

Ribble Valley Borough Council

DELEGATED ITEM FILE REPORT - REFUSAL

Ref: CB

Application No:	3/2013/0201/P
Development Proposed:	Proposed demolition of part of the rear of the property and a proposed conservatory extension to the rear and side of the dwelling at 129 Whalley Road, Sabden, Lancashire, BB7 9EA.

CONSULTATIONS: Parish/Town Council

Sabden Parish Council - No comments or observations received.

CONSULTATIONS: Highway/Water Authority/Other Bodies

N/A

CONSULTATIONS: Additional Representations

No representations have been received.

RELEVANT POLICIES:*Ribble Valley Districtwide Local Plan*

Policy G1 – Development Control.

Policy ENV1 – Area of Outstanding Natural Beauty.

Policy ENV16 – Development in Conservation Areas.

Policy H10 - Residential Extensions.

Policy SPG – “Extensions and Alterations to Dwellings”.

Sabden Conservation Area Appraisal.

Ribble Valley Core Strategy (Regulation 22 Post Submission Draft)

Policy DMG1 – General Considerations.

Policy EN2 – Landscape.

Policy DME2 – Landscape and Townscape Protection.

Policy EN5 – Heritage.

Policy DME4 – Protecting Heritage Assets.

Policy DMH5 – Residential and Curtilage Extensions.

National Planning Policy Framework

Achieving Sustainable Development.

Section 7 – Requiring good design.

Section 11 – Conserving and enhancing the natural environment.

Section 12 – Conserving and enhancing the historic environment.

POLICY REASONS FOR REFUSAL:

G1, ENV1, ENV16 DWLP, DMG1, EN2, DME4 C.Strategy – design and materials detrimental to character and appearance of designated heritage assets (Building of Townscape Merit, Conservation Area and AONB).

G1, SPG DWLP and DMG1 (C.Strategy) – unacceptable overlooking of neighbour.

RELEVANT PLANNING HISTORY:

3/2011/0393 - Single storey extension to rear of property including demolition of existing lean-

to to rear of property. Approved with Conditions.

3/2006/0589 – Rear extension to kitchen and a rear/gable extension to utility room. Approved with Conditions.

COMMENTS/ENVIRONMENTAL/AONB/HUMAN RIGHTS ISSUES/RECOMMENDATION:

The application relates to an end terrace property on the north side of Whalley Road, Sabden. The property is within Sabden Conservation Area and the row to which this property forms part of are identified as Buildings of Townscape Interest within the Conservation Area Appraisal. Sabden is located within the Forest of Bowland Area of Outstanding Natural Beauty, a landscape worthy of the highest protection (Para. 115, NPPF).

Planning permission (3/2011/0393/P) has previously been approved for an 'L' shape extension by infilling the gap between the two storey rear projection and the neighboring single storey flat roof extension and erecting a single storey pitched roof addition at the rear of the two storey projection that would extend up to the boundary with the lane at the rear of the properties. This extension had limited glazing and would have comprised of stone walls with stone quoins and jambs and would have a slate roof to match the materials of the existing property. The approved single storey flat roof infill extension had maximum dimensions of approximately 4.7m x 1.5m x 2.8m in height. This extension would have projected beyond the neighbouring extension by approximately 3.0m. The rear extension would have had dimensions of approximately 5.4m x 3.3m x 2.4m to eaves level and 3.4m to the ridge. The walls were to be faced in stone and the extension would have a flat roof. This permission has not been implemented.

A single storey sloping roof extension that exists on the rear of the two storey rear extension has approximate dimensions of 2.5m x 3.2m and is to be demolished and replaced by a larger extension which would project from the rear of the two storey outrigger by 3.7m and then wrap round to infill the return between the two storey outrigger and the neighbouring dwelling. The part next to the neighbouring dwelling would extend along the neighbours flat roof extension and along the shared boundary by 6.0m giving the extension an overall width of 4.8m. The rear extensions would result in a staggered rear elevation as the infill extension between the two storey outrigger and the shared boundary with no.127 Whalley Road is shorter in length.

In relation to national policies and legislation, Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to pay *special attention* to the desirability of preserving or enhancing the character or appearance of conservation areas in the exercise of its planning functions.

There are three dimensions to sustainable development: economic, social and environmental. It is the environmental role that concentrates on the protection and enhancement of our natural and historic environments. As well as the property being located within a conservation area, the village is also within the Forest of Bowland Area of Outstanding Natural Beauty, a nationally important landscape that is worthy of the highest levels of protection.

Section 12 of the NPPF requires LPA's in determining planning applications, to take account of "*the desirability of new development making a positive contribution to local character and distinctiveness*".

At a local level, Policy ENV16 (Conservation Areas) of the Ribble Valley Districtwide Local Plan explains in the explanatory text that "*the main elements of Council policy are retention and enhancement*". The policy itself states, "*within conservation areas development will be strictly controlled to ensure that it reflects the character of the area in terms of scale, size, design and materials*".

The conservation area is characterised by late 18th and 19th century terraced houses which were built as homes for Sabden's mill workers and form the area's most prevalent building type. The Conservation Area Appraisal for Sabden notes; *"it is the mill workers' houses, as opposed to the mills, that give the conservation area its special historic character and appearance"*.

The application site forms an end terrace property, the gable of which is visible from the main road (C552 Whalley Road) and from the Public Footpath (Public Footpath no. 1) which runs to the west by The Whins. The rear elevation of the property is visible from the public footpaths which run up and along the hill which rises behind the terraces on Whalley Road which afford clear views of the rear of the terrace.

The SWOT analysis in the Council's adopted Conservation Area Appraisal refers specifically to the removal and replacement of both windows and doors. A 'threat' of the conservation area includes the;

- *Continuing loss of original architectural details and use of inappropriate modern materials or details. Many buildings in the conservation have been adversely affected by the use of inappropriate modern materials or details.*

The Conservation Area Management Guidance advises that all new developments should:

- *Reflect the proportion of solid to void found in the elevations of traditional buildings and employ robust detailing, avoiding fussy or gimmicky use of applied features or detailing;*
- *Reinforce local identity by the use of the traditional materials used in the conservation area;*

The gable of the property is highly prominent from the public realm (Footpath and Highway) and is built in random stone with very few openings therefore it has a high solid to void ratio. The extension previously approved reflected the existing form and solid to void proportions of the building and was in keeping with the traditional form of the property, in both its design and materials. In contrast, the extension now proposed is to be predominantly UPVC glazed and would significantly detract from the solid to void ratios found on the building itself and conflict with the traditional materials of the property, a designated heritage asset. This would be detrimental to the visual amenities of the street scene. In addition, UPVC is widely publicised as being detrimental to the intrinsic character of the historic environment and in this case the amount of glazing combined with the modern upvc material would adversely affect the character and appearance of the historic building, a Building of Townscape Merit and the character, appearance and significance of the conservation area.

I note the applicants argue that UPVC exists at the rear of other properties on the terrace and upvc conservatories have been erected without planning permission on Whins Avenue and at Stables House, Sabden. However, having asked the Council's Enforcement team to investigate these proposals fall within permitted development allowances and therefore do not require planning permission.

129 Whalley Road is a designated heritage asset (Building of Townscape Merit) within the conservation area and the allowance of the upvc conservatory in a prominent position would harm the character appearance and significance of the conservation area, designated heritage assets, and the visual amenities of the AONB. The allowance of this application would be detrimental to the built, natural and historic environment and the proposal is therefore contrary to the sustainable development objectives of the NPPF and I thus recommend the application be refused on this basis.

With regards neighbouring amenity, the adjacent neighbour, no. 127 Whalley Road, has a flat roof extension which projects approximately 3.47m and is set in from the shared boundary by

approximately 3.3m.

The overall extent of projection of the proposal is some 1.5m less than the extension previously approved, however, unlike the previous extension, this extension would be completely glazed. Criterion g. of Policy G1 (DWLP) requires development to provide adequate privacy. The SPG further expands on residential extensions and refers specifically to windows to habitable rooms at ground floor level, stating: *"Windows to habitable rooms at ground floor level should not allow an unrestricted view into the neighbouring garden areas or into the ground floor window of any other house"*

The proposal is clearly contrary to this the extensive glazing of the conservatory is considered to have an adverse impact on the residents of no. 127 Whalley Road due to overlooking of the neighbours property and habitable room occurring from these windows. This glazing along the staggered side elevation of the rear extensions would allow an unrestricted view into the neighbours property which they currently do not experience and I consider this would materially worsen their living conditions, and as such would have an unacceptable impact on their residential amenity. I therefore recommend that the application also be refused on this basis.

The applicants may be willing to obscure glaze all windows facing no.127, however, given the application would be built in close proximity to the shared boundary and the windows of the neighbouring property, these neighbours would experience the perception of being overlooked by these windows and thus this would not overcome the concern.

To conclude, in the interests protecting the amenities of the adjacent neighbour and in the interests of conserving and enhancing the character, appearance and significance of this nationally important landscape, the AONB, the conservation area, and this building of Townscape Merit, a designated heritage asset, I thus consider that the proposal should be resisted.

RECOMMENDATION: That permission be refused.