

**Application Recommended for Approval**  
Queensgate Ward

**APP/2018/0187**

Full Planning Application  
Two-storey and single-storey extensions at rear  
303 QUEENSGATE DENTAL PRACTICE COLNE ROAD BURNLEY

**Background:**

The application relates to a large end-of-terrace, former dwelling house, used for many years as a Dental Surgeons practice.

An objections has been received from the Highway Authority on grounds of absence of car parking provision..

**Relevant Policies:**

Burnley Local Plan Second Review (Adopted 2006; currently saved)

CF14 – Provision, retention and enhancement of community facilities

TM15 – Car Parking Standards

Burnley's Local Plan – Proposed Submission Document, July 2017

SP5: Development Quality and Sustainability

IC3: Car Parking Standards

[The document has been submitted to the Secretary of State. As objections were received in respect of Policy SP5 and IC3, therefore, they should be given little weight]

**Site History:** No relevant applications.

**Consultation Responses:**

Highway Authority – Objection to the proposal as follows (summarised):

Burnley's emerging Local Plan expects that a Medical Health Facility would have 4 car parking spaces per Consulting Room. This establishment would require 16 spaces. No provision is made for any off street parking. One side of Shuttleworth Street has parking prohibited at any time.

Coal Authority – No objection subject to the imposition of a condition requiring an intrusive investigation; report; and, mitigation in relation to any adverse findings.

**Planning and Environmental Considerations:**

The large end-of-terrace, former dwelling house, has been used for many years as a Dental Surgeons practice. The building fronts Colne Road at the junction with Shuttleworth Street, to which it has its side elevation. In more recent times the traditionally walled back yard was opened up (rear boundary wall entirely removed), to enable the parking of one or two cars, for staff. It needs be said that the spaces were substandard in space and means of access from the narrow (3.9m wide) back street.



Application site, rear of property

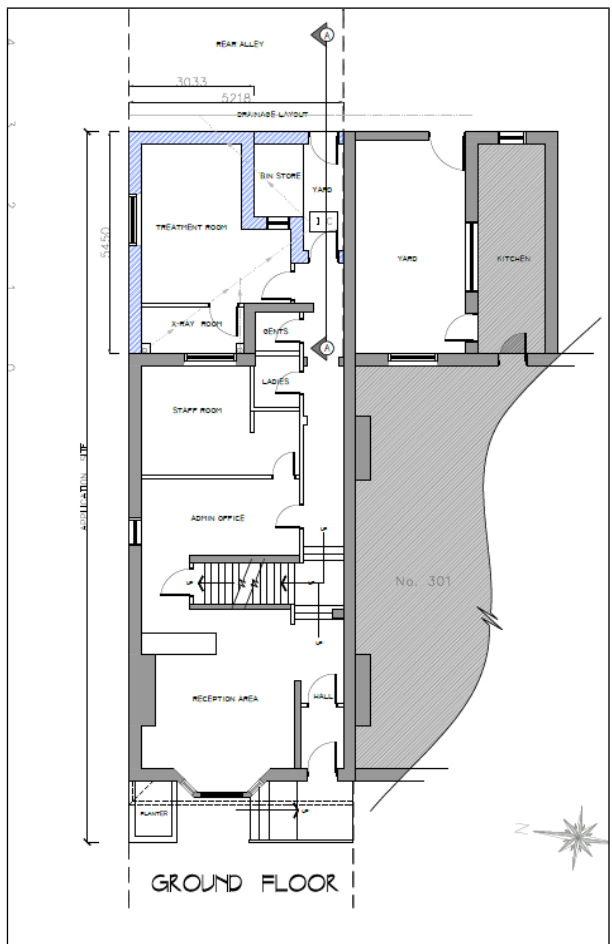
The present proposal is to build a two-storey out-building to provide improved accommodation for the practice.



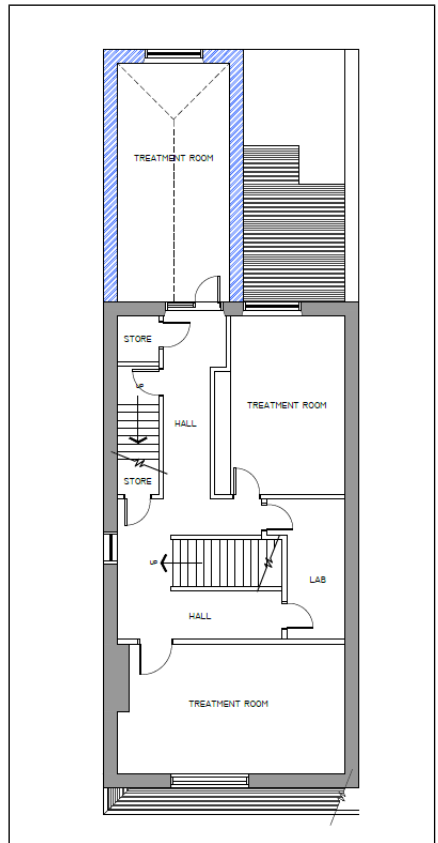
Proposed side elevation



Proposed rear elevation



Ground Floor



First Floor

Layout plans



Front elevation

### *Policies and assessment*

The main planning issues are the appearance of the extension, its impact on residential amenity, and car parking in relation to the proposal.

### *Appearance and amenity*

**Policy CF14** (as relevant to this proposal) requires that the proposal would not have an adverse effect on residential amenity. **SP5** of the emerging plan, would expect respect for locally characteristic scale and massing, and no unacceptable adverse impact on the amenities of neighbouring occupants, including by reason of overlooking.

The two-storey outbuilding would project 5.45m from the main rear wall and would project about 0.9m beyond the '45 degree rule' angle in respect of a first floor bedroom window of the adjoining house.

Therefore, there would be a marginal loss of outlook from that window. However, the proposed extension is due north of that house, so that there would be little, if any, loss of sunlight. There would be no loss of privacy.

The proposed extension is thoughtfully designed to match the form and materials of the existing building, so that it would blend well with the surroundings. Arguably, the appearance of the rear of the terrace would be enhanced by the closure to general view of its outbuildings and back yards.

### *Car parking*

**TM15** and **IC3** (of the emerging plan) specify a requirement for 4 car spaces per consulting room for buildings providing medical/health facilities.

The proposal would increase consulting rooms at the dental surgery from two to four. There would, therefore, be a requirement (on paper) for 16 car parking spaces, and the Highway Authority has drawn attention to this policy requirement.

Provision of car parking is clearly not possible in this instance. However, the site is located on a main-line bus service and within a tightly knit urban area with a large

potential catchment of clientele within reasonable walking distance. And, there is street parking available in adjacent streets.

In earlier years, medical and dental practices customarily operated from the residence of the practitioner, and that was recognised by planning legislation at the time. The present surgery appears to have emerged on that basis, and clearly the practise is responding to the nationally reported need for the expansion of health facilities. On that basis, there is need to strike a balance; and the view is taken that this should go in favour of allowing the proposal to go forward.

### **Recommendation:**

The 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 application drawings, namely: QDP 20 L 01 (Site Location and Block Plan); QDP 20 E 02 (Existing Plans and Elevations, received 18 April 2018; QDP 20 E 03 Revision A (Proposed Plans); QDP 20 P 03 (Proposed Elevations), received 25 June 2018.
3. Waste/recycling bins shall not be kept on the highway at any time.
4. The external materials of construction (including stone and slate) shall match those of the existing building in colour and texture.
5. The development shall not begin until:
  - a. An intrusive site investigation shall be undertaken in order to establish the exact situation regarding coal mining legacy issues on the site, assess ground conditions and the potential risks posed to the development by past shallow coal mining activities,
  - b. The submission of a report of findings arising from the intrusive site investigations, the results of any gas monitoring and a scheme of proposed remedial works for approval; and
  - c. The implementation of those remedial works.

Remediation work shall be carried out in accordance with the approved remediation scheme and programme. Evidence verifying that all remediation work has been carried out in accordance with the approved scheme shall be submitted to and approved in writing by the local planning authority before any part of the development is brought into use.

### **Reason**

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure that the development remains in accordance with the development plan.

3. In the interests of highway safety and visual amenity.
4. In the interests of visual amenity, in particular because of the prominent position of the proposed extension.
5. In order to fully assess the coal mining legacy potential of the site, as requested by The Coal Authority.

AR

10.7.2018