of compliance with Building Regulations, the proposal would have to do so in order to be constructed.

### **Conclusion**

It is my view that the proposal is acceptable on balance. In my opinion the proposal will not detract from the appearance of the dwelling, and will not lead to coalescence of two currently separate blocks of semi-detached houses. The existence of the somewhat monolithic flat-roofed element on the rear elevation in my opinion overshadows any impact a single storey extension could have on the character of the property and the street scene.

### **Recommendation:**

That planning permission be granted subject to the following Conditions:

#### **Conditions:**

1. The development must be begun within three years of the date of this decision.
2. The development shall be carried out in accordance with the following submitted Drawing:  
  
Drawing No. SK 01 – location, existing and proposed plan, received 08.08.2022.
3. Notwithstanding details shown within the submitted planning application, the extension shall be faced and roofed with materials to match those of the host dwelling, and so retained.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no door, window, dormer window or rooflight other than those expressly authorised by this permission shall be constructed in



the extension without Planning Permission obtained from the Local Planning Authority.

**Reasons:**

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure continued compliance with the Development Plan.
3. In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy SP5 of the Local Plan, and the NPPF.
4. To ensure the privacy for adjacent occupiers, in accordance with Policy HS4 of the Local Plan and the NPPF.

**Notes:**

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

