

Full Planning Application
Retention of raised decking to yard
6 BRUNEL STREET BURNLEY

Background:

A timber decked area, raised 850mm from the yard floor, has been constructed at the rear of the dwelling. The decked area measures approximately 1.5 metres by 2.8 metres and is situated between the end of the kitchen extension and the rear yard wall. The area underneath the decking is used for storage of refuse recycling boxes.



View down back Brunel Street

Objections have been received from residents across the back street on Arkwright Street.

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

GP1 - Development within the Urban Boundary

H13 - Extensions and conversion of existing single dwellings

Consultation Responses:

- 1 Lancashire County Council (Highways) – no highway issues are raised.
- 2 Residents of two dwellings on Arkwright Street have expressed concern about overlooking and the loss of privacy to their properties. The objection has not been overcome by the proposal to erect a 400mm screen fence.

Planning and Environmental Considerations:

The main issue relates to the impact of the decking on the amenities of neighbouring dwellings.

The decking is located in the rear yard of No. 6 Brunel Street which faces the rear of dwellings on Brassey Street. The dwellings on Brassey Street are set approximately 1.5 – 2 metres below the dwellings on Brunel Street.

Policy H13 of the Local Plan is relevant and allows for alterations and extensions to dwellings which are designed to be in keeping with the dwelling and the surrounding area; do not lead to an unacceptable loss of parking or amenity space; or do not adversely affect residential amenity.

Design and impact on surrounding area

The design of the decking is acceptable. It is well constructed in timber, and its visual impact on the surrounding area is minimal. Only a small portion of the handrail is visible above the rear boundary wall.



View of decking in rear yard

Parking and amenity space

Parking arrangements are not affected by the proposal. There is no off-street parking available but cars park on Brunel Street at the front of the property.

The property has a front garden area which is not affected. There is more than half the rear yard remaining following construction of the decking.

Impact on residential amenity

At present when a person is sitting or standing on the decking it is possible to view the rear windows of the house and limited areas of the garden of Nos. 16 and 18 Brassey Street and also to view the adjacent yard areas of No. 4 and 8 Brunel Street. The views towards No. 20 Brassey Street are screened by rear fences and vegetation.

If the 400mm fence, as agreed by the applicant, is erected, the views from a sitting position would be screened to No. 16 and 18 Brassey Street and very limited to the yard areas of the adjacent properties.

It would still be possible to view the rear windows of the Brassey Street properties and the yard areas from a standing position. This would be mitigated to a large extent by the positioning of sheds / outbuildings in the gardens of Brassey Street, the rear fences / gates and vegetation.



View when standing on middle of the decking looking towards Arkwright Street



View when standing at kitchen window looking towards Arkwright Street



View towards rear yard at 4 Brunel Street



View towards rear yard at 8 Brunel Street

The distance from the centre of the decking to the nearest window on Brassey Street is approximately 12 metres but there is an existing window in the kitchen extension of the application property, immediately next to the decking, which has practically the same view as that of someone standing on the decking.

Having regard to the size of the decking, which is only of sufficient size for a small table and two chairs, it is most unlikely that it would be used by someone standing on the decking for periods other than for accessing the chairs.

This is a finely balanced case, between protecting the amenity of the neighbouring residents and allowing the applicant to retain the decking.

Having regard to the size of the decking; its likely limited use; that the proposed timber fence would cut out views when someone is in the sitting position; the distance to the rear of the houses; the existing screening available in the gardens; and the position of the existing kitchen window in the application property which already has the same views as views from the decking, it is considered that the retention of the decking is acceptable and would not have an unacceptable impact on the amenities of the neighbouring residents.

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

Conditions

1. The proposed 400mm close boarded timber fence shall be constructed on top of the yard boundary walls of the dwelling as set out in the application within 2 months of the date of this decision. The fence shall remain in place as long as the decking hereby approved remains in place.

Reasons

1. In order to minimise issues of overlooking and loss of privacy for neighbouring dwellings, in the interests of residential amenity having regard to Policy H13 of the Burnley Local Plan Second Review.

CMR
08/05/2013