



Higher Elker Farm, Whalley Road, Billington, BB7 9HY

Demolition of existing garage and erection of two storey side extension,
first floor rear extension and new garage.

PLANNING STATEMENT

July 2021



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/1 INTRODUCTION

- 1.1. PWA Planning is retained by Michael Reilly ('the Applicant') to progress a full planning application for the demolition of the existing garage and the erection of two storey side extension, first floor rear extension and new garage. ('proposed development') at Higher Elker Farm, Whalley Road, Billington, BB7 9HY ('application site'). This planning application is made to Ribble Valley Borough Council ('the Local Planning Authority') as a full application and relates to the red edge application site boundary defined by the submitted Location Plan.

- 1.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. This Planning Statement will demonstrate that the proposals accord with the provisions of the relevant policies of the Development Plan, and moreover that there are other significant material considerations which indicate that planning permission ought to be granted. In addition, the statement will seek to demonstrate that there are no technical reasons which could hinder the grant of planning permission.

- 1.3. This statement should be read in conjunction with the submitted application package, which includes the following documents: -
 - 1 APP form, relevant certificates and notices.
 - Drawn information: -
 - Location Plan (ref. 1332-PL01);
 - Existing Site Layout (ref. 1332-PL02);
 - Existing Plans (ref. 1332-PL03);
 - Existing Elevations (ref. 1332-PL04);
 - Proposed Site Layout (ref. 1332-PL05);
 - Proposed Plans (ref. 1332-PL06B);
 - Proposed Elevations (ref. 1332-PL07B);

- Planning Statement (this document).
- 1.4. The aforementioned documentation reflects the validation requirements of Ribble Valley Borough Council.
- 1.5. The remainder of this report is structured as follows: -
- Section 2 - Site Description;
 - Section 3 - Proposed Development;
 - Section 4 - Planning Policy Context;
 - Section 5 - Planning Policy Assessment;
 - Section 6 - Conclusions.

/2 **SITE DESCRIPTION**

- 2.1. The application site extends to approximately 0.46 hectares in size and relates to a property that is situated to the west of the group of dwellings known as Elker Mews on the west side of Whalley Road close to St Augustine’s School. Higher Elker House, Elker Croft and Higher Elker Lodge are the other properties which alongside Higher Elker make up this cluster of residential development on the western edge of Billington.

- 2.2. A former farmstead adjoins the site to the north, which appears to be currently used for the storage of caravans/motorhomes. The dwelling subject to this application was initially approved as an agricultural worker dwelling under application 3/1988/0859/P, associated with said former farmstead. The property is set within a large residential curtilage, enjoying expansive maintained gardens/amenity space. The property is accessed via a private drive which solely serves the application site.

- 2.3. A location plan showing the site within its wider setting is provided with the supporting documents. For an aerial image of the site within its closer setting please see Figure 1 below.



Figure 1: Aerial image showing the location of the site (not to scale) (Source: Google Earth)

- 2.4. There is a public right of way which runs along the southern boundary of the site (3-6-FP 35). There are no listed buildings within the site, the nearest listed building is located 0.8km to the southwest, Mytton Fold Farmhouse (Grade II listed). The site is not located within the Forest of Bowland Area of Outstanding Natural Beauty, and by reference to the Environment Agency's flood risk map, the site does not fall within an area subject to flooding.

Relevant Planning History

- 2.5. A search of Ribble Valley Borough Council's planning register has been carried out to understand the planning history relevant to the site and the proposed development. Applications on Ribble Valley Borough Council's public access system which are relevant to the proposal at hand are:

- **Application Ref. 3/1988/0859/P** – This is the initial application for the dwelling subject of this application. As noted, it was approved as an agricultural worker

dwelling. The application was approved at planning committee despite an officer recommendation to refuse. Approved June 1989.

- **Application Ref. 3/1989/0715-P** – This was a reserved matters submission following the above quoted outline application. Approved December 1989.
- **Application Ref. 3/2013/0325/P** – Section 73 application to remove the agricultural occupancy restriction imposed by condition 3 of the outline consent. The Council approved this application on the basis they never believed that justification for the agricultural workers dwelling existed and as such saw no reason to enforce the restriction.

Pre-Application Advice

- 2.6. No formal pre-application advice has been sought in relation to this proposal. However, in devising the application it was thought prudent to establish if the property still benefitted from permitted development rights. Following discussion with the Council an email was received on the 11th of May 2021 from Nicola Gunn of the Council confirming that she could not find anything to suggest permitted development rights had been removed.

/3 PROPOSED DEVELOPMENT

- 3.1. The application proposes the demolition of the existing garage, and the erection of a two-storey side extension, first floor rear extension and construction of new garage. The application is submitted in full; the layout is illustrated on the submitted site plan (ref. 1332-PL05).
- 3.2. The side extension increases the width of the house by 4.05m and is the same depth of the existing dwelling (6.085m). The side elevation to be extend is a flat gable end and as such no alteration will be required to the existing roof, other than it being extended accordingly. The extension will provide space for an additional reception room and bedroom.
- 3.3. The rear elevation already benefits from an extension to the rear, and it is proposed to extend this up an additional storey to form a further bedroom. Whilst the extension projects 4.23m the proposed works do not give the impression of an extension of this size due to the existing cat slid roof in place. The extension seeks to replicate the area of the dwelling which projects off the primary elevation and sits below the existing ridge height.
- 3.4. The garage is to be relocated off the front elevation with the driveway extended as necessary.

/4 PLANNING POLICY CONTEXT

- 4.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that: *"where in making any determination under the planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise"*.
- 4.2. The Development Plan for the application site comprises of the Ribble Valley Borough Council Core Strategy 2008-2028 and the Housing and Economic Development DPD (2019). Key policy documents that comprise 'material considerations' include the National Planning Policy Framework (NPPF), The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and any local supplementary planning guidance documents considered relevant to the proposal.

Development Plan

Ribble Valley Borough Council Core Strategy 2008-2028

- 4.3. The policies considered relevant to the determination of the application are:
- Key Statement DS2: Sustainable Development;
 - Key Statement EN2: Landscape;
 - Policy DMG1: General Considerations;
 - Policy DMG2: Strategic Considerations;
 - Policy DME2: Landscape and Townscape Protection;
 - Policy DMH5: Residential and Curtilage Extensions.

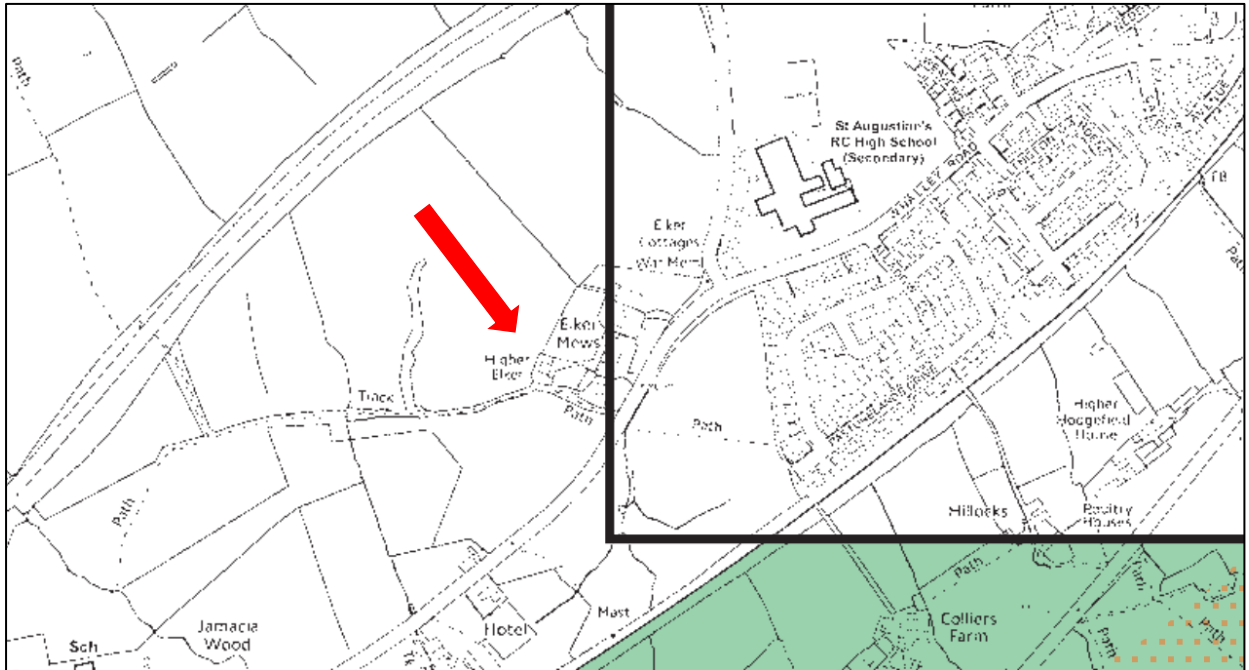


Figure 2: Excerpt from the Ribble Valley Borough Council Proposal Map

- 4.4. **Key Statement DS2** looks to mirror Paragraph 11 of the NPPF which details the sustainable development principles that seeks to guide both authorities and developers. Further to that, it places emphasis on the Council to develop proactive relationships with applicants to ensure where possible applications are approved unless material considerations indicate otherwise.
- 4.5. **Key Statement EN2:** Landscape focuses on protection of the Forest of Bowland AONB through ensuring development contributes to the conservation of the area. However, it does make the general point that in all locations the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.
- 4.6. **Policy DMG1: General Considerations** assists in ensuring that development proposals are in line with numerous broad considerations by providing a series of overarching considerations regarding the quality of developments. The policy categorises the criteria under 6 headings which are as follows: Design, Access, Amenity, Environment, Infrastructure and Other.

4.7. **Policy DMG2: Strategic Considerations** assists in the interpretation of the Development Strategy and underpins the settlement hierarchy for the purposes of delivering sustainable development. The policy also states that within the Open Countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting.

4.8. **Policy DME2: Landscape and Townscape Protection** states the proposals which induce significant harm to important landscape or landscape features. Such features are outlined as including:

1. *"Traditional Stone Walls.*
2. *Ponds.*
3. *Characteristic Herb Rich Meadows and Pastures.*
4. *Woodlands.*
5. *Copses.*
6. *Hedgerows and Individual Trees*
7. *Townscape Elements such as the Scale, Form, and Materials that Contribute to the Characteristic Townscapes of the Area.*
8. *Upland Landscapes and Associated Habitats Such as Blanket Bog.*
9. *Botanically Rich Roadside Verges (That are Worthy of Protection)."*

4.9. **Policy DMH5: Residential and Curtilage Extensions** advises that with regard to proposals to extend or alter existing residential properties must accord with policy DMG1 and any relevant designations within which the site is located.

Material Considerations

National Planning Policy Framework (NPPF)

4.10. The NPPF is a material consideration in planning decisions as per Paragraph 2 of the Framework and Section 38(6) of the Planning and Compulsory Purchase Act 2004.

- 4.11. The Framework sets out the Government's presumption in favour of sustainable development (Paragraph 11) whereby developments which correctly balance the requirements of economic, social and environmental issues should be granted planning permission unless there are strong reasons that permission should not be granted.
- 4.12. Sustainable development is broadly defined in Paragraph 8 of the Framework as having three overarching objectives:
- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 4.13. Section 12 of the NPPF deals with good design, and states this is a key aspect of sustainable development. Decisions should not attempt to impose architectural styles or tastes and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however proper to seek to promote or reinforce local distinctiveness.

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

4.14. The General Permitted Development Order (GPDO) details the level of development within the curtilage of a dwellinghouse that can be undertaken without the need to apply for formal planning permission. In this instance the document is being referenced in order to detail the fall-back position available to the application should the proposal at hand not be supported. This serves as a material consideration in the determination of this application as it allows the Council to view the proposal in the context of what could be built rather than simply the existing arrangement on site.

Side Extension

4.15. Schedule 2, Part 1 of the GDPO details the following within Section A.1 in relation to when a side extension is not permitted development:

- i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;*
- j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—*
 - i. exceed 4 metres in height,*
 - ii. have more than a single storey, or*
 - iii. have a width greater than half the width of the original dwellinghouse;*

First Floor Rear Extension

4.16. Schedule 2, Part 1 of the GDPO also details the following within Section A.1 in relation to when a first-floor rear extension is not permitted development:

- c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;*

d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

.....

h) the enlarged part of the dwellinghouse would have more than a single storey and—

- i. extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or*
- ii. be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;*

/5 PLANNING POLICY ASSESSMENT

Principle of Development

- 5.1. The principle of extending a residential dwelling is generally acceptable in most locations. This is emphasised by the fact that generally dwellings benefit from permitted development rights which allow for certain extension works to be undertaken without the need for formal planning permission.
- 5.2. In this instance the first-floor rear extension only fails to constitute permitted development by virtue of it being 4.23m in depth which is 1.23m more than is allowed by permitted development. Hence if this application was not successful the applicant would likely proceed with works but limit the extension to 3m. However, in considering the existing ground floor extension it would appear more appropriate and of a preferable design to ensure the proposed extension sits flush with the existing dwelling which at ground level currently extends to 4.23m.
- 5.3. Regarding the side extension the referenced sections of the GPDO confirm the applicant could construct a single-story side extension, of the width proposed, providing it was no more than 3m in height from eaves to ground and not greater than four metres in height overall. Consequently, the considerations in this instance are limited to whether the addition of a second storey is acceptable, which is discussed further in subsequent paragraphs.
- 5.4. The proposed replacement garage would not constitute permitted development by virtue of its siting off the primary elevation. However, given it is not this elevation which fronts the highway, and it would not unduly impact the amenity of the occupants, it is considered an appropriate and logical place to site the garage.
- 5.5. The scheme is not thought to induce any harm on existing features of the house or the wider landscape and is considered to be of a scale that is consistent with nearby properties and appropriate for the surround. The changes do not impact any heritage assets or comprise relationships with other existing built form and would not generate

any traffic or lighting issues. Consequently, the proposal is considered acceptable in principle in the context of policies DMG1, DMG2, DME2 and DMH5.

Design

- 5.6. The supporting suite of planning drawings accompanying the application illustrate the appearance of the proposed works. The design of the development has been carefully considered to provide a high-quality finish to the elevations whilst respecting its existing fabric.
- 5.7. The design ensures that the extensions do not result in a dwelling which is excessive in scale and certainly not oversized in relation to its curtilage, which as noted is expansive. The materials used will replicate the existing with the intention being for the extended portions to seemingly merge with the existing dwelling as oppose to appearing as a subsequent adds on of contrasting design. This is most applicable with regard to the two-storey side extension whereby a single storey extension undertaken under permitted development could potentially appear less in keeping and detrimental to the architectural language of the primary elevation.
- 5.8. Taking into account the above, the proposed development is considered to accord with the design principles of Policy DMG1 and Key Statement EN2.

Summary

- 5.9. Overall, it is considered the proposed development is consistent with both the Development Plan and NPPF. The extension to the dwelling meets the tests set by the aforementioned policies within the Development Plan and is deemed an appropriate form of development within the open countryside. The works would allow the dwelling to meet the needs of the applicant but have also been designed in a manner which assimilates the additions into the existing dwelling successfully. The principle of the development can therefore be supported.

/6 CONCLUSIONS

- 6.1. PWA Planning is retained by Mr Michael Reilly to progress a full planning application for the demolition of existing garage and erection of two storey side extension, first floor rear extension and new garage at Higher Elker Farm, Whalley Road, Billington, BB7 9HY.
- 6.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a requirement upon Authorities when determining planning applications to do so in accordance with the adopted Development Plan unless material considerations indicate otherwise.
- 6.3. This statement has set out the planning policy relevant to the determination of the planning application and has assessed the proposed development in this context. Section 5 of the statement assesses the proposal against the relevant planning policies, and it is concluded that the proposed development is in overall compliance with the relevant policies of the Development Plan.
- 6.4. For the reasons identified within this statement, it is considered that detailed planning permission for the development should be granted and that there would be no harmful impacts resulting from the proposed development.



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