The Planning Inspectorate

Appeal Decision

Site visit made on 14 June 2022 by N Unwin BSc (Hons) MSc

Decision by J Hunter BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 July 2022

Appeal Ref: APP/Z2315/D/22/3294718
5 Tedder Avenue, Burnley BB12 6DL

- 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 Scott Gizon against the decision of Burnley Borough Council.
- The application, ref. HOU/2021/0637, dated 13 October 2021, was refused by notice dated 19 January 2022.
- The development proposed is described as 'Remove Detached Outbuilding. Proposed 2 Storey Extension to Side of Dwelling. Extension Set Back 500mm. 3.5m Wide. Hipped Roof to Extension'.

Decision

1. The appeal is allowed and planning permission is granted for the erection of a two storey side extension at 5 Tedder Avenue, Burnley BB12 6DL in accordance with the terms of the application, ref. HOU/2021/0637, dated 13 October 2021, and the plans submitted with it, subject to the following conditions:

    1) The development hereby permitted shall begin no 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: Existing and Proposed Site and Roof Plans ref. Giz/033/001/01; and Proposed Alterations ref. 02 A.

    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 host dwelling.

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. The description in the banner heading above is taken from the application form. However, in the interests of conciseness, for the purposes of the decision I have amended the description of development to 'erection of a two storey side extension'.

Main Issue

4. The main issue to be considered is the effect of the proposal on the character and appearance of the host dwelling, wider area, and street scene.

Reasons for the Recommendation

5. The appeal site forms a semi-detached two storey dwelling within a spacious plot on the corner of Tedder Avenue and Alexander Grove. This section of Tedder Avenue is characterised by dwellings of a similar design, materials, and relationship to the highway which affords the area a sense of linear uniformity.

6. The proposal would involve the erection of a two storey side extension which would project into the existing side garden towards the boundary with Alexander Grove. The materials and fenestrations of the proposed development would be in keeping with the host property and surrounding area.

7. The proposed two storey side extension would be set back from the principal elevation of the host dwelling and the ridgeline would be below that of the appeal property. This would result in the proposal being visually subservient and proportionate to the host dwelling, allowing the main body of the appeal property to take visual precedence, maintaining the linear uniformity of the street scene. The use of a hipped roof would additionally reduce the built form of the proposal further facilitating this visual subservience.

8. The proposal would extend approximately 3.5 metres beyond the existing gable, closer to the boundary with Alexander Grove. Due to the topography of the site, the base of the proposed extension would be lower than that of the existing dwelling resulting in an extended gable elevation. Nonetheless, due to the generous size of the existing plot, a sizable distance would be retained between the proposed gable and the boundary with Alexander Grove. Therefore, whilst there would be some loss of openness, the proposal would not appear overbearing or overly dominant when viewed from the public realm. Moreover, the use of two windows within the proposed end gable would visually break-up the physical form of this elevation, further mitigating its impact on the street scene.

9. For the above reasons I conclude that the proposed development would not harm the character and appearance of the host dwelling, wider area, or street scene. Accordingly, I find the proposal would comply with the objectives of Policies HS5 and SP5 of Burnley's Local Plan (2018) which broadly require development to respect the existing character of the host building and area.

Conditions

10. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans and a condition requiring the external materials used match that of the existing dwelling. These conditions are required to protect the character and appearance of the host building and wider area.

Conclusion and Recommendation

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

N Unwin

APPEAL PLANNING OFFICER

Inspector's Decision

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

J Hunter

INSPECTOR