

Householder
Planning Appeal,
Tythe Barn, Station
Road, Rimington,
Clitheroe. BB7 4DR

Planning Appeal
Statement of Case

Appellants: Mr &
Mrs A Woolfall

Trevor Hobday MRTPI

Planning Appeal Statement of Case

This is a Householder planning appeal and is made against the decision of Ribble Valley Borough Council (LPA) to refuse planning consent (planning reference: 3/2018/0480) for the change of use of agricultural area to allow for the extension of residential curtilage and first floor extension to the dwelling. Resubmission of planning application 3/2018/0223.

1 Site Location and Description

- 1.1 The appeal site is located on Station Road, Rimington. It lies within the settlement boundary as defined in the Adopted Core Strategy.
- 1.2 The appeal property is a detached dwelling under a pitched roof. The dwelling was converted from a derelict barn in the late 1990's and since that time has undergone a number of transformations all with the benefit of planning consent from the LPA; these have included the private detached garage and, more importantly, the introduction of the 3 dormers seen on the front elevation. There is also the single storey extension to the side of the dwelling and it is upon this that the appeal proposal is to be built. There is off-street parking provision within the appeal site curtilage. This is not affected by the appeal proposal and will be retained in full.
- 1.3 The planning application report (03/2018/0480) prepared by the case officer is both inaccurate and misleading with regard to the history of the property and especially with regards to its conversion to a residence. The report gives the impression that the conversion took place this century, it did not, and that the current consent sought would substantially change the appearance of the property from its current state, which the reports implies is close to the original condition of the barn.
- 1.4 The dwelling was originally converted from a derelict barn, with all necessary planning consents granted, in the late 1990's. Subsequent to conversion, the property has undergone substantial transformations, again with all the necessary planning consents, these have included:
 - Construction of the private garage

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- Construction of the dormer windows to the front elevation
- Extension of external boundary walls around the curtilage
- Single storey side extension (upon which is proposed to build the first floor extension)
- In 2002 the original barn door area was replaced with brickwork; there was further work to the front dormers by way of reconstruction together with the reduction in the eaves overhanging the front of the property.

1.5 As will be seen from the submitted appeal plans, there is a substantial curtilage attached to the appeal site. The site curtilage (red edge) is the curtilage requested specifically by the LPA when dealing with application 3/2018/0223 which was withdrawn and resubmitted as the appeal proposal!

2 Background

2.1 The appellants have been extremely patient, thorough and entirely reasonable in their dealings with the LPA in seeking to achieve their objective of securing a planning consent for an extension to their property. They first made a pre-application submission; they then took on board the general thrust of that response and submitted a planning application (3/2018/0223). The LPA then entered into discussions with the architect, requested further amendments but in so doing expressed a view that the application be withdrawn and resubmitted. Following discussions with the appellants and their planning consultant, the architect submitted the current application (the appeal proposal); this is significantly and materially different from 3/2018/0223 in that the curtilage was drawn back in line with the settlement boundary, the garage was retained in its present position, the glazed link was removed completely and the first floor dormer was removed. It appears to the appellants, given the time frame as set out by the architect, Peter Hitchen, that at least 4 officers have had an input into the determination of the application. It is clear from the discussions and negotiations held that the case officer was prepared to accept the development in principle and that a number of significant amendments were made at

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her request and incorporated into the revised submission; her views appeared to have been overridden by senior management.

- 2.2 A more detailed time-frame in dealing with the proposals and the current application through to this appeal has been prepared by the architect, Peter Hitchen Architects Ltd. This is a separate statement which forms an integral part of this appeal.

3 Appeal Proposal

- 3.1 In essence, the appeal proposal relates to:

- the extension of residential curtilage, the red edge on the submitted plan
- the erection of a first floor extension on the footprint of an existing ground floor extension. The first floor extension is set below the ridge line of the main dwelling and is stepped in from the front elevation. The materials will match those of the existing dwelling and the first floor fenestration detail was arrived at following discussions with the LPA (application 3/2018/0223).

4 The Development Plan

- 4.1 The decision notice issued by the LPA refers to The Ribble Valley Core Strategy (CS). This was approved in December 2014;
- 4.2 The National Planning Policy Framework (NPPF 2018) is also relevant.

5 The Planning Case

- 5.1 It is respectfully submitted that a single issue falls for consideration in this appeal:
- the effect of the proposed first floor extension upon the integrity of the existing dwelling and the wider street scene.

The effect of the proposed first floor extension upon the host dwelling and wider street scene

- 5.2 The appeal property is a detached dwelling under a pitched roof. The dwelling was converted from a derelict barn in the late 1990's and since that time has undergone a number of transformations all with the benefit of planning consent from the LPA; these have included the private detached garage and, more importantly, the introduction of the 3 dormers seen on the front elevation. There is also the single storey extension to the side of the dwelling and it is upon this that the appeal proposal is to be built.
- 5.3 The proposed extension has no adverse effect upon the integrity of the existing dwelling; it has no adverse effect upon the integrity of the overall character of this part of Station Road. Indeed, when the Inspector visits the site, it will become clear that this part of the village contains a wide variety of property types. Some, as is the case of the appeal property, on a substantial plot whilst others are of a more contemporary design and on much smaller plots on a small housing estate.
- 5.4 The LPA refer solely to CS policy DMG1 in their reason for refusal. This general policy sets out the criteria against which to assess development of the type proposed in this appeal. At paragraph 10.4 the policy states that in determining planning applications, all development must consider the following issues: **Design, Access, Amenity, Environment, Infrastructure, Other.**
- 5.5 **Design:** It is respectfully submitted that, of the 5 points set down, only points 1, 2 and 3 are relevant to this appeal. The scheme has been prepared and submitted by a professionally qualified chartered architect. The architect has paid due regard to CS policy DMG1, the host property, its setting and overall design. Further, the architect has taken on board, in discussion with the appellants, the planning case officers advice and significantly and materially amended the scheme. It is now entirely sympathetic to the host dwelling and its setting and meets the requirements of the case officer. The host property is detached and

stands in its own plot; it has no relationship with any adjoining dwelling, the nearest such properties being across the road and some distance away. In this regard, the proposal meets the requirements of CS policy DMG1. Likewise, the proposal accords with the NPPF requirements for developments to be of good design and goes further by stating that there is a presumption in favour of approval for all sustainable development.

- 5.6 **Access:** It is respectfully submitted that the appeal proposal has no effect whatsoever upon this element of the CS policy; the access is as it is and serves the dwelling and detached garage; this will not alter as a result of the appeal proposal and is not compromised. The LPA offer no evidence that the appeal proposal is contrary to this element of planning policy. In this regard, the proposal meets the requirements of CS policy DMG1 and the NPPF.
- 5.7 **Amenity:** Only point one of those listed is considered relevant to this appeal. The appeal proposal is entirely proportionate in scale, external appearance and design. It is for a first floor extension upon the footprint of an existing ground floor building. It is entirely subservient to the host property. It will have no adverse effect whatsoever upon the overall character of the area. In this regard, the proposal meets the requirements of CS policy DMG1 and the NPPF.
- 5.8 **Environment:** No issues are raised in the application nor has any evidence been put forward by the LPA in its decision notice that remotely suggests that any of the points listed in this issue will be compromised as a consequence of development being approved; they will not. In this regard, the proposal meets the requirements of CS policy DMG1 and the NPPF.
- 5.9 **Infrastructure:** No issues are raised in the application nor has any evidence been put forward by the LPA in its decision notice that remotely suggests that any of the points listed in this issue will be compromised as a consequence of development being approved; they will not. In this regard, the proposal meets the requirements of CS policy DMG1 and NPPF.

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5.10 **Other:** No issues are raised in the application nor has any evidence been put forward by the LPA in its decision notice that remotely suggests that any of the points listed in this issue will be compromised as a consequence of development being approved; they will not. In this regard, the proposal meets the requirements of CS policy DMG1 and NPPF.

6 Conclusions

6.1 In essence, the appeal proposal relates to:

- the extension of residential curtilage, the red edge on the submitted plan
- the erection of a first floor extension on the footprint of an existing ground floor extension. The first floor extension is set below the ridge line of the main dwelling and is stepped in from the front elevation. The materials will match those of the existing dwelling and the first floor fenestration detail was arrived at following discussions with the LPA (application 3/2018/0223).

6.2 The extension of the residential curtilage has previously been agreed with the LPA but inexplicably this appears not to have been considered at the decision stage.

6.3 The planning officer's report suggests that the extension will "considerably alter the design and appearance of the host property" and that it appears "disproportionate and ill-fitting when compared to the former barn". Such comments are misleading and overlook the fact that the property ceased to resemble the former barn following the various consents for the subsequent alterations that have since taken place. The LPA must consider the current appearance of the host dwelling as it is today and not as it was at some time in the past.

6.4 The extension proposal is entirely subservient to the host dwelling and will have no adverse effect upon either the character or integrity of the dwelling or the wider street scene. The proposal accords with ministerial

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and development plan policy. It is respectfully requested that the appeal is allowed and planning permission granted.

7 Costs

7.1 An application for costs is made as part of this appeal

Trevor Hobday MRTPI

24 September 2018