

PLANNING STATEMENT

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2 Goosebutts Lane, Clitheroe, Lancashire, BB7 1JT

Introduction.

This brief planning statement is being submitted in support of a resubmitted planning application following refusal of an earlier application under reference 3/2023/0303.

Additional information is being supplied principally to address issues raised in the earlier refusal.

As in the cover letter, the applicant who is not familiar with the planning system is concerned that references were made in both reasons for refusal to lack of supporting information. All contact information was as usual supplied with the application, but Council did not attempt at any time to contact the applicant by phone, email, or text, to request additional information which could have been provided.

This refusal could possibly have been avoided.

In addition, the applicant is concerned at the repeated references to the 'rear garden area' of the application site in the officer's report and this seems to have played a significant part in the decision-making process.

As can be seen from a visit to the site and the enclosed aerial photograph the property does not have a rear garden. To the rear is a small and totally enclosed flagged yard area with a small corner for planting.

This expression used is totally misleading and simply incorrect, yet weight seems to have been placed on this in the decision-making process. The level of amenity afforded by this yard area is very limited.

The dwelling itself was the applicant's family home for many years, which since the death of parents is now vacant.

The applicant wishes to retain the dwelling as an asset to provide pension income and holiday letting seems an appropriate use.

Aware of issues sometimes arising from this kind of use the applicant has employed the services of Cottages.com, a well known and respected company with numerous properties being managed across the wider area and in the Ribble Valley.

They will manage the site properly and professionally and as below will be putting a whole range of safeguards in place.

The property is a four bedroomed bungalow in good condition in a suitable location close to amenities, the town centre and public transport availability.

The Proposal

The proposal is a simple change of use from a family dwelling to a holiday let available only for certain times of the year, (see below)

The only physical alteration to the site is the proposed erection of close boarded fencing on top of the existing dwarf wall along the western boundary of the rear yard area where it abuts number 4 Goosebutts Lane. This will bring the screen wall/fence up to a height of 1.8 metres.

As explained, the operation of the site will be controlled within a tenants agreement containing a number of safeguards, including the following: -

- Single family occupancy only
- Maximum of 6 occupants
- No sub letting
- No barbecuing allowed
- Not all year availability.

In addition, contact details, telephone numbers for the management company will be provided to neighbours so any issues arising can be dealt with accordingly.

Policy Considerations

In the absence of specific policies applicable to this type of use as in this case a balanced approach needs to be taken looking at policies in the round and in the absence of demonstratable harm the longstanding presumption in favour of sustainable development must prevail.

The National Planning Policy Framework is the starting point for consideration.

Paragraphs 7 and 8 set out clearly the objective of achieving sustainable development and making the 'effective use of land'.

Paragraph 10 contains the long-established presumption in favour of sustainable development.

Paragraph 11 makes it clear that decision making must be to approve proposals unless there is 'a clear reason for refusing the development proposed'.

Paragraph 38 again stresses the need for decisions to be taken in 'a positive and creative way'.

Paragraph 104 in dealing with suitable transport encourages walking, public transport etc which is extremely relevant in this sustainable location.

It further requires traffic impact to be identified and assessed, which certainly has not been properly undertaken to date.

Paragraph 107 deals specifically with parking standards and the needs amongst others to assess the accessibility of the development, the availability of public transport etc.

Paragraph 108 makes it clear that maximum parking standards should only be set, (as with the earlier application submission), where there is a 'clear and compelling justification', which the applicant does not believe applies here if properly assessed.

Paragraph 110 sets out further criteria against which proposals should be assessed and importantly paragraph 111 states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety...'

The limited and managed use of this site when assessed properly will clearly not cause harm and certainly not harm to that degree.

Paragraph 119 again reiterates the need for decisions to promote 'an effective use of land...', which the applicant believes is the case here.

Finally, paragraph 130 sets out criteria against which proposals should be assessed and the applicant believes those that are relevant are met by these proposals.

The adapted Development plan very much reflects Natural policy as set out in the NPPF.

Key Statement DS2 reflects the Councils positive approach to development proposals reflecting the presumption in favour of sustainable development.

Importantly it sets out the test i.e., that proposals will only be refused when they 'significantly and demonstrably' outweigh the benefits of the proposal.

Key Statement EC3 is very relevant to these proposals and confirms that the Council will encourage proposals which contribute to and strengthen the areas visitor economy, clearly the case with the application proposals.

Clitheroe is located within a major tourist area close to the Forest of Bowland AONB and the Yorkshire Dales National Park where there is a critical shortage of appropriate tourist accommodation.

The application proposals will provide a family holiday let in a sustainable location to help meet those needs.

Key Statement DM12 states that new development should be located to minimise the need to travel. The application site has good links to public transport, within close proximity to facilities and the town centre in an extremely sustainable location thus reducing the reliance on a private car.

Policy DMG1 is an overarching policy setting out the criteria against which development proposals will be assessed.

The applicant does not believe these proposals will conflict materially, if at all with these criteria when properly assessed.

Policy DMG3 similarly sets out transport criteria against which proposals will be assessed and again the applicant does not believe the proposals will have any adverse effect on highways safety and convenience.

Policy DMB1 seeks to support business growth and the local economy. In so far as the proposal provides tourist accommodation in short supply, forming an important part of the local economy, then they are in accord with its aims and objectives.

Policy DMB3 seeks to extend tourism and visitor facilities in the Borough, exactly what the application proposal will achieve, in providing quality accommodation in a sustainable location.

In summary the applicant does not believe that these proposals conflict with the planning policy at either National or Development Plan levels.

The proposals will not cause any demonstratable harm and the prevailing presumption in favour of sustainable development should apply.

Specific Issues Arising

The first reason for refusal on the earlier application alleges a lack of demonstration that the site can provide adequate parking.

As can be seen on site and in the accompanying photographs and ariel view the site has a substantial driveway which can comfortably accommodate two vehicles, whilst the attached and large garage provides a third space.

Given the conditions to be attached to all lettings i.e., single family occupancy and maximum six persons it is very unlikely that visitors will have more than one vehicle and perhaps exceptionally two.

In addition, this is a sustainable location where reliance on the car can be minimised.

In this context the applicant does not understand why maximum car parking standards are being applied, contrary to National advice and why two of these spaces should be 'independently accessible'?

This site was previously occupied by a family with two cars or more cars at times, which caused no harm.

The applicant has studied recently approved and constructed dwellings across the urban area and in the case of four bedroomed dwellings with driveway parking has noted the almost lack of independently accessible spaces.

No explanation has been given as to why the proposal is exceptional i.e., with maximum standards being applied and this further requirement, particularly given site-specific conditions, proposed restrictions on use of the site and its sustainable location.

This driveway could be widened if absolutely necessary, but this would destroy the attractive garden area, look unsightly and the applicant does not believe this to be necessary in any case.

Although forming part of the reason for refusal the applicant believes that actual traffic generation will be considerably less with the site in use as a single-family holiday let then when occupied as previously as a family home, particularly as a family on holiday are most likely to use only one vehicle.

The proposals will create no adverse effects on highways safety or convenience.

The second reason for refusal is based on a flawed understanding of the layout of the site, its character and relationship to neighbouring property.

As referred to above and clearly evidenced on site the property does not have a 'rear garden area' but a small, totally enclosed rear yard area.

This yard area is enclosed by the subject property to the front, the eastern elevation of number 4 Goosebutts Lane and the substantial shed erected on its western boundary, boundary treatment to be reinforced by additional close boarded fencing proposed along the western boundary.

The yard area is not open to adjacent garden areas to the rear and is physically and visually enclosed offering very poor levels of amenity for potential holiday use.

As above the yard area does not abut the garden area of number 4 Goosebutts Lane but is adjacent to its eastern elevation which has two non-habitable room windows, this boundary to be reinforced by additional fencing.

Only a very short length of the boundary abuts that of 81 Bollard Prospect and the boundary with 58 Pendle Road is comprised almost entirely of a substantial and bulky shed.

Given the above physical characteristics and the controls to be put in place there is absolutely no empirical or other evidence to suggest that neighbours will be subject to noise and disturbance and particularly to the degree alleged and why this should differ materially from the site being occupied as a family dwelling with all this entails, as it was for many years.

Conclusions

This proposal makes best use of this site in accordance with policy.

The holiday let will be properly and professionally managed by a recognised letting agency.

Numerous safeguards, controls will be put in place to protect amenity of adjacent residents.

On site parking requirements will be less than when previously occupied as a family dwelling, relaxed standards should apply.

Traffic movements will be less than when occupied as a family dwelling.

This is a sustainable location reducing reliance on the private car.

There will be no adverse effects on highways safety or convenience.

The property does not have a rear garden, merely a small, enclosed, flagged area, offering little amenity value.

Additional fencing proposed will reinforce boundary treatments.

There is no evidence to demonstrate that these proposals will cause harm. They are in accordance with policy when properly assessed, the presumption in favour should prevail.