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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | |
| **Signed:** | | **Officer:** |  | | | | **Date:** |  | **Manager:** | |  | **Date:** |  |
|  | | | | | | | | | | | | | |
| **Application Ref:** | | | | | 3/2022/0399 | | | | |  | | | |
| **Date Inspected:** | | | | | 31/05/22 | | | | |
| **Officer:** | | | | | Stephen Kilmartin | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | | **REFUSAL** | | | |
|  | | | | | | | | | | | | | |
| **Development Description:** | | | | | | Proposed erection of two new dwellings and garages. Resubmission of approved application 3/2018/0407 to incorporate site redesign. | | | | | | | |
| **Site Address/Location:** | | | | | | Land off Clough Bank Lane Chatburn BB7 4AW | | | | | | | |
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| **CONSULTATIONS:** | | | | | | **Parish/Town Council** | | | | | | | |
| No response received in respect of the application. | | | | | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | | **Highways/Water Authority/Other Bodies** | | | | | | | |
| **United Utilities:** | | | | | |  | | | | | | | |
| No objections raised. | | | | | | | | | | | | | |
| **LCC Highways:** | | | | | |  | | | | | | | |
| No objections subject to the imposition of conditions relating to the need for the submission of a construction traffic management plan. The Highways Development Control section have also requested the imposition of the following condition:  *‘The development hereby permitted shall not be occupied until such time as the junction between Clough Bank Lane and Sawley Road has been resurfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.’*  However, Clough Bank Lane does not interface with Sawley Road, nor is Clough bank Lane in the sole ownership of the applicant. As such, notwithstanding the locational discrepancy, the condition cannot be reasonably imposed insofar that it relates to third-party land to which the applicant does not have sole ownership nor control.  In this respect there is no reasonable prospect of the condition being able to be satisfied or such works implemented. As such the Highways Development Control section have agreed to remove the request for the imposition of this condition. | | | | | | | | | | | | | |
| **CONSULTATIONS:** | | | | | | **Additional Representations.** | | | | | | | |
| One letter of representation has been received raising the following concerns:   * The transportation of materials over the bridge on Cloughman Lane which is considered to be ‘weak’ | | | | | | | | | | | | | |
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** | | | | | | | | | | | | | |
| **Ribble Valley Core Strategy:**  Key Statement DS1 – Development Strategy  Key Statament DS2 – Sustainable Development  Key Statement EN5 – Heritage Assets  Key statement DMI2 -Transport Considerations  Policy DMG1 – General Considerations  Policy DMG2 -Strategic Considerations  Policy DMG3 – Transport and Mobility  Policy DMG5 – Residential and curtilage extensions  Policy DME4 – Protecting Heritage Assets  Policy DME6 – Water Management  National Planning Policy Framework (NPPF) | | | | | | | | | | | | | |
| **Relevant Planning History:**  **3/2018/0407:**  Proposed erection of two new dwellings and detached garage. Resubmission of application 3/2014/1089. (Approved)  **3/2014/1089:**  Proposed erection of 2 new dwellings and detached garage. (Approved) | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The application relates to an area of land off Clough bank lane, Chatburn. The site is within the defined Chatburn Conservation area, also being located within the defined settlement limits of Chatburn. The proposal site lies to the southern extents of Clough Bank Lane with numbers 3 and 5 Clough Bank Lane being located to the south-east on the opposing side of the lane.  The site benefits from an extant consent granted pursuant to application 3/2018/0407 which remains extant by virtue of commencement having been undertaken on-site (3/2020/0455/BN). | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  The proposal seeks consent for the erection of two two-storey residential dwellings on land off Clough Bank Lane, Chatburn. The submitted details propose that the dwellings will be of an overall similar elevational language scale and form save that for window placement. In addition Plot 01 will benefit from an attached single-storey side garage with Plot 02 benefitting from a detached garage, of a similar scale, being listed to the south-eastern extents of the site.  It is proposed that the primary elevations of the dwellings will be faced predominantly in natural stone with the reminder of the elevations being faced in render with dressed-stone detailing. | | | | | | | | | | | | | |
| **Impact Upon Residential Amenity:**  The submitted details propose that Plots 1 and 2 will be within close proximity of pone another, a such consideration must be given in respect of the potential for the development to result in an unacceptable standard of residential amenity for future potential occupiers.  In this respect, the submitted details show that plots 1 and 2, at their closest point, will only benefit from a separation distcnce of approximately 6m, measured from the northern corner (two-storey element) of Plot 01 to the south-eastern corner of Plot 02. Taking account of the orientation of the dwellings and the proposed window locations, this would fall significantly short of an interface distance which would be considered to afford an acceptable level of privacy to occupiers of the proposed dwellings. In this respect the proposed layout would result in the following inreface relationship:   * Plot 02 - first floor window (with Juliette balcony) on south-west elevation would result in overlooking, from an elevated position, into the rear private residential curtilage associated with Plot 01 at a proximity of approximately 6.5m. This would also result in elevated over-looking of the rear ground-floor habitable rooms on the north-west elevation of Plot 01 at a proximity of 9m. * The first-floor window on Plot 01 (north-east elevation) would afford northerly views, albeit of an oblique nature, into the first-floor and ground-floor habitable rooms on Plot 02 at a distance of approximately 10m, with complete unrestricted views across the entirety of the driveway and front garden area of Plot 02 also being afforded.   As such, in respect of the above configuration and offset distances, it is considered that the proposal will result in a significantly compromised sense of privacy for future occupiers, being in direct conflict with the aims and objectives of Policy DMG1 of the Ribble Valley Core Strategy. | | | | | | | | | | | | | |
| **Visual Amenity/External Appearance:**  The submitted details propose the erection of two two-storey detached dwellings and the creation of a new access point off Clough bank Lane, Chatburn. The proposed dwellings are of a similar appearance, benefiting rom the primary elevations being faced in natural stone with the remainder being faced in render. The dwellings are of a similar appearance, benefitting from a primary dual-pitch roof and central front-facing two-storey feature gable.  The proposed configuration of the proposed dwellings results in the orientation and configuration of the dwellings appearing somewhat cramped on-site, with the proposed relationship of the dwellings being ‘visually awkward’ in their orientation on relation to one another with the plot curtilages also having a visually awkward relationship to one another.  As such it is considered that the proposed dwellings, by virtue of their configuration and inter-relationship, would result in development that is of an incongruous, cramped and poorly designed layout that would result in the introduction of a pattern of development that would be of detriment to the character and visual amenities of the immediate area and wider Chatburn Conservation Area. | | | | | | | | | | | | | |
| **Landscape/Ecology:**  The application has been accompanied by an Arboricultural Impact Assessment, the report concludes that there will be no tree removal as a result of the proposal. The report suggests a number of tree-protection measures in respect of a number of trees on and adjacent the site.  Such protection measures will be required to be submitted by way of an imposition of condition should consent be granted. | | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  It is 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: | | | | | | | | | |
| 01: | The proposed dwellings, by virtue of their configuration and inter-relationship, would result in development that is of an incongruous, cramped and poorly designed layout being that would be of detriment to the character and visual amenities of the area and the defined Chatburn Conservation Area. It is further considered that the proposed layout and inter-relationship between the proposed dwellings would fail to afford adequate levels of privacy to future occupiers of the proposed dwellings by virtue of direct overlooking.  As such the proposal is considered to be in direct conflict with Key Statement EN5, Policies DME4 and DMG1 of the Ribble Valley Core Strategy and Paragraphs 130 and 134 of the National Planning Policy Framework. | | | | | | | | | | | | |