
Appeal Decision

Site visit made on 21 February 2022 by Hilary Senior BA (Hons) MCD MRTPI

Decision by Caroline Mulloy BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 March 2022

Appeal Ref: APP/Z2315/D/21/3286941

19 Romney Avenue, Burnley, BB11 2PF

- 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 & Mrs Bellamy against the decision of Burnley Borough Council.
 - The application Ref HOU/2021/0240, dated 23 April 2021, was refused by notice dated 3 September 2021.
 - The development proposed is single storey side extension and driveway.
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Decision

1. The appeal is allowed and planning permission is granted for single storey side extension and driveway at 19 Romney Avenue, Burnley, BB11 2PF in accordance with the terms of the application, Ref HOU/2021/0240, dated 23 April 2021, 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 approved plans: Planning scheme – ADM/21/14/01 rev A, Site Layout – ADM/21/14/02, Location plan – ADM/21/14/03.
 - 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.
 - 4) The car parking area shown on the approved plans shall remain available for parking of vehicles and maintained in good working order at all times thereafter.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. At the site visit I saw that the driveway had been completed. I have dealt with the appeal on that basis.
4. The appellant submitted amended plans to the Council during the determination of the planning application. These were used by the Council to determine the application. I have considered the appeal based on these amended plans.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the host property and surrounding area.

Reasons for the Recommendation

6. 19 Romney Avenue is situated at the end of four properties in a corner position at the junction of Romney Avenue and Reynolds Street at a higher level than the road. It is set back from the road on both frontages with a high close boarded fence to the Reynolds Street boundary.
7. The proposed extension would be single storey to the side of the host dwelling with a hipped roof, set back from the front elevation and extending closer to the rear of the pavement. Although it would be longer than the host dwelling, it would be set back from the existing front elevation and would therefore appear as a subordinate extension to the host property allowing the original form of the building to be understood.
8. The host dwelling is at a higher level than the road and the extension would be closer to the highway than the host property and visible from Reynolds Street; however, as the extension would be single storey with a hipped roof, it would not appear as a prominent feature in the streetscape. The existing fence and landscaping would also reduce the impact on the street scene.
9. I conclude that the proposal would not harm the character and appearance of the host property and surrounding area and would not conflict with Policy HS5 of Burnley's Local Plan (2018) which amongst other things seeks to ensure that extensions are of high quality in construction and design and are subordinate to the existing building.

Conditions

10. I have considered the conditions suggested by the Council in accordance with the National Planning Policy Framework and Planning Practice Guidance. A condition specifying that the development is undertaken in accordance with the approved drawings is necessary to provide certainty. In order to protect the character and appearance of the area, a condition specifying that materials match those of the host dwelling is also necessary.
11. Although the parking area appears to be complete, the condition requiring the area to be retained for parking and maintained in good working order, is necessary for highway safety.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Caroline Mulloy

INSPECTOR