

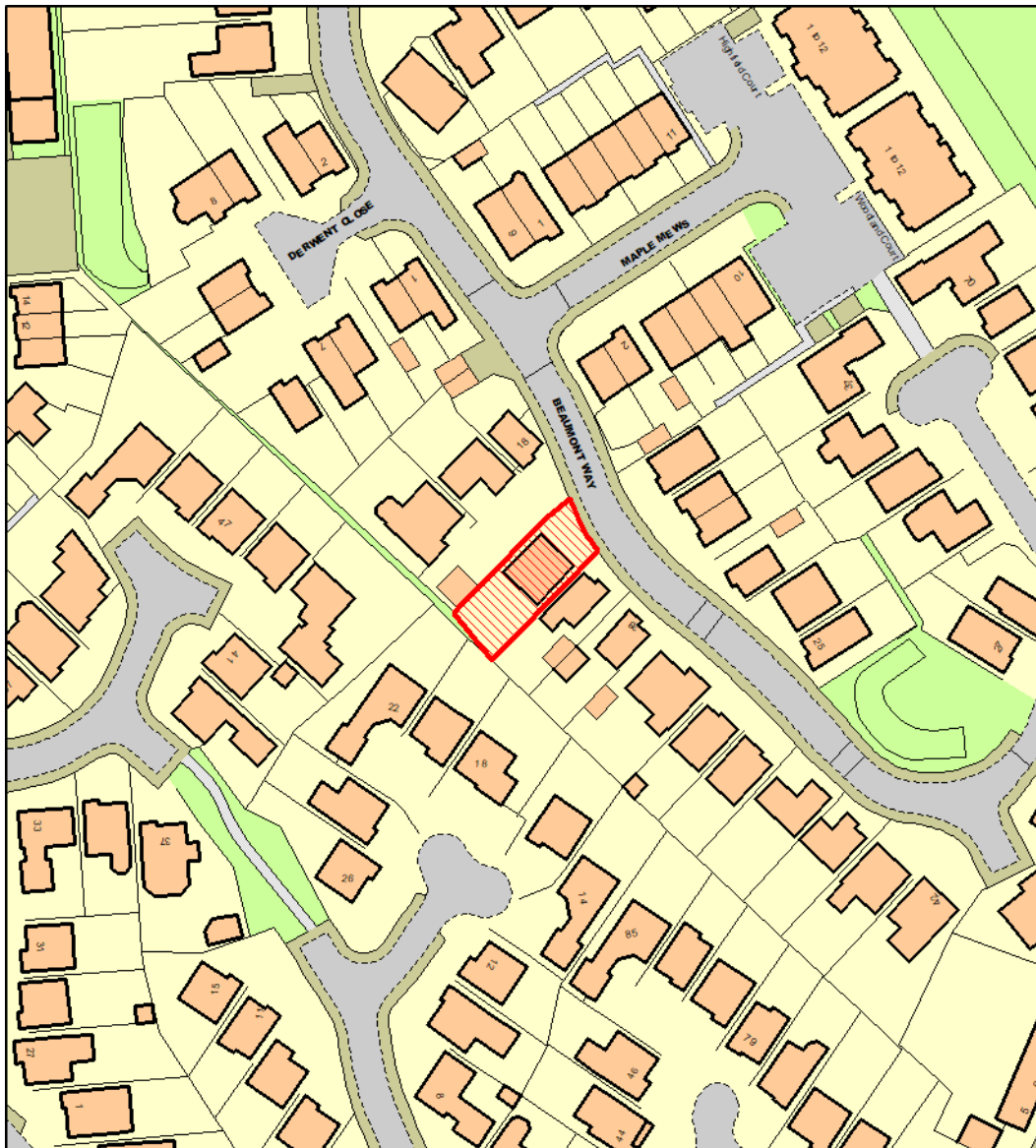
Proposed development: Full Planning Application for Proposed single storey at rear and conversion of garage into habitable room

**Site address:
24 Beaumont Way
Darwen
BB3 3SG**

Applicant: Mr Usman Shahid

Ward: Darwen South

**Councillor Kevin Connor
Councillor Lilian Gladys Salton
Councillor Andrew Walker**



1.0 SUMMARY OF RECOMMENDATION

1.1 **APPROVE** – Subject to conditions, as set out in paragraph 4.1

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1.1 The application is reported to the Committee in accordance with the Chair Referral Scheme of the Scheme of Delegation as the works are retrospective and due to the volume of representations received from local residents.

2.1.2 This proposal relates to the conversion of a domestic integral garage into living space (including associated external alterations), and a single storey extension to the rear. Neighbours were notified about the proposed development by letter on 8th July 2021, and 6 letters of objections were received, citing concerns relating to loss of privacy, parking, and other matters. Some of the issues raised are not planning considerations. However, all issues raised by neighbours are addressed later in this report, at Para 3.5.

2.1.3 Assessment of the application finds that the proposal is acceptable and complies with the relevant policies. It is acknowledged that there would be some impact on the amenity of adjoining residents. However, these impacts are not considered to be excessive or unacceptable. Therefore, in accordance with the presumption in favour of sustainable development as set out in the NPPF, the proposal is considered acceptable.

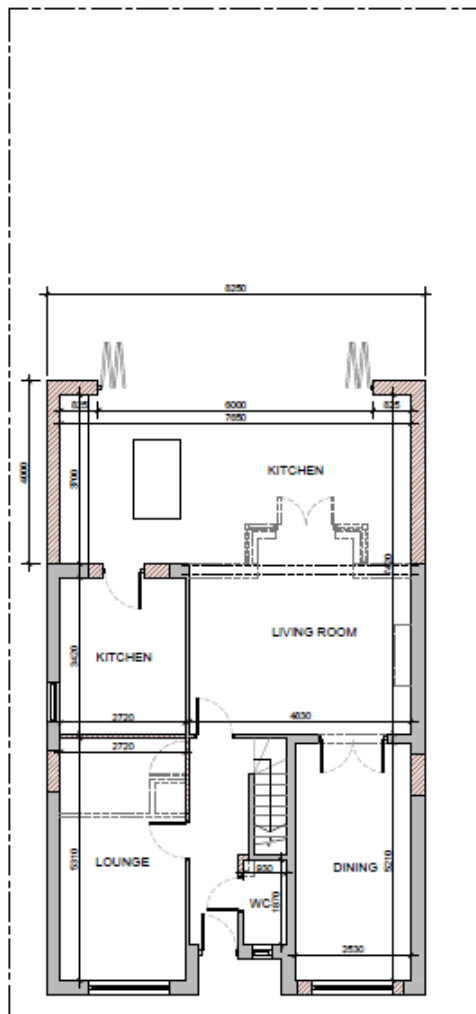
3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site lies within an established residential area within the Blackburn urban boundary, in a Coal Low Risk area. The application site itself is on relatively flat land, but there are notable differences in land levels to some of the adjoining neighbours, in particular to the north-west (side) and south-west (rear) of the site, where the land levels drop.

3.2 Proposed Development

3.2.1 The proposed site, floor plans, elevations, and site photos are shown below:



GROUND FLOOR
1:100



Rear elevation



Looking towards no. 26 (on right)



Looking towards no. 26
nos. 22, 20, and 18 (on left)



Looking from rear garden towards



View from front of no. 22



Looking towards front elevation of no. 22, from the side boundary fence

Site photos taken 23rd July 2021.

3.3 Development Plan

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

3.3.2 The Development Plan comprises of the Core Strategy (2011) and Local Plan Part 2 – Site Allocations and Development Management Policies (2015). In determining the current proposal the following are considered to be the most relevant policies.

3.3.3 Core Strategy

- Policy CS16: Form and Design of New Development

3.3.4 Local Plan Part 2

- Policy 1: The Urban Boundary
- Policy 8: Development & People
- Policy 10: Accessibility & Transport
- Policy 11: Design

3.4 Other Material Planning Considerations

3.4.1 National Planning Policy Framework (NPPF)

3.4.2 BwD Parking Standards

3.4.3 Residential Design Guide Supplementary Planning Document (SPD):

- Policy RES E1: Materials
- Policy RES E2: 45 Degree Rule

- Policy RES E3: Separation distances
- Policy RES E4: Detailing your extension
- Policy RES E5: Over Development
- Policy RES E7: Rear extensions
- Policy RES E19: Extensions and parking

3.5 Assessment

3.5.1 In assessing this full application the following important material considerations are taken into account:

- Visual Amenity / Design
- Residential Amenity
- Highways / Parking
- Other matters

3.5.2 Amenity

3.5.3 CS Policy 16 and LP Policy 11 require a good standard of design and an understanding of the site's wider context. The Design SPD, in relation to siting, scale and appearance, reinforces this. In particular, rear extensions should be subordinate to the original house; and the design be in keeping with the existing property.

3.5.4 In design/visual amenity terms, the single storey rear extension would be subordinate to and in keeping with the existing house, using matching materials. The roof would be hipped, with bi-fold doors spanning the full width of the rear elevation.

3.5.5 External alterations to the front elevation to replace the garage door with a window would be done sensitively, and would precisely match the other ground floor window in the existing front elevation of the property. The rear extension and the alterations to the front elevation have both been designed to respect the character of the existing house in terms of design, appearance and materials.

3.5.6 The proposal therefore complies with the aforementioned policies and guidance.

3.5.7 Residential amenity

3.5.8 LP Policy 8 and the Residential Design SPD require a satisfactory level of amenity for surrounding occupants including light, privacy and overlooking. Concerns have been raised by neighbours about the extension having an overbearing impact due to its size, scale and massing, and existing land levels. Concerns were also raised about loss of privacy.

3.5.9 The proposed extension would have a hipped roof and would project 4m from the existing rear elevation. All windows in the extension would be in the rear elevation (bi-fold doors).

3.5.10 Policy RES E3 of the Residential Design SPD states that:

“In relation to residential extensions, the Council will normally apply the following space standards:

- i) a separation of no less than 21 metres shall be maintained between facing windows of habitable rooms;*
- ii) where windows of habitable rooms face a blank gable or a wall with only windows to non-habitable rooms, a separation of no less than 13.5 metres shall be maintained; and*
- iii) for each additional storey above 2 storeys, or where land levels create an equivalent difference in the heights of the buildings, the Council will require the distances referred to in i) and ii) to be increased by 3 metres.*

In assessing space standards in relation to proposed extensions the Council will take account of the circumstances of the individual site.”

3.5.11 To the rear (south-west)

3.5.12 The properties (and garden areas) to the rear lie on lower ground. However, the proposed extension would only be single storey and comprises a hipped roof, sloping down towards the boundary.

3.5.13 The separation distance from the rear extension to the rear elevations of these properties would be between 21m and 22m. The existing rear garden fence would ensure no overlooking from the single storey extension into these properties and garden areas. The rear elevations are also slightly staggered, which further lessens the impact.

3.5.14 Therefore, despite the difference in land levels, taking into consideration the individual circumstances of this site, the separation distances to the rear are considered acceptable.

3.5.15 To the (north-west) side

3.5.16 There is also a notable difference in land levels to a row of properties to the side (nos. 22, 20 and 18 Beaumont Drive) whose front elevations face the side elevation of the application property, and also lie on lower land.

3.5.17 With a separation distance of only 12m, the proposal would have some impact in terms of outlook of these neighbours (particularly no.22 Beaumont Drive), but this is not considered unduly excessive or overbearing given these properties already face the much larger side elevation of the existing two storey dwelling, and the extension would be no closer to these properties than the existing side elevation the house.

3.5.18 The position of the windows in the front elevation of no. 22 Beaumont Drive mean that one of the 2 front windows already faces a detached garage belonging to no.22 Beaumont Drive, whilst the other faces the side elevation of the house. The hipped roof of the extension also reduces the impact. The

impact on the residential amenities of the occupiers of these properties is therefore considered acceptable.

3.5.19 To the (south-east) side

3.5.20 Whilst on a broadly similar land level to the application site, the immediate neighbour at no. 26 Beaumont Drive is set further back than the application property. However, there is an existing conservatory on the rear elevation, nearest to the boundary, and the 45 degree rule would as set out in the Design Guide SPD would be met. There are no windows proposed in the side elevations of the extension, and the impact on the residential amenity of the occupiers of 26 Beaumont Drive is therefore considered acceptable.

3.5.21 Other amenity considerations

3.5.22 Considerable weight has also been given to what could be constructed under permitted development rights. Whilst neighbours have objected to the proposal, a detached dwelling can normally extend up to 4m from the rear elevation without requiring planning permission.

3.5.23 Access to the rear garden would be retained down the side of the house, and adequate amenity/garden space would be retained. Therefore the proposal is not considered overdevelopment of the plot.

3.5.24 All factors considered, on balance the impact on residential amenity is considered acceptable, and the proposal complies with the aforementioned policies and guidance in terms of its impact on residential amenity.

3.5.21 Highways / parking

3.5.22 Policy 10 requires highway safety is not compromised, and that there is an adequate level of parking. The BwD Parking Standards require a certain number of spaces, dependant upon the number of bedrooms in the property. If bedroom numbers increase as a result of proposed development, the relevant parking standards should be applied.

3.5.23 Neighbours have raised concerns about a lack of parking in the area, and that any increase in on-street parking in the area would cause problems on the local roads.

3.5.24 However, the proposal only relates to a single storey rear extension, and the conversion of an existing integral garage into additional living space (a dining room).

3.5.25 The number of bedrooms at the property would not be increased as a result of the proposal, meaning there would be no change to the in-curtilage parking requirements as set out in the adopted BwD Parking standards.

3.5.26 Furthermore, the conversion of a garage into ancillary living space does not generally require planning permission.

3.5.27 Any change to the internal layout as shown on the proposed plans, including the creation of an additional ground floor bedroom, would need amended plans to be submitted to and approved by the Council.

3.5.28 Although tighter restrictions were requested by neighbours, in this context, an additional is not considered reasonable or necessary in the circumstances.

3.5.29 Highway safety would not be compromised, and the proposal complies with policy requirements.

3.5.30 Neighbour objections

3.5.31 The proposal has prompted a number of objections from neighbours, which have been fully considered in the assessment of this application (above). The are referred to in detail in Section 9 of this report.

3.5.32 However, some of the issues raised, cannot be considered as part of the planning application process. This includes loss of view, whereas issues raised about the existing retaining wall and a sewer drain to the side of the boundary wall are private civil matters.

3.5.33 It is noted that the ground floor layout of the proposal includes 2 kitchens within the proposed ground floor layout. This has been queried with the applicant, and the smaller kitchen is intended to be a utility room. Notwithstanding this, in isolation the internal layout is not a material consideration for this planning application, unless it would lead to other impacts such as bedrooms / parking requirements. In this case, whether it is a kitchen or a utility room would not affect the amenity of neighbours, or the outcome of this application.

3.5.34 Despite the issues raised in the objections received, the proposal is considered to meet policy requirements and is considered acceptable development.

4.0 RECOMMENDATION

4.1 APPROVE subject to the conditions below:

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

Dwg no. 00: Site location plan and Proposed site plan, @A3

Dwg no. 02: Proposed floor plans and elevations, @A3.

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

2. 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.

3. Notwithstanding the submitted details, the external materials to be used in the construction of the development hereby permitted shall match those used in the existing building.

REASON: To ensure that the external appearance of the development is satisfactory in accordance with Policy 11 of the Blackburn with Darwen Borough Local Plan Part 2 and the adopted Blackburn with Darwen Design Guide Supplementary Planning Document.

5.0 PLANNING HISTORY

- 5.1 10/02/0236 – Erection of 112 No Dwellings and associated infrastructure

6.0 CONSULTATIONS

- 6.1.1 The planning application was received by the Local Planning Authority (LPA) on 7th July 2021. 9 Neighbour consultation letters were sent out on 8th July 2021, including all addresses adjoining the application site.

- 6.1.2 In response, 6 letters of objections were received.

7.0 CONTACT OFFICER: Tom Wiggans, Planner

8.0 DATE PREPARED: 12th October 2021

9.0 SUMMARY OF REPRESENTATIONS

Objection from M Barbaro, 22 Beaumont Way, Received 30.07.21

28th July 21

Planning Service

Dear Mr Wiggans

RE Planning Application 24 Beaumont Way-
Ref10/21/0742

I would like to comment regarding this matter.

They have a retaining wall on the side of my garage which is showing some bulging and movement towards my garage There is also a sewer drain located just on the other side of the wall.

I am concerned that the extra weight of the large extension will have considerable negative effect on the future state of the wall.

Kind Regards

M.Barbaro

22 Beaumont Way

Objection from Paul Adams, 17 Beaumont Way, Received 29.07.21

Reference 10/21/0742

17 Beaumont Way

BB33SG

Paul Adams

I have some concern over possible parking/access to properties in the near vicinity as there are already a number of houses locally with several vehicles.

Objection from Kieron Lowe, Received 15.07.21

Dear Mr Wiggans,

Re Planning Application – 24 Beaumont way Darwen - Ref: 10/21/0742

I write further to your letter dated 8th July 2021 (received on the 14th July 2021) and our telephone conversation on the 14th July 2021, during which I raised my concerns in relation to the above mentioned application. I would like the opportunity to set out my reasons in writing, as suggested within your letter, and confirm my address for future reference is 26 Beaumont Way Darwen BB3 3SG.

In relation to the garage conversion I do not raise any objections in relation to the same.

Having viewed the application and plans, on the website, my main concerns are in relation to the large extension to be built to the rear of the property and these are listed as follows:

1. Loss of light/overshadowing to habitable rooms of our property
2. 45 degree rule to be considered
3. Loss of privacy
4. Residential visual amenity to our current living conditions.
5. Loss of view
6. Overdevelopment of the site
7. The extension will be overbearing in size, scale and mass and will overall have a dominating effect on our property.

I am aware that only three people live in this large detached accommodation and I would question why such a large extension is necessary, taking into consideration that the garage is also to be converted into living accommodation.

All of the above will have a detrimental effect upon our existing living conditions and will impact us severely on the enjoyment of using our conservatory, dining room and garden.

We wish to object to the planning application proceeding and would like to be kept fully informed in relation to this matter..

I look forward to hearing from you.

Kind regards,

Kieron Lowe

Objection from Kieron Lowe, Received 28.07.21

28th July 2021

Dear Mr Wiggans,

Re: Planning Application 24 Beaumont way – Ref: 10/21/0742

Further to your recent visit and our telephone discussion I have again reviewed the plans in relation to the above planning application and would like to comment further. The plans show that there are to be two kitchens in the property and I would question as to why this would be needed for a family of three people.

In my previous email I did not object to garage conversion, however, I noted that the garage was to be converted into a dining room. I now have grave concerns that this may actually be used as a bedroom. I therefore wish to object to the same proceeding. Would it be documented that this conversion may only be used as a dining room and can you confirm the neighbour will be informed of this and must adhere to the same.

From the above I question whether additional family members will be moving into the property. If this is to be the case then I would raise issues with parking outside of my property and the properties surrounding. This is already a very busy road with many houses having two/three vehicles per household, leading to cars frequently being parked on the road, causing obstructions and problems when reversing or entering driveways.

Please keep me informed on this matter.

Kind regards

Kieron Lowe

Objection from Nino & Anna Sciambarella, Received 16.07.21

Dear Mr Tom Wiggans.

We spoken by telephone the other day about the proposed planning permission ref 10/21/0742 at 24 Beaumont Way Darwen BB3 3SG.

one of the things I mentioned on our telephone conversation, was that I was concerned about my privacy as my patio door on my living room

are facing the house (24 Beaumont Way).

and I also said that if there was going to be a lot of windows that I wold seriously object.

You have kindly explained how I cold get access to view the proposed plans and I did.

After viewing the plans, I can seen there is going to be a lot of breach of privacy as there is a full front of glass doors.

My house is at a lower level than 24 Beaumont Way and there is no way possible to block their view.

We already experiencing people from that address looking in from their bedroom windows.

My wife spotted one person at the window either with a camera or a telephoto lense.

This Email is to confirm that We strongly OBJECT.

Please reply and advice.

Thank You.

Nino and Anna Sciambarella

Objection from Scott & Leanne Wilson-Mayor, 22 Spire Close, Darwen, Received 14.07.21

Good afternoon,

My husband and I received a letter with regards a planning application for the aforementioned property. This property is directly behind our home and these proposed plans would drastically reduced privacy on our home, therefore we object to the proposed plan.

Kind regards

Scott & Leanne Wilson-Mayor