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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | | | |
| **Signed:** | | **Officer:** | **KH** | | | | **Date:** | | **17/03/23** | | **Manager:** | | **LH** | **Date:** | **29/3/23** |
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| **Application Ref:** | | | | | 2022/0842 | | | | | | |  | | | |
| **Date Inspected:** | | | | | 17/01/23 | | | **Site Notice:** | | N/A | |
| **Officer:** | | | | | KH | | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | | | | **REFUSAL** | | | |
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| **Development Description:** | | | | | | Proposed erection of two holiday chalets upon land adjoining Beacon Cottage. | | | | | | | | | |
| **Site Address/Location:** | | | | | | Beacon Cottage Commons Lane Balderstone BB2 7LN | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | | **Parish/Town Council** | | | | | | | | | |
| **Balderstone Parish Council:** We wish to express our concerns regarding the potential intensification of use of Carr Lane and its junction with Commons Lane which would follow if this application were approved. The Parish Council is aware of the Highways response and supports their conclusion that further intensification would be detrimental to highway safety. | | | | | | | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | | **Highways/Water Authority/Other Bodies** | | | | | | | | | |
| **LCC Highways:** | | | | | |  | | | | | | | | | |
| The Local Highway Authorities advice is that the residual cumulative impacts of the development are severe in accordance with the NPPF (2021) and the Local Planning Authority is advised to consider refusal on transport/highway grounds.  The Local Highway Authority advises the following reasons for refusal:    1.The proposal, if permitted, would lead to the intensification of use of an access which lacks the adequate visibility deemed safe and suitable for such a proposal. The proposal therefore is not in the interests of highway safety and contrary to paragraphs 110 and 111 of the National Planning Policy Framework (2021).  2. The proposal, if permitted, would lead to the intensification of use of an access track which lacks the adequate width with a lack of passing facilities deemed safe and suitable for such a proposal. The proposal therefore is not in the interests of highway safety and contrary to paragraphs 110 and 111 of the National Planning Policy Framework (2021).  **United Utilities:** we recommend that the applicant considers their drainage plans in accordance with the hierarchy set out in the NPPF. We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by UU. | | | | | | | | | | | | | | | |
| **CONSULTATIONS:** | | | | | | **Additional Representations.** | | | | | | | | | |
| 1 third party representation has been received expressing concerns about impacts on highway safety, wildlife, increased noise and loss of privacy | | | | | | | | | | | | | | | |
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| **RELEVANT POLICIES:** | | | | | | | | | | | | | | | |
| **Ribble Valley Core Strategy:**  Key Statement DS1 – Development Strategy  Key Statement DS2 – Sustainable Development  Key Statement DMI2 – Transport Considerations  Policy DMG1 – General Considerations  Policy DMG2 – Strategic Considerations  Policy DMG3 – Transport & Mobility  Policy DMB3 – Recreation and Tourism Development  National Planning Policy Framework (NPPF) | | | | | | | | | | | | | | | |
| **Relevant Planning History:**  3/2021/0379- Retention of unauthorised part agricultural/part amenity building – Approved June 2021.    3/2017/0511- Proposed replacement implement storage building/cart shed on land adj Beacon Cottage – Approved August 2017.    3/2017/0016- Erection of a two storey building to contain an implement store garage, open fronted workshop, tool store, wood store, cutting area and storage room. Withdrawn March 2017.    3/2013/0564- Proposed erection of a porch/utility room, single storey to front elevation of a property – Approved August 2013.  3/2010/0960- Application to remove condition no. 3 of planning consent 3/2004/0653 to allow the holiday cottage known as Beacon Cottage to be used as a permanent residential dwelling – Approved February 2011.  3/2004/0653 – Erection of 2 no. holiday cottages on site of former barn. Approved 24 November 2004. | | | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The application site measures approximately 341 sq.m. and has been used by the applicant for agricultural land with a hut and hardstanding.  The site is located within open countryside in a secluded location some distance from the settlement of Balderstone served by a single track lane which cumulates at the end of the track. There are limited services and facilities in this location.  The application site is on the opposite side of Carr Lane from Beacon Cottage where the applicant resides. This land is not curtilage but has been used for agricultural purposes and currently has a Goose hut on the site. It is adjacent to an agricultural/amenity building which is also within the applicants ownership and was approved in 2021.  There is some history associated with Beacon Cottage and Pewter Farmhouse in terms of conversion to holiday lets.  Beacon Cottage and the adjoining property of Bowford Cottage were constructed as holiday cottages by virtue of the consent granted under application reference 3/2004/0653.  At the time of consideration of the applications, the erection of permanent dwellings in this location would have been contrary to the Local Plan Policies that were applicable at that time.  The construction of the holiday lets with the restricted occupancy condition, however, was considered to be in accordance with policy RT1 of the Local Plan at that time, which was generally supportive of proposals that extend the range of tourism and visitor facilities in the Borough subject to other detailed considerations. The proposed holiday lets were considered to be acceptable, particularly because they would be within the group of buildings that also includes the Pewter House Farm complex and the barn conversion dwelling on the opposite side of the lane from the site.  The applicant has previously stated as part of application 3/2010/0960 that he had tried to rent the holiday cottage for three years but it had not proven to be profitable. An application was submitted which sought to remove the holiday let condition to allow occupation of Beacon Cottage as a dwelling. This was approved in 2010.  It would appear that Bowford Cottage is still used as holiday accommodation. | | | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  Erection of two detached holiday cabins measuring 5.953m x 4.715m x high with 3.7m x 2.5m with associated decking and hot tubs. | | | | | | | | | | | | | | | |
| **Principle of Development:**  The application site is located within the countryside. Key Statement DS1 of the Core Strategy aims to steer development to the more sustainable settlements. Policy DMG2 supports this strategy by restricting development in tier 2 villages and outside defined settlements to six criteria. One such criteria supports in principle small scale tourism development appropriate to a rural area.  This is expanded on by Policy DMB3 which supports tourism development subject to a number of criteria being satisfied.  The proposal must be physically well related to an existing main settlement or village or to an existing group of buildings. An exception to this is where they are required in conjunction with a particular attraction and there are no suitable existing buildings ore development sites available.  In this case the proposed site does not relate well to an existing settlement or village. It does not relate well to an existing group of buildings, with the site being greenfield land adjacent to undeveloped land to the front, west and rear. Whilst other buildings exist along Carr Lane the development would not be viewed in the same visual frame as these due to the site’s physical severance. The scale and type of development proposed would also be at odds with the existing buildings that are there. Nor is its location necessary to serve a nearby countryside attraction.  Policy DMG3 requires considerable weight to be attached to the availability and adequacy of public transport and associated infrastructure to serve those moving to and from the development. Policy DMB3 requires proposals to be well related to the public transport networks where possible. The requirement for development to be sustainable and contribute to the continuation or creation of sustainable communities is also a requirement of the NPPF. The proposed site is not within reasonable walking distance of any services or facilities (the nearest shop for example is over a mile from the site) or bus stops therefore holiday guests would be dependent upon private motor vehicle to access these contrary to the aims and objectives of Key Statement DMI2 and Policies DMG3 and DMB3 and Paragraphs 1101 and 11 of the NPPF. This weighs against the proposal.  There are other holiday lets in this location but these have resulted from conversions or replacement buildings and therefore the principle of two new build units has not been established here. | | | | | | | | | | | | | | | |
| **Impact Upon Residential Amenity:**  The nearest residential units are Beacon Cottage (residential) and Bowford Cottage (Holiday let)  Pewter House Farm lies at the end of Carr Lane with a barn converted into two holiday lets.  None of these properties would be unduly affected by the proposal. | | | | | | | | | | | | | | | |
| **Visual Amenity/External Appearance:**  Policy DMG2 requires development in a countryside location to be in keeping with the character of the landscape by virtue of its size, design, materials, landscaping and siting. Policy DMB3 requires that the development should not undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design and that the site should be large enough to accommodate necessary car parking, service areas and appropriate landscaped areas.    The two lodges would be identical in design, materials and layout with corrugated metal sheet roofing, anthracite upvc windows and bi-fold doors and timber cladding to the elevations. There would be timber post and rail fencing to Carr Lane and existing hedgerows retained to the east and west boundaries. Metal railings and glass panels are proposed between the decked areas of the two units. Hot tubs would be sited on the rear decks.  The units would accommodate a living space with bed/storage and sofa and kitchen area as well as a bathroom.  To the east a parking area for two vehicles is proposed along the site frontage. A narrow partition hedge / privacy screen is proposed between each unit.  The design is considered poor and does not relate well to the area, the materials proposed are modern and do not accord with the rural setting of this location, the units and car park would be prominent up to the lane and minimal landscaping is proposed. Therefore the proposal is contrary to Policy DMG2 and DMB3. | | | | | | | | | | | | | | | |
| **Highways and Parking:**  Two parking spaces and a turning area would be provided on the site which is sufficient to support the parking requirements of the development  The LHA are aware that the 2 proposed holiday chalets will utilise an existing, private, unadopted access track called Carr Lane, which is located off Commons Lane, an unclassified road subject to a 30mph speed limit. Carr Lane is used to serve numerous dwellings, outbuildings and farms as well as Public Footpath 3-4-FP34.    The LHA have reviewed the supporting documents and understands that a drawing has not been submitted which shows the full length of Carr Lane and the access onto Commons Lane.    Usually, the LHA would request a site access plan detailing the width of the access showing visibility splays of 2.4m x 43m in both directions given the 30mph speed limit of Commons Lane.    Having reviewed the access it is considered unlikely to achieve the minimum visibility splays for a 30mph speed limit. This is due to vegetation on both sides of the access, including two highway trees located within the highway verge to the left of the access, providing obstructions within the access's visibility splays. The LHA are concerned therefore that the proposal will intensify the use of a substandard access.  The access width is also inadequate for the intensification of use. The access serving numerous dwellings and agricultural holdings would need to be a minimum of 6m wide for a distance of 10m behind the highway boundary. However, the width is approximately 5m wide, not taking into account the verge located on both sides of the track. This means that the access width is less than the 5m. Therefore, the LHA are concerned that the proposal will intensify the use of a substandard access.  The access track is single tracked in nature and has only two passing places for the full duration of its length, which measures approximately 415m to the site. The first passing place is located approximately 250m away from the junction between Carr Lane/ Commons Lane. Given the single-track nature of the carriageway along Carr Lane, only one-way movements can occur in these sections meaning that should vehicles meet then one of the vehicles will have to reverse to the previous passing place. This could be detrimental to highway safety and increases the risk of potential conflicts between pedestrians using Public Footpath 3-4-FP34 and vehicles, with the proposal likely to generate more traffic and there being no segregated pedestrian facilities.  The access track has poor inter-visibility in places, especially where number 1 Carr Lane Cottage is located. This is due to the dwelling slightly projecting over the track resulting in the dwelling obstructing the view of approaching vehicles. This leads to a pinch point that could cause conflict following the intensification of use of the track.  Policy DMG1 requires development to consider the potential traffic and car parking implications; ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated; and consider the protection and enhancement of public rights of way and access. Policy DMB3 requires proposals to be well related to the existing highway network; not generate additional traffic movements of a scale and type likely to cause undue problems or disturbance; and where possible be well related to the public transport networks.  This proposal, for the reasons set out above, would not accord with either policy.  The agent has attempted to address the highways issues raised above by suggest passing places and visibility splays, however, this land is not within the application site or the applicant’s ownership and therefore outside their control. | | | | | | | | | | | | | | | |
| **Landscape/Ecology:**  The site has limited scope for ecology and landscaping improvements. A requirement for bat/bird boxes and the retention of the existing hedgerow can be secured by an appropriate condition. | | | | | | | | | | | | | | | |
| **Other Matters:**  No levels details or drainage details have been submitted which would need to be addressed by condition. | | | | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  As such, 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 reason(s). | | | | | | | | | | | | | | | |
| **01:** | The location of the development remote from the nearest settlement and bus stops would result in two new build units in an unsustainable location reliant on private motor vehicles to access adequate services and facilities. This is contrary to the aims and objectives of Key Statement DMI2 and Policies DMG3 and DMB3 of the Ribble Valley Core Strategy 2008 – 2028 and paragraphs 110 and 111 of the National Planning Policy Framework. | | | | | | | | | | | | | | |
| **02:** | The proposal would result in an intensification of the access onto Commons Lane which lacks adequate visibility and an intensification of the access track (Carr Lane) which lacks adequate width and passing places. As such neither the access nor access track are deemed safe and suitable for the proposed development to the detriment of highway safety contrary to Policies DMG1 and DMB3 of the Ribble Valley Core Strategy 2008 -2028 and paragraphs 110 and 111 of the National Planning Policy Framework. | | | | | | | | | | | | | | |
| **03:** | The proposed design and layout of the holiday units would result in incongruous form of development in this rural location due to their modern design and materials, linear layout and minimal landscaping to the detriment of visual amenity contrary to Policies DMG1 and DMB3 of the Ribble Valley Core Strategy 2008 – 2028 and paragraph 130 of the National Planning Policy. | | | | | | | | | | | | | | |