

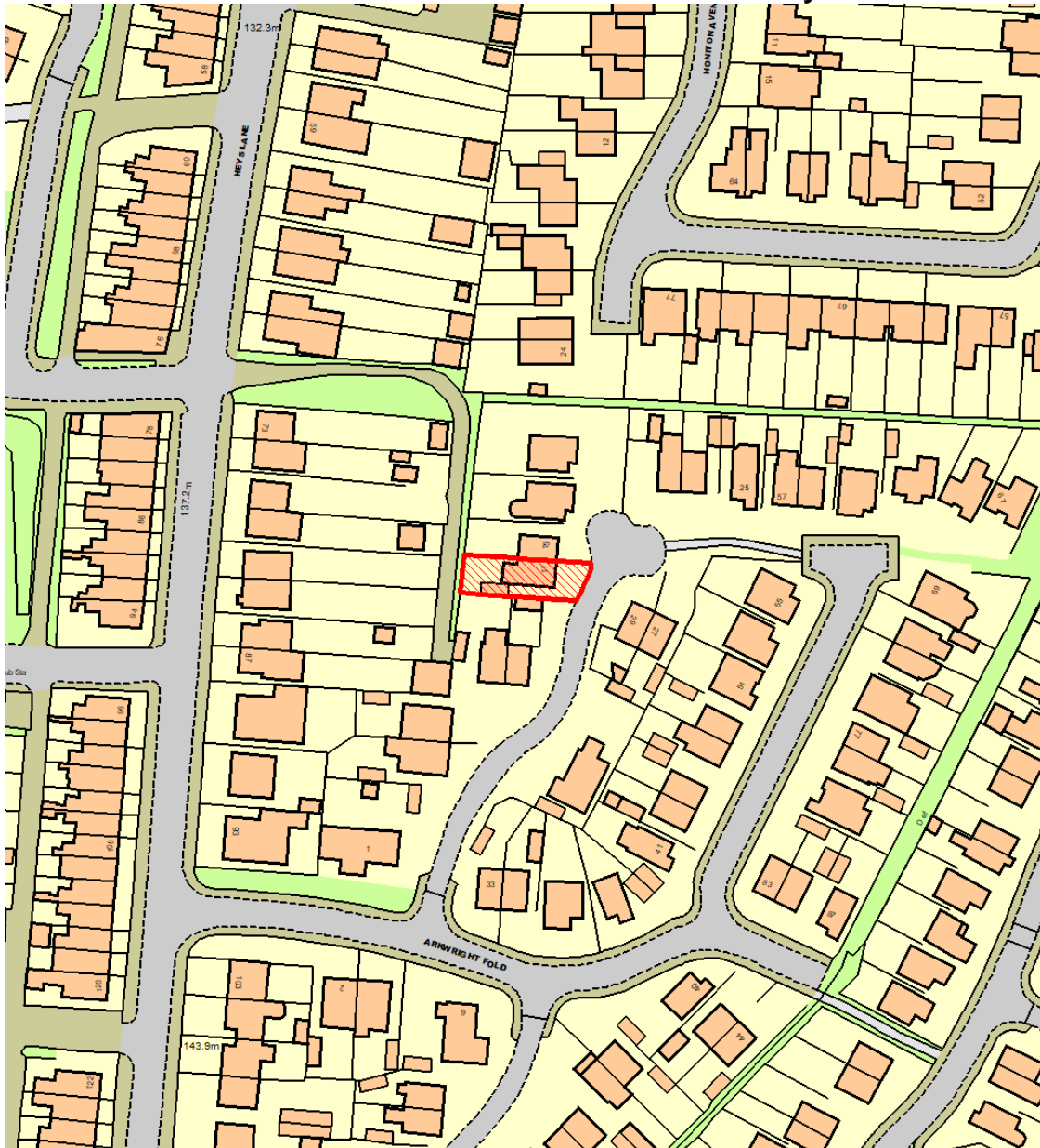
Proposed development: Full Planning Application for Demolition of existing garage and conservatory and erection of single storey extension to side and rear

**Site address:
11 Arkwright Fold
Blackburn
BB2 4LZ**

Applicant: Mrs Michelle Warren

Ward: Ewood

**Councillor Elaine Whittingham
Councillor Jon Baldwin
Councillor Jim Casey**



1.0 SUMMARY OF RECOMMENDATION

1.1 APPROVE – Subject to conditions

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 The planning application is presented to Committee in accordance with the Scheme of Delegation of the Council's Constitution, in which the applicant of the application is a member of staff at the Council (Growth & Development Department).

2.2 An objection has been received to the application regarding access to the application. The objector stated that access should not be gained via the rears of Nos 73-85 Heys Lane as this is under private ownership of these properties.

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site relates to a semi-detached, two-storey dwelling located on the eastern side of Arkwright Fold. The host dwelling has a generous sized rear garden with off-street parking currently to the front and side of the property.

3.1.2 The application property was erected under planning reference 10/88/1165 (Erection of 23 detached, 38 semi-detached houses and 6 semi-detached bungalow and garages). Arkwright Fold can be reached off of Heys Lane. The cul-de-sac in which the application site is located is characterised by red brick detached and semi-detached houses.



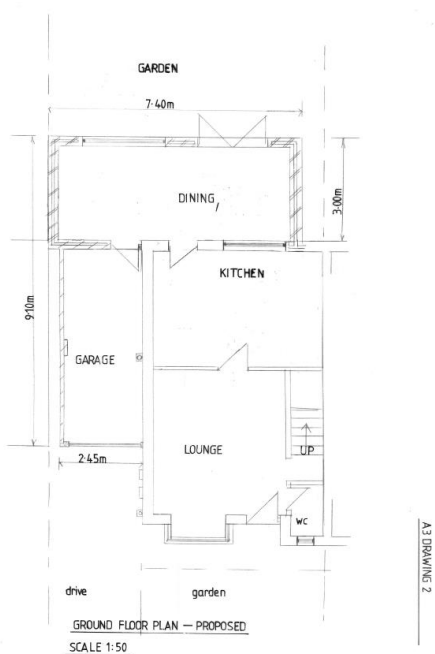
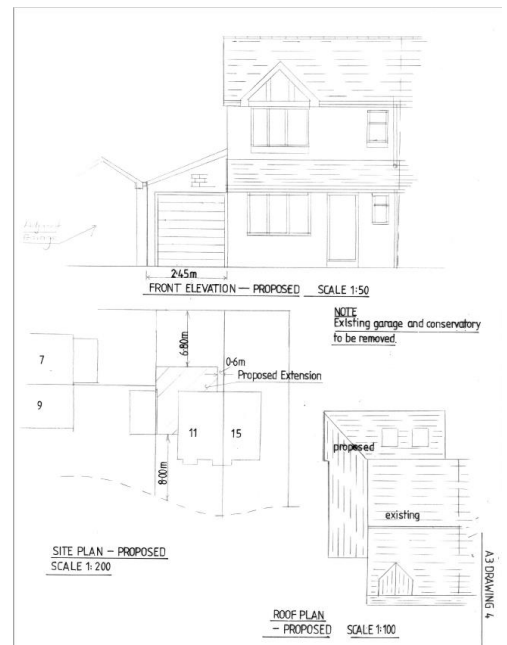
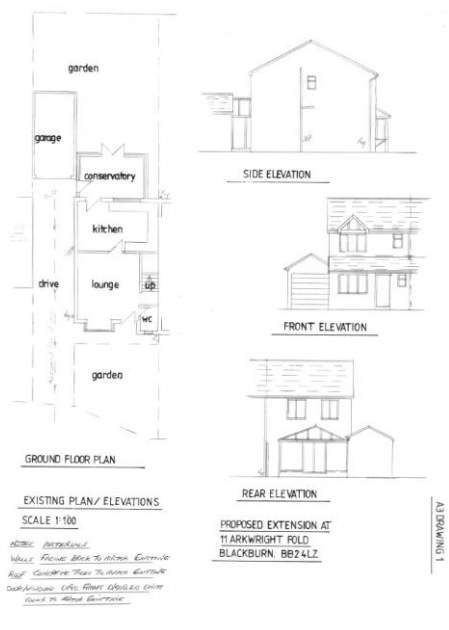
Figure 1: Google aerial view of the application site.

3.2 Proposed Development

3.2.1 The proposal relates to a householder planning permission for the demolition of existing garage and rear conservatory and the erection of a single storey side and rear extension.

3.2.2 The proposed single storey rear extension will project 3m from the rear wall of the dwellinghouse once the conservatory has been removed; the single storey rear extension will measure 7.4m wide and overhang to the side of the property by 2.75m. Height to the ridge of the single storey rear extension will be 3.6m and height to eaves 2.6m. The proposed garage to the side elevation of the property will measure 2.45m in width and 5.75m in length. The total length of the side elevation will be 9.1m, the single storey rear and side will form an L-shaped extension. Height to ridge of the proposed garage will be 3.6m and height to eaves 2.6m.

3.2.3 The existing and proposed plans and elevations are shown below:



3.3 Case Officer Photos



3.4 Development Plan

3.4.1 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.

3.4.2 Blackburn with Darwen Borough Local Plan Part 2 (2015)

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

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

- RES E1: Materials
- RES E2: 45 Degree Rule
- RES E7: Rear Extensions
- RES E8: Single Storey Side Extensions
- RES E14: Rooflights

3.5 Other Material Planning Considerations

3.5.1 National Planning Policy Framework (NPPF)

4.0 Assessment

Residential Amenity

- 4.1.1 Local Plan Part 2, Policy 8 ii) 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 or other pollution or nuisance, privacy/overlooking and the relationship between buildings
- 4.1.2 The existing conservatory currently measures a depth of 3m and a width of 4.8m. The proposed rear single storey extension is proposed to measure the same depth at the boundary with No.15. It was noted on the case officer’s site visit that No.15 has a set of patio doors and two sets of windows which provide three sources of light in to the rear kitchen/dining area; as such it is considered that the proposal will not result in an unacceptable loss of light.
- 4.1.3 The proposed single storey rear extension does breach the 45 degree rule when measured on a horizontal plane, however due to the proposal being set in from the boundary with No.15 by 600mm and its modest projection along with three sources of light in to the rear of No.15, the single storey rear extension is considered to be acceptable. It should also be noted that the proposed mono-pitched roof will ultimately mean that the eaves being the closest point to No.15’s boundary and lowest part of the roof will not significantly affect the light in to the rear of No.15.
- 4.1.4 No windows will be inserted within the side elevation facing towards No.15 and as such this further guards against any privacy/overlooking concerns.
- 4.1.5 The single storey/rear side extension which forms a dining area will extend up to the rear boundaries with No.7 and No.9. These properties are positioned sideways on to the application site. An existing garage at No.9 and mature trees will screen the proposal. However, whilst trees cannot be relied on as mitigation, if these trees were ever removed, the proposal would still not pose any amenity impacts to either of the abovementioned properties.
- 4.1.6 It should also be noted as a fall-back position that a 3m single storey rear extension could be constructed at the application site providing it would meet the parameters of Part 1, Class A of the General Permitted Development Order.
- 4.1.7 The single storey side extension which will feature a garage will be situated on the southern elevation along the gable wall of the application site. Due to No.7 and No.9 being positioned sideways and approximately 7m away from the proposal, the garage is deemed to be acceptable.
- 4.1.8 The proposal is considered to meet the requirements of Policy 8 of the LLP2 (2015) and supporting SPD Policies.

Design and Visual Amenity

- 4.1.9 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.

4.1.10 The external materials to be used in the construction of the proposed single storey rear and side extension are facing brick to match the host dwelling along with concrete roof tiles and windows and doors in double glazed uPVC frames to match. The proposed single storey side and rear roof will form of a joined up hipped roof.

4.1.11 There is an existing pitched roof garage at the application site which will be demolished and existing pitched roof garage which belongs to No.9 which is sited next to where the proposed side single storey garage will be. Whilst the proposed hipped roof doesn't match the existing, it is considered the change of roof will still appear subordinate to the host property and surrounding street scene. The proposed garage will also have a roller shutter garage door to match that of the garage at No.9 Arkwright Fold.

4.1.12 The proposal is considered to be acceptable from a design and visual amenity perspective, in accordance with Policy 11 of the LPP2 (2015)

Highways

4.1.13 Policy 10 of the LPP2 (2015) requires that road safety and the safe, efficient and convenient movement of all highway users is not prejudices and that appropriate provision is made for vehicular access, off-street servicing and parking in accordance with the Council's adopted standards.

4.1.14 The existing garage is to be demolished and a replacement erected as part of the proposal for the single storey side extension. This will involve utilising a large proportion of the driveway to the south elevation of the property. However, it is considered that the proposed garage will meet the Borough's Car Parking Space Dimensions measuring at 2.45m wide and 5.8m in length. As such, this will cater for one off-street parking space. There will also be sufficient space remaining on the driveway located to the front elevation for the parking of a second vehicle off-street.

4.1.15 Taking the above in to consideration, the property meets the needs for 2 off-street parking spaces for 3 bedroomed properties and as such the proposal will not result in a demand or increase to on-street parking.

4.1.16 An objection has been received regarding that access to the property should not be gained via the private road to the rear of Nos 73-85 Heys Lane as 24 hour access is required for all residents. This would be a private matter to be discussed between the applicant and the owner of the private road in order for the owners of the access lane to restrict the use of other residents whom do not have ownership over the road.

4.1.17 Compliance with Policy 10 of the LPP2 (2015) is achieved.

5.0 RECOMMENDATION

5.1 Approve subject to the 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:

Drawing No. 4, Proposed front elevation, Proposed Site Plan and Proposed Roof Plan - Received 26th October 2022

Drawing No. 3, Proposed rear and side elevation – Received 26th October 2022.

Drawing No.2, Proposed ground floor plan – Received 26th October 2022

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

3. Notwithstanding the submitted details, the external walling and roofing materials to be used in the construction of the building hereby permitted shall match those used in the existing building to the satisfaction of The Local Planning Authority.

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.

6.0 PLANNING HISTORY

- 6.1 10/88/1165 – Erection of 23 detached, 38 semi-detached houses and 6 semi-detached bungalows and garages

7.0 CONSULTATIONS

- 7.1 Public Consultation has taken place once; letters were posted to 8 neighbouring properties 1st November 2022. The objection received are referred to in Section 10 of the report.

8.0 CONTACT OFFICER: Emily Colebourne, Assistant Planning Officer

9.0 DATE PREPARED: 30th November 2022

10.0 SUMMARY OF REPRESENTATIONS

Comment – Ms J Hayes, 83 Heys Lane, Blackburn. Received: 04/11/2022.

I would like it stipulating in any planning approval that access to 11 Arkwright Fold cannot be gained via the private road to the rear of nos 73 - 85 Heys Lane BB2 4NG.

24 hour access is required for all residents and is in private ownership of 73 - 85 Heys Lane.