

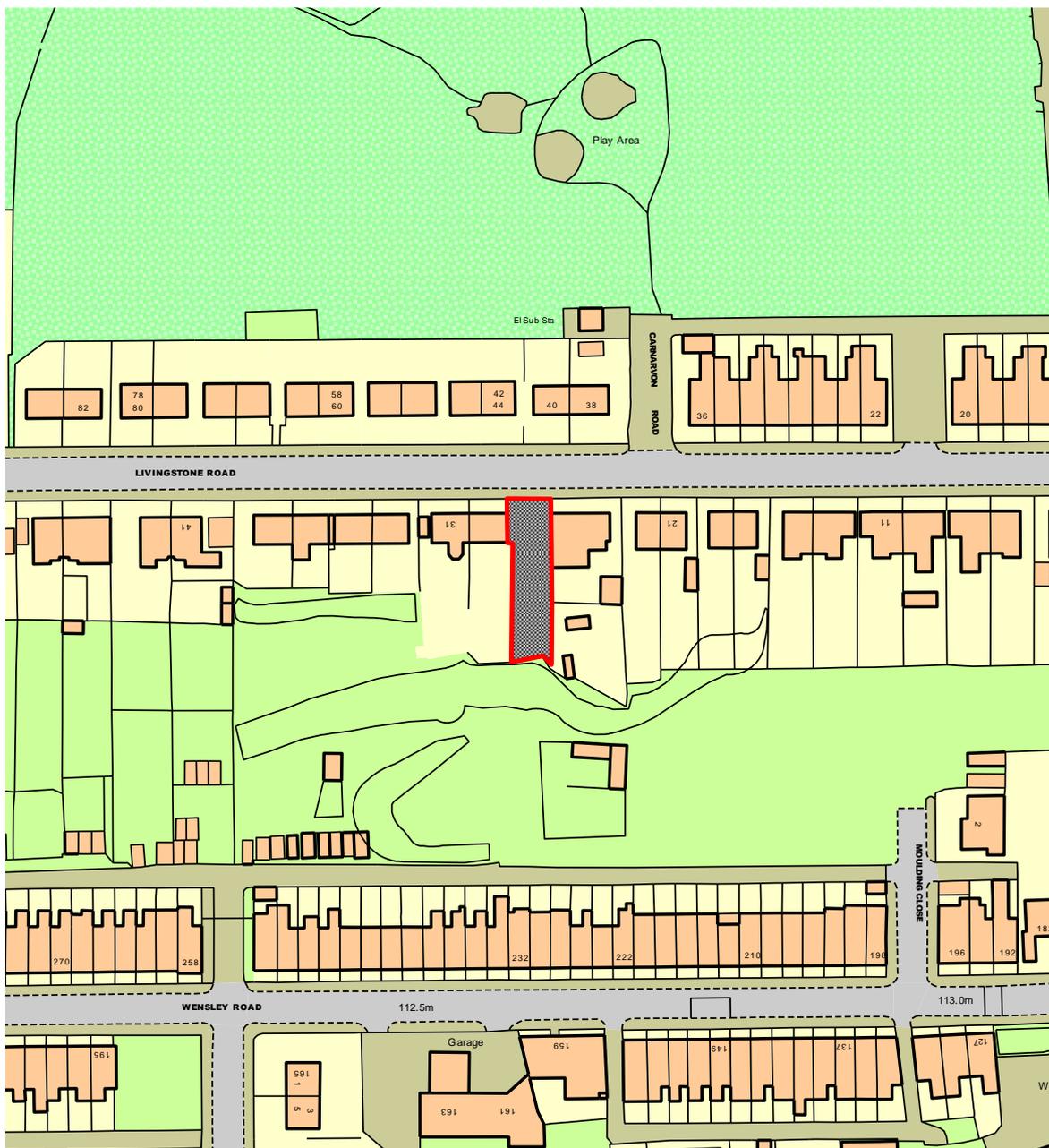
**Proposed Development: Erection of porch and double and single storey rear extension and works to rear garden to raise garden level**

**Site Address: 27 Livingstone Road, Blackburn, BB2 6NF**

**Applicant: Ms Isma Mahmood**

**Ward: Wensley Fold**

**Councillor Qesir Mahmood  
Councillor Dave Harling  
Councillor Sabahat Imtiaz**



## **1.0 SUMMARY OF RECOMMENDATION**

1.1 The proposed development is recommended to be granted planning permission, subject to the conditions detailed in Section 5.

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

2.1 This application is presented to the Planning and Highways Committee, in accordance with the Council's scheme of delegation, and given that the Applicant is a relative of a Ward Councillor.

2.2 The proposed development has been publicised through letters to residents of the nearest 8 adjacent residential properties, on 12<sup>th</sup> July 2022. In addition, a site notice was displayed outside of the site, on 22<sup>nd</sup> July 2022. No public comments have been received for the application insofar. Should any comments be received ahead of the committee meeting, they will be reported as part of an update report.

2.3 The Council's development plan supports new householder developments and associated works, provided they constitute sustainable development and accord with the development plan when taken as a whole.

2.4 The proposal will deliver a two-storey rear extension in order to provide extended living and kitchen areas on the ground floor with a fourth bedroom provided on the first floor. A modest front porch extension is also proposed together with levels changes within the rear garden.

2.5 On balance, the proposals would be satisfactory from a technical point of view, with all issues having been addressed through the application process, or capable of being controlled or mitigated through appropriately worded planning conditions.

2.6 The key issues to be addressed in determining this application are;

- Visual design considerations
- Safeguarded the amenities of the immediate neighbours
- Parking provision
- Establishing any potential impacts on highway safety

## **3.0 RATIONALE**

### **3.1 Site and Surroundings**

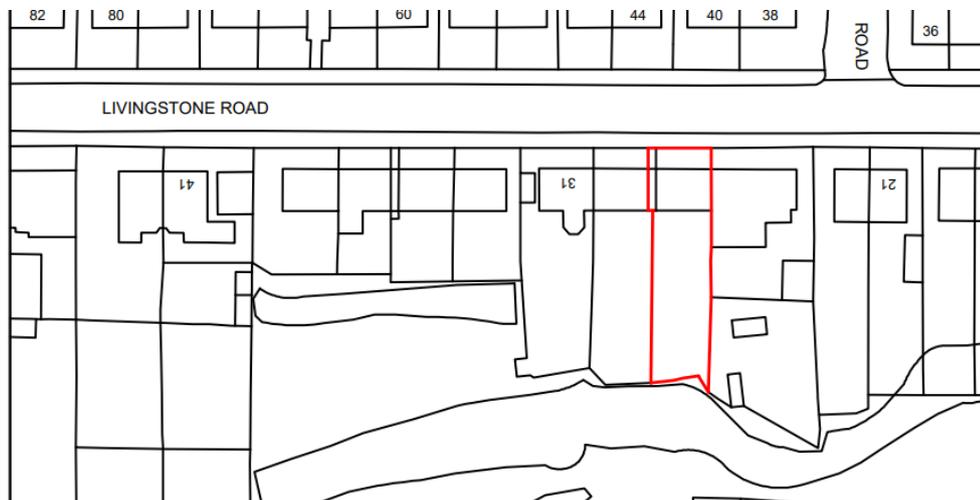
3.1.1 The application site is a two-storey mid-terrace dwelling located within the settlement of Blackburn. The extent of the site is shown below in Figure Two. Similar properties adjoin and surround to three sides that line Livingstone Road. Open land is positioned immediately to the south that it interspersed with trees and outbuildings.

Figure One – Satellite Image of the Site (taken 2022)



3.1.2 The host dwelling is typical of its age and was constructed in the post-war era. Buff coloured bricks have been used to construct the elevations with concrete pan tiles used as the roofing materials. White uPVC doors and windows have been installed throughout. The dwelling has a small garden area to the front with a larger enclosed garden area to the rear. The lower part of the rear garden currently slopes towards the south. Access to the rear garden is gained via a narrow archway between the site and number 29.

Figure Two – Submitted Location Plan



### 3.2 Proposed Development

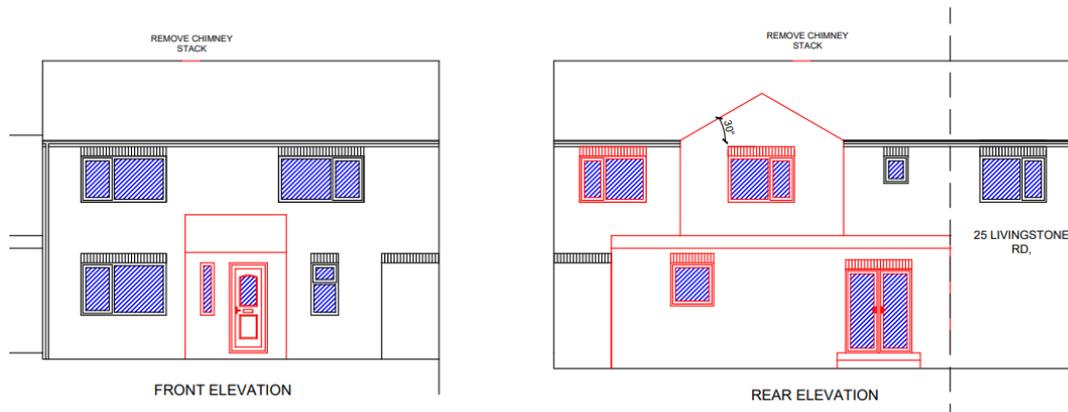
3.2.1 As detailed above, this planning application involves the erection of a two-storey split-level rear extension and small front porch. The ground floor part of the rear extension would have a depth of 5.4m, a width of 8m and a flat roof 3m in height. The first floor part would have a depth of 4m, a width of 3.9m and a dual-pitched roof up to 6.4m in height.

3.2.2 The front porch would have a footprint of circa 4.3 sqms and a mono-pitched roof up to 3.2m in height. Matching bricks and roofing tiles would be used to

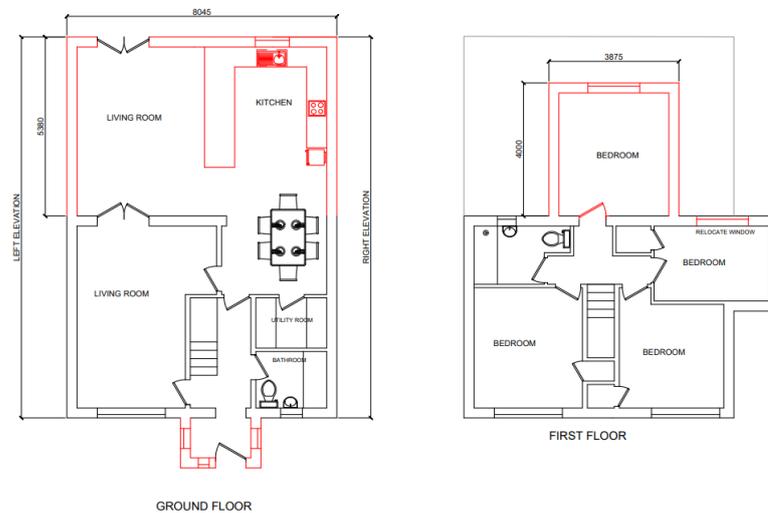
construct the extension and porch and they would be fitted with white uPVC doors and windows.

3.2.3 The levels changes proposed within the rear garden would result in its lower being level with the upper part. The submitted plans indicate that a 2m wall would be constructed on the rear boundary enclosing those works. A retaining wall would also be required beneath it. No further details of boundary treatments are shown on the information provided.

**Figure Three – Proposed Front and Rear Elevation Plans**



**Figure Four – Proposed Ground and First Floor Plans**



### 3.3 Case Officer Site Photos



### 3.4 Development Plan

#### 3.4.1 Local Plan Part 2 (adopted December 2015):

- Policy 8: Development and People
- Policy 10: Accessibility and Transport
- Policy 11: Design

#### 3.4.2 Residential Design Guide Supplementary Planning Documents (SPD) (adopted September 2012)

- Policy RES E1: Materials
- Policy RES E2: '45 Degree Rule'
- Policy RES E7: Rear Extensions
- Policy RES E16: Porches

#### 3.4.3 Blackburn with Darwen Borough Council Parking Standards (adopted April 2014)

## 4.0 **ASSESSMENT**

### 4.1 Design and Visual Amenity

4.1.1 The site is positioned on an exclusively residential road that has a relatively varied streetscene. In general terms, Policy 11 requires all development proposals to represent a good standard of design through demonstrating an understanding of the site's wider context and making a positive contribution to public visual amenity. The Residential Design Guide SPD in relation to the siting, scale and appearance of domestic developments reiterates those

requirements. Domestic alterations must appear subservient in scale to the host dwelling and in keeping with the wider area more generally.

- 4.1.2 Policy RES E7 requires the design of all proposed rear extensions to be subservient in scale to the host dwelling. The design of the extension must also be in keeping with the existing property by virtue of the external construction materials used, overall architectural style, roof form and pitch, size, proportion and position of openings, and the fenestration details.
- 4.1.3 In addition, Policy RES E16 requires all proposed porches to not dramatically alter the appearance of the host dwelling, be modest in scale, and reflect the style and materials of the existing property. Such forms of development must also be in keeping with the appearance of the street and not detract from the character of the streetscene, ensure the roof style reflects that of the host dwelling, and ensure the facing materials used match those of the host dwelling.
- 4.1.4 Whilst the rear extension would appear as a relatively sizeable addition when related to the proportions of the rear façade, both levels would be set well below the main ridge height, thereby ensuring that aspect of the proposals appears acceptably subservient to the host dwelling. In addition, it should be noted that the proposed rear extension would be predominantly concealed from the perspective of the public domain. The overall style, roof form of the upper level, and fenestration detailing would also appropriately compliment the appearance of the host dwelling. The proposed rear extension would thus be acceptable in relation to aspect, form and scale.
- 4.1.5 The proposed front porch would appear as a modest addition when related to the front façade. Appropriate architectural detailing would also be applied. Similar developments are found in abundance locally and that aspect of the proposals would not dramatically alter the appearance of the host dwelling.
- 4.1.6 The same conclusions are also applicable to levels changes proposed within the rear garden. Minimal details have been provided regarding the retaining structure to the rear and how it would appear. A request has been made to the Agent to submit further details in that respect. Any new information submitted will be presented as part of an update report.
- 4.1.7 Appropriate external construction materials are proposed throughout that would match those of the host dwelling. A condition is recommended to ensure those materials are used so that a satisfactory form of development is achieved. Subject to compliance with that condition, the proposed development would be acceptable with reference to design and visual amenity, in accordance with Policy 11 together with the guidance of the Residential Design Guide SPD.

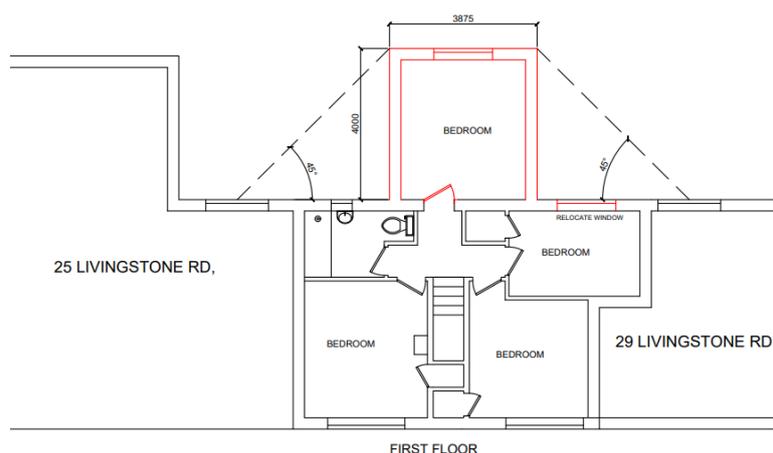
## 4.2 Residential Amenity

- 4.2.1 As detailed above, dwellings surround to three sides and safeguarding the amenities of those neighbours is an important planning consideration. Policy 8 states that all development proposals must secure a satisfactory level of

amenity for surrounding occupants, with reference to light, privacy/overlooking, and the general relationship between buildings.

- 4.2.2 In relation to rear extensions, the Residential Design Guide SPD states that such forms of development must not have an unacceptable impact on neighbours, with respect to the '45 degree rule' and the separation distances prescribed within the document. No specific residential amenity standards are detailed within the document for front porches given their typically modest nature.
- 4.2.3 When considering losses of light, a large rear extension at number 25 removes the potential for the proposed rear extension to detrimentally impact upon those neighbours. The ground floor part would breach the 45-degree rule in relation to a kitchen window at number 29. That said, the arrangement of that window and separation from the shared boundary would result in only a marginal breach occurring. Moreover, tall fencing is in place on the shared boundary that already causes a certain level of overshadowing for those neighbours. The majority of the ground floor part would be concealed behind the existing fence and any losses of light caused would not be at the level to justify a refusal on those grounds.
- 4.2.4 The 45-degree rule would be respected in relation to the first floor main habitable room windows at both of the adjoining properties. That arrangement is shown below in Figure Five. For those reasons, the proposals would not appear overbearing to the adjoining neighbours or cause any unacceptable losses of light. Those conclusions are also applicable to the proposed porch given its limited massing and scale.

Figure Five – Plan showing the 45-degree rule for the first floor level



- 4.2.5 In relation to overlooking and privacy, any proposed windows within the rear extension would face away from neighbouring dwellings. Moreover, the proposed porch is only realistically large enough to function as an entrance point and no harmful privacy impacts would be caused from that aspect. A condition has been added to ensure tall fencing is erected around the elevated

area of garden in order to safeguard the privacy of adjacent gardens and neighbours.

- 4.2.6 Subject to compliance with that condition, the proposed development would be acceptable with reference to residential amenity, in accordance with Policy 8 together with the guidance of the Residential Design Guide SPD.

#### 4.3 Highways and Parking

- 4.3.1 The site has no off-street vehicle parking provision or appropriate land to provide such parking. Policy 10 contains requirements for all development proposals to not prejudice road safety, or the safe, efficient and convenient movement of all highways users. Parking should also be provided in accordance with the BwD Parking Standards, where achievable. Ideally, a four bedroom dwelling would have three off-street vehicle parking spaces.

- 4.3.2 That said, the BwD Parking Standards are maximum requirements and proposals can only be resisted on parking grounds where any resulting impacts on the local highway would severely compromise highway safety. Such a position is difficult to demonstrate here as a shortfall of only one space is applicable in comparison to the site's existing parking requirements. As proposed, the development is thus acceptable with reference to highways and parking, in accordance with Policy 10.

#### 4.4 Summary

- 4.4.1 This application involves the erection of a two-storey rear extension and front porch. Levels changes within the rear garden are also proposed. Subject to appropriate conditions, the proposed development would be acceptable on all the relevant planning grounds, in accordance with the policies and guidance notes detailed in Section 3.4.

- 4.4.2 Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. Subject to appropriate conditions, the proposal would be acceptable in terms of design and visual amenity, residential amenity, and highways and parking.

- 4.4.3 The proposed development therefore complies with the development plan. There is a positive presumption in favour of approving the development and there are no material reasons to object to the application.

### 5.0 **RECOMMENDATION:**

- 5.1 **Delegated authority is given to the Strategic Director of Place to approve planning permission, subject to the following conditions and informative notes;**

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 consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings: Location Plan (1:1250), Existing Block Plan (1:500), Proposed Block Plan (1:500), Existing Floor and Elevation Plans and Proposed Floor and Elevation Plans.

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

3. The external materials to be used for the construction of the development hereby approved shall match those of the existing property in terms of type, texture and colour and those materials shall not be varied unless first being agreed in writing by the Local Planning Authority.

REASON: To ensure the external construction materials used match those of the existing property, in the interests of visual amenity, and to comply with the requirements of Policy 11 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

4. The levels changes within the rear garden hereby approved shall not be used for domestic purposes unless and until, a close-boarded fence no lower than 1.8m and no higher than 2m when measured from the altered ground levels has been erected on the east and west boundaries of the rear garden of the site. The fencing installed shall thereafter remain in perpetuity with the development and any replacement fencing shall be of an equal degree of height, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to safeguard the privacy of the immediate neighbours, in the interests of residential amenity, and to comply with the requirements of Policy 8 of the Blackburn with Darwen Borough Council Local Plan Part 2, Site Allocations and Development Management Policies (Adopted 2015).

## **6.0 PLANNING HISTORY**

- 6.1 No relevant planning history.

## **7.0 CONSULTATIONS**

- 7.1 Ward Cllrs

- 7.2 Summary of Public Responses

No public comments have been received.

- 8.0 **CONTACT OFFICER:** Christian Barton – Planning Officer

**9.0 DATE PREPARED:** 04<sup>th</sup> August 2022

**10.0 SUMMARY OF REPRESENTATIONS**

None.