

**Proposed development: Full Planning Application for Proposed detached garden room**

**Site address:  
3 Fern Crescent  
Green Hills  
Livesey  
Blackburn  
BB2 5FS**

**Applicant: Mrs Nicola Boardman**

**Ward: Livesey With Pleasington**

**Councillor Derek Hardman  
Councillor Paul Marrow**



## **1.0 SUMMARY OF RECOMMENDATION**

1.1 Approve subject to recommended conditions.

## **2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE**

2.1 This planning application is presented to Committee in accordance with the Scheme of Delegation of the Council's Constitution, in which the application is by or on behalf of the Council's senior management team, a service unit head, a member of the Planning Service, or a member of staff with direct input to, and therefore influence on the application. The application is submitted by the fiancée of the Planning Manager (Development Management).

2.2 The key issues to be addressed are as follows:

- The impact of the proposed development on the amenity of nearby residents; and,
- The design of the proposed development

## **3.0 RATIONALE**

### **3.1 Site and Surroundings**

3.1.1 The application site relates to a new build detached dwelling situated on the northern side of Fern Crescent, Blackburn. Fern Crescent forms part of the Green Hills housing development by Kingswood Homes, which Members will be aware is currently under construction as part of the wider Gib Lane housing allocation 16/9 of the Local Plan Part 2. The house type of the property is "The Hemmel", which is a two storey, 4 bedroomed dwelling. The plot is No.9 of the residential development.

3.1.2 Green Hills is reached off Livesey Branch Road via Moorland Drive, near its junction with Old Gates Drive. The estate is characterised by varying house types of differing styles and size.

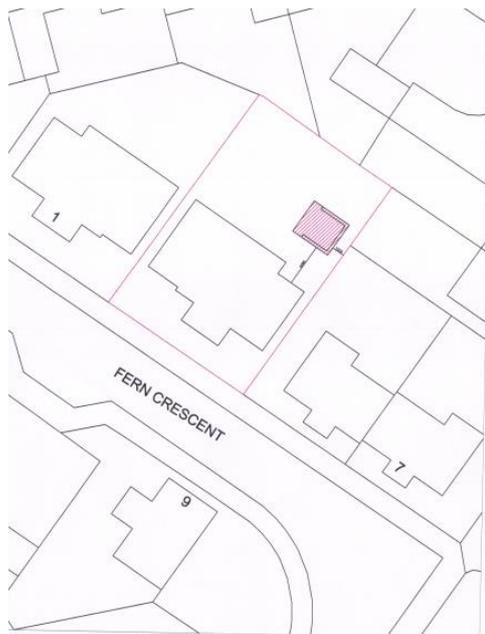
### **3.2 Proposed Development**

3.2.1 The proposal is for a householder planning permission for the erection of a detached garden room to the rear of the property.

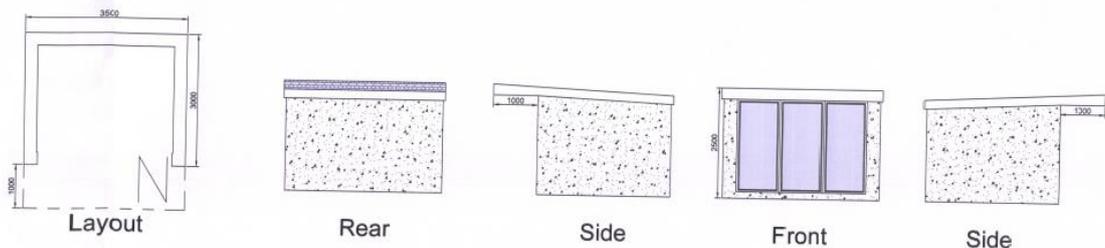
3.2.2 The proposed stand-alone garden room would be positioned to the east elevation of the rear garden. The front and rear elevations will measure approximately 3.6m in length and both side elevations would be 3m in width. The proposal incorporates a flat roof, which will project 1m beyond the front elevation to form an overhang. The height to the ridge will be 2.5m.

3.2.3 Planning permission for the residential development on land off Livesey Branch Road was approved in 2017 for the erection of 167 No. residential dwellings with associated public open space/landscaping, roadworks, infrastructure etc. (10/16/1132).

3.2.4 Condition No.24 on the planning approval removed permitted development rights for Classes A-G, Part 1 and Class A, Part 2. Class E relates to buildings etc. incidental to the enjoyment of a dwellinghouse. Therefore, planning permission is required for the proposed garden room (outbuilding) at the application site.



Proposed Site Plan 1:200



Extract from proposed plans – floor plan and elevations of garden room.

### 3.3 Development Plan

3.3.1 Section 38 (6) of the Planning and Compulsory Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.

3.3.2 Blackburn with Darwen Borough Local Plan Part 2: Site Allocations and Development Management Policies (December 2015)

Policy 8: Development and People  
Policy 11: Design

3.3.3 Residential Design Guide Supplementary Planning Document Revised Edition  
(September 2012)

RES E1: Materials  
RES E4: Detailing your extension

3.4 **Other Material Planning Considerations**

3.4.1 National Planning Policy Framework (NPPF) (June 2019)

3.5 **Assessment**

Residential amenity

3.5.1 Local Plan Part 2, Policy 8ii) requires new development to “*secure a satisfactory level of amenity and safety for surrounding uses and for occupants or users of the development itself, with reference to noise, vibration, odour, light, dust other pollution or nuisance, privacy/overlooking, and the relationship between buildings.*”

3.5.2 The siting, size and design of the proposed single storey garden room will not pose any threat to the amenity of surrounding properties.

3.5.3 An existing two-metre high fence encloses the garden areas of the adjoining neighbouring properties; No.5 Fern Crescent and No.7 The Fallows.



Above: Views from rear garden area of application site looking towards 5 Fern Crescent (left), 7 The Fallows and 9 The Fallows (right).

3.5.4 The overall height of the proposed garden room will only protrude the height of the boundary treatment by circa 0.5m. In addition, the proposed garden room will be positioned 1 metre away from the party boundary fence of the adjoining properties. Taking this into consideration the proposed development will not harm the amenity of the occupants of the aforementioned dwellings in terms of loss of light, and dominance, as the fence dividing the properties will screen a large proportion of the outbuilding thereby acting as a mitigating factor.



*Above: View towards north-western and northern boundary or rear garden*

3.5.5 Due to the absence of windows within both side elevations of the proposed garden room, facing the rear of No.5 Fern Crescent and No.9 The Fallows, the proposal will not present any loss of privacy. The bi-fold glazing opening on the western elevation would face the remaining rear garden to the north-west, as seen from the photograph above.

3.5.6 The proposal is considered to meet the requirements of Policy 8 of the LPP2 (2015) and supporting SPD policies.

#### Design and visual amenity

3.5.7 Policy 11 of the Blackburn with Darwen Local Plan Part 2 (2015) requires all new development to “*present a good standard of design and will be expected to:*

*i) Demonstrate an understanding of the wider context; and,*

*ii) Make a positive contribution to the local area.*

3.5.8 The external materials to be used in the construction of the proposed outbuilding is blockwork finished in a grey ‘K’ render for the external walling

and firestone rubber for the roofing. Grey UPVC is proposed for the bi-folding doors.

- 3.5.9 It is noted the predominant materials used in the construction of the dwellings on the Green Hills Estate is brick, as is the case with dwellinghouse of the application site. Whilst it is acknowledged the proposed materials differ from that of the host dwelling and wider area, given the proposed outbuilding is to be situated to the rear and will only be visible from surrounding properties and not the street scene, the materials are deemed to be acceptable.
- 3.5.10 Furthermore, the scale and size of the proposed garden room ensures an incongruous feature is not formed by way of contrasting materials. As such, the proposal will not harm the overall appearance of the existing property and will add to its modern feel.
- 3.5.11 A flat roof form is proposed with a slight fall, these are a common feature on garden rooms and is therefore considered appropriate in its context.
- 3.5.12 The proposal is considered to be acceptable from a design and visual amenity perspective, in accordance with Policy 11 of the LPP2 (2015).

## **4.0 RECOMMENDATION**

### **4.1 Approve subject to following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this planning permission.

REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless explicitly required by condition within this permission, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Location Plan

Drawing No.1 - Proposed Plans and Elevations - Received 14th December 2020

REASON: For the avoidance of doubt and to clarify, which plans are relevant to the permission.

3. The development hereby approved shown on plans received 14th December 2020, shall be used solely for uses incidental to the enjoyment of the existing dwellinghouse known as '3 Fern Crescent, Green Hills, Livesey, Blackburn, BB2 5FS; and no trade or business shall be operated from the building at any point in the future following its construction.

REASON: To safeguard the amenities of the adjoining premises and the area in accordance with Policy 8 of the Blackburn with Darwen LPP2 (2015).

## **5.0 PLANNING HISTORY**

- 5.1 10/16/1132: Erection of 167 No. residential units. Approved by the Planning and Highways Committee 5<sup>th</sup> January 2017.

## **6.0 CONSULTATIONS**

### Neighbour Representations

- 6.1 7 neighbours were consulted about the application. No comments have been received.

**7.0 CONTACT OFFICER: Jamie Edwards, Assistant Planning Officer**

**8.0 DATE PREPARED: 07 January 2021**