



Gary Hoerty Associates

3 2 0 1 4 0 5 7 9 P

Suite 9  
Grindleton Business Centre  
The Spinney  
Grindleton  
Clitheroe  
Lancashire  
BB7 4DH

Tel: 01200 449700  
www.ghaonline.co.uk  
email: info@ghaonline.co.uk

## PLANNING STATEMENT

IN RESPECT OF:

**A HOUSEHOLDER PLANNING APPLICATION FOR THE  
CONSTRUCTION OF A TWO STOREY DOMESTIC EXTENSION  
TO PROVIDE A SWIMMING POOL AT GROUND FLOOR LEVEL  
AND EN-SUITE BEDROOM ACCOMMODATION AT FIRST  
FLOOR LEVEL**

**AT**

**LANE ENDS BARN  
PLECKGATE ROAD  
RAMSGREAVE  
BLACKBURN  
BB1 8QY**

**Prepared by: Paul Fay for and behalf of Gary Hoerty Associates**

**Our Ref: Pat/624/1674/GH**

**Our Client: Mr J Patel**

**Date: June 2014**



Chartered Surveyors ■■■ Planning & Development ■■■ Land Agents

Valuers ■■■ Property Agency ■■■ Property Management





## **CONTENTS**

<b>1.</b>	<b>INTRODUCTION AND BACKGROUND INFORMATION</b>	<b>Page 3</b>
<b>2.</b>	<b>PLANNING HISTORY</b>	<b>Page 3</b>
<b>3.</b>	<b>THE DEVELOPMENT PROPOSAL</b>	<b>Page 4</b>
<b>4.</b>	<b>THE APPLICATION SITE</b>	<b>Page 4</b>
<b>5.</b>	<b>PLANNING CONSIDERATIONS</b>	
5.1	General	Page 5
5.2	National Planning Guidance	Page 5
5.3	Local Planning Guidance	Page 9
<b>6.</b>	<b>FALL BACK PROPOSAL</b>	<b>Page 16</b>
<b>7.</b>	<b>SIMILAR DEVELOPMENT APPROVED WITHIN THE BOROUGH</b>	<b>Page 17</b>
<b>8.</b>	<b>SUMMARY AND CONCLUSIONS</b>	<b>Page 17</b>

## **APPENDICES**

- 1. Plans showing the applicant's fall back position**

## **1. INTRODUCTION AND BACKGROUND INFORMATION**

- 1.1 Gary Hoerty Associates have been instructed by Mr J Patel who owns Lane Ends Barn to submit a planning application on his behalf for the construction of a two storey domestic extension to provide accommodation for a swimming pool at ground floor level and en-suite bedroom accommodation at first floor level.
- 1.2 Although Lane Ends Barn is a stone built barn conversion property we would argue that the conversion is not necessarily as sympathetic as more modern barn conversions that have been undertaken in the Borough are. We would also point out that the permitted development rights for the property were not removed on the granting of planning application No 03/1989/0343, therefore the building that is the subject of this planning application although a barn conversion does benefit from permitted development rights, which is not normally the case with this type property. We would also highlight the fact that the curtilage of the property is quite significant and although possibly not approved as garden area when the barn conversion was first approved it has never the less been used as residential curtilage with Lane Ends Barn for in excess of ten years by the current owners. The proposed development is located entirely within the residential curtilage of the property.
- 1.3 In developing a scheme of development that meets the client's requirements we have carefully considered the detailed design and layout of the proposed development and we have also given consideration to the potential fallback position in the event that planning permission is not granted for the proposed development, which would entail making use of permitted development rights to provide the required expansion of the property. We consider and will demonstrate within this report the reason for this and why we consider the proposal submitted to be a more favourable outcome than the implementation of development under permitted development rights and would hope that the local authority come to the same view.
- 1.4 We will consider in this Planning Statement the proposed development in more detail, providing a review of the planning history of the site, an outline of the development proposal, an explanation of the alternative proposal allowable under permitted development rights, an assessment of the development site and a review of the relevant planning policies and guidance and set out why we believe the application conforms to the national and local planning policies, and why the application should therefore be looked upon favourably.

## **2. PLANNING HISTORY**

- 2.1 There have been four previous applications in respect of the application site, the details of which are set out below.

- 2.2 Application Number 03/88/0248. This was an outline planning application for the conversion of a Shippon to a dwelling house. This application was refused by the Council but allowed on appeal subject to conditions one of which, condition number 3, related to the removal of permitted development rights. However a reserved matters application was never submitted and this planning consent was not implemented.
- 2.3 Application number 03/1989/0343. This was a full planning application for the conversion of a Shippon to a dwelling house. This was approved on the 12<sup>th</sup> July 1989 with one condition, which was that the development had to be begun within 5 years beginning with the date of the permission. This development was implemented and the Shippon is now the application property, Lane Ends Barn.
- 2.4 Application number 03/2004/0409. This was a full planning application for a proposed extension to the rear of the property to provide ground floor accommodation for a swimming pool and spa and first floor accommodation above to provide a bedroom with en-suite facilities, and use of land as an extension to the curtilage at Lane Ends Barn. This application was refused due to excessive massing and encroachment of the curtilage.
- 2.5 Application number 03/2004/1234. This was a full planning application for a proposed first floor extension over the existing lounge and a two storey extension behind. It was a resubmission of application 03/2004/0409, only with amendments to the issue of the extension beyond curtilage. This application was refused due to the proposed appearance being out of character with the existing building.

### **3. THE DEVELOPMENT PROPOSAL**

- 3.1 The proposed development is the erection of a domestic extension at the rear of the property to provide an indoor swimming pool and changing facilities at ground floor level with bedroom and en-suite accommodation above. The wall construction will be stone faced block work to match the existing dwelling, under a slate roof. Doors and windows to match the existing and openings formed using stone heads, jambs and sills.
- 3.2 The proposed extension projects out from the South Westerly facing elevation. The proposed extension will measure 14.0m x 9.0m with a 2.0m balcony projection at first floor level. It will have an eaves height of 4.98m and the ridge height will be 6.97m.

### **4. THE APPLICATION SITE**

- 4.1 The application site comprises the property known as Lane Ends Barn which is a detached property of two storey construction and is a barn conversion together with its associated curtilage. There is a single storey attached garage to the north easterly facing elevation and a single storey lounge area also to the north easterly

facing elevation. To the south westerly elevation is a conservatory. The roof of the entirety of the property is clad in slate and the walls are of stone construction with stone quoins to all corners.

- 4.2 The land proposed for development is at the rear of the property. It is proposed to make use of a small area of the back garden for the site of the extension.
- 4.3 Lane Ends Barn is located in a semi-rural location, in the parish of Ramsgreave, on the northern edge of Blackburn. The area is designated as Green Belt and is on the outskirts of a suburban area. There is one neighbouring property, Brook Farm, in the immediate vicinity.

## **5. PLANNING CONSIDERATIONS**

### **5.1 General**

- 5.1.1 Local planning authorities are required to determine planning applications in accordance with the statutory development plan unless material considerations indicate otherwise. In order for this planning application to be approved it must satisfy as far as possible the guidance contained within the National Planning Policy Framework (NPPF adopted March 2012), the relevant saved policies of the Ribble Valley Districtwide Local Plan (adopted June 1998), the relevant policies of the Ribble Valley Core Strategy 2008 - 2028 (as yet un-adopted) and any relevant supplementary planning guidance.
- 5.1.2 The relevant saved policies of the local plan are Policy G1 – Development Criteria, ENV3 – Open Countryside, ENV4 – Green Belt and H10 – Residential Extensions.
- 5.1.3 The relevant Ribble Valley Core Strategy policies are contained in Key Statement EN1: Green Belt and Policy DMG1: General Considerations
- 5.1.4 The relevant guidance given in Ribble Valley SPG: ‘Extensions and Alterations to Dwellings’.
- 5.1.5 We set out below extracts from the relevant documents to assess the planning application against all the appropriate policies and guidance.

### **5.2 National Planning Policy**

#### **National Planning Policy Framework (NPPF)**

- 5.2.1 The adoption of the National Planning Policy Framework in March 2012 means that it is now the main national planning policy guidance influencing planning decision making and replaces a substantial number of documents previously in place. The National Planning Policy Framework sets out the Government’s planning policies for England and how these are expected to be applied, it sets out

the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so.

- 5.2.2 Paragraphs 11 – 16 of the NPPF highlight the presumption in favour of sustainable development confirming that planning law requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF does not change the statutory status of the development plan as the starting point for decision making. It makes clear that proposed development that accords with an up to date local plan should be approved and that proposed development that conflicts should be refused unless other material considerations indicate otherwise. It also highlights the desirability of local planning authorities having an up to date local plan in place. Paragraph 14 of the NPPF states:

*“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.*

*For plan-making this means that:*

- *local planning authorities should positively seek opportunities to meet the development needs of their area;*
- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
  - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  - *specific policies in this Framework indicate development should be restricted.*

*For decision-taking this means:*

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*
  - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
  - *specific policies in this Framework indicate development should be restricted.*

- 5.2.3 Paragraph 14 clearly spells out the Government's presumption in favour of allowing sustainable development unless the adverse impacts of doing so would be very significant. The Council's local plan was adopted in 1998, and even though the policy was reviewed and the saved policies referred to in this statement were still applicable in January 2012, as a consequence some of the

policies will inevitably be out dated, the core strategy is as yet un-adopted and therefore has not fully superseded the local plan, and as such the NPPF clearly sets out that where a local plan is out of date the policies of the NPPF should take precedence over it. The above extract emphasises the importance given to the promotion of sustainable development and we consider that the proposed development is sustainable in that it will enable the applicant to alter their property so that it meets their future needs. We do not consider that the development presents any significant adverse effects that would give rise to a sustainable reason for the refusal of the application.

- 5.2.4 The core principle of allowing sustainable development to proceed in respect of local plans is set out in paragraph 15 which states:

*“Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.”*

- 5.2.5 Sections 1 and 3 of the NPPF set out that planning has an important role to play in ensuring that the local and national level economies are able to grow, in order to create the required jobs and prosperity needed. Paragraph 19 specifically states:

*“Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”*

- 5.2.6 The approval of this application will create work for local builders in its construction and sales for local builders merchants and will have a positive effect on the economy.

- 5.2.7 Annexe 1 of the NPPF provides guidance on the implementation of the policies in the framework which are applicable from the day of publication and clearly identifies that for the purpose of decision taking the policies in the local plan should not be considered out of date simply because they were adopted prior to the publication of this framework. However it goes on to state that the policies contained in this framework are material considerations which local planning authorities should take into account from the day of its publication and that plans need to be revised to take into account the policies in the framework. It goes on to state that for twelve months from the day of publication decision-takers may continue to give full weight to relevant policies adopted since 2004 where development plan documents are adopted in accordance with the Planning and Compulsory Purchase Act 2004 even if there is a limited degree of conflict with the framework. In other cases and following this twelve month period due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework; (the closer the policies in the plan to the policies in the framework, the greater weight that may be given). This is therefore of particular relevance when discussing the planning application in the context of the



saved policies of the local plan because although the saved policies were valid in 2012 it is now eighteen months since the publication of the NPPF.

- 5.2.8 As the proposed development site is located in an area defined as Green Belt, consideration of the relevant policies incorporated in the NPPF is required. Chapter 9 - Protecting Green Belt Land emphasises the importance of the Green Belt, stating the main aim of any policy is to prevent urban sprawl and maintain the openness and permanence of Green Belt areas. Paragraph 80 states:

*Green Belt serves five purposes:*

- *To check unrestricted sprawl of large built up areas;*
- *To prevent neighbouring towns merging into one another;*
- *To assist in safeguarding the countryside from encroachment;*
- *To preserve the setting and special character of historic towns; and*
- *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

- 5.2.9 Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt and then identifies a number of exceptions one of which is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. In assessing this criterion we acknowledge that the Council may assess the proposal to be a disproportionate addition however we have reviewed the applicant's ability to extend the property under the current permitted development rights and to create free standing buildings to accommodate some of the proposed facilities and we are firmly of the opinion that when considering the fall back position and the potential proliferation of outbuildings which could be controlled if the application were approved that the proposal has less effect on the openness of the Green Belt than the fallback scheme. The fallback scheme which is outlined in detail in this report and on the accompanying plans is a material consideration in the determination of the application.

- 5.2.10 We consider that the proposed development represents compliance with these core criteria set out in Paragraph 80 as the development will not constitute unrestricted sprawl and it will not result in neighbouring towns merging. As the proposal is a domestic extension to an existing dwelling, which would be sited wholly within the curtilage of the property, it is our opinion that the proposed development does not represent any encroachment of the Green Belt.

- 5.2.11 We consider that the proposal represents sustainable development and therefore the National Planning Policy Framework fully supports the approval of the proposed development.

### **5.3 Local Planning Guidance - Ribble Valley Districtwide Local Plan**

- 5.3.1 The Ribble Valley Districtwide Local Plan was adopted in June 1998. The application site is shown on the local plan proposals map and is located within the open countryside, in an area defined as Green Belt, and we will comment on the appropriateness of the proposed development in the context of the relevant saved policies referred to in paragraph 5.1.2 above, as follows:
- 5.3.2 We set out below Policy G1 of the local plan; the preamble to this policy makes clear that as a general principle the protection and enhancement of the built and natural environment in the Ribble Valley is of paramount importance in maintaining the character of the Borough. Any new buildings should reflect their local context, particularly the height of adjacent buildings, density of surrounding development and the existing building lines and plot sizes. It goes on to state that rural area buildings must fit into the surrounding landscape and fit in with and be complimentary to their surroundings. The policy contains a number of criteria which planning applications will be determined against. We feel that the proposed development does reflect this general guidance and we comment in more detail on Policy G1 below.

#### ***Policy G1 Development Criteria***

*All development proposals will be expected to provide a high standard of building design and landscape quality. Development which does so will be permitted, unless it adversely affects the amenities of the surrounding area. In determining planning applications the following criteria will be applied:*

- (a) *Development will be sympathetic to existing and proposed land uses in terms of its size, intensity and nature;*
- 5.3.3 It is our opinion that the proposal is appropriate in terms of size and scale. It is equal to the existing dwelling in terms of eaves and ridge height, to provide a seamless appearance. It is set to the rear of the main dwelling and is not overlooked by the neighbouring property and the development will be situated lower than the existing ground level; this will reduce the visible portion of the structure, reducing the perceived scale of the building.
- (b) *The likely scale and type of traffic generation will be assessed in relationship to the highway infrastructure and the proposed and existing public transport network. This will include safety, operational efficiency, amenity and environmental considerations;*
- 5.3.4 As the proposal is solely for private use it is our opinion that there will be no effect on traffic generation whatsoever.
- (c) *Developments should make adequate arrangements for car parking;*
- 5.3.5 Due to the private nature of the development it is our opinion that the development will have no adverse effect on parking provision.

- (d) *A safe access should be provided which is suitable to accommodate the scale and type of traffic likely to be generated;*
- 5.3.6 As the proposal is solely for private use it is our opinion that there will be no effect on traffic generation whatsoever.
- (e) *The density, layout and relationship between buildings are of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings as well as the effects of development on existing amenities;*
- 5.3.7 The visual appearance of the proposed development will be one of seamless accord between existing and new. The extension will be to the rear of the property thus preserving the front façade. The siting of the extension below existing ground level will also reduce the visual mass and with the natural hedgerow screening the proposed development it will be largely obscured, preserving privacy and amenity.
- (f) *Developments should provide adequate arrangements for servicing and public utilities;*
- 5.3.8 The private, domestic nature of the development means any arrangements involving public utilities are already existing and therefore of no consequence to this application
- (g) *Developments should provide adequate day lighting and privacy;*
- 5.3.9 It is our opinion that the distance between existing structures will ensure no adverse effects regarding light provision to the neighbouring property. The natural screening provided by the hedgerow running the length of the curtilage boundary will also respect any privacy afforded. The inclusion in the scheme of roof glazing will maximize natural light penetration and greatly reduce the need for artificial light.
- (h) *Materials used should be sympathetic to the character of the area;*
- 5.3.9 The materials proposed for the development are sympathetic to the local vernacular and will be comparable to the materials on the existing buildings to allow for an overall harmonious appearance.
- (i) *Developments should not result in the loss of important open space including public and private playing fields;*
- 5.3.10 This is not relevant.
- (j) *Developments should not damage SSSI's, County Heritage Sites, Local Nature Reserves or other sites of nature conservation importance;*

5.3.12 The proposed development is not situated in such a setting and therefore will have no effect whatsoever on any such location.

(k) *Developments should not require culverting, artificial channeling or destruction of a watercourse. Wherever possible watercourses should be maintained within a reasonable corridor of native vegetation;*

5.3.13 The development does not involve any interference with a watercourse.

(l) *Developments should be economic in the use of land, water and aggregates and should not prejudice future development which would provide significant environmental and amenity improvements:*

5.3.14 The proposed development conforms to this criterion as the proposed layout is the most efficient use of land; the development is sited adjoining the rear of the existing property rather than having development spread out across the site, which would be the case with the fallback position.

(m) *Where it is the intention to rely upon a private water supply, developments should provide an adequate means of water supply, which will not derogate existing users*

5.3.15 The development is supplied with water from a mains supply so would have no effect on any other users.

5.3.16 Considering the thirteen identified criteria listed in Policy G1 above we are of the opinion that the proposed development does adequately take into account the local context and conforms to the above criteria.

5.3.17 As the property is located in an area designated as open countryside and Green Belt, Policies ENV3 and ENV4 must also be considered, these are commented on below:

*Policy ENV3 – Open Countryside*

*In the open countryside outside the AONB and areas immediately adjacent to it, development will be required to be in keeping with the character of the landscape area and should reflect local vernacular, scale, style, features and building materials. Proposals to conserve, renew and enhance landscape features, will be permitted, providing regard has been given for the characteristic landscape features of the area.*

5.3.18 The proposed development has been carefully considered to ensure compatibility with the vernacular style in the vicinity. The local built form has been considered regarding design proposals and the scale of the proposed development is reflective of the existing property, although will be set down below the existing ground level to reduce any perceived visual impact, the style and materials will also be matched to the existing, thus allowing a seamless unison of original and new. The existing trees and hedgerows will all be preserved to allow for natural

screening. Giving consideration to the above policy we feel the proposed development conforms to this desired criteria.

5.3.19 In the preamble to Policy ENV 4 it states the 4 main functions of the Green Belt are:

- To safeguard the surrounding countryside from further encroachment;
- To prevent neighbouring towns from merging into one another;
- To preserve the special character of historic towns; and
- To assist in urban regeneration

5.3.20 The approval of the application would not prejudice any of the functions identified above.

5.3.21 The relevant policy criteria is examined and commented on below;

*Policy ENV4 – Green Belt*

*Within the Green Belt, as shown on the proposals map, planning permission will not be given, except in very special circumstances, for the erection of new buildings other than for the purposes of agriculture, forestry, essential facilities for outdoor sport and recreation, cemeteries and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of the designation.*

5.3.22 We consider that this policy is out of date and does not comply with the guidance of the NPPF which as we have already referred to identifies the extension of existing buildings as being an appropriate form of development in the Green Belt and consequently the advice of the NPPF takes precedence.

5.3.23 In the preamble to Policy H10 – Residential Extensions, it examines the problems that can be encountered when residential extensions are poorly designed and sited. The problems highlighted in the policy regard scale, design and massing, and their impact on the landscape and street scene. The policy states;

*POLICY H10 – Residential Extensions*

*Proposals to extend or alter existing residential properties within the plan area will be considered on the basis of scale, design and massing of the proposal in relation to the surrounding area. Proposals which conform to the criteria set out in Policy G1 will be considered acceptable.*

5.3.24 We are of the opinion that whilst the proposed extension is quite large that as a consequence of its siting and the fact that it is set below the existing ground level it is compliant with Policy G1 and therefore H10.

## 5.4 Local Planning Guidance – Ribble Valley Core Strategy

- 5.4.1 Although the Council submitted its Core Strategy to the Secretary of State, the Planning Inspectorate suspended the examination pending clarification of parts of its evidence base. These documents have now been updated and sent to the Inspector. They were also subject to a period of public consultation (from 12 August - 20 September 2013). The Inspectorate found the Council's evidence for housing, employment land, retail land and traveller accommodation to be out of date. Although the Council's core strategy regulation 22 submission draft document has not been adopted, it is a material consideration when considering planning applications and development proposals must conform to the relevant policies of this document. Below we will comment on the appropriateness of the proposed development in the context of the relevant policies, referred to in paragraph 5.1.3 above, as follows:
- 5.4.2 Key Statement EN1 which deals with development in the Green Belt is set out below. As can be seen its content is very similar to local plan policy ENV4 and has the same failing in that it does not recognise one of the accepted forms of new buildings in the Green Belt contained in National Planning Policy Framework has been the extension to existing buildings and therefore is inconsistent with NPPF which will take precedence. Consequently although the proposed development does not necessarily comply with Key Statement EN1 as it is not for one of the identified acceptable forms of development set out in the policy we believe that this would not prevent the approval of the application in light of national policy.

### *Key Statement EN1: Green Belt.*

*The overall extent of the Green Belt will be maintained to safeguard the surrounding countryside from inappropriate encroachment. The development of new buildings will be limited to the purposes of agriculture, forestry, essential outdoor sport and recreation, cemeteries and for other use of land which preserve the openness of the Green Belt and which do not conflict with the purposes of designation.*

- 5.4.3 In the preamble to Policy DMG1 - General Considerations, the Ribble Valley Core Strategy states that the purpose of the policy is to guide the principles of development and provide a clear approach to following the criteria require by the Core Strategy. The criteria required under policy DMG1 is in essence the same criteria required under policy G1 of the Ribble Valley Districtwide Local Plan, examined in Paragraphs 5.3.2 – 5.3.17 above, with the exception of the first criteria, therefore to avoid reiteration only this first criteria will be commented upon in this chapter;

### *Policy DMG1 - General Considerations*

*In determining planning applications, all development must:*

- (a) *Be of a high standard of building design which considers the 8 building in context principles (from the CABE / English Heritage Building in Context Toolkit);*

5.4.4 The Building in Context Toolkit was developed by English Heritage and CABE as a method of establishing an objective method of appraising development. The Toolkit involves a series of criteria that must be considered when appraising a proposal. These considerations are;

- *The Site - How does the proposed building relate to the site?*
- *Wider Setting - How does the proposal relate to the wider setting?*
- *Density - How does the density of the proposal relate to the density of the existing building (s)?*
- *Impact on Close Views - Has scale and siting been respected?*
- *Materials – Do they relate to the surrounding built form?*
- *Composition – Does the architecture display consideration?*
- *Public realm – What contribution, if any, is made to the public realm?*
- *Views and vistas – What affect has the proposal on the existing views and vistas?*

5.4.5 We consider that the proposed development properly and adequately reflects the relevant criteria listed above. The local built form has been considered sympathetically regarding the proposed development and represents the most efficient use of the curtilage. The siting of the proposed development has been carefully selected to have the least possible impact on both the applicants' property and the neighbouring property, Brook Farm, particularly in regards scale and appearance. The scale of the development relates well to the immediately adjoining development, the height of the building is equal to the existing dwelling but the development is set lower than the existing ground level so will not have an undue visual impact on the surrounding area. The development does not represent over-development as it uses only a relatively small portion of the curtilage of the dwelling, and as such will not have any adverse impact on the neighbouring property from a residential amenity perspective.

5.4.6 Considering the required criteria set out in the Ribble Valley Core Strategy/Building in Context Toolkit, we are firmly of the opinion that the proposed development adequately takes into account the local context and we feel that the proposed development represents a sympathetic, innovative design solution that is far more acceptable than the fall back proposal which would be permitted development.

## **5.5 Local Planning Guidance –Ribble Valley Supplementary Planning Guidance – ‘Extensions and Alterations to Dwellings’**

5.5.1 The Ribble Valley Supplementary Planning Guidance – ‘Extensions and Alterations to Dwellings’ was adopted in September 2000 as a part of the Local Development Framework for the Borough. Below we will comment on the appropriateness of the proposed development in the context of the relevant

guidance outlined in this document, referred to in paragraph 5.1.4 above, as follows:

- 5.5.2 This Supplementary Planning Guidance document has been prepared by the Council to explain the Council's planning policy regarding residential extensions and alterations to dwellings. It serves to incorporate all the design criteria required for appropriate development into a concise document that reflects best practice and therefore acts as a material consideration when determining planning applications. Upon consideration we feel that the proposed development does reflect this general guidance and will comment in more detail below
- 5.5.3 The guidance generally sets out the importance of any proposed development being sympathetic to its surroundings, both in terms of visual appearance and the actual siting of the development. It advocates the preservation of character and respect for unaffected amenity, particularly neighbouring properties. In terms of visual appearance the guide recommends the use of materials to match the form of any existing dwelling; it also advocates the preference for a pitched roof incorporated into the development.
- 5.5.4 The proposed development meets the criteria outlined in the document; the construction materials proposed will be sympathetic to the existing dwelling. The walls will be constructed from block work and stone and all openings will be formed using natural stone heads, sills and jambs to match the existing dwelling. The doors and windows are to match the existing dwelling. The proposed roof is to be pitched and covered in blue slate. The proposed development represents an architecturally sympathetic development, considerate to its surroundings regarding its design and a significant enhancement over and above the potential extension and outbuildings that our client would be allowed under permitted development rights.
- 5.5.5 In terms of the siting of the development the guide recommends that consideration be given to the impact any development will have on architectural character and the loss of amenity, both for the existing property and any affected neighbouring properties. Of particular consideration is the recommendation of avoidance of over-development of the garden space and overshadowing of neighbouring properties.
- 5.5.6 The proposed development is considerate of this guidance. The only neighbouring property, Brook Farm, is of an appropriate distance from the development as to be unaffected by the proposed development. The proposed site utilises a very small percentage of the area of the properties curtilage, this would represent limited encroachment on the garden. The construction below existing ground level also reduces the visual mass of the development and negates any overshadowing issues.



## **6. FALL BACK PROPOSAL**

- 6.1 It is usual practice when a rural building is granted permission for a change of use to a dwelling that in granting this permission the Borough Council will impose conditions requiring that any future extensions or external alterations to the dwelling, including any development within the curtilage, as defined in Schedule 2 Part 1 Clauses A to E of the Town and Country Planning General Development Order 1988, shall not be carried out without the formal consent of the Borough Council. This in effect removes all permitted development rights afforded the property.
- 6.2 When the original planning application (03/88/0248), as discussed in Paragraph 2.2 above, was approved on appeal there was a condition imposed which did remove these permitted development rights however the application was only an outline application and a reserved matters application was never submitted and consequently this application was never implemented.
- 6.3 Instead a new full planning application (03/1989/0343), as discussed in Paragraph 2.3 above, was submitted which was approved without a similar condition and consequently Lane Ends Barn enjoys permitted development rights which following changes made by the current Government are now quite generous in terms of the extent to which they allow a property to be extended. When taken together with the right to build extensive free standing buildings within the curtilage then the applicant could undertake far more extensive development at the application property than that proposed by this application, which would have a far greater effect on the openness of the Green Belt than the proposal would if allowed. However the applicant would prefer to implement the development proposed in this application than the fall back and would be willing to accept a removal of permitted development rights if the application were looked upon favourably.
- 6.4 The applicant has instructed us to prepare a fall back development proposal should this planning application be unsuccessful and we include plans, Pat/624/1674/02, of this at Appendix 1 of this Planning Statement. As can be seen the fall back involves the construction of a large single storey rear extension, a detached triple garage and a detached building housing a swimming pool complex, all within the restricted criteria allowed but taking full advantage of the permitted development rights still afforded the property and maximising use of the considerable available curtilage of the property.
- 6.5 We are of the opinion that the proposal put forward in this application is by far the most sympathetic solution to the requirements of the client, in both scale and appearance and would therefore advocate preference in favour of the proposed development.

## **7. SIMILAR DEVELOPMENT APPROVED WITHIN THE BOROUGH**

- 7.1 We are aware that development similar to that proposed in this planning application has been approved by the Council in the Borough. This section of the planning statement will examine these accepted proposals below;
- 7.2 Planning application number 3/2009/0855, which related to Townhead, Slaidburn granted planning consent for the construction of a new attached swimming pool complex. This development was in the curtilage of a Grade 2\* Listed Building, in a conservation area that was also designated an Area of Outstanding Natural Beauty. This planning application, which allowed similar development in a more prominent location in the Borough, with the added constraint of the protected status of the property, provides a clear indication that the type and scale of development proposed in our client's planning application has been considered to be acceptable in the Borough and supports our assertion that the design and layout and proportion of the development proposed are acceptable and should receive a positive recommendation.
- 7.3 Planning application number 03/2009/0474, which related to Dutton Hall, Gallows Lane, Ribchester granted planning consent for the alteration and extension of a Listed Building to accommodate a new garage, swimming pool and tennis court. This development was also in the curtilage of a Grade 2\* Listed Building. The swimming pool was located to the rear of the existing building and was approximately 19m long x 9m wide. These similarities to our application, but with the added constraint of the protected status of the property, would indicate a precedent that the Council considers this type of development acceptable.
- 7.4 Giving appropriate consideration to the instances where approval was given in the applications outlined above, in what could be argued were locations affording greater restrictions than the proposed location, and the criteria that are similar to our proposal for development, we consider the proposed development to be acceptable.

## **8. SUMMARY AND CONCLUSION**

- 8.1 This application proposes the construction of a residential extension to the rear of Lane Ends Barn which if approved would be constructed of block work with facing stonework to match the existing dwelling, under a slate roof, which will provide ground floor swimming pool accommodation with an en-suite bedroom accommodation above. The development would be located wholly within the residential curtilage of Lane Ends Barn and be solely for the private usage of the applicant. The development will not result in any adverse amenity issues or privacy infringements with regard to the only neighbouring property, Brook Farm.
- 8.2 Lane Ends Barn although a barn conversion enjoys permitted development rights as the planning approval, under which the barn was converted, 03/1989/0343, was not subject to a condition removing permitted development rights. As a

consequence if the proposed development were refused the applicants could undertake quite extensive alterations and additions to the property without the need for a specific grant of planning permission and therefore there is a fallback position that is a material consideration to the determination of this application, which lends support to its approval.

- 8.3 We have assessed the proposed development against the relevant saved policies of the adopted Ribble Valley Districtwide Local Plan (adopted June 1998), the relevant policies of the Ribble Valley Core Strategy (currently un-adopted) and we are firmly of the opinion that the proposed development complies with the relevant policies of both of these documents.
- 8.4 The development has been considered with regard to the guidance contained in the Ribble Valley SPG: 'Extensions and Alterations to Dwellings', and we are confident that the proposed development complies with the guidance outlined within
- 8.5 The introduction of the National Planning Policy Framework in 2012 clearly gave a new emphasis to allowing sustainable development to proceed and we consider that the development proposed in this application is sustainable and does not result in any significant adverse impact which would warrant its refusal.
- 8.6 We have commented on the potential development afforded under permitted development and reiterate that we consider our proposed scheme the most sympathetic and sustainable option.
- 8.7 We have made reference to similar development which has been approved in recent years by the Council. This supports our view that the proposed development does conform to policy and should be supported by the council and we would therefore expect a positive outcome to the application in due course.

Signed...  ..... Date... 30.06.2014

**Paul Fay. BSc (Hons)**  
**For and on behalf of Gary Hoerty Associates.**



## **APPENDIX 1**

**Plans showing the applicant's fall back position**

