

Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	EP	Date:	18/06/2025	Manager:	SK	Date:	19.6.25
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Application Ref:	2025/0305				Ribble Valley Borough Council www.ribblevalley.gov.uk		
Date Inspected:	Various.	Site Notice:		23/05/2025			
Officer:	EP						
DELEGATED ITEM FILE REPORT:				REFUSED			

Development Description:	Regularisation of landscaping and engineering works to create extended parking area to front and terracing at the rear and new summer house to rear.
Site Address/Location:	36 Painter Wood, Whalley Old Road, Billington BB7 9JD.

CONSULTATIONS:	Parish/Town Council
No comments received.	

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	No objection subject to condition.

CONSULTATIONS:	Additional Representations.
One letter of representation has been received raising the following points	
<ul style="list-style-type: none"> - How will the planted embankments be retained on adjoining shared boundary lines. - Glazing in the south and west elevations of the summer house will impact privacy. 	

RELEVANT POLICIES AND SITE PLANNING HISTORY:
Ribble Valley Core Strategy:
Key Statement DS1: Development Strategy
Key Statement DS2: Sustainable Development
Key Statement EN1: Green Belt
Policy DMG1: General Considerations
Policy DMG2: Strategic Considerations
Policy DMH5: Residential and Curtilage Extensions
National Planning Policy Framework (NPPF)

Relevant Planning History:
2024/0694: Proposed single-storey extension to the rear, single storey infill extension between dwelling and garage, alterations to fenestration, replacement flat roofs and addition of cladding. (approved with conditions).
2024/0506: Prior notification for enlargement of dwelling by construction of additional storey. (prior approval not required).

2022/0467: Demolition of existing house and erection of a replacement dwelling with associated external works. Resubmission of 3/2021/1122. (approved with conditions).

2021/1122: Demolition of existing house and erection of a replacement dwelling with associated external works. (refused).

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

36 Painter Wood is a prominent hillside location within the Green Belt and to the south of the Billington settlement boundary (formed by the Whalley Old Road). The existing dwelling is modernist in design (sited for commanding views over the Calder valley). It forms part of a row of similar residential properties, some now replaced but all adhering to similar design principles.

There are several extant consents in place at this site as follows:

24/0694: single storey rear extension, infill extension to side and fenestration alterations.

24/0506: prior notification for additional storey.

22/0467: replacement dwelling. (it is believed that development approved under 3/2024/0694 has commenced so it is not expected that this consent would be implemented).

Proposed Development for which consent is sought:

Part retrospective consent is sought for substantial landscaping and engineering operations conducted at the rear of the site. The works will create tiered levels within the garden retained by stone walling and accompanied by landscaping. The application also seeks consent for the erection of a summer house to the rear of the site. In addition, a new parking area with accompanied landscaping is to be constructed to the front of the site.

Green Belt:

The application site itself is in a sensitive, elevated hillside location which falls within the designated Greenbelt and as such consideration must be given in regard to the increase in built form and the impact on the openness of the landscape. Therefore, Key Statement EN1 of the Core Strategy and national Green Belt Policy contained within the National Planning Policy Framework (NPPF) is engaged.

Key Statement EN1 relates solely to development within the defined Green Belt. It states '*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 uses of land which preserve the openness of the green belt and which do not conflict with the purposes of the designation*'.

The National Planning Policy Framework (NPPF) Section 13 sets out the fundamental aim of Green Belt policy including the five purposes it serves and how Green Belt should be protected against inappropriate development. This includes assessing proposals which affect the Green Belt and its openness. NPPG identifies that "openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume".

As set out in the NPPF and Key Statement EN1 of the Ribble Valley Core Strategy, the essential characteristic of the Green Belt is its openness. NPPF paragraph 154 states that the construction of new buildings is inappropriate in the Green Belt subject to certain exceptions. These exceptions include the provision of appropriate facilities (in connection with the existing use of land), including buildings for outdoor recreation

as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

Development which is harmful to the Green Belt should only be permitted in 'very special circumstance' and these will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Excavation works at the site have already commenced and the introduction of retaining walls has begun, however, it is important to recognise the site prior to this was largely undeveloped and the rear curtilage reflected the openness of the surrounding landscape.

The proposed garden building is substantial in size, measuring 6.8m by 8.4m with a maximum height of 3.1m. When compared against the existing dwelling, the footprint of the proposed building is substantial. The footprint is even greater when compared with the footprint of the original dwelling. As such, it is considered that the proposed summer house would be an unacceptable addition within the greenbelt by virtue of its excessive scale in relation to the host dwelling. The proposed building is to be sited in the most easterly section of the rear curtilage, away from existing built form. Further enhancing its prominence within the defined greenbelt, particularly given the rear curtilage abuts undeveloped landscape.

There is an extant consent (24/0506) for an additional storey at the dwelling, which could still be implemented alongside this current application. This would result in an increase of over 100% of the original footprint of the dwelling alone. In addition, a further extant permission (24/0694) for an extension to the rear, for which it is believed construction has commenced, would result in an increase of approximately 17% of the dwellings current footprint. These two permissions alone, if implemented, would result in a substantial overall footprint increase within the defined Greenbelt. The cumulative impact of new development, if these two extant consents were implemented, alongside the proposed garden building, would be unacceptable by virtue of an unacceptable increase of built form within the defined greenbelt. Even in isolation, the proposed garden building is considered disproportionate in scale when compared with the original dwellinghouse and would cause undue harm to the openness of the greenbelt. Particularly when taking into consideration the creation of additional new structures within the site in particular the retaining walls.

As such, the proposed development will have an unacceptable impact on the openness of the defined greenbelt contrary to key Statement EN1 and the NPPF. The harm identified has not been outweighed or justified.

Impact Upon Residential Amenity:

The application site has two neighbouring dwellings known as No.34 and No.38 Painter Wood.

In respect to the proposed landscaping and engineering works, the overall land levels will remain largely consistent with the existing arrangement and as such it is not considered that any elevated overlooking is created, that differs significantly from the original arrangement, that would be of harm to neighbouring receptors.

The proposed garden room is located to the eastern edge of the curtilage with large sections of glazing proposed. The original scheme featured glazing on the southwestern side elevation of the building, however this has since been removed by the applicant in the interest of protecting the amenity of the neighbouring receptors to the southwest. There is still glazing proposed on the principal elevation of the building which would likely afford some levels of overlooking into neighbouring curtilage. However, given it is possible to overlook neighbouring curtilage within the existing garden due to sloping topography, it is not considered this forms basis for refusal. In addition, obscure glazing could be secured via planning condition.

Visual Amenity/External Appearance:

Policy DMG1 of the RVCS states that development must

- 1. Be of a high standard of building design which considers the 8 building in context principles (from the cabc/English heritage building on context toolkit).*
- 2. Be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.*
- 3. Consider the density, layout and relationship between buildings, which is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.*

In respect to the new parking area proposed to the front of the application property, it is understood that the land levels will remain largely consistent with the existing arrangement. There will be an increase in off-road parking provided but the development will be softened with accompanying soft landscaping. It is therefore not considered this part of the proposal would cause undue harm to character or visual amenities of the area and is acceptable. There is similar development found on neighbouring property.

The remainder of the development is sited to the rear of the dwelling but given the nature of topography with the site being on an elevated position, some views of the rear of the site can be afforded from within the public realm.

The proposed terracing in the rear of the site would result in the introduction of a number of stone retaining walls. Given the significant amount of such walls proposed, and subsequent increase in solid built form, the existing open character of the curtilage will be lost. This is particularly harmful given the open nature of neighbouring curtilage and landscape surrounding the development site, in stark contrast with the proposed development. It is recognised that landscaping is proposed in an effort screen and soften the proposed retaining walls. But given the substantial change in land levels from the dwelling itself to the rear edge of the curtilage (approx. 4 metre height increase) the supporting retaining walls have substantial height and visual prominence that cannot be suitably mitigated by the landscaping proposed. The original garden was almost entirely laid to lawn. Whilst some areas of the proposed scheme are to be turfed, the retaining walls will likely entirely screen these elements, resulting in the previously open and undeveloped curtilage being lost and becoming overdeveloped to an unacceptable degree.

It is therefore not considered that the proposed development is appropriate in its context, by virtue of an overdeveloped rear curtilage, substantial increase in built form and loss of openness. Contrary to Policy DMG1 and of further harm to the openness of the defined greenbelt.

Highways and Parking:

LCC Highways were consulted in relation to the proposal and raised no objection of highway safety grounds subject to the imposition of conditions relating to the construction and use of the driveway, the use of the summerhouse and the collection of surface water.

Landscape/Ecology:

Biodiversity Net Gain.

The development is exempt from having to achieve the mandatory Biodiversity Net Gain requirement as it is a householder application.

Observations/Consideration of Matters Raised/Conclusion:

As such, for the above reasons and having regard to all material considerations and matters raised that the application is recommended for refusal.

RECOMMENDATION:

That planning consent be refused for the following reasons:

1.	The proposed development fails to preserve the openness of the defined greenbelt and is of harm to the visual character of the area contrary to key Statement EN1 and Policy DMG1 of the Ribble Valley Core Strategy and section 13 of the NPPF by virtue of the introduction of substantial, disproportionate and incongruous new built form in conflict with the existing open character of the area. The harm identified has not been outweighed or justified.
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