

Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	EP	Date:	23/06/2025	Manager:	SK	Date:	24.6.25
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Application Ref:	2025/0340			 Ribble Valley Borough Council www.ribblevalley.gov.uk
Date Inspected:	Various.	Site Notice:	23/05/2025	
Officer:	EP			
DELEGATED ITEM FILE REPORT:				APPROVAL

Development Description:	Prior notification for enlargement of dwelling by construction of one additional storey.
Site Address/Location:	36 Painter Wood, Whalley Old Road, Billington BB7 9JD.

CONSULTATIONS:	Parish/Town Council
	N/A

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	N/A

CONSULTATIONS:	Additional Representations.
	No comments received.

RELEVANT POLICIES AND SITE PLANNING HISTORY:

The proposal will be assessed against the provisions of Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020. This provides permitted development rights for the following development:

The enlargement of a dwellinghouse consisting of the construction of—

- (a) up to two additional storeys, where the existing dwellinghouse consists of two or more storeys; or*
- (b) one additional storey, where the existing dwellinghouse consists of one storey, immediately above the topmost storey of the dwellinghouse, together with any engineering operations reasonably necessary for the purpose of that construction.*

Relevant Planning History:

2025/0305: Regularisation of landscaping and engineering works to create extended parking area to front and terracing at the rear and new summer house to rear. (refused).

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 one additional storey. (approved).

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.

Proposed Development for which consent is sought:

The application seeks prior approval for the enlargement of a dwelling through the construction of an additional storey.

Principle of Development:

This application seeks a determination as to whether the proposal constitutes permitted development and if so whether prior approval should be granted under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020.

Observations:

Paragraph AA.1 states the proposal cannot be considered permitted development if:

(a) *permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, O, P, PA or Q of Part 3 of this Schedule (changes of use);*

This is not the case.

(b) the dwellinghouse is located on—

(i) article 2(3) land; or
(ii) a site of special scientific interest;

This is not the case.

(c) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;

This is not the case.

(d) the existing dwellinghouse has been enlarged by the addition of one or more storeys above the original dwellinghouse, whether in reliance on the permission granted by Class AA or otherwise;

There is an extant consent for an additional storey achieved under prior notification application number 3/2024/0506 but this has not been implemented.

(e) following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres;

This is not the case.

(f) following the development the height of the highest part of the roof of the dwellinghouse would exceed the height of the highest part of the roof of the existing dwellinghouse by more than—

(i) 3.5 metres, where the existing dwellinghouse consists of one storey; or

(ii) 7 metres, where the existing dwellinghouse consists of more than one storey;

This is not the case.

(g) the dwellinghouse is not detached and following the development the height of the highest part of its roof would exceed by more than 3.5 metres—

(i) in the case of a semi-detached house, the height of the highest part of the roof of the building with which it shares a party wall (or, as the case may be, which has a main wall adjoining its main wall); or

(ii) in the case of a terrace house, the height of the highest part of the roof of every other building in the row in which it is situated;

The property is detached.

(h) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of—

(i) 3 metres; or

(ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse;

The floor to ceiling height of the additional storey will not exceed the height of the floor to ceiling height of the existing dwelling.

(i) any additional storey is constructed other than on the principal part of the dwellinghouse;

This is not the case.

(j) the development would include the provision of visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development; or

(k) the development would include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.

This is not the case.

The proposal meets all criteria a)-k) to be classed as permitted development.

Conditions.

Sub-paragraph (2) requires:-

(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

This would be the case.

(b) the development must not include a window in any wall or roof slope forming a side elevation of the dwelling house;

This would be the case.

- (c) the roof pitch of the principal part of the dwellinghouse following the development must be the same as the roof pitch of the existing dwellinghouse; and

This would be the case.

- (d) following the development, the dwellinghouse must be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse

The plans indicate this would be the case.

Sub-paragraph (3) states:

(a) before beginning the development, the developer must apply to the local planning authority for prior approval as to—

(i) impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light;

The application dwelling has two adjacent neighbouring dwellings. No.34 Painter Wood is located to the northeast of the application site. No.34 is on a lower ground level than the application dwelling, however the property has been reconstructed and benefits from additional storeys. Given the application dwelling as existing is a bungalow, the addition of a storey would not result in the property becoming substantially taller than No.34. As such, it is not considered that there would be any significant sense of overbearing or loss of light that would warrant refusal. The window openings proposed on the North elevation are consistent with those found on the application dwelling and as such there will be no new opportunity for overlooking onto no.34 created resultant.

The second neighbouring property, No.38 Painter Wood, is located to the southwest of the application site. No.38 benefits from an increased ground level in comparison to the application dwelling. As a result, following the proposed development, the application dwelling will only be marginally taller than the neighbouring No.38. Given the existing attached garage and single-storey outrigger located to the side of the application dwelling are to be retained as single storey, there will be sufficient separation distance between the proposed two-storey element and the neighbouring dwelling to mitigate any adverse impact.

(ii) the external appearance of the dwellinghouse, including the design and architectural features of—

(aa) the principal elevation of the dwellinghouse, and
(bb) any side elevation of the dwellinghouse that fronts a highway;

The principal elevation of the dwelling fronts Painter Wood and is therefore highly visible. The appearance will substantially change following the introduction of an additional storey. However, in respect of the proposed glazing and materials, the design and external appearance will remain largely consistent with the existing dwelling and neighbouring property to the Northeast. As such, it is not considered that the development will be of significant harm to the visual amenities of the area.

(iii) air traffic and defence asset impacts of the development; and

(iv) whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012(3) issued by the Secretary of State;

The above is satisfied.

RECOMMENDATION:	
	That planning consent be granted subject to the imposition of conditions.