

Appeal Decision

Site visit made on 9 November 2017

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 November 2017

Appeal Ref: APP/M2372/D/17/3181159

1 Petrel Close, Blackburn, BB1 8LF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Asim Aqil against the decision of Blackburn with Darwen Borough Council.
 - The application Ref 10/17/0324, dated 21 March 2017, was refused by notice dated 6 June 2017.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension at 1 Petrel Close, Blackburn, BB1 8LF in accordance with the terms of the application, Ref 10/17/0324, dated 21 March 2017, subject to the conditions set out in the attached schedule.

Procedural Matter

2. The description on the original application form referred to a rear extension. The appellant subsequently submitted revised plan BB175-200-D, which does not include a rear extension. The Officer's Report and Decision Notice both refer to the original description of development, although the detail contained in the Officer's Report refers only to the side extension.
3. The description of development set out in the headings above reflects the proposal as set out in revised plan BB175-200-D.

Main Issue

4. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal property is a linked detached two storey dwelling. It is located at the corner of Petrel Close, where it meets Hawkshaw Bank Road. The surrounding area is residential in character and comprises a range of detached, link detached and semi detached dwellings.
 6. During my site visit I observed that the range of dwellings in the area differ in style and appearance, although there is some sense of uniformity achieved through similarities in the use of brick and tile roofs. I also noted that the
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presence of green open space alongside Hawkshead Bank Road, close to the appeal property, combines with the presence of gardens, planting and street trees to provide for a sense of greenery and spaciousness.

7. The appeal property, like other houses along the same side of Hawkshead Bank Road as it slopes down from Lammack Road, tend to be set back from the road, although bends in the road and the location of the appeal property across Petrel Close from dwellings to the south of it, mean that there is no consistent or definitive build line to provide a strong visual link between all of the properties along this side of the road, as it slopes down the hill.
8. Hawkshead Bank Road drops in height from Lammack Road and this factor, along with the appeal property's corner position leads it to appear prominently in its surroundings.
9. The proposed two storey side extension would result in the appeal property projecting further towards Hawkshead Bank Road. However, a gap to the pavement would still be retained such that there would be a small side garden area between the appeal property and the highway. Given this and the wide expanse of open grassland to the opposite side of Hawkshead Bank Road in this location, I find that the proposal would remain in keeping with the area's attributes of greenery and openness identified earlier.
10. The proposal would be set back from the front of the host property at first floor level and this feature would lead the proposal to appear subordinate to the host dwelling. The roof of the extension would align with that of the main dwelling and as a consequence, would appear harmonious. Further, I find that the matching gable roof proposed would also provide for visual interest, due to being set perpendicular to the main roof.
11. Further to the above, the proposal would replace a blank gable wall facing directly on to Hawkshead Bank Road in a prominent position, with a more active frontage and I find that this element of the proposal would help to enliven the street scene.
12. Taking all of the above into account, the proposal would appear as a subordinate and appropriately designed extension. It would not harm the character and appearance of the area and would not be contrary to the Framework, to Local Plan Part 2¹ Policy 11, or to the Council's Residential Design Guide Supplementary Planning Document (2012).

Conditions

13. I have considered the conditions suggested by the Council against the six tests set out in paragraph 206 of the Framework. A condition relating to the relevant plan is necessary for the avoidance of doubt and in the interest of proper planning.
14. A condition controlling materials is necessary to protect local character.

¹ Blackburn with Darwen Local Plan Part 2 Site Allocations and Development Management Policies (2015).

Conclusion

15. For the reasons given above, the appeal succeeds.

N McGurk

INSPECTOR

**Schedule of Conditions attached to
Appeal Decision APP/M2372/D/17/3181159
1 Petrel Close, Blackburn, BB1 8LF**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: BB175-200-D .
 - 3) The materials to be used in the external surfaces of the building shall match those used in the existing building.
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