Report to be read in conjunction with the Decision Notice.

|  |  |  |
| --- | --- | --- |
| Application Ref:  | 3/2022/0512  |   |
| Date Inspected:  | 9/6/22  |
| Officer:  | KH  |
| DELEGATED ITEM FILE REPORT:  | REFUSED  |

|  |  |
| --- | --- |
| Development Description:  | Permission in Principle for construction of a dwelling with garage and garden curtilage.  |
| Site Address/Location:  | Land off Main Street Grindleton BB7 4RQ  |

|  |  |
| --- | --- |
| CONSULTATIONS:  | Parish/Town Council  |
| Object based on the embargo on new properties on Main Street due to traffic congestion and the entrance/egress being very dangerous onto Main Street. In addition the land giving access to the land is too narrow to allow emergency vehicles to negotiate.  |
| LCC Highways: the LHA advice is that the residual cumulative impacts of the development are severe and the LPA is advised to consider refusal on transport/highway grounds. The only access to the site is from a private, unadopted track located off Main Street which is unclassified and subject to a 30mph speed limit.  This access is unable to achieve the required access width for a single dwelling which is 2.75m for the duration of its length. The applicant does not own the track which is bound on both sides by an existing wall also in separate ownership. Therefore the access is unable to be able to provide a safe and suitable access.  The track also serves Public Footpath 3-21-FP53 with such as restrictive width the track would be unable to accommodate vehicular and pedestrian movements simultaneously and could potentially lead to conflicts to the detriment of highway safety.  The required visibility splays of 2m by 43m in both directions could not be achieved as both stone boundary walls either side if the track are over 0.9m in height and not within the applicant’s control.   |

|  |  |
| --- | --- |
| CONSULTATIONS:  | Additional Representations.  |
| A total of 4 objections have been received raising the following concerns:  * The land lies in the Grindleton Conservation Area. Allowing building on this land goes against all the objectives of the CA and would set a precedent for potential sub division of plot;
* The property has electricity via a way leave agreement but does not have gas, water or sewerage utilities;
* The narrow lane between Packwood and Stonehill House is a public footpath and LCC have raised objected previously;
* It is important to understand what the owner of the lane feels about this application;
* The land has not be used for agriculture for sometime and the buildings, land and power line need attention;
* I own the lane and the applicant is aware that I am unlikely to allow the lane to be used other than for agricultural purposes and there I oppose this application;
* A two storey house would have direct line of sight into our garden and possibly our home;
 |
| •  | The entrance to the lane is between two stone boundary walls with no clear line of sight of Main Street as you exit the lane; and  |
| •  | We are also concerned about water run off as there is a tributary at the bottom of the adjacent field into the River Ribble.   |

|  |
| --- |
| RELEVANT POLICIES:  |
| Ribble Valley Core Strategy:  Key Statement DS1 – Development Strategy Key Statement DS2 – Sustainable Development Key Statement EN2 – Landscape Key Statement EN5 – Heritage Assets Key Statement H1 – Housing Provision  Policy DMG1 – General Considerations Policy DMG2 – Strategic Considerations Policy DMG3 – Transport and Mobility Policy DMH3 – Dwellings in the Open Countryside and AONB Policy DME4 – Protecting Heritage Assets   |
| ASSESSMENT OF PROPOSED DEVELOPMENT:  |
| Site Description and Surrounding Area:  This application relates to a plot of land located sited behind existing dwellinghouses on Main Street accessed from an agricultural track. The site lies outside the settlement of Grindleton and is located within Grindleton Conservation Area and the Forest of Bowland Area of Outstanding Natural Beauty.  The proposal is to erect a detached dwellinghouse with garage on the site.   |
| Proposed Development for which consent is sought:  The application seeks Permission in Principle (PiP) for the erection of one dwellinghouse under the remit of the Town and Country Planning (Permission in Principle) (Amendment) Order 2017. Given the application seeks only to establish the acceptability of the principle of the development (stage one of the Permission in Principle process) no details have been provided in respect of the proposal save that for details relating to the upper quantum of residential development applied for and details of the extents of the site to which the application relates.  This separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second (‘technical details consent’) stage is when the detailed development proposals are assessed.  The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission. It is not possible for conditions to be attached to a grant of permission in principle nor can planning obligations be secured and its terms may only include the site location, the type of development and amount of development.   |

|  |
| --- |
| The technical detail stage will provide the opportunity to assess the detailed design of the scheme to ensure that any impacts are appropriately mitigated and that the contributions to essential infrastructure, for example, are secured. If the technical details are not acceptable, the local authority can refuse the application.  The existing access is via a narrow track between Packwood and Stonehill House on Main Street.  The concerns raised by LCC Highways would need to be addressed at the technical details stage, however, it should be noted that there is no provision to enable improvements to the access in terms of its width and visibility and that the concerns regarding conflict with pedestrians using the public right of way could not be adequately addressed.   |
| Principle of Development:  In establishing the principle of development here regard must be had to location, land use and amount of development.  Detailed plans of the site layout and design are not provided at this stage of the PiP application process and therefore any impact on adjacent land uses cannot be fully considered. The site is located outside of, but immediately adjacent to, the settlement boundary and existing residential development.  The application sites lies within AONB and therefore Key Statement EN2 Landscape is engaged. Key Statement EN2 is in line with national policy providing the local interpretation of these national policies. Key Statement EN2 states that the landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and engaged. Any development will need to contribute to the conservation of the natural beauty of the area.  The application site also lies in Grindleton Conservation Area and therefore policies EN5 and DME4 would also need to be taken into account in terms of impact on the heritage asset.   |
| Policy Implications:  Key Statement DS1 sets out the Borough’s housing strategy and provides the overarching vision aimed at achieving a sustainable pattern of development. The majority of new housing development will be concentrated within the strategic site at Standen and the Borough’s principal settlements of Clitheroe, Whalley and Longridge. In addition, development will be focused towards the Tier 1 Villages, which are the more sustainable. Grindleton is identified as a Tier 2 Village, however, the site itself lies just outside of this and therefore is within open countryside.  In any respect Core Strategy Policy DMG2 (1) states ‘development proposals in the principal settlements of Clitheroe, Longridge and Whalley and the Tier 1 Villages should consolidate, expand or round-off development so that it is closely related to the main built-up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.’ This proposal does not comply with the above part of Policy DMG2 (1) as the site is not located within the principal settlements of Clitheroe, Longridge and Whalley or a Tier 1 Village.  The second part of Policy DMG2 applies to the site given its location outside of a settlement where residential development is limited to:  * Development essential to the local economy or social well being of the area;
* The development is needed for the purposes of forestry or agriculture;
* The development is for local needs housing which meets an identified need and is secured as such;
 |
| * The development is for small scale tourism or recreational developments appropriate to a rural area;
* The development is for small scale uses appropriate to a rural area where a local need or benefit can be demonstrated; and
* The development is compatible with the enterprise zone designation.

 None of the above apply in this case.  Therefore taking into account the above criteria the proposal fails to accord with policy in terms of the principle of a dwelling in this location.  Policy DMH3 applies to the site given its location in the Forest of Bowland Area of Outstanding Natural Beauty which would be limited to:  * Development essential for the purposes of agriculture or residential development which meets an identified local need;
* Appropriate conversion of buildings to dwellings; and • Rebuilding or replacement of existing dwellings.

 None of the above apply in this case.  Therefore taking into account the above criteria the proposal fails to accord with policy in terms of the principle of the erection of a new dwellinghouse within the Forest of Bowland Area of Outstanding Natural Beauty.   |
| Conclusion:  Taking the above into account, the proposal is contrary to Key Statement EN2 and Policies DMG2 and DMH3 of the Core Strategy.  As such, it is recommended that the application be refused on this basis.   |
| RECOMMENDATION:  | That planning permission be refused for the following reasons:  |
| 01  | The proposal would lead to a residential dwelling outside of any settlement without justification and would result in an adverse impact on the strategic planning policies for the location of housing development contrary to Policy DMG2 of the Adopted Ribble Valley Borough Council Core Strategy 2008 -2028.   |
| 02  | The proposal would result in inappropriate development within the Forest of Bowland Area of Outstanding Natural Beauty and would fail to meet the criteria set out in Policy DMH3 of the Adopted Ribble Valley Borough Council Core Strategy 2008 – 2028.   |