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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | | | |
| **Signed:** | **Officer:** | LH | | | | **Date:** | | | 11/10/24 | **Manager:** | | **NH** | | **Date:** | **11/10/24** |
|  | | | | | | | | | | | | | | | |
| **Application Ref:** | | | 3/2024/0666 | | | | | | | |  | | | | |
| **Date Inspected:** | | | 4/10/24 | | | | **Site Notice:** | 13/9/24 | | |
| **Officer:** | | | LH | | | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | | | **Decision** | | **APPROVAL** | | |
|  | | | | | | | | | | | | | | | |
| **Development Description:** | | | | | Retention of retaining wall and proposed earthworks to rear garden | | | | | | | | | | |
| **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– 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 Strategy  Key Statement DS2 – Presumption in Favour of Sustainable Development  Key Statement EN2 - Landscape  Policy DMG1 – General Considerations  Policy DMG2 – Strategic Considerations  **NPPF** | | | | | | | | | | | | | | | |
| **Relevant Planning History:**  3/2022/1035 - Retention of unauthorised alterations to garden levels to form terraced patio/lawned areas – Refused. | | | | | | | | | | | | | | | |
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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 a retaining wall in the form of a series of gorilla blocks in the higher section of the rear garden. The application also seeks permission for proposed earthworks to reposition (move back) the existing lower level retaining wall to facilitate a larger amenity space at the lower patio tier, and then re-grade the land in between these walls to create a sloping garden. There is no alteration to the extent of residential curtilage. | | | | | | | | | | | | | | | |
| **Residential Amenity:**  The creation of new additional useable amenity area at the lower level would not result in any unacceptable overlooking issues for the adjoining property. The creation of a newly sloping garden middle tier and the retention of an existing sloping garden higher tier would also not provide any new opportunities for overlooking into either of the two adjoined neighbouring properties compared to the situation prior to the unlawful works taking place. | | | | | | | | | | | | | | | |
| **Visual Amenity / Landscape:**  The application property comprises one of three adjoined traditional stone cottages. The application property and its surrounding built form largely reflect the rural vernacular of the surrounding National Landscape.  The previous application to retain the concrete Gorilla blocks which spanned over 20 metres was refused on the basis of these being 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.  Two years later and these block have weathered meaning they are less stark in appearance. The proposal to re-grade the mid tier would mean that only one row of these blocks would be visible as opposed to two rows in the refused 2022 application. Also revised plans show the height of the existing concrete walls reduced to the north east and a row of shrub planting is also proposed to provide some screening against this visible row of blocks.  The re-positioned retaining wall at the lower level would involve the re-use of the stone from the existing wall. This would be visually appropriate.  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’*  Taking account of the above, it is considered that retention of the retaining wall alongside the re-graded middle and lower tier sections of garden/patio would not be in conflict with these development plan policies. | | | | | | | | | | | | | | | |
| **Ecology:**  No ecological constraints are identified in relation to the proposal. | | | | | | | | | | | | | | | |
| **Highways and Parking:**  LCC Highways have not been consulted on the proposal as the works would not affect the property’s existing parking or access arrangements. | | | | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  The proposed development does not raise any concerns with regards to the amenity of any surrounding residents nor the character of the National Landscape.  Therefore having regard to all material considerations the application is recommended for approval. | | | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | | | That planning permission be approved. | | | | | | | | | | | |