

Application Recommended for Approval

APP/2008/0311

Rosehill with Burnley Wood Ward

Full Planning Application

Retrospective application for retention of two detached dwelling houses as built (varied from permission APP/2003/0957) including increased roof height

1 WAYSIDE HOUSE HIGHER HOWORTH FOLD, BURNLEY

Background:

The application relates to two completed houses (one yet to be internally finished). Objections have been received.

Summary of Reason for Recommendation:

The development is generally in accordance with the Development Plan, in particular the policies listed below, and there are no other material considerations to indicate that planning permission should not be granted:

Relevant Policies:

Burnley Local Plan Second Review

CF3 - Protection of existing public parks, informal recreation areas, major open areas, play areas and other areas of open space

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

H2 - The sequential release of further housing land for development

H3 - Quality and design in new housing development

H4 – Providing a choice of housing in new development

TM15 - Car parking standards

TM5 - Footpaths and walking within the urban boundary

Site History:

2003/0743: Outline application for one dwelling – Granted

2003/0957: Proposed erection of two detached dwellings - Granted

Consultation Responses:

Neighbouring Residents – Two letters from residents (one on Rosehill Road; one on Howorth Road) making the following objections (summarised):

1. The houses are too high.
2. Loss of privacy - windows overlook bedroom windows.

Planning and Environmental Considerations:

Planning permission was granted for two detached houses in 2004, the site being part of a group of dwellings and former farm buildings known as Higher Howorth Fold. The small group is set on the east facing hillside below Rosehill Road from which the site gains access via an existing track. Another detached house has recently been built under a separate planning permission by a different developer.

In building the houses the developer sought to make use of the already substantial roofspace to provide additional accommodation. In doing so the houses were built 0.8m higher, increasing headroom in the second floor by that amount.



The two houses, as built



Setting of the group - the two houses - adjoining house

Principle of the development

Whilst in an area identified in the then operative Local Plan as a Major Open Area the development (being replacement of existing buildings) was acceptable under the relevant policy when permission was granted in January 2004.

Similarly the development was assessed in relation to policies relating to release of housing land, car parking and adjacent footpaths in effect at that time.

On this basis, the principle of the development is established.

Development Plan

The proposal is generally in accordance with the relevant Local Plan policies cited above. It should, however, be assessed against the relevant provisions of **Policy H3**

- (i) *Is suitable in terms of overall design, including layout, materials, size, scale and siting when compared with both neighbouring properties and the wider locality;*
- (ii) *the amenity of neighbouring properties is protected and the development minimises overlooking, and provides a reasonable degree of privacy and outlook;*

The dwellings are not significantly different in appearance from those previously permitted. The additional accommodation results in larger dwellings which in turn contributes to the variety of housing in the Borough sought by Local Plan **Policy H4**

The dwellings are approximately 120m from houses on Rosehill Road; there would be no meaningful loss of outlook or amenity to those dwellings.

The dwellings face east towards the rear of dwellings on Howorth Road, which are set at a lower level. However, there are intervening trees, and a distance of around 75m between facing windows. The main windows in the retained houses are at the level permitted previously, but roof lights have now been added to serve second floor bedrooms. The effect of these has been inspected on site. When open, they give an outlook towards the Howorth Road houses but no significant loss of privacy was noted. The normal privacy distance expected by Local Plan policy is 20m.

On this basis, it is concluded that the dwellings, as built, are in accordance with Local Plan policies.

Recommendation: That planning permission be Granted subject to the following condition:

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no building, engineering, mining or other operations shall be carried out in, on, over or under the land the subject of this application at any time, other than:
 - (a) development in accordance with the application form and details shown on the approved plans, or on any subsequently approved amended plans; and (b) the painting of the exterior woodwork of any building.

Reason

1. To enable the local planning authority to consider future development having regard to all relevant material considerations.

AR
6.6.2008