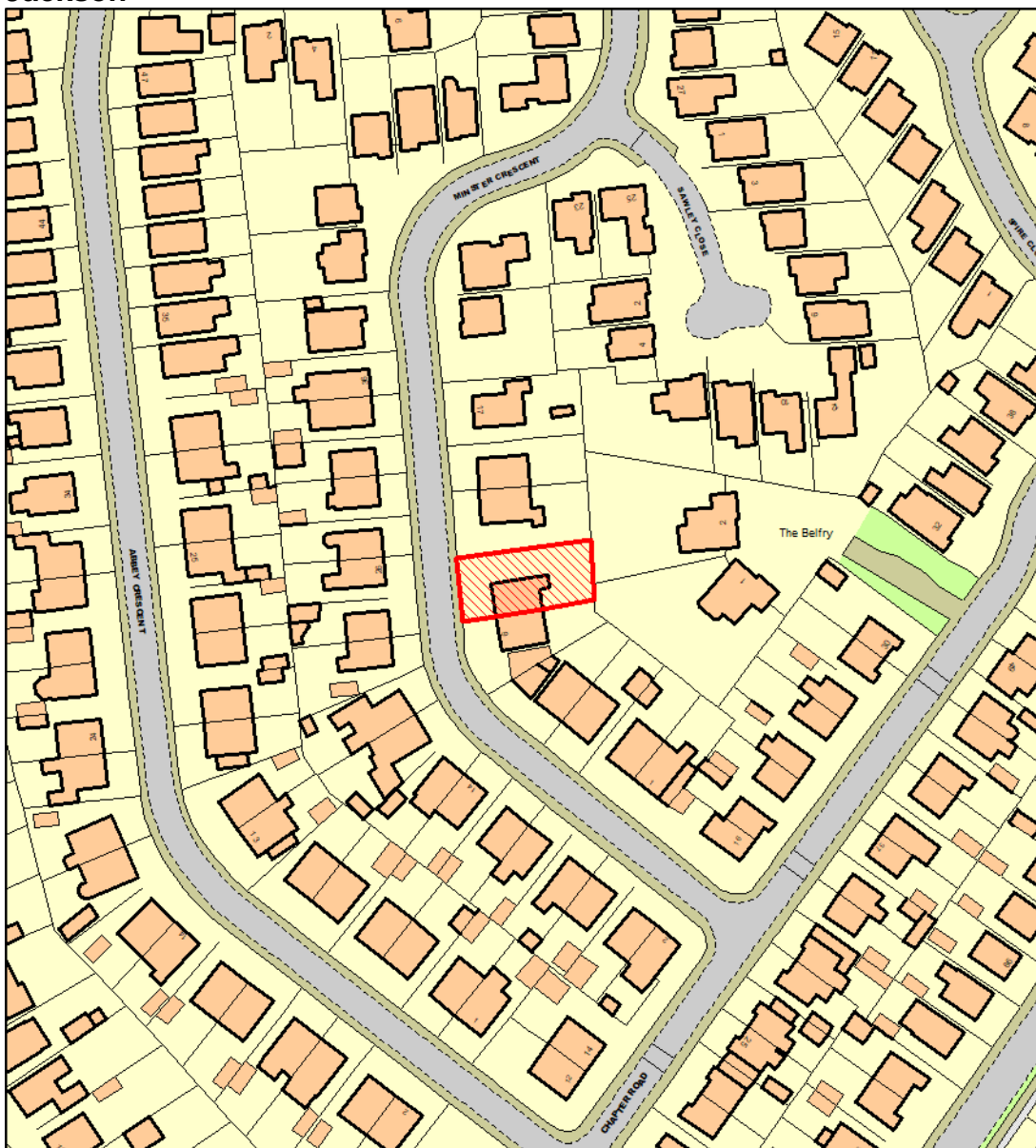


Proposed development: Full Planning Application for Proposed side / rear single storey extension following demolition of existing conservatory

**Site address:
11 Minster Crescent
Darwen
BB3 3PY**

Applicant: Mrs Jacqueline Slater

Ward: Darwen South: Councillors: Kevin Connor, Lilian Salton, Matthew Jackson



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 for the application is Councillor Jacqueline Slater.

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site relates to a semi-detached, bungalow located on the eastern side of Minster Crescent, Darwen. The host dwelling is situated on a generous sized plot with front and rear gardens.

3.1.2 Minster Crescent can be reached off of Priory Crescent and then Chapter Road. The immediate street scene in which the application site is located is characterised by brick semi-detached bungalows which also have some feature brickwork to the front elevations. To the north of the application site lies a varying size and design of detached houses erected under planning application 10/94/0045.

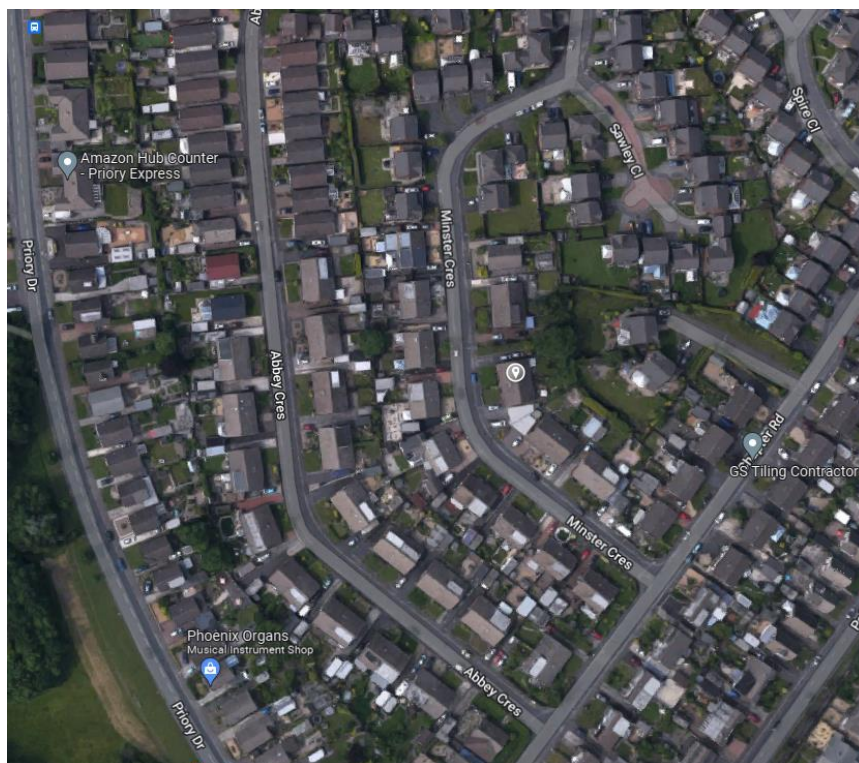


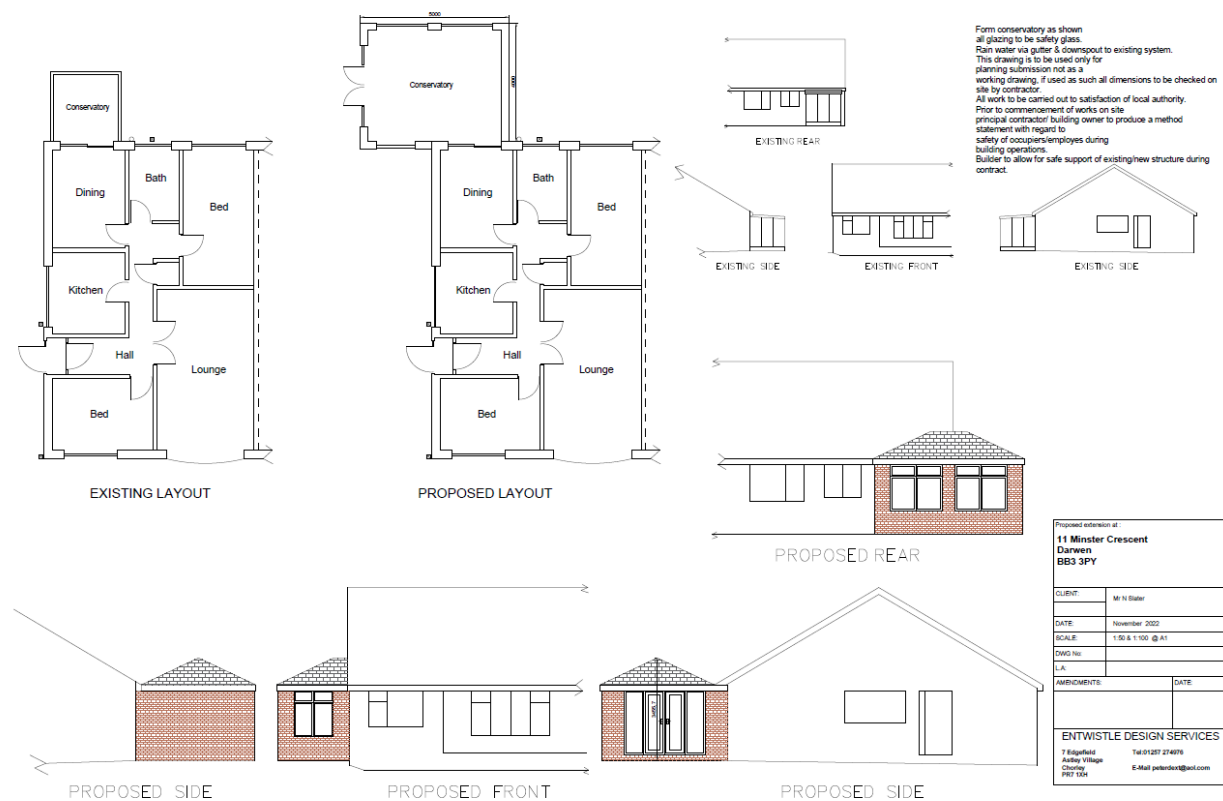
Figure 1: Google aerial view of the application site

3.2 Proposed Development

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

3.2.2 The proposed single storey rear extension will project 4m off of the rear wall of the dwellinghouse once the existing conservatory has been demolished. The single storey rear extension will measure 5m wide and overhang to the side of the property by 2.4m. Height to the ridge of the proposal will be 3.5m and height to eaves 2.4m.

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 E3: Separation Distances
- RES E7: Rear Extensions
- RES E8: Single Storey Side Extensions

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 Policy RES E7 of the Residential Design Guide (RDG) states that rear extensions should not have an unacceptable impact on neighbouring amenity.

- 4.1.3 Policy RES E8 of the RDG also states that privacy distances should be retained between neighbouring properties in line with Policy RES E3 and that access to the rear of the property is also maintained.
- 4.1.4 The existing conservatory currently measures a depth of 2.5m and a width of 2.4m. The proposed rear single storey extension is proposed to measure a depth of 4m and an increased width of 5m which will overhang to the side of the property by 2.4m. The proposal will be set in from the boundary with No.9 Minster Crescent by 4.6m, this ensures that the proposal accords with the 45 degree rule and as such the proposal will not result in a loss of light for the occupants of No.9. Furthermore, orientation is also favourable ensuring no overshadowing. Access to the rear is also maintained at the application site.
- 4.1.5 No windows will be inserted within the side elevation facing towards No.9 Minster Crescent and as such this further guards against any privacy/overlooking concerns.
- 4.1.6 A set of patio doors and two full length windows are proposed within the side elevation which faces towards No.13 Minster Crescent. Existing boundary treatments and mature hedgerow/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 the neighbouring occupants of No.13.
- 4.1.7 Policy RES E3 of the RDG requires that 21m is maintained between facing windows of habitable rooms. Two sets of windows are proposed within the rear elevation of the proposal, a sufficient separation distance of approximately 27m will be maintained between the application site and properties to the rear on 'The Belfry'.
- 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) (LPP2) 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 Policy RES E8 of the RDG requires proposals for single storey side extensions to meet the following criteria:
- i) The extension is subordinate in design to the original property;
 - ii) The materials used, roof shape, style and proportion of windows and doors of the extension reflects and adds to the appearance of the house and its surroundings

4.1.11 The external materials to be used in the construction of the proposed single storey rear and side extension is brickwork to match the existing dwellinghouse. Lightweight tiles will be used for the roof whilst windows and doors will be uPVC. The proposed single storey side and rear roof will form of a joined up hipped roof. It is considered that this will appear subordinate to the host property and the side extension will also be set back considerably from the front elevation and as such only partially visible from the street scene.

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 prejudiced 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 Whilst the proposal will overhang to the side of the property by 2.4m it will not reduce the size of the existing driveway to the front/side elevation and as such adequate off-street parking will still remain.

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

Other Matters

4.1.16 The application site is within a High Risk Coal Area. The Coal Authority were consulted on the planning application. As the proposal is a "householder application", they have confirmed they have no comments to make other than inserting the comments in para 7.2 as an informative on any subsequent decision notice.

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. 1, Existing and Proposed Floor Plans and Elevations - Received 13th December 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 10/11/1137 – Side extension, rear dormer and rear conservatory
- 6.2 10/12/1150 – Discharge of conditions 2,3,5 and 6 of Planning Application

7.0 CONSULTATIONS

- 7.1 Public Consultation has taken place once; letters were posted to 7 neighbouring properties on the 21st December 2022 and no comments were received.
- 7.2 Coal Authority comments 6th February 2023:



Informative Note

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Informative Note valid from 1st January 2023 until 31st December 2024

8.0 CONTACT OFFICER: Emily Colebourne, Assistant Planning Officer

9.0 DATE PREPARED: 6th February 2023