



Appeal Decision

Site visit made on 4 October 2022

by J D Clark BA (Hons) DpTRP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2022

Appeal Ref: APP/Z2315/D/22/3304804

5 Valley Drive, Padiham, Lancashire BB12 8SF

- 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 Mrs Lyndsey Kardasz against the decision of Burnley Borough Council.
 - The application Ref HOU/2022/0285, dated 18 May 2022, was refused by notice dated 7 July 2022.
 - The development proposed is first floor side extension above garage.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension above garage at 5 Valley Drive, Padiham, Lancashire BB12 8SF in accordance with the terms of the application, Ref HOU/2022/0285, dated 18 May 2022, 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:
 - *Drawing Nos:-*
 - 00 – Site Location Plan;
 - 01 – Existing Plans and Elevations;
 - 02 – Proposed Plans and Elevations;
 - 02 – Existing and Proposed Site Plan; and
 - 04 – Existing and Proposed Block Plan.
 - 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 Issue

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

Reasons

3. The appeal site comprises a detached house and its garden located in a row of similarly designed houses with attached garages to the side. The adjacent

house, 7 Valley Drive has a single storey, pitched roof extension to the side close to the boundary with the appeal site.

4. The proposed first floor extension would be sited above the existing garage at No 5 and would narrow the existing space between the neighbouring houses at first floor level. However, the first floor set back and consequential reduced ridge height of the extension means that although the existing gap between Nos 5 and 7 would be reduced, it would appear subservient and would not result in a terracing effect. Furthermore, the proposal includes a lean-to roof across the front elevation of the host property which would visually link the proposed extension. Given that the extension would not be unduly wide when viewed in proportion to the host property, this together with the set back and the lower ridge height means that it would not appear as an incongruous addition.
5. Whilst none of the houses in the row have been extended at first floor level, there are a number of examples of first floor or two storey extensions in the surrounding area. These have effectively reduced the space between the houses and form part of the character of the area. The appellant has referred to some of these in nearby roads which I saw on my site visit.
6. Furthermore, although there are no similar extensions in this row of properties, given the various house types and alterations carried out in the surrounding area, the proposal would not conflict with Local Plan¹ Policy SP5 which requires development to respect existing or locally characteristic street layouts, scale and massing. Furthermore, it would not conflict with Local Plan Policy HS5 which requires extensions to be subordinate to the existing house.
7. Having regard to the above, the proposal would not have a harmful effect on the character and appearance of the host property and the surrounding area and no conflict with Local Plan policies SP5 and HS5 would occur.

Conditions

8. I have considered the conditions suggested by the Council in the light of the Planning Practice Guidance². For clarity, it is necessary that the proposal is carried out in accordance with the approved plans and I have imposed a condition accordingly. I have also imposed a condition requiring the materials of construction to match the existing house as this is necessary in order to achieve a satisfactory appearance. In the Council's Officer Report, it is suggested that, if the proposal is approved, that a condition would be required restricting any further window openings in the side elevation as new openings would restrict No 7 from carrying out a similar extension in the future. Given that this is suggested to prevent some future occurrence that may or may not happen and is not necessary for the extension to be acceptable as proposed, I see no justifiable reason for such a condition and have not imposed it.

Conclusion

9. For the reasons given above I conclude that the appeal should be allowed.

J D Clark
INSPECTOR

¹ Burnley's Local Plan July 2018, Adopted 31 July 2018.

² Planning Practice Guidance, Published 6 March 2014 – Updated 23 July 2019.