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| **Report to be read in conjunction with the Decision Notice.** |
| **Signed:** | **Officer:** | SK | **Date:** | 20.2.23 | **Manager:** | **LH** | **Date:** | **21.2.23** |
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| **Application Ref:** | 2022/1098 |  |
| **Date Inspected:** | 16/01/23 | **Site Notice:** | 16/01/23 |
| **Officer:** | SK |
| **DELEGATED ITEM FILE REPORT:**  | **REFUSAL** |
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| **Development Description:** | Erection of proposed dwelling and creation of vehicle access. |
| **Site Address/Location:** | Fir Tree House 51 Downham Road Chatburn Clitheroe BB7 4AU |
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| **CONSULTATIONS:**  | **Parish/Town Council** |
| Chatburn Parish Council have offered the following observations:*Chatburn Parish Council has viewed the above planning application and has raised concerns that the entrance/exit to and from the property is on a heavily congested narrow road on which two vehicles are unable to pass each other and cars are parked in every available space.* |
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| **CONSULTATIONS:**  | **Highways/Water Authority/Other Bodies** |
| **LCC Highways:** |  |
| The Local Highways Authority have raised no objections to the proposal subject to the imposition of conditions. |
| **CONSULTATIONS:**  | **Additional Representations.** |
| Three letters of representation have been received objecting on the following grounds:* Not local needs housing
* Loss of light
* Out of character of the area
* Design in unsympathetic
* Detriment to character of the Conservation Area
* Inadequate access/highways arrangement
* Detriment to highways safety
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** |
| **Ribble Valley Core Strategy:**Key Statement DS1 – Development StrategyKey Statement DS2 – Sustainable DevelopmentKey Statement DMI2 – Transport ConsiderationsKey Statement EN5 – Heritage Assets Policy DMG1 – General ConsiderationsPolicy DMG2 – Strategic ConsiderationsPolicy DMG3 – Transport & MobilityPolicy DMH5 – Residential & Curtilage ExtensionsPolicy DME1 – Protecting Trees and WoodlandsPolicy DME2 – Landscape and Townscape Protection Policy DME3 – Site and Species Protection and Conservation Policy DME4 – Protecting Heritage Assets National Planning Policy Framework (NPPF)Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990Chatburn Conservation Area Appraisal |
| **Relevant Planning History:**No recent planning history directly relevant to the determination of the application. |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** |
| **Site Description and Surrounding Area:**The application relates to an area of residential curtilage associated with 51 Downham Road, Chatburn. The area currently accommodates areas of garden and a tennis court incidental to the household. The immediate area is predominantly residential in character, with the site being located within the defined settlement limits of Chatburn, also being within the designated Chatburn Conservation Area. The Chatburn Conservation Area Townscape Appraisal Map indicates that Fir Trees House and 53 Downham Road are buildings of townscape merit. 55-57 Downham Road is a Grade II Listed Building. |
| **Proposed Development for which consent is sought:**The submitted details seek consent for the erection of a single residential dwelling within the existing curtilage of number 51 Downham Road. It is proposed that the dwelling will be set-back from the primary road frontage to the north, being located behind the dominant building-line on the southern extents of Downham Road. It is proposed that a new vehicular access will be created off Downham Road to serve the dwelling, with the curtilage of the existing dwelling being subdivided to serve both the existing dwelling and that of the proposed. |
| **Principle of Development:**The application site lies, for the most part, within the defined settlement limits of Chatburn (Tier 1 settlement). As such the principle of the development of the site for further residential purposes, notwithstanding other development management considerations, would be in broad alignment with the development Strategy for the borough in terms of the locational and spatial aspirations for new residential dwellings, as embodied within Policy DMG2 of the Ribble Valley Core Strategy.However, it is also noted that the proposed site plan also proposes the extension of the existing residential curtilage, at the southern extents of the site, outside of the defined settlement limits of Chatburn, including a small area that benefits from an open countryside designation. In this respect Policy DMH5 is engaged which states that:*Proposals to extend or alter existing residential properties must accord with Policy DMG1 and any relevant designations within which the site is located. Proposals that are for the extension of properties to provide accommodation for elderly or dependant relatives will also be subject to the following criteria:*1. *The development must be capable of integration into the main dwelling or a use that is ancillary to the use of the main dwelling housing when circumstances change.*
2. *The extension should generally speaking provide only a modest level of accommodation.*

*Proposals for the extension of curtilage will be approved if:* 1. *The site is within a settlement, or,*
2. *The site is on the edge of a settlement providing:*
* *The new curtilage boundary follows an easily identifiable feature such as a road, stream or hedgerow, or brings the boundary into line with existing adjacent properties.*
* *The extension will not cause visual harm to the landscape.*
* *The extension improves the visual quality of the site.*

*Any existing nature conservation aspects of the existing structure should be properly surveyed and where judged to be significant preserved or, if this is not possible, then any loss adequately mitigated. Proposals to extend a curtilage in other circumstances will not be approved other than where it will support the health of the local economy or for highway safety reasons.*In respect of the engagement and compliance of the proposal with Policy DMH5, an assessment must be made in respect of the nature of the curtilage extension and as to whether ‘the site is on the edge of a settlement’, whether the ‘new curtilage boundary follows an easily identifiable feature such as a road, stream or hedgerow, or brings the boundary into line with existing adjacent properties’ and whether such an extension would ‘cause visual harm to the landscape’.In respect of the above, whilst it is accepted that the proposed curtilage extension is ‘on the edge of a settlement’ the curtilage extension deviates from a well-established boundary line delineated by established existing hedgerow, as such this element of the proposal results in direct conflict with criterion 2 of Policy DMH5. However, taking account of the small-scale of the margin of the proposed extended curtilage, it is not considered that it can be argued that the extents of the proposed extended curtilage, in isolation, would warrant the refusal to grant planning permission on grounds of ‘visual harm’.  |
| **Impact upon character of Conservations Area- Visual Amenity/External Appearance:**The submitted details propose that the dwelling will be of a semi-contemporary appearance being faced in primarily stone and facing render with natural slate roofing. The dwelling is part-single, part two-storey benefiting from a part hipped/part gabled roof form on the two-storey element of the building with the single storey element consisting of a gabled elements a flat-roofed ‘linking’ element and flat-roofed garage area to the north elevation.The proposed dwelling benefits from a varied footprint and configuration that contains a number of single storey elements that are linked to the main body of the two-storey element of the dwelling, with the southern-most single-storey element (lounge and study) being orientated at a slight splayed angle to the linear arrangement of the remainder of the dwelling.The elevational language of the proposed dwelling is largely austere, benefitting from large window/door openings with horizontal glazing elements also being located on the north-facing elevation of the primary part of the dwelling. The overall elevational language and articulation of the built form of the proposal is at significant visual odds with the defining characteristics of nearby built form, in particular, but not solely, the part-gable part-hip roof articulation. The introduction of render at first floor additionally exacerbates the dwellings anomalous appearance through the introduction of a materials palette that is not found within the range of buildings (east to west) within which the proposal will be read in context with.The character of immediate surrounding area on the southern side of Downham Road is largely typified by linear patterns of built form that benefit from a direct roadside presence. In this respect and taking account that the proposed dwelling will be sited significantly southward of the established linear building line, it is considered that the proposal fails to positively consider, take account of or respond to the inherent pattern of development in the area or the ‘density, layout and relationship between buildings, which is of major importance’ as required by Policy DMG1 of the Ribble valley core Strategy**.** In this respect and in relation to matters of patterns of development, the proposed dwelling will be read as being an anomalous, discordant and incongruous introduction into the immediate area, being of significant detriment to the character and visual amenities of the area and resulting in injurious and harmful impacts upon the character and visual amenities of the Chatburn Conservation Area and upon the setting of the nearby Grade II Listed Building and buildings of townscape merit. |
| **Impact Upon Residential Amenity:**Given the submitted details propose the introduction of a new dwelling within close proximity to existing residential receptors, consideration must be given in respect of the potential for the proposal to result in injurious impacts upon existing nearby residential amenities.  In respect of the above, taking account of the configuration of the dwelling and orientation of habitable room windows it is not considered that the proposal will result in any undue impacts upon nearby residential amenities by virtue of direct-overlooking or a diminished sense of privacy. Furthermore, taking account of the spatial orientation of the dwelling and separations distances from adjacent dwellings, it is not considered that the proposal will result in any undue impacts as a result of an overbearing impact or direct loss of light. |
| **Highways and Parking:**It is proposed that a new vehicular access will be provided at the northern extents of the site off Downham Road. The access will be created through the removal of a section of an existing stone boundary wall (approximately 2m in height) that currently fronts Downham Road. It is proposed that the access will be formed through elements of curved walling with a vehicular refuge area and gated access. The Local Highways Authority have raised no objection to the proposal on highways grounds or grounds of highways safety subject to the imposition of relevant planning conditions. |
| **Landscape/Ecology:**The application has been accompanied by an Arboricultural Impact Assessment and Preliminary Bat Roost Assessment. The Preliminary Bat Roost Assessment concludes that no evidence of a bat roost was found within the site and that ’building 1’ is of low potential to support roosting bats, with buildings ‘two and three’ being of negligible potential to support roosting bats. As such and in respect of the potential impacts upon protected species or species of conservation concern, there is not requirement for mitigation to be provided to offset/mitigate the impacts of the development upon these species. The report further however recommends a number of measures that could be included within the development to provide biodiversity enhancement.The submitted Arboricultural Impact Assessment proposes the removal of a number of trees to facilitate the construction of the development with a number also being proposed to be removed due to decline in condition. In this respect the report recommends the removal of the following:* T2 Purple Plum: Category U
* T3 Goat Willow: Category U
* T4 Cockspur Thorn: Category U
* T6 Sycamore: Category U (outside of site red-edge)
* G1 3 x Apple 2 x Plum: Category C1
* H1 Leyland Cypress: Category C1

The report concludes that compensatory planting can be accommodated within the site to offset trees/hedgerow lost as part of the development. |
| **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 proposal is considered contrary to Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy and Paragraphs 130 and 134 of the National Planning Policy Framework insofar that approval would result in the introduction of an anomalous, discordant, incongruous and unsympathetic form of development that fails to respond positively to the inherent character or inherent pattern of development in the area, resulting in injurious and significantly harmful impacts upon the character and visual amenities of the defined Chatburn Conservation Area and upon the setting of the nearby Grade II Listed Building (55-57 Downham Road) and buildings of townscape merit (Fir Tree House and 53 Downham Road). |