

Full Planning Application

Erection of detached dwelling with detached garage (re-submission APP/2015/0003)
LAND ADJACENT 9 & 15 SOUTHERN AVENUE BURNLEY

Background:

The proposal is for the erection of a dwelling on a vacant plot of land between 9 and 15 Southern Avenue.

Planning permission was granted for two dwellings on this and the adjacent plot in 1993 and one dwelling, on the adjacent plot, has been constructed. In 2002 permission was granted for an amended house type on the remaining plot and this was renewed in 2007, 2011 and 2015. The current application now seeks to renew the 2011 permission.

There has been no material change of circumstances relating to the site since the last approval by the Development Control committee in March 2015 and the report remains largely the same as set out below.

An objection has been received to the current application.



Plot location off Southern Avenue

Relevant Policies:

National Planning Policy Framework

Burnley Local Plan Second Review

GP3 - Design and Quality

H1 - Land for new housing development

H2 - The sequential release of further housing land for development

H3 - Quality and design in new housing development

Burnley Local Plan submissions Document July 2017.

SP1 – Achieving Sustainable Development

SP2 – Housing Requirement
SP4 – Development Strategy
SP5 – Development Quality and Sustainability
HS4 – Housing Developments

Site History:

12/85/0235 – Outline application for residential development: Refused
12/85/0778 – Outline application for residential development of 2 dwellings: Granted
12/93/0523 – Erection of two dwelling houses: Granted
12/98/0236 – Amended House type: Granted (adjacent plot now constructed)
12/02/0624 – Proposed revised house design: Granted
APP/2007/0937 - Proposed re-submission (app/2002/0624) of revised house design
– granted
APP/2011/0570 – Erection of detached dwelling with a detached garage
(resubmission of APP/2007/0570)
APP/2015/0003- Erection of detached dwelling with detached garage (renewal of
APP/2011/0570)

Consultation Responses:

1 Highway Authority – the proposal has no highway implications and therefore no objections are raised on highway grounds. This would be providing the same conditions were imposed on any permission as were applied in 2011, relating to the blocking up of the access through to Southern Court and the making up of the back street.

2. One letter from a nearby resident makes the following comments:

- Since an original pond used by wildlife was filled in a number of years ago the area has suffered flooding issues.

The area is not in a Flood Risk area and although it may have local flooding issues at times of heavy rain this would not be a reason to refuse permission for the renewal of the application.

- The access down Southern Court, a single track road, is dangerous.

The Highway Authority propose a condition to require the access to Southern Court to be closed with access to be taken to the rear of Stephenson Drive and the back street to the rear of Nos 15 to 29 Southern Avenue

Planning and Environmental Considerations:

The principle of a dwelling on this site has already been established by the previous planning permissions. Circumstances have not changed since the development was approved in 2015 and the same considerations would apply.

The National Planning Policy Framework sets out that housing applications should be considered within the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

The land is within the urban boundary, within a residential area and in a sustainable location. There is a local centre within walking distance and the site is served by public transport with the quality bus route on Padiham Road close by.

The Council can demonstrate a sufficient housing supply to meet a five year requirement and there is no over-riding need to provide further housing in the Borough. However, the development of this site is included in the 5 year assessment of housing sites with planning permission and it already contributes to the supply of housing in the Borough.

Design and Residential Amenity

The scale of the dwelling is in keeping with the neighbouring surrounding large properties including the adjacent property constructed in 1998. The proposed materials are natural stone and blue slate. The proposed design of the dwelling is the same as that approved in 2011 and in keeping with the neighbouring dwelling and the surrounding area. It is acceptable and in line with Local Plan policies.

The property will not adversely affect any neighbouring dwellings by way of privacy, outlook or loss of light and would be in keeping with the character and appearance of the area. Southern Avenue is characterised by large dwellings with similar plot widths to the application plot.



Proposed design



Adjacent dwelling (No 9)

The layout of the development will have some effect on a large tree in the neighbouring garden at No. 15 Southern Avenue. However, the tree is not covered by a Tree Preservation Order and no objections have been received from the neighbouring residents. The principle of the layout of the plot has already been established by the previous planning permissions granted.

Highway Safety

The access to the rear of 15 to 29 Southern Avenue (back Stephenson Drive) is an adopted back Street, and the access to the rear of 1 to 7 Southern Avenue is a private road.

The Highway Authority has indicated that access should be from Stephenson Drive and the back street to the rear of Nos 15 to 29 Southern Avenue which is an adopted Highway. The access through to Southern Court should be permanently closed. Providing conditions are included in this respect the Highway Authority raise no objections. The same conditions as imposed on the previous approval in 2015 are recommended.

The adjacent plot, No. 9 Southern Avenue currently uses the access off Southern Court, not in line with the planning conditions imposed when the house was built. Having regard to the breach of the condition for a period of more than 10 years, it is not possible to take enforcement action to require the access to be from the back street.

Summary

The current proposal is a resubmission of the planning permission granted in 2015 and as circumstances have not changed since that decision, there would be no over-riding reason to refuse the application.

The proposal is in line with Local Plan policies and is acceptable.

Recommendation: That the application be granted subject to the following 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 application plans: Drawing nos. A.S/1, A.S/2 and A.S/3 received 12 Feb 17
3. Before the house is first occupied, a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be implemented in the first planting season following substantial completion of the dwelling.
4. Before the house is first occupied the access road to the rear of the proposed dwelling from the boundary with No 15 to the boundary with No 9 shall be made up to adoptable standards including the provision for street lighting.
5. Access shall be taken from the back street leading from Stephenson Drive. Before any development commences a scheme for the blocking up of the access road to the rear on the boundary with No 9 Southern Avenue to prevent vehicular access to Ighthenhill Park Lane shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to occupation of the approved dwelling and maintained to the satisfaction of the Local Planning Authority at all times thereafter.

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. To ensure a satisfactory landscaping scheme in the interests of residential amenity.
4. To ensure adequate vehicular access
5. In the interests of Highway Safety

CMR