

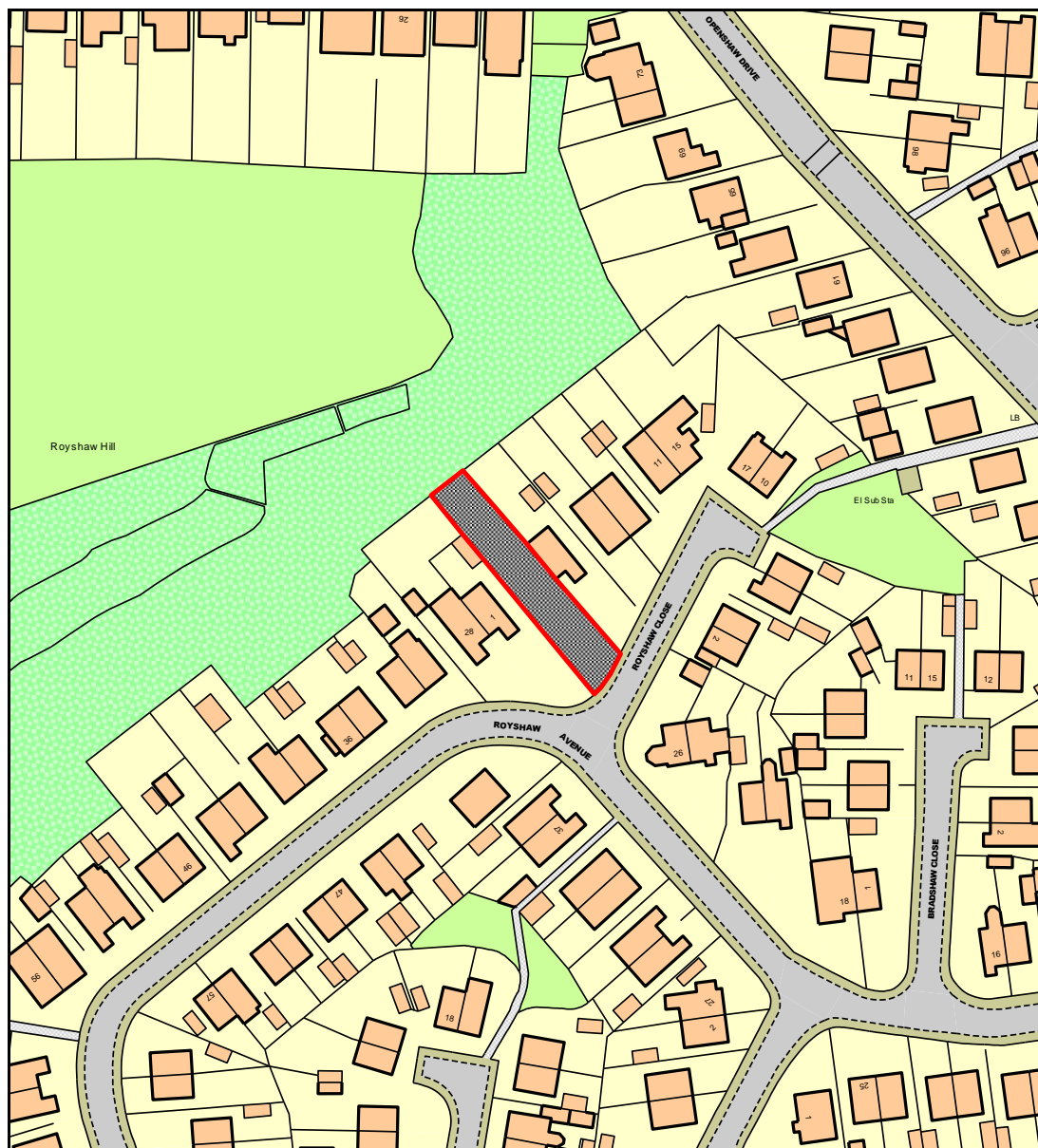
**Proposed development:** Retention of single storey side and rear extension, new side gate and activity wall in the rear garden, landscaping to the front and extension of residential curtilage to the rear.

**Site address:**  
3 Royshaw Close  
Blackburn  
BB1 8RW

**Applicant:** Ms Imtiaz Bibi

**Ward:** Roe Lee

Councillor	Phil Riley
Councillor	Sylvia Liddle
Councillor	Ron Whittle



## **1.0 SUMMARY OF RECOMMENDATION**

### **1.1 APPROVE – subject to the recommended conditions set out in section 5.0 of this report.**

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

2.1 This application is presented to the Committee through the Chair Referral process in accordance with the Scheme of Delegation as the works are retrospective. The proposed development has been publicised through letters to residents of adjoining properties. Two petitions containing 21 signatures against the proposal were received on 2<sup>nd</sup> June 2019. A formal re-consultation was carried out following the receipt of an amended scheme. The petition was submitted once again objecting to the proposed development on the 9<sup>th</sup> August 2019. A summary of the comments is set out in section 7 below.

## **3.0 RATIONALE**

### **3.1 Site and Surroundings**

3.1.1 The application site comprises of a single storey semi-detached dwelling located on the northern side of Royshaw Close off Royshaw Avenue, within the urban boundary of Blackburn.

### **3.2 Proposed Development**

3.2.1 Planning permission is sought for the retention of the single storey side and rear extension, the side gate, the activity wall and the proposed landscaping to the front of the dwelling. Details are as follows:

3.2.2 **Single Storey Side** – the development included the conversion of the detached garage into a toilet, store and workshop. The single storey wrap around element consists of a covered garage element down the side elevation with a maximum height of 3m and a 3m rear projecting element. The proposal requires consent due to the corner element which does not project out from either the rear of the side elevation.

3.2.3 **Side Gate** – this element is attached to the front of the side extension. This comprised of a black folding security gate as submitted. This was not considered to be in keeping with the host dwelling or surrounding area and did not represent a form of development which harmonised with the host dwelling. Subsequently, this has been amended to incorporate a timber boarded stained gate of a more traditional design.

3.2.4 **Activity Wall** – The applicant has landscaped their rear garden area to create a 2.8m high activity wall 450mm deep made from concrete with climbing elements attached. A 1m high mesh fence has also been erected to the top of the activity wall. The climbing wall is to be dressed with a vertical garden and timber cladding.

3.2.5 **Proposed Landscaping to the front** – The applicant has created an area of hardstanding to the front of the dwelling by tarmacking the drive area with border planters to the sides.

3.2.6 It was also brought to the Council's attention that the red edge as submitted incorporates land outside of the applicants' ownership to the rear of the property. Subsequently, the applicant has served notice B on the land owner and therefore consent is also sought for the extension of the residential curtilage.

### **3.3 Development Plan**

3.3.1 The Development Plan comprises the Core Strategy and adopted Local Plan Part 2 – Site Allocations and Development Management Policies. In determining the current proposal, the following are considered to be the most relevant policies:

#### **3.3.2 Local Plan Part 2 (2015) (LPP2)**

Policy 8: Development and People

Policy 10: Accessibility and Transport

Policy 11: Design

### **3.4 Other Material Planning Considerations**

#### **3.4.1 Residential Design Guide SPD**

This document provides targeted advice to ensure high quality new homes. It aims to ensure that new development reflects the individual and collective character of areas of the Borough and promotes high standards of design. The document also seeks to ensure a good relationship between existing and proposed development in terms of protecting and enhancing.

#### **3.4.2 National Planning Policy Framework (NPPF)**

The National Planning Policy Framework (Framework) is a material consideration in planning decisions. The Framework sets out a presumption in favour of sustainable development in Paragraph 7, which is the "golden thread" running through both plan-making and decision-taking. It identifies in Paragraph 8 that there are three overarching objectives to sustainable development. These are Economic, Social and Environmental. Paragraph 11 of the Framework explains that for decision making, this means approving development proposals that accord with the development plan without delay.

### **3.5 Assessment**

3.5.1 When assessing this application there are a number of important material considerations that need to be taken into account. They are as follows:

- Visual Amenity;

- Residential Amenity; and
- Highways.

### 3.5.2 Visual Amenity

Policy 11 of the Local Plan requires development to present a good standard of design, demonstrating an understanding of the wider context and make a positive contribution to the local area. The policy sets out a list of detailed design requirements relating to character, townscape, public realm, movement, sustainability, diversity, materials, colour and viability. This underpins the main principles of sustainable development contained in the NPPF.

The alterations to the side gate are considered to be more in-keeping and appropriate. The use of timber boarding represents a more traditional gate and staining it is considered to be of a more appropriate colour. Visually this will reduce the harshness of the development.

Extensions can be perceived as being prominent if not carefully sited and particular care should be taken with schemes visible from public vantage points. Further to this any extension should be well proportioned and sit comfortably with the original dwelling. It should respect the scale and proportions of the original dwelling.

Policies RES E7 Rear Extensions and RES E8 Single Storey Side Extensions of the Residential Design Guide requires that single storey extensions appear subordinate in design and 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.

The side element is screened by the side gate and is only partially visible from the highway and therefore would not be considered a prominent addition. It is single storey in nature and therefore appears commensurate in nature to the host dwelling. The single storey rear element would not be considered a prominent addition within the streetscene as it would be screened by the existing dwelling and the side element; it would therefore not have an adverse impact upon the appearance of the dwelling.

The use of matching materials such as the facing render and the UPVC window finish would maintain coherence between the main dwelling and the development. The development will therefore not result in any harm to the appearance of the host dwelling or the surrounding area and would accord with LPP2 Policy 11 and RES E1, E7, E8 and E9 of the Residential Design Guide.

Members should note that the only element of the development which requires planning permission is the corner element. The side extension which projects of the side elevation of the existing dwelling and the rear element which projects of the rear elevation meet the requirements of the General

Development Permitted Order and is considered to be permitted development.

Taking into consideration the above it is considered that the side and rear extension would have no greater an impact than what can be erected under the permitted development and therefore would meet the requirements of Policy 11 of the LPP2.

The activity wall is located to the rear of the dwelling and therefore would not be visible from the streetscene and would therefore not be considered a prominent addition. The softening of the design of the wall by the introduction of a vertical garden and timber cladding will soften and reduce the visual impact of the wall. It is, therefore, considered that the activity wall does not have a harmful impact upon the host dwelling or the surrounding area and accords with Policy 11 of the LPP2.

The creation of the hardstanding area to the front of the dwelling is retrospective. Members should note that the material used is porous tarmac and the development allows water to drain through and is therefore permeable. The proposed development, therefore, falls within the remits of permitted development and does not require planning consent. The applicant also proposed to inset border planters down either side of the hardstanding area which will soften the proposed development to an extent.

It is acknowledged that the other dwellings in the immediate area benefit from grassed front garden areas with a small area of driveway to the side. In terms of visual impact, I am of the opinion that the hardstanding has no greater and impact than what the applicant could install under permitted development.

Therefore, it is considered that the proposed development accords with Policy 11 of the LPP2.

### **3.5.3 Residential Amenity**

It is important to consider the potential impact the proposed development would have on the residential amenity of the occupiers of nearby dwellings. LPP2 Policy 8 states that development must secure a satisfactory level of amenity for surrounding uses with reference to issues including; loss of light, privacy/overlooking and the relationship between buildings. This is reiterated and further guidance is supplied within the Residential Design Guide.

The side elevation which faces towards No. 28 Royshaw Avenue will accommodate 3 window openings which will allow light into the covered garage. As the development does not include any habitable window it would therefore not result in overlooking or loss of privacy.

It is acknowledged that the rear element would have an impact upon the windows present upon the rear elevation of No. 3 Royshaw Close, however, the fall-back position is that permitted development allow for a 3m extension to be erected without the need for planning consent. It is therefore considered

that the development would have no greater impact than what can be erected without planning consent.

Compliance with Policy 8 of the LPP2 is therefore achieved.

#### **3.5.4 Highways**

The development does not increase the size of the property in terms of bedrooms. Therefore, the current parking standard does not change. The property is a 3 bed dwelling which requires the provision of 2 car parking spaces.

The erection of the side and rear extension included the loss of the driveway to the side of the dwelling and the conversion of the garage to a workshop. However, it is considered that there is adequate parking to the front of the dwelling. The provision of the hardstanding area ensures that the property can provide more than 2 off-street parking spaces.

Accordingly, the proposal accords with Policy 10 of the LPP2.

#### **4.0 CONCLUSION**

Taking into account the above, the granting of the retention of the development does not result in any significant harm to the character and appearance of the existing dwelling or the surrounding area nor does it cause any significant harm to the amenity of neighbouring residents.

#### **5.0 RECOMMENDATION: Approve subject to Conditions which relate to the following matters:**

- Time – the amendments (changes to the side gate, the cladding of the rear activity wall with a vertical garden and timber cladding and the removal of the fence to the rear) to the development must be completed within 2 months of the decision date
- Plans

#### **6.0 PLANNING HISTORY**

N/A

#### **7.0 CONSULTATIONS**

Two petitions containing 21 signatures against the proposal was received on 2<sup>nd</sup> June 2019. The reasons against the development are given as follows:

Reasons:

- Design and materials not in-keeping with the area
- Lighting is sensitive and intrusive and more in keeping with an industrial estate

- Activity wall is a retaining wall
- Drainage/water run off issues
- Loss of greenery due to tarmacking of the entire site
- imbalance of the two semi-detached properties
- Increase in land levels to the rear garden
- Ugly shed like building has been erected
- Prison like fencing and cameras

**8.0 CONTACT OFFICER: Rebecca Halliwell - Planner**

**9.0 DATE PREPARED: 4<sup>th</sup> September 2019**

**10.0 SUMMARY OF REPRESENTATIONS**

## Planning permission 3 Royshaw Close

10/19/0 443

The householders in Royshaw Close take pride in their properties and surroundings

The shed that has been constructed on the side of number 3 with the black doors and the corrugated plastic windows is the first thing you see as you approach the Close and the residents feel it is not in keeping with the aesthetics of the area

### REQUESTS TO LANDSCAPE THE FRONT

Previously to the present owners purchase this was a lawn and trees I didn't know landscaping consisted of removing every bit of greenery and replacing it with tarmac without placing any drainage which results in surface water running onto the footpath and across the road to the drain

What does worry me is that the house attached to it is for sale and if the new owners think this is acceptable we could be approaching the Close and looking at the equivalent of a municipal carpark.

The three large spotlights on the front of the house are more in keeping with an industrial estate these are offensive to the neighbours on the opposite side of the Close as they are positioned wrongly and set so sensitive that anyone walking on the Close, passing traffic or even a cat will activate them.

The result is the bedrooms and lounges of the houses are continually floodlit by lights switching on and off as each one is activated we have photographic evidence of this

One of the neighbours has great difficulties due to an eye condition and has made several requests to him personally to adjust them but this has been ignored

### THE REQUEST FOR RETENTION OF SIDE AND REAR EXTENSION

When he purchased the property the house was identical to the attached semi with a detached garage.

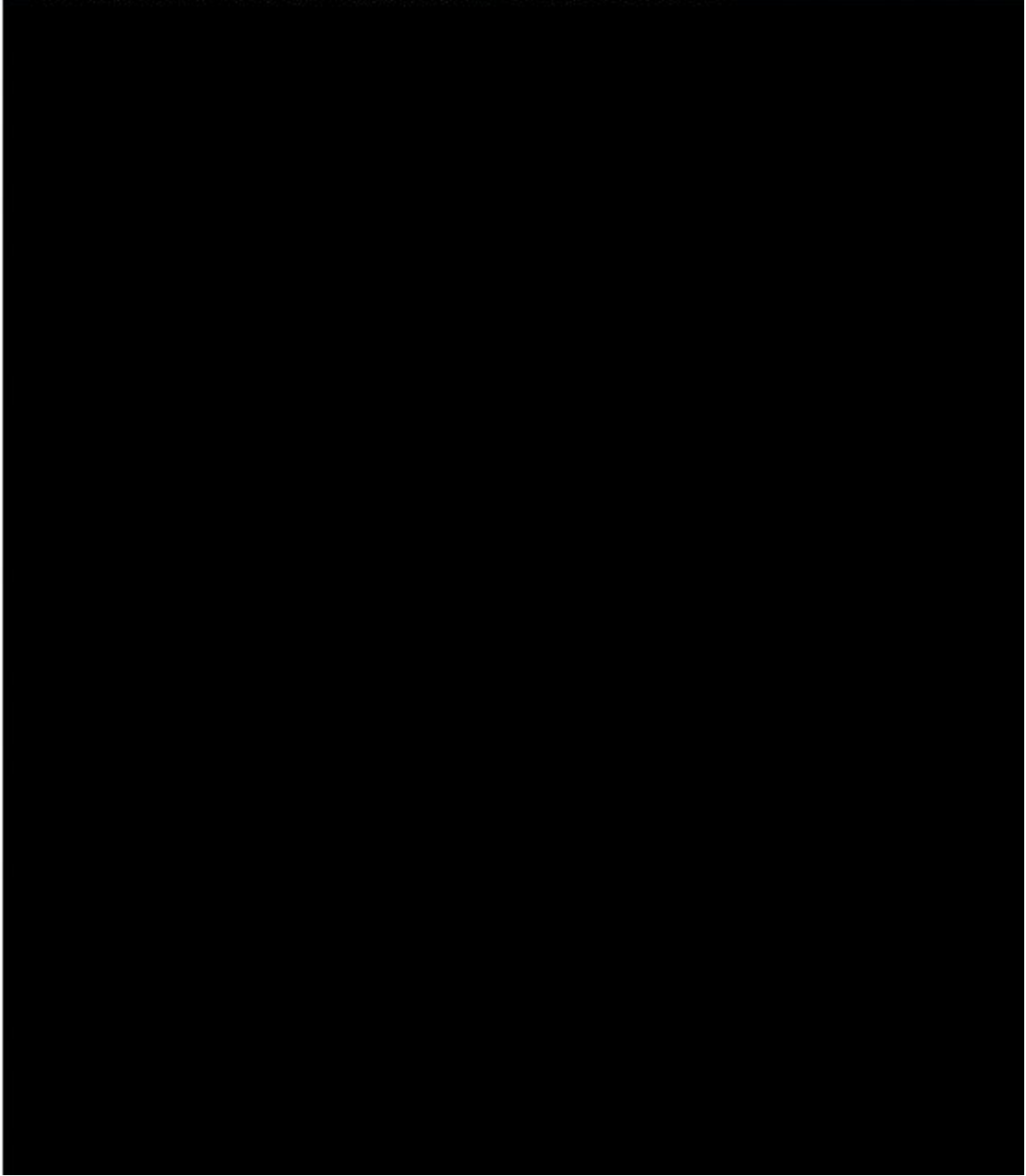
All the buildings have been added and attached by the current owner

Many of us have lived here for nearly fifty years and new neighbours have all

joined into the community of the Close we enjoy the scenery and wildlife this environment brings

What we as neighbours cannot understand is why anyone would purchase a property if you dislike the environment so much that you have to destroy all the greenery surrounding it as well as claiming extra land at the rear then removing all the trees and shrubs from that piece of land.

The level of the back garden has been raised with hardcore ignoring drainage issues before erecting what is in fact a retaining wall and calling it an activity wall, ugly shed like buildings, tarmacing everywhere, and prison like fencing, surveillance cameras and huge security lights at both the rear and front of the property. this is very disconcerting for a quiet cul de sac.



Residents of Royshaw Avenue BB1 8RJ

Planning Ref: 10/19/0443

3 Royshaw Close

We the residents of Royshaw Avenue who live in close proximity to the property do not feel that the work so far undertaken is in keeping with the area and wish to lodge the following concerns with regard to this retrospective application:

Corrugated plastic windows in the side extension.

Large industrial style door to side extension.

Security lighting that is very sensitive and often intrusive.

An activity wall that is also a retaining wall.

Cannot find a new side gate.

Landscaping to the front consists of tarmacing the entire area. Water runoff from such a large area could cause damage to neighbouring gardens/property.

