

**Application Recommended for Approval**  
Rosegrove with Lowerhouse Ward

**APP/2009/0537**

Full Planning Application  
Proposed two storey extension to rear of surgery  
225 - 227 SURGERY GANNOW LANE BURNLEY

**Background:**

The application is for the erection of a two-storey extension to the rear of the surgery.

Objections have been received.



*Proposed two-storey extension to rear of surgery*

**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

GP3 - Design and Quality

CF11 - District and Local Centres

CF14 - Provision, Retention and Enhancement of Community Facilities

**Site History:**

12/89/1140 - Proposed change of use and conversion of former bank and private dwelling into surgery for general medical centre (Approved)

TP 7986 - Wire Vision Repeater Kiosk (1964) (Approved)

## Consultation Responses:

### LCC Highways:

Under the revised RSS parking guidelines a medical centre development should provide a minimum of 3 parking spaces per consulting room and 1 parking space per 2 staff. Whilst it would not be appropriate to use for the existing surgery I would, in view of the heavy demand for parking in what is a predominantly residential area, consider it appropriate to use these levels for any extension of the practice. On the basis of the information supplied [acceptable parking provision] would not be feasible given the constraints of the site and I would therefore recommend that the application be refused on the grounds that the additional parking requirement generated by the development will invariably be on-street which will have both safety and amenity consequences.

*The agent / applicant were advised on the Highways Engineer comments and discussions were carried out. The applicant / agent explained that the existing off-street parking spaces to the rear of the property, on which the extension would be built, is used by staff member rather than the public. A formal lease has been agreed between the surgery and a local club, which allows staff members to park within the club's car park. Following these negotiations, the Highways Engineer had the following subsequent comments to make:*

I have been contacted by a Mr Flanagan working on behalf of the Rosegrove Surgery regarding my concerns regarding the lack of parking. He has informed me that a lease for 10 spaces has been taken out within the Railway Club approximately 135m from the surgery. On the basis of this information and the arguments put forward by Mr Flanagan I would withdraw my objection but would suggest that a suitable condition be attached to any permission that may be granted requiring the applicant to maintain this parking provision and in the event that the lease is terminated by either party, for whatever reason, the applicant shall be required to seek alternative provision for 10 spaces.

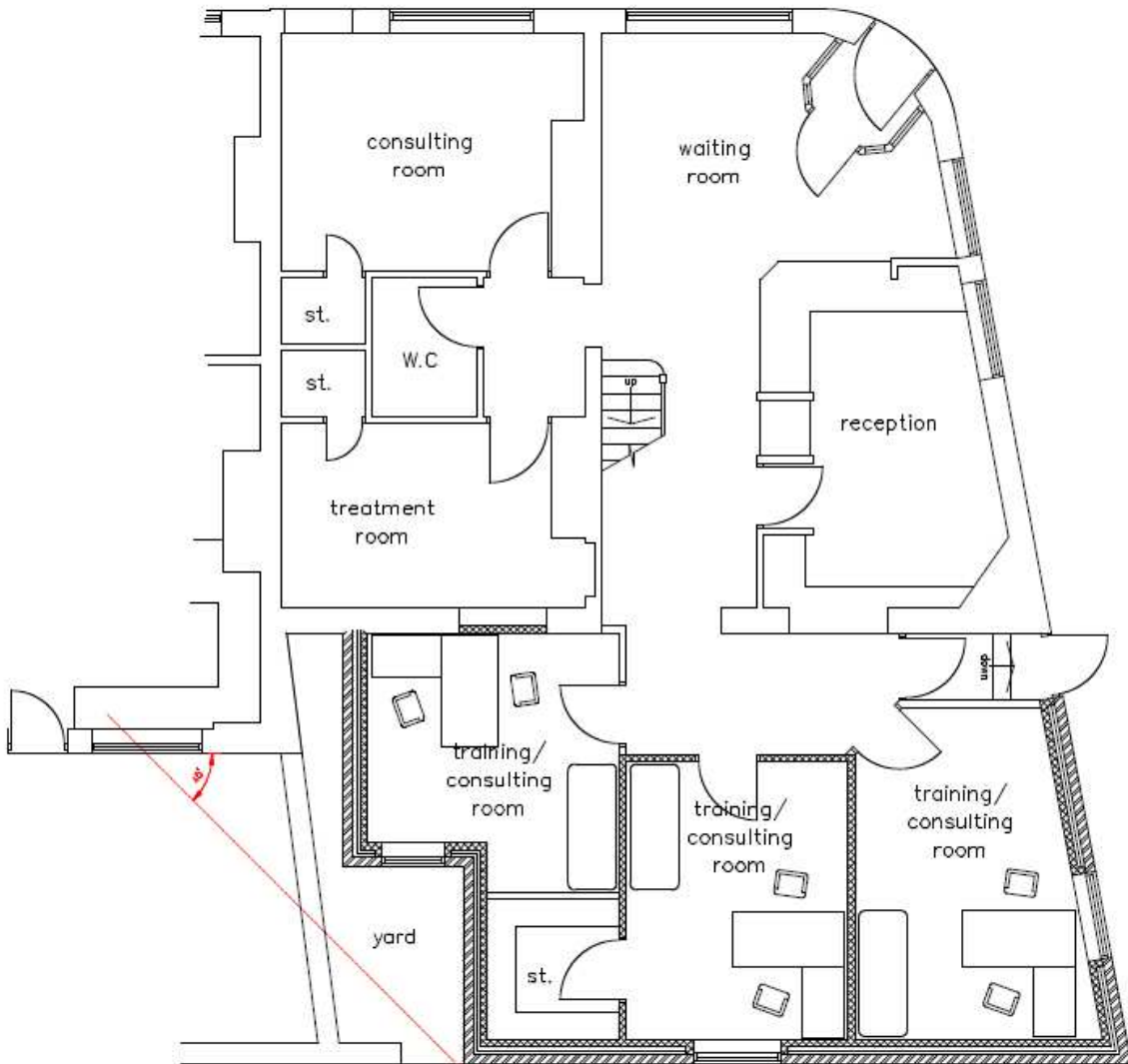
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Neighbour comments from no. 223 Gannow Lane objecting on the following grounds:

- Parking will be a problem as patients could park on the back street and block access to the rear of my property.
- Staff will now have nowhere to park (*a formal lease has been agreed as explained above*)
- When we purchased our property the rear yard walls were 7ft tall and blocked a lot of daylight therefore we removed these walls and spent several thousand pounds rebuilding them shorter to let more light through to our property - the extension will shadow out all of this light
- We appreciate that a lot of people would be supportive of an extension to the surgery but they only visit and do not have to live alongside [the surgery]

## Planning and Environmental Considerations:

The proposal is for the erection of a two-storey extension to the rear of the existing surgery. Initially, the full side of the proposed extension, with a depth of 5.9m, lay alongside the boundary with no. 223 Gannow Lane. However, concerns were raised in relation to the loss of outlook to the rear of no. 223 and as a result of these concerns the extension was amended.

The amended proposal now occupies the majority of the existing space to the rear of the building, up to the back street, but a segment of its northwestern corner has been removed in an attempt to overcome the perceived loss of outlook from the rear of no. 223. The extension has an overall depth of 6.1m from the main rear elevation of the surgery. Given that the extension is not completely rectangular in shape, its width varies between 9.5m at its shortest and 10.7m at its widest. It would have an eaves height of 6.2m and a ridge height of 9.15m, adjoining the same eaves and ridge of the main building.



Proposed Ground Floor Plan

The main issues to consider are materials / design; the amenities of neighbouring properties including light, privacy and outlook; impact on the streetscene and traffic / parking.

The proposed extension would be constructed from natural stone and blue slate to match the existing property, with matching PVC windows. These materials match the existing property and are therefore acceptable. In terms of design, the eaves and ridge height of the proposed extension would match those of the main existing building and the window alignment reflects the existing arrangement. The proposal has an acceptable design which is in keeping with, and relates well to, the main building.

Subsequently, because the extension is of an acceptable design which is in keeping with the main building, it would not appear unduly prominent and it would not have a detrimental impact on the visual amenity of the area.

To the rear (north) of the application site lies the side of a convenience store / off-licence. The proposed extension would not adversely affect light, privacy or outlook from this perspective.

To the western side of the application site lies properties on the opposite side of Lowerhouse Lane. The proposed extension would not come any nearer to these neighbouring properties (which are primarily commercial properties although there are some residential properties and more than likely first floor flats). As such, residential amenity would not be adversely affected from this perspective.



*Rear of no. 223 Gannow Lane*

The surgery forms the two end properties on a terrace block. The next property is no. 223 Gannow Lane. Concerns have been raised that the proposed extension would result in a loss of light and outlook from the rear of this neighbouring property. The initial design of the extension would have, in my view, unacceptably impacted upon the light and outlook from the rear windows of no. 223. Following discussions, the shape and mass of the extension on the side nearest to no. 223 has been reduced. There are no windows proposed on the side elevation that would overlook the rear of no. 223. After careful consideration, this reduction, in my view, now brings the proposal within the margins of acceptability. Whilst I appreciate that there will obviously be a notable change, as with almost any form of development, this change is not to a degree in which it would cause significant and unacceptable impact.

The remaining concern with regard to the proposed development relates to traffic and parking. The proposed extension would occupy existing off-street parking space to the rear of the property, and this was an issue highlighted by the Highways Engineer. However, the applicant / agent have explained that these spaces were used for staff members of the surgery. Following discussions, a formal lease has been agreed with a local club which have offered ten off-street parking spaces for staff members. This will not only compensate for the loss of the parking spaces at the rear, but also provide additional spaces not available in the present situation, as the existing staff parking provision to the rear of the property is much less than the ten spaces offered in the formal lease. As a result, the Highways Engineer no longer objects to the proposal but advises that a condition is added to the decision, if approved, instructing that if this lease is no longer available, an acceptable alternative is found.

In terms of parking provision for members of the public / patients visiting the surgery, it is very difficult to draw a direct comparison that clearly shows that the increase in surgery provision will lead to an increase in visitors arriving by car accurately reflecting the increase in size of the surgery. By its nature, many visitors / patients would not arrive by car and as the surgery would serve, on the most part, the local community, this would be within walking distance. Furthermore, the surgery lies within a local centre and alongside a bus route. After careful consideration, in my view the proposed extension to the surgery would not result in a clear, considerable and direct increase in on-street parking to the detriment of the local centre. Parking and traffic would not be affected to an extent in which it could be fully justified and defensible to refuse planning permission for this reason.

The occupiers of no. 223 have raised concerns that visitors will park on the back street and thus block access from Lowerhouse Lane to the rear of their property. In terms of rights of access, there is separate legislation in place for this and if the occupiers of no. 223 have a formal Right of Access along the back street they are advised to seek legal advice on this private matter that falls outside of planning control.

The Highways Engineer has raised a valid point in which there is no direct access to the rear yard from the surgery, and the only route would be from the entrance on Lowerhouse Lane and around the side of the extension. It is possible that slight internal amendments are carried out which would allow for direct access to the rear yard and I feel it prudent to instruct that such options are explored and an acceptable arrangement is submitted by way of condition.

In summary, whilst the concerns of the occupiers of no. 223 are completely understandable, I feel that the amended proposal no longer adversely affects the residential amenity of this property to a significant and unacceptable extent. It is also difficult to clearly show that traffic and parking will be increased as a direct result of the extension and this is further reiterated by the withdrawal of the Highway Engineer's initial objections.

On balance, the application falls within the aims of the above Burnley Local Plan policies and is considered acceptable.

**Recommendation:** That planning permission be granted subject to the following conditions:

1. The development must be begun within three years of the date of this decision.
2. Before any development commences, suitable and acceptable arrangements in relation to refuse disposal and access to the rear yard shall be submitted to and approved in writing by the Local Planning Authority. The agreed arrangements shall be implemented within 3 months from the extension being in use.
3. The ten spaces at the nearby Railway Club shall be retained at all times the extended surgery is in use. If the spaces become unavailable, an acceptable alternative shall be submitted to and approved in writing by the Local Planning Authority.

#### **Reasons**

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure that suitable arrangements in relation to refuse disposal are made, in the interests of visual and residential amenity, in compliance with policy GP3 and CF14 of the Burnley Local Plan Second Review.
3. To ensure that adequate off-street parking spaces for staff members are available at all times, in the interest of local amenity and highway safety, in compliance with policy CF14 of the Burnley Local Plan Second Review.

BS 09/12/2009