



## TOWN AND COUNTRY PLANNING DECISION NOTICE

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TOWN AND COUNTRY PLANNING ACT 1990

### THE APPLICATION

Applicant:  
Mr SHAKIR PATEL  
37, Wellington Street St Johns  
BLACKBURN  
BB1 8AF  
LANCASHIRE

Agent:  
SCHEME DESIGNS Ltd  
SUITE 15  
BUSINESS DEVELOPMENT CENTRE  
EANAM WHARF  
BLACKBURN  
BB1 5BL  
United Kingdom

### Full Planning Application

FOR:

Erection of detached double garage and part demolition of garden wall

AT:

Ellerbeck Private Hotel  
37 Wellington Street St Johns  
BLACKBURN  
BB1 8AF

APPLICATION REFERENCE NUMBER: **10/17/1382**

The application was received: **14/11/2017**

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### THE DECISION

Date of Decision: 04/04/2018

In pursuance of their powers under the above Act, the Council

### REFUSES

consent for the above development in accordance with the details given on the application form and submitted plans. Permission is refused for the following REASONS:

1. The erection of the garage, by virtue of the proposed materials in particular the use of a roller shutter is not deemed appropriate given the location of the property within the Conservation area. Due to this the proposal is not considered to make a positive contribution to the character of the conservation area and is therefore considered contrary to Policies 8, 11 and 39 of the LPP2 and the Residential Design Guide.
2. The applicant has failed to provide any details of the proposed building replacement tree planting which is conditioned as part of approved tree application 10/15/1109 and, accordingly, has not provided sufficient information to enable the authority to establish whether the development can be undertaken. Further information relating to this is required before a full assessment can be carried out. Consequently the proposal does not accord with Policy 9 of the LPP2.
3. The proposed garage, by virtue of its siting, scale and massing, would result in an unacceptable level of amenity for the occupiers of No 35 Wellington Street St Johns by virtue of its overbearing and overshadowing impact which would result in an adverse impact upon the residential amenity of the occupier contrary to the requirements of Policy 8 of the Blackburn with Darwen Borough Local Plan Part 2

Your attention is drawn to the NOTES attached.

PLEASE NOTE:

The Local Planning Authority operates a pre-planning application advice service. All applicants are encouraged to engage with the Local Planning Authority at pre-planning application stage. As part of the determination of this planning application the Local Planning Authority endeavoured to work pro-actively and positively with the applicant in trying to resolve all the issues raised by the proposals. The Local Planning Authority has considered the application. The possibility of either the imposition of planning conditions and/or the making of reasonable amendments to the application have been explored in order to deliver a sustainable form of development in accordance with the NPPF.

Town and Country Planning (Written Representations) Regulations 1987

In accordance with the provisions of these Regulations, in the event of an appeal, the Local Authority's copy of the completed appeal form should be sent to:

The Director of Growth & Development, Blackburn with Darwen Borough Council, Town Hall, Blackburn. BB1 7DY



Ian Richardson,  
Director of Growth & Development  
Blackburn with Darwen Borough Council.

