



JUDITH DOUGLAS TOWN PLANNING LIMITED

High Beech House, 8a Crow Trees Brow, Chatburn BB7 4AA.



Source Google earth 2024

Regularisation of use of land as garden, and construction of summerhouse, greenhouse and hard standing. Planning, Design, and Access Statement. JDTP0590



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STATEMENT IN SUPPORT OF FULL PLANNING APPLICATION FOR REGULARISATION OF USE OF LAND AS GARDEN, AND CONSTRUCTION OF SUMMERHOUSE, GREENHOUSE AND HARD STANDING AT HIGH BEECH HOUSE, 8A CROW TREES BROW, CHATBURN BB7 4AA

1 INTRODUCTION

1.1 This Planning, Design, Access and Heritage Statement has been prepared by Judith Douglas Town Planning Ltd in support of a full planning application to retain the use of land as garden and to retain and existing garden summerhouse, greenhouse and a hardstanding.

1.2 It provides a description of the site and the proposed development, its compliance with the development plan and an assessment of other material considerations. It should be read in conjunction with the accompanying information:

A4693-PL06 Site Location Plan COU

A4693-PL07 Site Location Plan

A4693-PL08 Existing and Proposed Site Layout Plans

A4693-PL09 Site Sections

18.02.21V1 Plan and Elevations summerhouse

RHN021ED8X12 rev 2 Greenhouse Plans and Elevations

1.3 The application is made in retrospect because the applicants who purchased the house in 2024 were not aware that the garden has not formally had planning permission. The garden has been used as a garden to 8a Crow Trees Brow for more than 10 years. This is evident from aerial photographs and information from the previous owners of the property. Since moving into the house, the applicants have demolished a greenhouse, which was in the position of the summerhouse and erected a new greenhouse to the rear of the garage believing that these met permitted development rights and did not require planning permission. In order to regularise the matter this planning application has been submitted.

2.0 APPLICATION SITE AND SURROUNDING AREA

2.1 High Beech House and its garden is within the settlement boundary of Chatburn and outside but adjacent to the conservation area boundary as defined in the Housing and Economic Development, Development Plan Document Proposals Map, sheet 5 inset 28 see extract Figure 1.

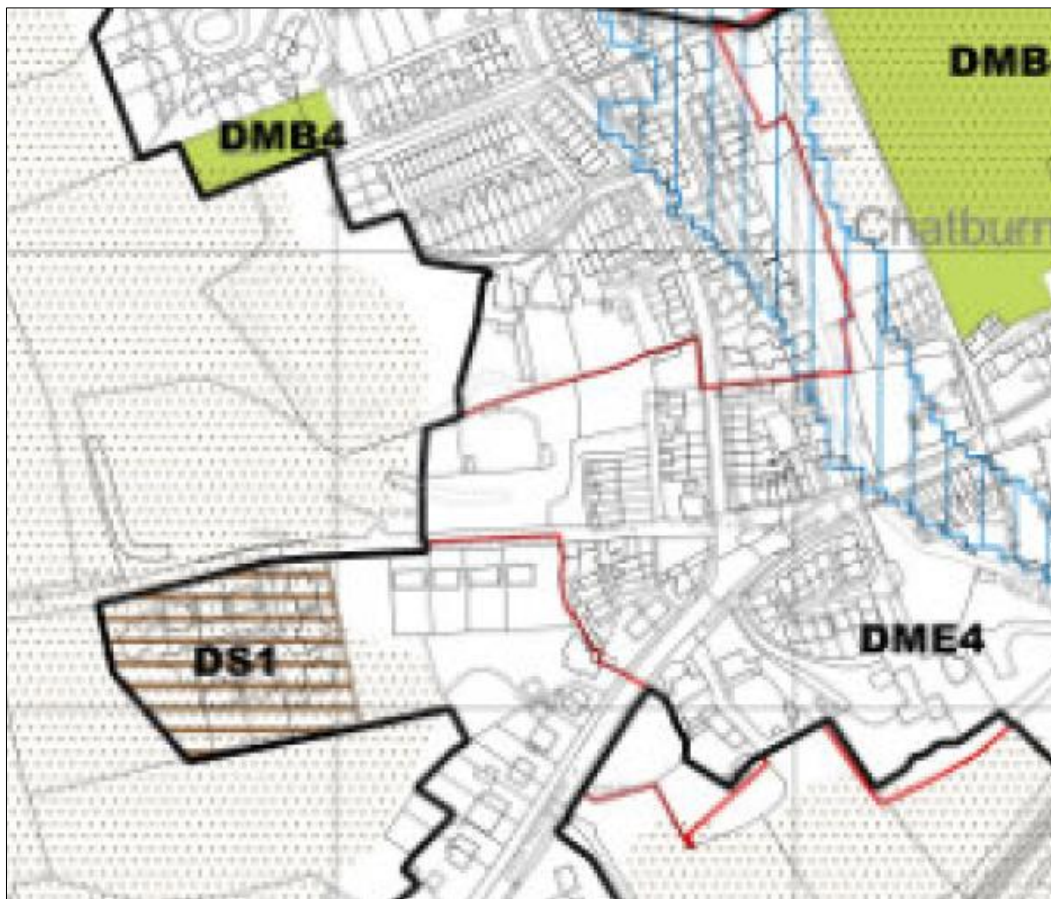


Figure .1 Housing and Economic Development, Development Plan Document Proposals Map, sheet 5, inset 28 (extract).

- 2.2 High Beech House is a detached dwelling, constructed in stone with a tile roof set within a large garden. In the garden is a garage which was constructed at a similar time as the house (see image 1). There is also a recently constructed summerhouse, a recently constructed greenhouse and the driveway to the house has recently been extended into the garden. A public footpath FP0311001 passes over the drive to the front of the house and then passes outside the garden along the southern boundary. The path is separated from the garden by a fence and a high, dense evergreen hedge.
- 2.3 The house and garden are surrounded by other houses and bungalows, except on the western side where there is vacant land between the garden and the new housing to the west.
- 2.4 The site is in flood zone 1 and area least likely to flood and is not affected by surface water flooding.



1. Google earth image 2002 Garage

3.0 PLANNING HISTORY

3.1 The planning history below is taken from the Council's website. It is not a complete record of the planning history of the site.

Application	Address	Development	Decision
3/1993/0817	Land off, Crow Trees Brow, Chatburn, Clitheroe	Erection of detached dwellinghouse and double garage formation of vehicular turning area & landscaping details	Approved with conditions 10/03/1994
3/2022/0333	High Beech House 8a Crow Trees Brow Chatburn BB7 4AA	Fell T1 (Beech) due to structural defects and decay. Crown Reduce, lift and thin T2 (Sycamore).	Approved 05/05/2022

3.2 It appears that the application in 3/2022/0333 was made on the basis that the trees were protected by a temporary tree preservation order 7/19/3/227. The order was not confirmed by the Council at the Committee meeting on the 19 May 2022 see appendix. Tree Preservation Order 2022 letter dated 23 June 2022.

4.0 SCHEME PROPOSALS

- 4.1 The scheme proposes the continued use of the land at High Beech House as garden, the retention of the summerhouse, greenhouse and the additional hardstanding. The development has already been carried out so the application is retrospective.
- 4.2 The proposed summerhouse has an overall footprint of 4.1m by 5.8m and is constructed out of timber with a cedar shingle roof and clear blind. It is 2m to the eaves and 3.269m to the ridge.
- 4.3 Greenhouse has been erected on a pre-existing surface of concrete paving slabs. It has an aluminium frame and measures 3.798m by 2.585m and is 1.622m to the eaves and 2.546m to the ridge. It is positioned to the rear of the garage.
- 4.4 The additional hardstanding will provide parking for vehicles and aid turning within the site as well as providing access to the large garden area.

5.0 RELEVANT PLANNING POLICY

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers to the development plan as a whole and requires planning applications to be determined in accordance with the plan, unless material considerations indicate otherwise. In this case the relevant parts of the development plan comprise the Ribble Valley Core Strategy (adopted 2014) and the National Planning Policy Framework (NPPF) (December 2024).
- 5.2 The specific policies in the Core strategy relevant to the application are:
- Key Statement EN5: Heritage Assets- expects there will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings.
 - Policy DMG1: General Considerations – sets out various criteria to be considered in assessing planning applications, including a high standard of building design, proposed development being sympathetic to existing land uses, highway safety and not adversely affecting the amenities of the area.

- Policy DMH5: Residential and Curtilage Extensions. Proposals to extend or alter existing residential properties must accord with Policy DMG1 and any relevant designations within which the site is located.
- Policy DME4: Protecting Heritage Assets- in considering development proposals the Council will make a presumption in favour of the conservation and enhancement of heritage assets and their settings.

6.0 EVALUATION

6.1 This section of the statement will justify the acceptability of the proposed development and demonstrate its accordance with the development plan and national planning policy.

Principle of development

6.2 At the time the house was granted planning permission only a small portion of the land at High Beech House was within the settlement boundary of Chatburn. Ribble Valley Districtwide Local Plan 1998 Sheet 6 inset 7 Chatburn. See figure 2. Since then, the settlement boundary of Chatburn has been amended so that the whole of the land at High Beech House is now within the settlement boundary of Chatburn. See figure 1.

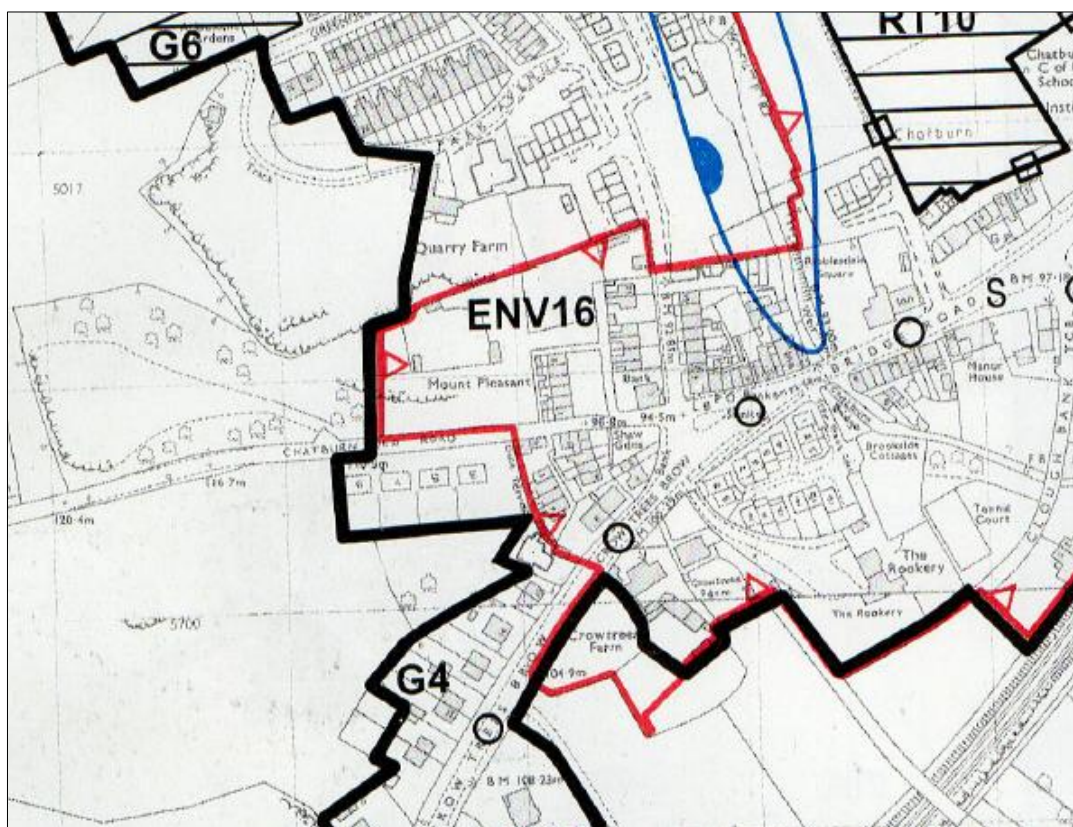


Figure 2 Extract from the Ribble Valley Districtwide Local Plan adopted 1998 proposals map.

6.3 Policy DMH5: Residential and Curtilage Extensions states:

“Proposals to extend or alter existing residential properties must accord with policy DMG1 and any relevant designations within which the site is located. Proposals that are for the extension of properties to provide accommodation for elderly or dependant relatives will also be subject to the following criteria:

- 1. The development must be capable of integration into the main dwelling or a use that is ancillary to the use of the main dwelling housing when circumstances change.*
- 2. The extension should generally speaking provide only a modest level of accommodation.*

Proposals for the extension of curtilage will be approved if:

- 1. The site is within a settlement, or,*
- 2. The site is on the edge of a settlement providing:*
 - the new curtilage boundary follows an easily identifiable feature such as a road, stream or hedgerow, or brings the boundary into line with existing adjacent properties.*
 - the extension will not cause visual harm to the landscape.*
 - the extension improves the visual quality of the site.*

Any existing nature conservation aspects of the existing structure should be properly Surveyed and where judged to be significant preserved or, if this is not possible, then any loss adequately mitigated. Proposals to extend a curtilage in other circumstances will not be approved other than where it will support the health of the local economy or for highway safety reasons.”

6.4 As the site is wholly within the settlement boundary of Chatburn the proposed extension of curtilage is compliant with policy DMH5.

6.5 The proposed outbuildings are single storey and constructed out of materials commonly used in the construction of garden outbuildings. The summerhouse is constructed in timber with a cedar shingle roof. The property to the north of the site 3 Chatburn Old Road has timber cladding on the rear gable facing the garden of High Beech House. The proposed greenhouse is positioned to the rear of the existing garage and is screened from the public footpath by the boundary hedge.

Impact upon residential amenity

6.6 Paragraph 135 (f) of the National Planning Policy Framework states:

“Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users”.

Policy DMG1 of the Core Strategy requires all proposals for development to consider the effects of development upon existing amenities.

- 6.7 The use of the land at the site as garden will have no adverse effect on the amenities of the neighbouring residential properties. The extended garden area is to the rear of 14 and 16 Crow Trees Brow and 3 to 7 Chatburn Old Road. The proposed greenhouse is to the rear of 14 Crow Trees Brow. The greenhouse is not visible from this property due to the high boundary hedge and fences which run alongside the public footpath. The summerhouse is to the rear of 3 Chatburn Old Road. 3 Chatburn Old Road has a large rear garden; the length of the back garden is approximately 20m. The proposed pavilion is about 2.5m from the joint boundary. The eaves are 2m and at its highest point it is 3.269m which is about 4m from the joint boundary. There are no openings facing north towards the neighbours' garden. The summerhouse will have no adverse impact on the outlook from 3 Chatburn Old Road or the privacy of its garden. The extended hard surface gives access to the south-west part of the garden and again will have no adverse impact on neighbours as it will not bring vehicles close to the boundary of any of the surrounding properties.

Visual Amenity

- 6.8 Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that development:
- “a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)”*
- 6.9 Policy DMG1 states all development must
- “1. Be of a high standard of building design which considers the 8 building in context principles (from the CABE/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.

4. Use sustainable construction techniques where possible and provide evidence that energy efficiency, as described within Policy DME5, has been incorporated into schemes where possible.”

6.10 The proposed garden extension, greenhouse, hard standing and summerhouse will not be particularly visible from outside of the site. The rear garden is enclosed by the gardens to the neighbouring properties and a high hedge which runs along the boundary of the public footpath and affords good screening. The garden and the proposed buildings will reflect the character of the village and will be harmonious with it.

6.11 The site is outside but adjacent to the Chatburn Conservation Area. With reference to making decisions on applications for development in Conservation Areas, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

“...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

This guidance is reiterated in Key Statement EN5 of the Ribble Borough Valley Core Strategy which stipulates that all development proposals should respect and safeguard the character, appearance and significance of all Conservation Areas.

6.12 The *Chatburn Conservation Area Appraisal (2005)* identifies numerous elements as contributing to the Conservation Area’s special interest which include:

- Its setting in a hollow formed by the Chatburn
- 17th and 18th century farmhouses and barns as evidence of the agricultural origins of the village;
- Mainly 19th century buildings along all the roads into the village in the local vernacular style, including terrace rows built for workers in the now defunct Victoria Mill
- The former tollhouse on the corner of Sawley and Chatburn Road and the public houses either side of the Chatburn bridge testifying to the role of the village in transport history;
- The ensemble of the 19th century parish church of Christ Church, its adjacent school, library, institute and cricket pitch;
- The close proximity of relatively wild moorland and open fields, which provide a rural setting to the village;
- Long views to the fells that define and enclose the Ribble Valley.

6.13 The application site adjoins the western edge of the Chatburn Conservation Area and as such lies within its setting. However, it is clear that the location of the development would not be read in concert with any of the area's elements of special interest listed above. Neither would the development impinge upon any of the area's key views as referenced on the Chatburn Conservation Area Townscape Appraisal Map. In light of the above, it can be concluded that the proposed development would not have any undue impact upon the character and appearance of the Chatburn Conservation Area. As such, the proposed development would satisfy the requirements of Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Highways and parking

6.14 The development will not lead to any increase in traffic to the site. The pre-existing arrangement for parking and turning vehicles was restricted. If there were two cars parked outside the garage it was necessary to reverse onto the highway as there was insufficient room to turn vehicles. The property has six bedrooms and vehicles have increased in size since the house was built 30 years ago. The additional hardstanding will provide additional parking and allow cars to turn within the site. The summerhouse, greenhouse and additional hard standing will not affect the existing parking arrangements which have been in place for over 10 years.

Ecology

6.15 Under the Environment Act 2021, all new developments must now provide a minimum of 10% Biodiversity Net Gain. The proposal is considered to be exempt from the mandated BNG requirements as the application is retrospective and therefore BNG does not apply.

7.0 SUMMARY AND CONCLUSION

7.1 As we have described, the regularisation of the use of the land at High Beech House as garden and the retention of the greenhouse, summerhouse and hardstanding proposed are appropriate in term of use, design, location and form and accord with policy DMG1 and DMH5. The scheme will provide high quality development in terms of its appropriateness to its setting. It would not have any adverse impact on the setting of Chatburn Conservation Area. This is compliant with Key Statements EN5 and policies DMG1. DMH5 and DME4 of the Core Strategy

- 7.2 The development will have no significant impact upon the residential amenities of neighbouring properties and as such accords with policy DMG1.
- 7.3 No environmental or technical matters have been identified which would weigh against the development. In light of all the issues detailed within this Statement, the presumption in favour of sustainable development should be applied, and the application supported.

Appendix

Tree Preservation Order 2022 letter dated 23 June 2022.



RIBBLE VALLEY BOROUGH COUNCIL

please ask for: Alex Shutt
direct line: 01200 4147505
e-mail: alex.shutt@ribblevalley.gov.uk
my ref: AS
your ref:
date: 23 June 2022

Council Offices
Church Walk
CLITHEROE
Lancashire BB7 2RA

Switchboard: 01200 425111
Fax: 01200 414487
www.ribblevalley.gov.uk

Dear Mrs Grayson

HIGH BEECH HOUSE, 8A CROW TREES BROW, CHATBURN
TREE PRESERVATION ORDER 2022

Please accept this letter as confirmation that the committee decided not to confirm the above Tree Preservation Order on the 19 May 2022. Please find enclosed a copy of the Non-Confirmed Order for your records.

The Non-Confirmed Order will be held on record by the Council but none of the trees within the Order are protected.

If you have any further questions, please do not hesitate to contact me.

Yours sincerely



ALEX SHUTT
COUNTRYSIDE OFFICER