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| **Report to be read in conjunction with the Decision Notice.** |
| **Signed:** | **Officer:** | **AD** | **Date:** | **03.10.22** | **Manager:** | **NH** | **Date:** | **04.10.22** |
| **Site Notice displayed** |  | **Photos uploaded** |  |  |
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| **Application Ref:** | 3/2022/0449 |  |
| **Date Inspected:** | 15/6/2022 |
| **Officer:** | AD |
| **DELEGATED ITEM FILE REPORT:**  | **Decision** | **Refusal** |
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| **Development Description:** | Proposed replacement dwelling |
| **Site Address/Location:** | **Lower Abbott House Abbott Brow Mellor** |
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| **CONSULTATIONS:**  | **Parish/Town Council** |
| No objection. Specific circumstances of applicant. RVBC supportive of previous application. Room size/ low ceilinged nature of property; improvements necessary. Sympathetic and imaginative design. |
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| **CONSULTATIONS:**  | **Highways/Water Authority/Other Bodies** |
| **LCC Highways:** |  |
| No objection subject to conditions (implementation of parking and turning facilities; maintenance of parking).**LCC Archaeology:***(13 June 2022)* C17 or early C18 century (architectural features); C19 fenestration alterations. Low ceilings and poor light in the building do not set out a sufficient reason for demolishing an historic structure. No justifying structural survey/report (requirement to demolish an historic building - on HER and a non-designated heritage asset). If approval, condition an archaeological building record prior to demolition and a watching brief be maintained during the demolition process, or the archaeological building recording contractor carry out sufficient opening up work to ensure that no significant features are concealed behind existing surface finishes and can be recorded and analysed (the origins of rural housing, and the changes and developments to rural houses over their lifetimes, being a topic identified in the North West Regional Research Framework for archaeology).*(27 July 2022 on being informed of progress with works)* Photos - interior completely gone; not a great deal to be achieved by detailed recording. Photographic record of what remains to record the fireplaces etc that are still hanging on the end wall would be useful.(17 August 2022 in discussion of way forward) no real benefit in heritage terms of retaining the extant façade to Lower Abbott House, or to rebuilding a facsimile of the façade, and rebuilding the rear in a more modern style.  The style of the extant (altered) façade is not either particularly typical of the locality or so unusual as to stand out within the settlement (this would need reconsideration if it could be shown that early architectural elements do survive and could be retained). Recommend that a new, quality, modern building be designed and built, using an appropriate palette of locally-traditional materials.**LLFA:**No comment as LLFA Flood Risk Standing Advice should have been applied and the development is not listed in the 'When to Consult the LLFA' document or in the Development Management Procedure Order 2015.**Environment Agency:**Consulted, no response received.**United Utilities:**Advice to applicant in respect of drainage, water and wastewater services and UU property, assets and infrastructure. |
| **CONSULTATIONS:**  | **Additional Representations.** |
| Three letters of objection received:Condition - walls of sound construction before works; retain remaining walls.Raising ridge height - limited headroom for 200 years and consistent with age; reduction of light to adjoining properties; 1m is not a nominal amount and transforms appearance.Timber cladding – not in keeping and fire hazard.Retain porch.Public right of way to northeast.Stream has been diverted; stream within 1m (form wrongly completed).Trees have been removed.Flooding risk.Surface water should be discharged to the natural water course.Foul sewage disposal?Limited consultation.No bat survey.Extension window overlooking property to southeast in winter (reduce size). |
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| **RELEVANT POLICIES:** |
| Ribble Valley Core Strategy:Key Statement DS1: Development StrategyPolicy DMG1 – General Considerations Key Statement EN5 – Heritage AssetsKey Statement EN2 - LandscapeKey Statement EN3 – Sustainable Development and Climate ChangeKey Statement EN4 - Biodiversity and GeodiversityPolicy DMG1 – General Considerations Policy DME3 - Site and Species Protection and ConservationPolicy DME4 – Protecting Heritage Assets Policy DMG2 - Strategic ConsiderationsPolicy DME2 – Landscape and Townscape ProtectionPolicy DME6 – Water ManagementPolicy DMH5: Residential and Curtilage ExtensionsNPPFNPPG |
| **Relevant Planning History:**3/2021/0517 - Proposed construction of a two-storey extension to the rear. PP granted 8/7/2021. |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** |
| **Site Description and Surrounding Area:**Lower Abbott House is a C17 or early C18 stone built detached dwelling with C19 fenestration alterations (a non-designated heritage asset on the Lancashire Historic Environment Record; main building shown with similar footprint on the 1840s and 1890s OS maps). It is prominently sited close to the junction of Abbot Brow with the A59 Longsight Road and is within the defined settlement boundary of Osbaldeston (Tier 2). It is adjoined/faced by residential properties and a car sales/repair garage to the north west. |
| **Proposed Development for which consent is sought:**Planning permission is sought for the demolition of the historic house (and outbuildings) and replacement with a new dwelling. Demolition works were advanced (roof, back wall and interior of main structure and outbuildings removed) and new footings were being constructed at the site inspection of 15 June 2022.The proposed replacement dwelling is substantially larger than the historic building and consists of a stone built roadside range (higher ridge and eaves height than historic building) and a largely rendered and glazed ‘T-shaped’ rear wing. The submitted Design Statement identifies: a wish to address existing building condition/quality (no details) and limited headroom (ceilings and eaves heights are low) and the majority of the rear elevation having been rebuilt with concrete window surrounds and render finish (no details of extent of rebuilding submitted). Rearranging the ground floor to an open plan arrangement will assist home education. The submitted application form identifies that the proposal is not within 20 metres of a watercourse (Assessment of Flood Risk). |
| **Impact upon the significance of the non-designated heritage asset and the impact upon the character and appearance of the area:**The comments of Lancashire County Council Archaeology have been considered. The building was on the HER, had importance as a non-designated heritage asset and its significance has now been lost to the extent that not a great deal would be achieved by detailed recording. This loss of significance (without record) to local character, distinctiveness and sense of place is not mitigated by the new build of competing and discordant historicist and modern (including full height and horizontally emphasised glazing and flat/parapet roof link) designs. This is most evident in views of the east elevation. The implemented and proposed works are harmful to the significance of the non-designated heritage asset and the character and appearance of the area.‘Making changes to heritage assets’ (Historic England, 2016, paragraph 26) identifies that in considering restoration following catastrophic damage, the practicability of restoration should be established by an assessment of remaining significance. ‘The SPAB Approach’ has also been considered in respect to the importance of historic fabric and Restorationist philosophies. Mindful of LCC Archaeology’s comments and the policy analysis below, it has been suggested to the applicant (17/8/2022) that some mitigation for the loss of the non-designated heritage asset may be found in a holistically designed, in context, modern building. However, it is requested that a decision be made on the proposals submitted to date.NPPF 194 requires LPA’s to require an applicant to describe the significance of any heritage assets affected. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. No heritage statement was submitted with the application or appears to have informed proposals.NPPF 203 identifies that the effect on the significance of a non-designated heritage asset should be taken into account. A balanced judgement will be required having regard to the scale of any harm/loss and the significance of the heritage asset. In this regard, demolition would appear to be at the higher end of harm/loss.NPPF 205 identifies that LPA’s require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact. LCC Archaeology (13 June 2022) identified the building to be C17 or early C18 with C19 fenestration alterations and a need for a Level 2-3 record (i.e. descriptive-analytical) including watching brief if permission was to be granted. Principles of Selection for Listed Buildings (DCMS) identifies in respect to the general principle of age and rarity that from 1700 to 1850, most buildings that retain a significant proportion of their original fabric are likely to be regarded of special interest, though some selection is necessary.Core Strategy Key Statement EN5 identifies “There will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will 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.This will be achieved through … Considering any development proposals which may impact on a heritage asset or their setting through seeking benefits that conserve and enhance their significance and avoids any substantial harm to the heritage asset … Requiring all development proposals to make a positive contribution to local distinctiveness/sense of place”.Core Strategy Policy DME4 identifies “In considering development proposals the council will make a presumption in favour of the conservation and enhancement of heritage assets and their settings … alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported … in line with NPPF, Ribble Valley aims to seek positive improvements in the quality of thehistoric environment through the following … assess the significance and opportunities for enhancement of non designated heritage assets through the development management process”.Core Strategy Policy DMG1 identifies “In determining planning applications, all development must (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 … 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 … 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 … use sustainable construction techniques where possible and provide evidence thatenergy efficiency, as described within Policy DME5, has been incorporated into schemes where possible … (Environment) all development must protect and enhance heritage assets and their settings”.Principle 1 of the Building in Context Principles: “A successful project will start with an assessment of the value of retaining what is there”.The Borough’s conservation area management guidance may provide some indication of expectations for new design at historic sites. It is suggested that scale, density, height and massing may be used to set out the basic form of a new building, including roof shape, roof pitch, height, depth of plan and, most importantly, the relationship of the new building to existing surrounding buildings and to the street. Once this basic framework has been established and the general form and siting of the building agreed, the actual appearance of any new building may be either traditional or modern. All new development should seek to … Respect the historic hierarchy of development and detailing between principal and secondary street frontages and within plots between frontage and rear elevations. **Land use issues:**Core Strategy Policy DMG2 identifies thatdevelopment should be in accordance with the Core Strategy Development Strategy and should support the spatial vision. Within the Tier 2 villages development must meet at least one of the following considerations:1. the development should be essential to the local economy or social well being of the area.2. the development is needed for the purposes of forestry or agriculture.3. the development is for local needs housing which meets an identified need and is secured as such.4. the development is for small scale tourism or recreational developments appropriate to a rural area.5. the development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated.6. the development is compatible with the Enterprise Zone designation.The Core Strategy Glossary identifies “Local needs housing is the housing developed to meet the needs of existing and concealed households living within the parish and surrounding parishes which is evidenced by the Housing Needs Survey for the parish, the Housing Waiting List and the Strategic Housing Market Assessment”.Consideration 5 – insufficient information has been submitted to understand the necessity for building demolition because of existing building condition/quality, limited headroom and proposed ground floor re-arrangement to assist home education.However, it is not recommended that the proposals be refused in this regard because this would stymie dwelling replacement at the historic site (see NPPF 204). Furthermore, this was not a matter considered in the determination of 3/2021/0517.Key Statement EN3: Sustainable Development and Climate Change identifies that all development will be required to demonstrate how it will contribute towards reducing the Borough's carbon footprint. However, it is not recommended that the proposals be refused in this regard because the loss of embodied energy in the historic building would not appear to be a material consideration (the policy appears to be focussed upon energy efficiency in the new build as measured by nationally recognised standards).  |
| **Residential Amenity:**Consideration has been made to separation distances and vegetation cover and the proposed development has an acceptable impact upon residential amenities. |
| **Highways:**The comments of LCC Highways identifies an acceptable development subject to condition. |
| **Ecology:**RVBC Countryside identify that a Bat Survey would have been required prior to any development. The whole roof has been removed and the potential habitat of a European Protected Species has been disturbed.  A mitigation plan designed by a certified ecologist should be submitted prior to commencement of the development (condition suggested).**Flooding and access to watercourse:**The comments received following consultation with the LLFA, United Utilities and the Environment Agency have been considered and do not suggest an unacceptable development. RVBC Building Control has also been consulted. |
| **Observations/Consideration of Matters Raised/Conclusion:**The implemented works are harmful to the significance of the non-designated heritage asset because of the loss of the historic building’s heritage value and important contribution to local character, distinctiveness and sense of place. The proposed new-build is harmful to the character and appearance of the streetscene because of its discordant, incongruous and conspicuous design. |
| **RECOMMENDATION**: | That planning permission be refused for the following reason:The proposed works are harmful to the significance of the non-designated heritage asset and the character and appearance of the streetscene because of the loss of the historic building’s heritage value and important contribution to local character, distinctiveness and sense of place and the new-build’s discordant, incongruous and conspicuous design on the historic site. This is contrary to Ribble Valley Core Strategy Key Statement EN5 and Policy DME4 and DMG1. |
| **MANAGERS COMMENTS**Whilst the proposed replacement dwelling is larger than the existing dwelling it is noted that the principal of extending the existing dwelling has been established at this site which would have resulted in a dwelling not dissimilar in size or appearance than the proposed replacement dwelling.The agent for the application sought direction from the case officer throughout the application process which resulted in a site meeting with the agent, the case officer and the agent. This site meeting was followed up with suggested amendments discussed between the Director and the case officer which resulted in the receipt of amended plans. There is no commentary on this agreed change within the assessment above In making his recommendation the case officer has provided the following comments to the agent:*The proposed new dwelling joins (by two-storey flat-roof link) a historicist range (very loosely based on the historic building in respect to use of stone facing and C19 windows) to a largely glazed and equally dominant modern range. In my understanding, this is not a ‘fall-back' – the ‘extension’ doesn’t have permission and the significance embodied within the historic building has been lost without record and cannot be replaced. In my opinion, the proposed development as a whole is harmful to the historic building and the character and appearance of the area (vernacular historic building lost; new build of two distinct and competing ranges apparently designed as a ‘fall-back’). I would welcome some mitigation of historic building demolition by a holistically designed and contextual new dwelling which is not constrained by the ‘fall-back’ (i.e. a historicist or modern approach but not both in adjoining ranges). I refer to the conservation area management guidance design principles in the file report.*It is noted that on receipt of photos of the dwelling LCC Archaeology confirmed the following:*Looking at the photos I don't think we would achieve a great deal by any detailed recording as the interior of the building is completely gone. A photographic record of what remains to record the fireplaces etc that are still hanging on the end wall would be useful but anything more than a rapid photographic record would seem to be overkill at this stage.*This dwelling is not listed nor in a conservation area and whilst it no longer seems possible to implement the consent granted at this site given the extent of demolition which has occurred it is unclear what the harm of the proposed development is compared to what the Local Planning Authority has already approved at this site. The proposed development is acceptable in land use terms. Given the above consideration planning permission shall be granted. |
| **RECOMMENDATION** | Overturn Officer Recommendation |
| **SUGGESTED CONDITIONS**The development must be begun not later than the expiration of three years beginning with the date of this permission.Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.LCC Highways request:The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Stanton Andrews Architects drawing number PL.10 Rev C. Thereafter the onsite parking provision shall be so maintained in perpetuity. REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety.RVBC Countryside request:Notwithstanding the submitted details, no further development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until details of the provisions to be made for building dependent species of conservation concern (artificial bird nesting boxes and artificial bat roosting sites) have been submitted to, and approved in writing by the Local Planning Authority. For the avoidance of doubt the details shall be submitted on a dwelling/building dependent bird and bat species site plan and there shall be at least 1 nest brick and 2 bat boxes on north or east facing elevations on that development. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated.  The artificial bird and bat boxes shall be incorporated into the dwelling during the construction and be made available for use before the dwelling is occupied and thereafter retained.  The development shall be carried out in strict accordance with the approved details.Reason: In the interests of biodiversity and to enhance nesting and roosting opportunities for species of conservation concern and to reduce the impact of development.  LCC Archaeology request:No further development, or demolitions shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a photographic record of the remaining building. This shall include what remains of the fireplaces etc. The record shall be submitted to the Local Planning Authority prior to the occupation of the dwelling hereby approvedReason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site.The standard timing, approved plans and materials conditions are also suggested ie.Further implementation of the development must be begun not later than the expiration of three years beginning with the date of this permission.Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.The permission shall relate to the development as shown on Plan Reference:Location Plan Ex. 00 Rev CProposed Elevations PL. 11 Scheme Rev D (plan formally received 21 July 2022)Proposed Site Plan and Floor Plans PL. 10 Scheme Rev D (plan formally received 21 July 2022)Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.Notwithstanding the submitted information, precise specifications of wall, roof, window, door and rainwater goods materials (including surface finish) shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works. The works shall then be implemented in full and in accordance with the approved materials details and before first occupation of the dwelling.Reason : In the interests of the character and appearance of the area.Details of the alignment, height, and appearance of all boundary treatments, fencing, walling, retaining wall structures and gates to be erected within the development shall have been submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out in strict accordance with the approved details.Reason: To ensure a satisfactory standard of appearance in the interests of the visual amenities of the area.Notwithstanding the submitted details, no development above ground development shall commence or be undertaken on site until a scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing by the local planning authority. The development shall be completed in strict accordance with the approved details.Reason: To ensure the proposal is satisfactorily landscaped.See also note requested by UU. |
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