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| **Report to be read in conjunction with the Decision Notice.** |
| **Signed:** | **Officer:** | BT | **Date:** | 15/12/22 | **Manager:** | **KH** | **Date:** | **15/12/22** |
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| **Application Ref:** | 3/2022/1035 |  |
| **Date Inspected:** | 9/12/22 | **Site Notice:** | N/A |
| **Officer:** | BT |
| **DELEGATED ITEM FILE REPORT:**  | **Decision** | **RFEUSAL** |
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| **Development Description:** | Retention of unauthorised alterations to garden levels to form terraced patio/lawned areas. |
| **Site Address/Location:** | 3 Higher Hodder Cottages, Chipping Road, Chaigley. BB7 3LP |
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| **CONSULTATIONS:**  | **Parish/Town Council** |
| Aighton Bailey and Chaigley Parish Council consulted on 21/11/22 – no response. |
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| **CONSULTATIONS:**  | **Highways/Water Authority/Other Bodies** |
| None. |
| **CONSULTATIONS:**  | **Additional Representations.** |
| None. |
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** |
| **Ribble Valley Core Strategy:**Key Statement DS1 – Development StrategyKey Statement DS2 – Presumption in Favour of Sustainable DevelopmentKey Statement EN2 - LandscapePolicy DMG1 – General ConsiderationsPolicy DMG2 – Strategic ConsiderationsPolicy DMH5 – Residential and Curtilage Extensions**NPPF** |
| **Relevant Planning History:**No recent planning history relevant to the determination of the application. |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** |
| **Site Description and Surrounding Area:**The application relates to a two storey end terraced cottage property in Chaigley. The property consists of stone, slate roof tiles and timber windows. The topography of the property’s rear garden rises in height to the North-west and currently consists of a four tiered design. The application property forms one of a small number of residential properties situated on the junction between Birdy Brow and Chipping Road on the Western side of the River Hodder with the surrounding area comprising a mixture of woodland, agricultural land and open countryside. |
| **Proposed Development for which consent is sought:**Retrospective consent is sought for the retention of works to the land levels within the property’s rear garden. |
| **Residential Amenity:**The topography of the property’s rear garden originally comprised a three tiered design consisting of a flat low level patio tier and straight sloping mid and higher level grassed tiers. The garden’s high level tier has since been divided into two separate tiers which are divided by a retaining wall however these works have not resulted in any increases in height to the original land level of the garden’s higher tier. In addition, the works to the garden’s mid-level tier have resulted in slightly lower land levels to this section of the property’s garden. The ground floor level of the property’s lower patio tier has not been altered as part of the works implemented. Accordingly, it is not considered that retention of the works to the property’s rear garden would provide any new opportunities for overlooking into either of the two adjoined neighbouring properties. |
| **Visual Amenity / Landscape:**The application property comprises one of three adjoined cottage properties, all of which are predominantly rural in character by virtue of their stone based design. Stone based boundary treatments and other stone based structures and buildings are equally prevalent within and beyond the application site and immediate locality. As such, the application property and its surrounding built form largely reflect the rural vernacular of the surrounding AONB landscape. In contrast, the unauthorised works to the property’s rear garden have resulted in the removal of the garden’s original stone retaining wall which has been replaced with a horseshoe shaped retaining wall comprised of numerous oversized concrete Gorilla blocks. The unauthorised retaining wall spans over 20 metres in width with its widest section comprising two vertically stacked rows of concrete blocks. As such, the retaining wall element of the unauthorised works reads as a bulky, over dominant and unsympathetic addition to the property’s garden with its concrete based exterior being largely incongruous with the stone based vernacular of the host property and surrounding built form.With regards to development in the AONB, Key Statement EN2 of the Ribble Valley Core strategy states*:* *‘The Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials’.* In addition, Policy DMG1 of the Core Strategy states:‘*All development must* *be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing and style’ and ‘not adversely affect the amenities of the surrounding area’*Furthermore, Paragraph 130 of the NPPF states:*‘Planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting’.*Taking account of the above, it is considered that retention of the retaining wall element of the unauthorised works would be harmful to the aesthetic of the surrounding AONB landscape which in turn would be contrary to Key statement EN2 and Policy DMG1 of the Core Strategy and Paragraph 130 of the NPPF. |
| **Ecology:** No ecological constraints were identified in relation to the proposal. |
| **Highways and Parking:** Lancashire County Council Highways have not been consulted on the proposal however given that the proposed works would not affect the property’s existing parking arrangement it is not considered that the proposal would have any undue impact upon highway safety. |
| **Observations/Consideration of Matters Raised/Conclusion:**The proposed development does not raise any concerns with regards to the amenity of any surrounding residents however in this instance it is considered that the retaining wall element of the unauthorised works would be an incongruous and unsympathetic addition to the property’s rear garden that would be harmful to the aesthetic of the wider AONB landscape.Furthermore, Paragraph 134 of the NPPF states that:*‘Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design’.*It is for the above reasons and having regard to all material considerations and matters raised that planning consent be refused. |
| **RECOMMENDATION**: | That planning permission be refused for the following reason: |
| **01** | The proposal is considered to be in conflict with Policies DMG1, DMH5 and EN2 of the Ribble Valley Core Strategy and Paragraph 130 of the NPPF as it would result in the introduction of an unsympathetic form of development into an area of largely undeveloped open countryside within the setting of the Forest of Bowland AONB. The proposal by virtue of its scale, design and use of materials would be an incongruous form of development that would not successfully amalgamate into the AONB landscape. |