

17th November 2021

The Planning Department
Ribble Valley Borough Council
Council Offices
Church Walk
Clitheroe
BB7 2RA



Our ref: LJC125
Your ref: -

By email only

Dear Sir/Madam,

**PROPOSED VARIATION OF CONDITION NO.2 – PLANNING PERMISSION 3/2020/0168
21 PARIS, RAMSGREAVE, BB1 9BJ**

I am pleased to enclose an application, made under the provisions of Section 73 of the Town & Country Planning Act (1990), seeking to vary the approved plan numbers of planning permission 3/2020/0168, on behalf of my client Mr W Choudhry.

The application has been submitted via the Planning Portal (ref - PP-10386609) and comprises:

- Application forms
- This supporting statement
- Location/site plan
- Amended elevations Dwg no. PL-01
- Amended floor plans Dwg no. PL-02

The application fee will be paid directly by the applicant.

Introduction

The application site currently comprises a detached bungalow, set within a spacious plot, located within the settlement boundary of Wilpshire.

The proposals seek to substitute plans already approved under application 3/2020/0168, which granted consent for the erection of a first floor at 21 Paris, creating a two storey property. The plans submitted within this Section 73 application seek to:

- Change the approved roof design from hipped to gable
- Rationalise the arrangement of doors & windows to the principal elevation
- Utilise slate rather than concrete tile to the main roof of the property

The site is not subject to any special designations in the Ribble Valley Core Strategy (and associated HED DPD Proposal Maps) and there are no constraints on or adjacent to the property (i.e. heritage

assets; protected trees; flood risk) which would influence the development proposed in this submission.

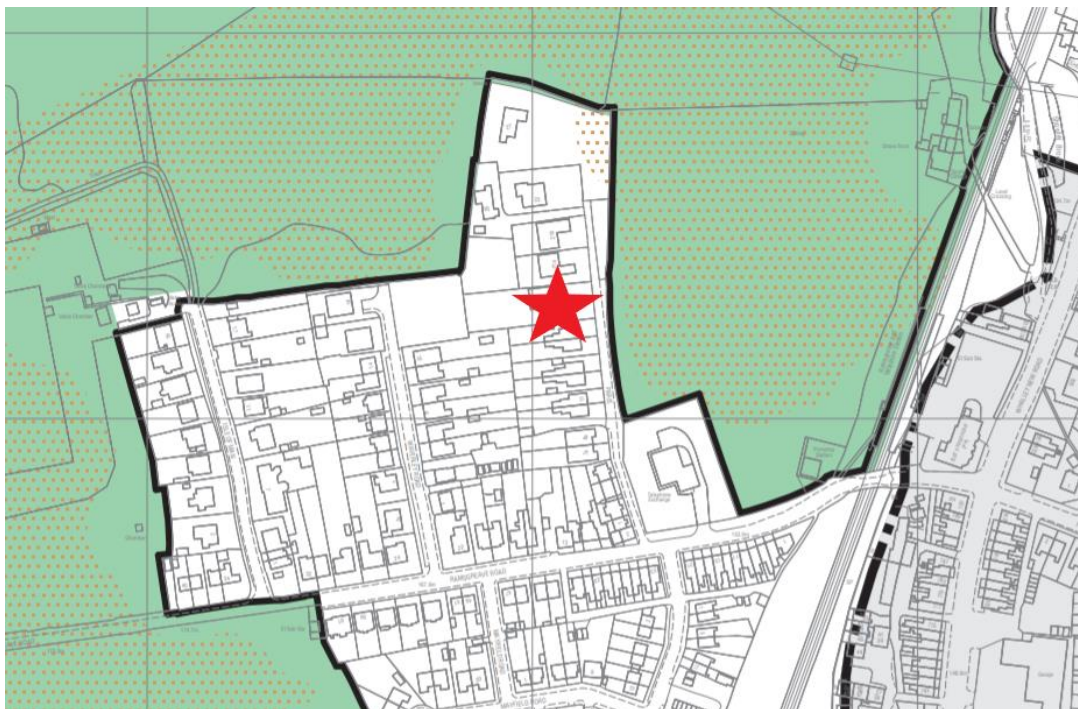


Figure 1 – HED DPD Proposals Map (site denoted by red star)

Planning history

The site has been subject to several applications in recent history. A brief summary is provided below.

Application no.	Description	Decision
3/2016/0144	Erection of replacement dwelling	Approved – 17/8/2016
3/2019/0213	Erection of replacement dwelling	Withdrawn – 25/4/2019
3/2019/0968	Lift roof and erection of dormers to rear	Refused – 21/11/2019
3/2020/0072	First floor extension to raise the roof	Approved – 27/4/2020
3/2021/0168	S73 to change materials and doors	Approved – 23/3/2021
3/2021/0654	Discharge of conditions (materials)	Approved – 29/6/2021
3/2021/0870	NMA to alter roof, windows and materials	Refused – 12/10/2021

The most recent submission (3/2021/0870) sought to secure proposed changes to the roof and windows by way of a Non-material Amendment (S96a). However, the Council determined that the amendments would be material and procedurally could not be dealt with via this method.

Accordingly, it was advised that an application be made under Section 73 to vary the approved plans.

Planning assessment

Section 38(6) of the Planning and Compulsory Purchase Act 2004 relates to the development plan as a whole and requires applications to be determined in accordance with the plan, unless material considerations indicate otherwise. In this case, the development plan comprises the Ribble Valley Core Strategy (2014).

Owing in to the nature of the proposed amendments, the following policies are applicable:

- **Policy DMG1** sets out various criteria to be considered in assessing planning applications. New development is expected to be of a high standard of design; sympathetic to existing land uses in terms of scale; appropriate in terms of visual appearance and landscape impact; acceptable with regard to its impact on amenity and raise no adverse highway safety issues.
- **Policy DMH5** – advises that extensions and alterations to existing dwellings must accord with Policy DMG1 and any other designations which may be relevant to the site in question.

As the planning history above demonstrates, the site has been subject to numerous submissions with the principle of both replacement dwellings and roof lifts having been accepted. Therefore, the key considerations in this application are the design and amenity implications of the proposed changes to the roof design, window arrangement and roof materials. Each will be considered in turn below.

Roof design & materials

The host permission was granted with a hipped roof design to the property, which the Applicant now wishes to amend to a more traditional gabled finish.

The roofscape of the street scene is characterised by pitched, gable designs finished in slate. In this respect the use of a hipped style with concrete tiles is relatively anomalous, other than being present on the bungalow as existing. As such, the proposed amendment is not considered to raise any unacceptable design issues and would result in a scheme which assimilates more readily into the street scene. Accordingly, there is no conflict with adopted policies in this regard.

With regard to the potential impact on neighbours, the proposed footprint and position of the dwelling does not change, therefore the potential impact of the increased volume to each gable is the sole area for consideration.

The bulk and massing of an additional floor at the property has already been supported and the introduction of a gabled design would not have any undue impact on the amenities of no's 19 and 21A Paris. The level of separation between the respective properties is commensurate with the development pattern of the area and the increase on overall massing is negligible in the context of the approved design. The distance between the south facing gable of the application site and 19 Paris is approximately 6.2m, with a greater distance of 7.8m between the north facing gable and 21 Paris.

In supporting the original application, the case officer's report states:

“A number of representations have raised objections on the basis that the proposal will have an undue impact upon neighbouring residential amenity by virtue of direct over-looking, loss of light and an overbearing impact. In respect of these matters, the proposal will utilise the

existing footprint of the dwelling with only the main body of the property being raised in height by one storey. Given the proposal will respect the existing linear arrangement of the properties to the north it is not considered that the proposal will result in any additional over-bearing or over-dominant impact to a degree that would warrant the refusal to grant planning permission. In respect of matters of privacy, amendments have been secured that omit any side facing windows to ensure there is no northward or southward direct overlooking of existing dwellings or associated private residential curtilage.

As such, taking account of the orientation of the property and the proposed extensions/alterations in relation to nearby dwellings it is not considered that the proposal will have any undue impact upon existing or future residential amenity by virtue of a loss of light, overbearing impact or direct over-looking relationship”

The same conclusions would be applicable to the amended scheme, particularly in the context of the fall-back position which is detailed with the ‘material considerations’ section below. No new window opening are proposed in the side elevations of the dwelling and the privacy of respective parties is maintained.

In light of all of these factors, the proposed revisions to the roof result in no conflict with the Ribble Valley Core Strategy in respect of their scale and impact.

Window & door arrangement

As with the proposed alterations to the roof, the changes to the windows and openings on the principal elevation would better reflect the simple, symmetrical style found in adjacent dwellings.

This results in a modest and acceptable change to the design and appearance of the dwelling and is wholly in accordance with Policy DMG1.

Material considerations

It is understood that permitted development rights have not been removed from the property and therefore could be implemented on completion of the extension as originally approved.

Schedule 2, Part 1, Class B of the GPDO (2015) (as amended) allows for ‘*the enlargement of a dwellinghouse consisting of an addition or alteration to its roof*’. This allowance, subject to various criteria and limitations, includes the provision of hip to gable extensions.

It would therefore be within the gift of the applicant to utilise these rights to achieve a design and massing not dissimilar to that proposed in this application, without the need for planning permission.

Whilst this represents a fall-back position and a material consideration which must be afforded weight in the decision making process, the development is acceptable in its own right and is compliant with Policies DMG1 and DMH5 of the adopted Ribble Valley Core Strategy.

Conclusion

This Statement has been prepared in support of the variation of plans previously approved as 21 Paris, Ramsgreave under planning permission 3/2020/0168.

It is sought to substitute the elevation and floor plans originally approved and listed within condition 2 of the Decision Notice, with the following:

- Proposed elevations Dwg no.PL-01
- Proposed floor plans Dwg no. PL-02

As has been demonstrated, the amendments are wholly compliant with the adopted policies of the Ribble Valley Core Strategy. As such, the presumption in favour of sustainable development should be applied and permission granted for the amendments, in accordance with Section 38(6) of the Act.

I trust you have all information necessary to validate the application. However, if you have any queries at this stage or wish to discuss the scheme during the determination process, please do not hesitate to contact me.

Yours sincerely

Lee Greenwood
Planning Consultant