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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | |
| **Signed:** | **Officer:** |  | | | | **Date:** |  | **Manager:** | |  | | **Date:** |  |
| **Site Notice displayed** |  | **Photos uploaded** | | | |  |  | | | | | | |
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| **Application Ref:** | | | 3/2021/0789 | | | | | |  | | | | |
| **Date Inspected:** | | | 26/11/2021 &2/02/22 | | | | | |
| **Officer:** | | | AD/JM | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | **Decision** | | **Refusal** | | |
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| **Development Description:** | | | | | Proposed 1 single storey rear extension and replacement garage/out-building. Resubmission of 3/2020/1036. | | | | | | | | |
| **Site Address/Location:** | | | | | **46 Eshton Terrace Clitheroe BB7 1BQ** | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Parish/Town Council** | | | | | | | | |
| No objections. | | | | | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Highways/Water Authority/Other Bodies** | | | | | | | | |
| **LCC Highways:** | | | | |  | | | | | | | | |
| No objection  **The Gardens Trust:**  No comments received.  **Historic England:**  Do not need to notify or consult HE. | | | | | | | | | | | | | |
| **CONSULTATIONS:** | | | | | **Additional Representations.** | | | | | | | | |
| One letter of objection which makes the following points:  Location unclear, higher roof, hours of operation (rebuilding of the rear workshop); materials/finish used in dormers; no front elevation materials identified; prominent in Conservation Area/entrance to Castlefield Park/views from Castle park; unadopted rear track and not rear street; no significant variety of heights of outbuildings; Conservation Area Appraisal quote incomplete; existing outbuilding not timber clad. | | | | | | | | | | | | | |
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| **RELEVANT POLICIES:** | | | | | | | | | | | | | |
| Ribble Valley Core Strategy:    Key Statement EN5 – Protecting Heritage Assets  Key Statement EC1 – Business and Employment Development  Key Statement EC2 - Development of retail, shops and community facilities and services  Policy DMB1 – Supporting Business Growth and the Local Economy  Policy DME4 – Protecting Heritage Assets  Policy DMR1 – Retail Development in Clitheroe  Policy DMG1– General Considerations  Planning (Listed Buildings and Conservation Areas) Act 1990 ‘Preservation’ in the duty at section 66 and  72 of the Act means “doing no harm to” (*South Lakeland DC v. Secretary of State for the Environment*  [1992]).  Clitheroe Conservation Area Appraisal    NPPF  NPPG | | | | | | | | | | | | | |
| **Relevant Planning History:**  3/2020/1036 – Proposed 2no. single storey rear extensions, replacement garage/out-building. Two  dormer windows on the rear elevation and separate access to the flat above. PP refused 23/3/2021.  3/2017/1026 – Proposed third floor roof lights, with integral balcony to rear, two storey extension to rear  including infilling existing rear window and construction of external staircase to create separate access to  first floor flat. Replacement exhaust vent to rear, and replacement of existing yard building with a single  storey extension to laundrette with sedum roof. New signage to shop front. PP refused 8/1/2018.  3/1986/0311 - C/u flat to office. PP granted 3 July 1986. The file report identifies the flat to be at First  Floor (Ground Floor in commercial use) and proposed office use as ‘haulage broker’. | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  Eshton Terrace forms the southern boundary to Clitheroe Conservation Area. Immediately to the north is Clitheroe Castle Historic Park and Garden (Grade II; the site is close to one of the Park’s principal entrances). The site is within the setting of Clitheroe Castle (Grade I and II listed and scheduled monument) and Holmes Mill (Grade II).  The 1848 OS Map shows a seven unit Eshton Terrace (now Nos. 30-42) in a rural setting. By 1886 Eshton  Terrace had reached its existing extent and land to the south (Wilson Street) had been developed. The  Clitheroe Conservation Area Appraisal identifies the terrace (and the adjoining terrace on Eshton Terrace)  to comprise Buildings of Townscape Merit making a positive contribution to character and appearance. | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  Planning permission is sought: for works (creation of a doorway within a lowered shopfront upvc window) to separate access to the ground floor launderette from the first and second floor flat; addition of two dormer windows to the rear roofslope (providing three dormer windows to Bedroom 1 and its en-suite); a lean-to rear extension; a replacement, larger (including double-pitched roof) storage building within the rear curtilage.  **Head of Planning**: Following a site visit the proposal has been amended with one dormer being replaced by a conservation style rooflight and the front elevation to altered to have a separate door located nearer to 48 Eshton terrace and a reduced window opening size. The applicant has also accepted an hours of use condition to minimise impact on residential amenity including the occupiers of the proposed flat. | | | | | | | | | | | | | |
| **Impact upon the character and appearance of Clitheroe Conservation Area, the setting of Clitheroe Castle Historic Park and Garden and the setting of listed buildings:**  No 46 is significant as part of a historic residential terrace. This interest includes distinctive paired doorways (e.g. No. 44/46). The terrace has been altered to accommodate shop windows at No. 44 and No.46. However, cill/store riser heights have been retained to match those in the rest of the terrace. The proposed dropping of the shopfront (with integral, central and flush doorway) will result in an incongruous and conspicuous (the front boundary walling has been removed from No 44) feature.  Carefully considered single dormers appear to be a historical feature of both front and rear elevations of the terrace. However, the proposed introduction of two dormers to the rear roofslope facing the Castle Historic Park and Garden is unduly prominent and dominates and detracts from the plain historic character of the terrace rear roofscape (see No. 52). The dormers could be seen from the Castle Keep but would not result in a significant impact on its setting from this distance.  Upvc is an overtly modern material which has a different (smooth glossy) appearance and visual texture to painted timber. Furthermore, frames often include non-traditional features such as mitred joints with an angular appearance.  The significance of the site identified in the Clitheroe Conservation Area Appraisal has been considered:  “*Good examples of late 19th century terraced houses in Eshton Terrace*”; “*The Castle Grounds which is included on the English Heritage Register of Parks and Gardens*” (Summary of special interest).  “*The conservation area contains three notable open spaces the most significant of which is Clitheroe Castle Grounds*” (The character of spaces within the area).  “*On the periphery of the conservation area are several streets of characteristic late 19th century artisans’ terraced houses. They are all two storeys in height and typically present a strong rhythm of regularly spaced doors, windows and chimney stacks. In recent years many original timber doors and windows have been replaced and front garden boundary walls have been altered*” (Architectural and historic character).  *“Buildings of Townscape Merit in Clitheroe vary, but generally date to the 18th and 19th century. They may be modest terraces, such as St Mary’s Street or Eshton Terrace … The survival of original materials and details, and the basic, historic form of the building, is important. Where a building has been adversely affected by modern changes and restoration is either impractical or indeed, not possible, they are excluded”* (Buildings of Townscape Merit).  “*Many of the unlisted, and some of the listed, buildings in the conservation area have been adversely affected by the use of inappropriate modern materials or details*”(Threats to the Clitheroe Conservation Area: Loss of original architectural details).  The Clitheroe Castle Historic Park and Garden description suggests that Park boundaries were intentionally landscaped to screen adjoining properties:  “*the southern boundary is Eshton Terrace and the gardens of the houses, built in the 1840s, which stand along the north side of this road*”.  “*Entrances and Approaches: … the west end of Eshton Terrace to the south*”.  “*Gardens and Pleasure Grounds: the Castle landscaping included a belt of trees along the eastern side of the fields, adjacent to Woone Lane, and also planting to screen the houses along the southern end of the Castle grounds*”.  The Clitheroe Conservation Area Management Guidance identifies:  “*Roofs: The roof is nearly always a dominant feature of a building and the retention of its original structure, shape, pitch, cladding and ornament is important*”.  *“Replacement windows: The insertion of factory made standard windows of all kinds, whether in timber, aluminium, galvanised steel or plastic is almost always damaging to the character and appearance of historic buildings. In particular, for reasons of strength the thickness of frame members tends to be greater in plastic or aluminium windows than in traditional timber ones”.*  ‘Making changes to heritage assets’ (Historic England, 2016) is also relevant:  “Removal of, and change to, historic shopfronts may damage the significance of both the building and the wider conservation area, as may the introduction of new shopfronts to historic buildings where there are none at present. All elements of new shopfronts (stall-risers, glazing, doors, fascias, etc.) may affect the significance of the building it is located in and the wider street setting” (paragraph 53).  “The insertion of new elements such as doors and windows, (including dormers and roof lights to bring roof spaces into more intensive use) is quite likely to adversely affect the building’s significance” (paragraph 48).  **“**The historic fabric will always be an important part of the asset’s significance” (paragraph 42).  ‘Alterations to listed buildings’ (IHBC, 2021) identifies:  “New dormers are rarely appropriate on principal elevations” (5.11.3).  Therefore, the proposals have a harmful Impact upon the character and appearance of Clitheroe Conservation Area including its streetscape/townscape and the setting of Clitheroe Castle Historic Park and Garden.  The proposals are contrary to Key Statement EN5 and Policy DME4 and DMG1 of the Ribble Valley Core Strategy which require:  The Historic Environment and its Heritage Assets and their settings to be be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits (EN5).  Proposals within a conservation area to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance. Location, scale, size, design and materials and existing buildings, structures, trees and open spaces are identified as important considerations.  Alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting to not cause harm to the significance of the heritage asset.  Proposals to not cause harm to or loss of significance to registered parks, gardens or landscapes of special historic interest including their setting (DME4).  All development to:  Design - 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 and 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.  Environment - protect and enhance heritage assets and their settings (DMG1).  The Principles most relevant are:  Principle 2 - A successful project will relate to the geography and history of the place and lie of the land.  Principle 3 - A successful project will be informed by its own significance so that its character and identity will be appropriate to its use and context.  Principle 5 - A successful project will respect important views.  Principle 7 - A successful project will use materials and building methods which are as high quality as those used in existing buildings.  The harm to the conservation area (including loss of fabric at property front) and historic park and garden is limited to the immediate area around the site and is of ‘less than substantial harm’.  NPPF paragraph 202 requires that ‘less than substantial’ harm be weighed against any public benefits of proposals. NPPF paragraph 200 also requires clear and convincing justification for any harm to designated heritage assets. The business case for proposed development is considered at section 3 of the submitted statement – this appears to largely relate to the need for the proposed rear extension and rebuilt outbuilding – both these elements appear acceptable in principle (although no details of potential noise etc. submitted; windows). They are potential public benefits of the scheme (although the submitted business case is not detailed and does not identify the consequences of not implementing the works). Details as to why the existing vestibule entrance to the flat and launderette are not suitable (and cannot be altered to make suitable) have not been submitted. It is not clear why three dormer windows are required to a bedroom/en-suite.  The public benefits identified above and construction employment do not outweigh the harm to the character and appearance of Clitheroe Conservation Area and the setting of Clitheroe Castle Historic Park and Garden.  **Head of Planning**: The comments above are noted but based on the secured amendments it is considered that the public benefits of the creation of a flat which is currently unoccupied due tom the substandard accommodation and supporting the viability of the existing service and employment benefits out weigh the limited harm to the setting of the Conservation Area or Historic Park and Garden | | | | | | | | | | | | | |
| **Residential Amenity:**  The submitted information suggests the development subject to conditions would have an acceptable impact upon residential amenities.  **Head of Planning:** Comments of EHO are noted but following a site visit and discussion with the applicant and monitoring the noise associated with the machinery it is not considered to have an impact on adjoining residential amenity or the occupiers of the proposed flat to warrant a noise condition or limit the occupation of the flat to someone employed at the Laundrette.Currently there is no hours of use restriction but the operating hours are 0800-1800. | | | | | | | | | | | | | |
| **Highways:**  The comment of LCC Highways suggests no highway concerns. | | | | | | | | | | | | | |
| **Ecology:**  RVBC Countryside advises that no evidence was recorded to suggest bats are roosting within the buildings therefore there is negligible potential risk for bats. An EPS Licence (EPSL) is not required to proceed lawfully. The development would be acceptable subject to condition (bats exposed during work). | | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  Case Officer opinion:Therefore, in giving considerable importance and weight to the duties at section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in consideration to NPPF, NPPG and Key Statement EN5 and Policies DME4 and DMG1 of the Ribble Valley Core Strategy it is recommended that planning permission be refused.This view is still the same following amendments;  **Head of Planning:** Givingweight to the duties at section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in consideration to NPPF and having regard to the public benefits it is considered to have an acceptable impact and a recommendation of approval. | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | | | That planning permission be granted | | | | | | | | | |