

Full Planning Application  
Proposed erection of detached garage to rear.  
3 BRONTE AVENUE

**Background:**

The application is for the erection of a detached garage to the rear of the property.

Objections have been received.



*Position of proposed garage (needs to be set back 2.8m from back 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

GP3 - Design and Quality

H13 - Extensions and conversion of existing single dwellings

**Site History:**

12/97/0434 – Single storey extension to form porch, garage, kitchen and conservatory (approved).

**Consultation Responses:**

Highways:

It would appear that the proposed garage building is to abut directly onto the adopted highway of back Bronte Avenue/Brunshaw Road. This would be unacceptable to Lancashire County Council acting as the Highway Authority.

In order to access the garage, manoeuvring space of 6m would be required, however, the back street carriageway is approximately 3.2m wide leaving a deficit of 2.8m.

I therefore object to the proposal on the basis that there is inadequate manoeuvring space for vehicles to access the proposed garage. I would suggest that the developer should look to set back the garage a minimum of 2.8m from the adopted back street in order to attain the required manoeuvring distances. Should the developer seek to submit an amendment to this effect, I can confirm that I would have no further objection.

*(This amendment has been requested but amended plans have not been received at the time of writing this report – 27 August 2008).*

1 neighbour letter and one email on behalf of 4 neighbours, objecting on the following grounds:

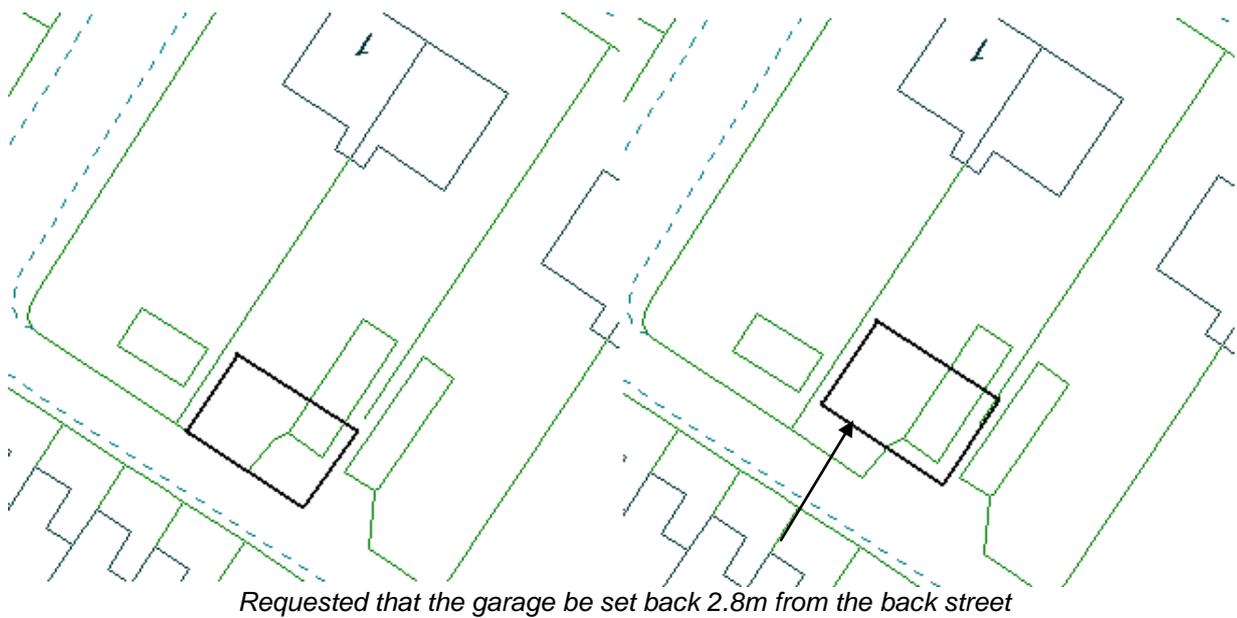
1. The applicant has stated on the application form that the work has not started. The work actually commenced around 08 June 2008, when the back wall was demolished. Since then shrub trees have been removed, earth excavated and footings have been dug out. *(It is at the applicants own risk to commence work before receiving the relevant consents and the application shouldn't be refused for this reason alone).*
2. The applicant has stated that no vehicular or pedestrian accesses will be created or amended. As the proposed building is a garage, we presume that access will be gained to the garage from the back street and the adjacent pedestrian access gate will also be from the back street. *(This could be an oversight on the applicants behalf).*
3. The applicant has stated on the application form that there are no trees or hedges that are within falling distance of his boundary. There are at least 3 trees of some 20ft close to the boundaries of 3-5 Bronte Avenue and the back street of Brunshaw Road. It is our view that these would need removing or pruning. *(Discussed below).*
4. The width and height of the proposed structure will reduce the amount of light from the rear of no's. 412-416 Brunshaw Road. *(Discussed below).*
5. The garage would be very close to the rear of properties on Brunshaw Road, resulting in even more reduction in light. *(Discussed below).*
6. The manoeuvring required to drive into the garage from the back street is a hazard; it would be very close to our backyard walls when sweeping around to turn into the garage. *(Highways have requested the garage be set back 2.8m from the back street – amended plans have been requested but have not yet been received).*
7. There are double yellow lines outside no's. 408, 410 and 412 Brunshaw Road so residents of said properties have to park on the side of no. 408 or on the back street. How would [the applicant] gain access or be able to leave if any of us were parked on the back street, or maybe cleaning our vehicles outside our own properties? *(The back street is a highway and the public have right of access across it.)*
8. Children play on the back street because there are no other local amenities for them. The garage door will open right out onto the back street and [the

applicant] would not be able to see them until he was half way out of the garage. (*This would not be the case if the garage is set back*).

9. This would be the only garage of its type in the immediate vicinity and would cause a dangerous precedent as regards any future developments and possible safety issues. (*There is an existing garage immediately to the side of the application site of similar height and mass, although this garage is not accessed from the back street itself but instead from Bronte Avenue to the side*).
10. Children and residents will be awakened by engine noise, slamming of car doors, opening and shutting of garage door, and overall noise pollution. (*There is other legislation that can deal with noise pollution if the garage is being used unreasonably or at unreasonable times*).
11. The proposed building is of a very high standard, with toilet facilities and cavity walls, mains electric, i.e. the garage would be finished to dwelling quality and we are concerned that the garage would be used for a dwelling or commercial (*any change of use of the garage, be it to a separate dwelling or to use for commercial activity would require a subsequent planning application*).
12. The back street is constructed from large concrete slab segments which tilt and move with vehicles using it – these are disturbing the back yard walls etc (*This is an issue that needs to be investigated by the Highway Authority.*)
13. There have already been extensions completed to the gable end of no. 3 Bronte Avenue, comprising of a garage and a kitchen, surely this is sufficient for his garage needs. (*The application needs to be decided on its own individual merits; it is plausible that the applicant may have more than one car which the existing garage cannot accommodate*).

### **Planning and Environmental Considerations:**

The proposal is to erect a detached domestic garage in the rear garden of no. 3 Bronte Avenue, with access onto the back street of Brunshaw Road. The original plans showed that the garage would directly abut the back street.. This raised objections from the Highways Engineer and a request has been made to set the garage back by 2.8m to allow sufficient manoeuvring space. These amended plans have not been received at present but the considerations in this report will be made on the basis that these will have been submitted by the date of Committee.



The proposed garage would measure 9m in width and 5.95m in depth. It would have a pitched roof, measuring 2.1m to the eaves and 3.6m to the ridge. An access gate is proposed immediately to the left of the garage, allowing pedestrian access from the back street into the rear garden area.

The main issues to consider are materials/design; residential amenity; impact, if any, on the streetscene; highway safety and the potential loss of any nearby trees.

The proposed extension would be constructed from concrete blockwork with pebbledash finish, to match the existing property, with concrete tiles, also to match the existing property. Concerns have been raised that the garage would be constructed to a very high standard and that it may be used for other purposes in the future. This can be safeguarded against by way of condition. Because the garage would be finished in a high standard, its design and appearance would be acceptable.

No. 1 Bronte Avenue is the second property on this semi-detached pair. This property has an existing garage at the very end of the garden. The proposed garage, once set back from the back street by 2.8m would be approximately 13m from the rear of this neighbouring dwelling. Because the proposal is single storey only, and it would be no nearer than the existing neighbouring garage, residential amenity would not be adversely affected with this neighbouring property.

No. 5 Bronte Avenue lies to the north-east of the application site. Again, this dwelling is sufficiently distanced from the position of the proposed garage so as not to be adversely affected in terms of residential amenity.



*No. 1 Bronte Avenue*



*No. 3 Bronte Avenue*

To the south of the application site lies the rear of properties on Brunshaw Road. Objections have been raised from some of the occupiers of these neighbouring properties. The objections state that the garage would take away light from the rear of properties on Brunshaw Road. However, the garage would be the same height as the existing garage at no. 1 Bronte Avenue, its eaves height being only slightly higher than the backyard walls on Brunshaw Road. In addition, it has been requested that the garage be set back 2.8m from the back street. In light of the above, it is considered that any loss of light would be negligible and would not warrant a refusal of consent.



*(Proposed garage)*

*Rear of properties on Brunshaw Road*

The garage would not be prominent and would only be slightly visible when walking past the back street. It would not look out of place, being adjacent to an existing garage and it would not cause detriment to the streetscene.

Provided that the garage is set back as requested, there are no further issues in relation to highway safety that can be dealt with under planning legislation. The condition of the back street is an issue that the Highway Authority would need to deal with and any possible problems in relation to noise can be dealt with under Environmental Health legislation.

There are two small trees in the rear garden of no. 5 Bronte Avenue. It is possible that the proposed garage may affect the root system of these trees. However, they are of small size and do not have a good appearance. They are not prominent and have little amenity value. It is not considered worthwhile applying a Tree Preservation Order and the landowners at no. 5 may fell these trees at any time if they do so wish.



*Trees to rear of no. 5 Bronte Avenue*



*Trees to rear of no. 1 Bronte Avenue*

There is a tree in the rear garden of no. 1 Bronte Avenue, located next to the north-east corner of the existing garage. This has a better appearance than the first two trees. However, its prominence is extremely limited and because it is hidden behind the garage and set back from public points of view, it has very little amenity value. Again, it is not considered worthwhile applying a Tree Preservation Order on this tree.

In conclusion, the garage may be larger than usual and be in addition to an existing garage accessed from the front of the property, but it would not cause an unacceptable loss of light or any other effect to visual or residential amenity. The use of the garage can be safeguarded and provided the garage is moved 2.8m from the back street, it would not cause detriment to highway safety.

The proposal is therefore in accordance with the above Local Plan policies and is considered acceptable.

**Recommendation:** That the Head of Planning and Environment be delegated to approve the application subject to amended plans being received showing the garage set back 2.8m from the back street of Brunshaw Road. If amended plans are not received or agreed, the application should be refused on the grounds of highway safety. The possible approval should be subject to the following conditions:

1. The development must be begun within three years of the date of this decision.
2. The proposed garage shall not be used for commercial or business activity at any time and shall only be used for domestic purposes ancillary to the enjoyment of the main dwellinghouse.

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. In the interests of residential amenity and highway safety.

BS

27/08/2008