

**Application Recommended for Approval**  
Whittlefield with Ightenhill Ward

**APP/2012/0498**

Full Planning Application  
Proposed detached garage and enlargement of driveway  
30 LINGMOOR DRIVE BURNLEY

**Background:**

It is proposed to construct a double garage within the front garden area of the house, which is located at the junction of Lingmoor Drive and Cartmel Drive. The driveway would be altered to accommodate vehicular access to the garage.

Work started on the erection of the garage but stopped when the applicant became aware that planning permission was required.



An objection has 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

GP3 - Design and Quality

GP6 - Landscaping

H13 - Extensions and conversion of existing single dwellings

TM15 - Car parking standards

**Site History:**

12/81/0160 – Revised layout for residential development – granted

## Consultation Responses:

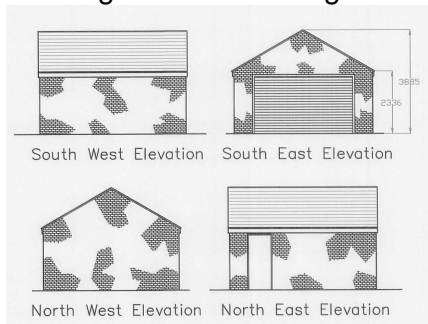
- 1 Lancashire County Council (Highways) - no objections
- 2 Two letters from neighbouring residents have been received making the following comments:
  - The development falls outside the 'permitted development' rights  
*(The development does fall outside permitted development rights, but this does not prevent development. It means that a planning application is necessary)*
  - There is a restrictive covenant on the deeds to the property preventing buildings forward of the dwelling  
*(This is a private matter. The planning application is considered on its own merits and any grant of planning permission does not override other legal responsibilities)*
  - The properties on Lingmoor Drive are typically characterised by open plan plots to the front elevation and the siting of the garage is inappropriate, contravening planning policies. It does not respect the local context and street pattern and would be entirely out of character to the detriment of the local environment.
  - The garage will have a detrimental effect on the visual amenity of the area and would be contrary to Policy GP1

## Planning and Environmental Considerations:

Extensions to houses are considered under Policy H13 of the Burnley Local Plan which sets out that they will be permitted where:

- a. *the proposal is in keeping with the existing house and the surrounding buildings with regard to scale, size, design and materials;*

The garage would be single storey and would measure 5.5 m x 5.2 m. It would be built with a pitched roof and in materials to match the house. The scale, size, design and materials of the building are appropriate for a residential garage, in keeping with the dwelling and surrounding buildings.



b. the proposal will not adversely affect -

(i) residential amenity of neighbouring properties through overlooking, lack of privacy or reduction of outlook or daylight

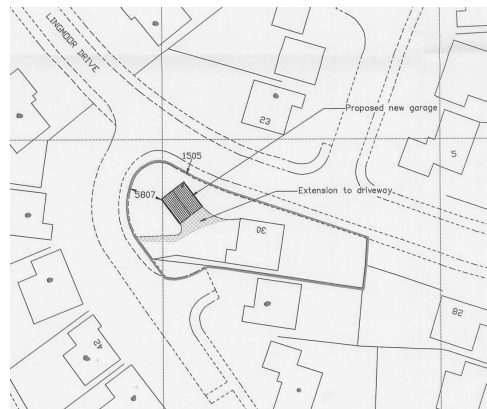
The garage would not be located within 20 metres of any facing windows of surrounding properties. It would not have an adverse impact on outlook or daylight to neighbouring dwellings and privacy is not an issue.

(ii) the visual amenity and character of the locality

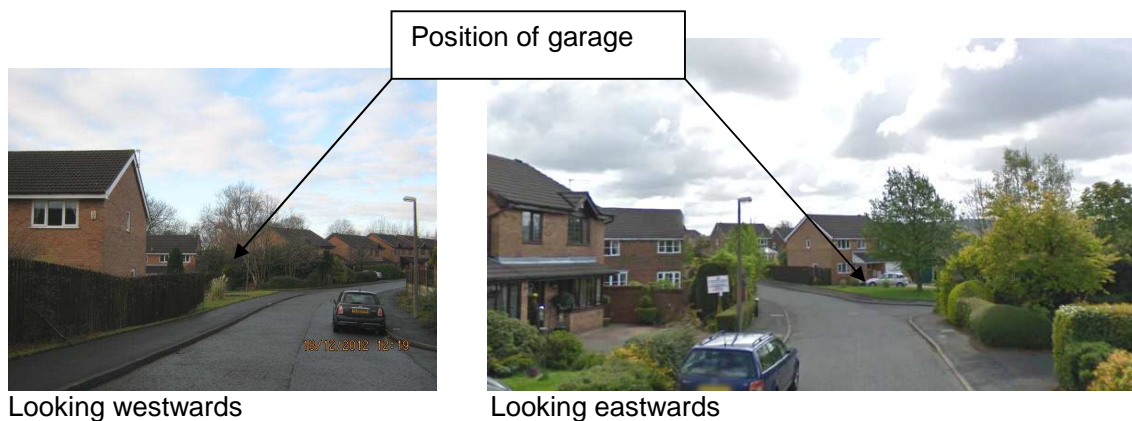
This is the main issue for the proposal and it is a finely balanced case.

The area is characterised by relatively large modern estate houses set in spacious plots with high quality landscaping in the gardens and areas around the estate. The houses are varied in style with an informal layout arrangement, with no set building line or pattern. Generally, the estate is a series of cul-de-sacs off main spine roads.

The application land is currently an open unfenced grassed area and it forms an attractive entrance to Lingmoor Drive, a cul-de-sac, and this contributes to the visual quality of the area. It must be noted that the land is not public open space. It is the private garden area of the dwelling and the owner is quite entitled, from a planning point of view, to enclose the land with a fence up to 1 metre in height.



The main view of the land is when travelling easterly along Lingmoor Drive, looking towards the property. From this direction the garage would be seen against the backdrop of the dwelling and because of the orientation of the garage on an angle it would not be overly prominent provided that a good quality landscaping scheme is implemented around the back and side of the garage to soften it and minimise the impact on the street scene.



There are one or two other examples in the area of garages set in front of the house.



Other examples in the area of garages in front of the front elevation

On balance, although the siting of a garage here would change the street scene to some extent and there would be some impact on the visual character of the area, it would not be so prominent as to have a significant detrimental impact on the street sufficient to warrant refusal of planning permission.

c. *the proposal provides an adequate residential amenity for its occupants;*

The proposal would improve the amenity of the property.

- d. the proposal does not lead to an unacceptable loss of private open space or parking space; and

There would be adequate private amenity space left after the garage was constructed. The proposal provides for additional parking for the dwelling.

- e. the proposal does not threaten highway safety through the obstruction of visibility for pedestrians and road users.

The Highway Authority is satisfied with the arrangements.

On balance the proposal satisfies the policy of the Local Plan and is acceptable subject to an appropriate landscaping condition being imposed.

**Recommendation:**

That planning permission be granted subject to the following conditions:

**Conditions**

1. A scheme for the landscaping of the site which includes schedules of plants, noting species, plant sizes and proposed numbers / densities, shall be submitted to and approved in writing by the local planning authority before any further development takes place on the land.
2. All landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme approved in writing by the local planning authority.
3. The development shall be carried out in accordance with the application plans and details.

**Reasons**

- 1 / 2 In order to ensure that landscaping works contribute to a satisfactory standard of completed development and the long term appearance of the site harmonises with its surroundings in accordance with policy GP6 of the Burnley Local Plan, Second Review.
- 3 To ensure continued compliance with the Development Plan.