
Appeal Decision

Site visit made on 24 January 2020

by R Cooper BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th February 2020

Appeal Ref: APP/Z2315/D/19/3237047

24 Pennine Grove, Padiham, Lancashire BB12 9AB

- 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 Dr Syed Raza against the decision of Burnley Borough Council.
 - The application Ref APP/2019/0019, dated 11 January 2019, was refused by notice dated 4 July 2019.
 - The development proposed is a two storey extension to the side of the bungalow.
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Decision

1. The appeal is allowed, and planning permission is granted for a two storey extension to the side of the bungalow at 24 Pennine Grove, Padiham, Lancashire BB12 9AB in accordance with the terms of the application, Ref APP/2019/0019, dated 11 January 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following plans: Location Plan 1:1250 and Proposed Elevations Rev 'A'; Existing Plans and Elevations, Proposed Plans, Proposed Roof Plan and Proposed Section.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues are the effect of the development on the character and appearance of the area; and on the living conditions of adjacent occupiers with particular regard to outlook.

Reasons

Character and Appearance

3. The appeal site is a detached bungalow with first floor accommodation within the roof space. Its appearance consists of a mainly rectangular footprint, with a projecting gable and feature chimney stack to the front of the property. The main roof is pitched front to back, with gables either side and roof lights front and back. The prevailing character of the surrounding area is residential, and the street scene along Pennine Grove is made up of other bungalows of a

similar appearance to the appeal site, with gardens to the front and rear providing a spacious feel to the area.

4. The proposed extension would be sited on the side gable adjacent to No 22, it would provide for a kitchen at the ground floor, and an extension to a playroom at the first. According to the appellant's submitted proposed ground floor plan, it would project out from the side by 4m, would be set back from the main front elevation by 1.5m, and the ridge line of the roof would match the height of the existing. The appeal property is at an angle to the road, so that the front corner nearest No 22 is set back from the front elevation of this adjacent dwelling. This also provides a triangular shaped garden area between the appeal dwelling and No 22.
5. Whilst the side extension would infill the garden area to the side of the property, due to the angle of the building this area of garden is set back from the street, and falls behind the rear elevation of No 22, so is not particularly visible to passers-by, and its contribution to the overall openness of the area is limited. I accept that the extension would be visible from the street, however the angle of the dwelling, and the setback position of the extension from the road and the front elevation of No 22, would ensure that the sense of openness around the properties and the area is maintained. For the reasons given above the proposed extension would not harm the openness of the area or appear prominent within the street scene.
6. I understand from the comments made by local resident's, that the dwelling may have been originally designed at an angle to the road so as to reduce its impact on the street scene. Whilst this may have been the case, in my view for the reasons outlined above the extension would not have a detrimental impact on the street scene.
7. Consequently, I conclude that the proposed extension would not have a detrimental impact on the character and appearance of the area. The proposal accords with Policy HS5 of Burnley's Local Plan 2018, and the design objectives in paragraph 127 of the National Planning Policy Framework, which collectively seek to ensure that new development respects local character and integrates with its surroundings.

Living Conditions

8. The appeal property sits on an elevated position relative to the adjoining dwelling and garden at No 22. During my site visit I observed the difference in site levels from both the appeal site and from the adjoining rear garden of No 22. Due to the angle of the appeal dwelling, the side elevation where it is proposed to erect the extension is behind the front elevation of No 22, and it is also set off the shared boundary. There is also an existing window at the first floor that overlooks the neighbour's garden. No 22 has windows and two conservatories on the rear elevation of the dwelling, and the garden has a paved seating area adjacent to No 24.
9. As explained above, the side gable wall of the proposed extension would be 4m closer to the boundary shared with No 22 than the existing. However, the proposed side of the extension would be angled so that it would splay away from the rear of No 22, and there would be sufficient separation distance from the neighbour's windows and conservatories, so that an open aspect from these would be maintained. Therefore, the extension would not appear

obtrusive or harmful to the occupier's outlook. I accept that the extension would be visible from the external areas and seating within the neighbour's garden, however, even taking into account the land level difference and the overall height of the extension, in my view this would not appear unduly overbearing, and would not be detrimental to the living conditions of the neighbouring occupiers.

10. The first floor window in the gable of the proposed extension would overlook the rear garden and seating area at No 22, therefore it would be necessary to obscure the glazing so as to prevent loss of privacy to the adjacent occupiers. The provision of obscured glazing has been annotated on the submitted floor plans and elevations, this can be adequately secured by way of a planning condition ensuring the development is carried out in accordance with these submitted plans.
11. Whilst I accept the tops of the ground floor kitchen window openings are likely to be visible from the garden of No 22, I am satisfied that the existing high level fence in between the two properties would screen the lower levels so as to maintain acceptable levels of privacy.
12. Consequently, the proposed extension would not be detrimental to the outlook and would not harm the living conditions of occupiers at 22 Pennine Grove. On this basis the proposed development would accord with Policy HS5 of Burnley's Local Plan 2018, which seeks to ensure that new development protects the living conditions of neighbouring occupiers.

Conclusion

13. For the reasons given above, I conclude that the appeal should succeed. I have attached the standard time limit condition, and a plans condition to provide certainty. I have also attached a condition concerning external materials to ensure a satisfactory appearance.

R Cooper

INSPECTOR