

Ribble Valley Borough Council

## **DELEGATED ITEM FILE REPORT - APPROVAL**

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**Ref: CS/CMS**

<b>Application No:</b>	3/2014/0720/P
<b>Development Proposed:</b>	Erection of shed and greenhouse at Brookfield, Stoneygate Lane, Ribchester

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**CONSULTATIONS: Parish/Town Council**

Parish Council - No objections to this proposal.

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**CONSULTATIONS: Highway/Water Authority/Other Bodies**

N/A.

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**CONSULTATIONS: Additional Representations.**

A letter has been received from the owners of the dwelling that immediately adjoins the northern boundary of the application site. The contents of that letter are summarised as follows:

1. They did not object to the two previous applications relating to this site which authorised the demolition and rebuilding of the property (applications that were approved).
2. Unfortunately, these permission lead to extreme and prolonged distress for them when their boundary wall collapsed as a result of the development.
3. There was extensive garden removal alongside the boundary wall that was not shown on the application drawings. The requirements of the Party Wall Act were not satisfied. This made the rebuilding of the wall, at their expense, technically difficult and extremely costly.
4. The erection of a shed is clearly a minor matter about which they would not ordinarily comment but in view of the circumstances outlined in points 1-3 above, they would like assurance that the shed would be sited a sufficient distance away from the boundary wall to allow any future access for any work that may be required; and an assurance that there would be no changes to existing ground levels. Without such an assurance they would object to the application.

A letter has been received from another nearby resident who makes the following comments:

1. They object to the application as the footprint of the original building has already been grossly exceeded and any further development would create further problems with remaining open ground and drainage.
  2. There is a serious issue with access and egress into and out of the property onto a fast downhill road.
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**RELEVANT POLICIES:**

*Ribble Valley Districtwide Local Plan*

Policy G1 - Development Control.

Policy H10 - Residential Extensions.

*The Core Strategy Submission version as proposed to be modified*

Policy DMG1 – General Considerations.

Policy DMH5 – Residential and Curtilage Extensions.

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**COMMENTS/ENVIRONMENTAL/AONB/HUMAN RIGHTS ISSUES/RECOMMENDATION:**

The application relates to a site on the east side of Stoneygate Lane that, until recently, was occupied by a detached two bedroom bungalow. The site is within the separate settlement boundary that surrounds the residential development at Eastgate, Chesterbrook and dwellings on the east side of Stoneygate Lane that is located some 140m to the north of the main settlement boundary. There are open fields, crossed by Stoneygate Lane, between the two separate settlement boundaries. The application site is in the south eastern corner of this separate settlement boundary such that the curtilage is adjoined to the south and east by open fields; to the north by a terrace of properties on the east side of the Stoneygate Lane; and to the west by dwellings on the opposite side of Stoneygate Lane and at the corner of Eastgate. There is a difference in external grounds levels of approximately 1m between the application site and the adjoining property (no 5 Stoneygate Lane) to the north.

Under reference 3/2013/0734/P permission was granted for the demolition and replacement of the bungalow. Permission was subsequently granted under reference 3/2014/0131/P for a number of amendments to the approved house type. Condition numbers 7 and 8 of the original permission, that was carried forward by condition numbers 5 and 6 of the amendment permission, removed permitted development rights from the approved replacement dwelling. The reason for the imposition of those conditions was to enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality and the amenities of nearby residents in order to comply with the relevant saved Local Plan policies and Core Strategy policies.

The replacement dwelling has been constructed in accordance with the permission. This current application seeks permission for the erection at the rear of the replacement dwelling of a timber shed and a greenhouse, both of which would have dimensions of 2.4m x 1.8m with a maximum height of 1.95m. The shed is to be located close to the northern boundary of the site (adjoining no 5 Stoneygate Lane) with the greenhouse sited to the south of the shed.

The retaining wall on the northern site boundary has been rebuilt by the neighbour such that it has a height measured from the application site of approximately 2m. The submitted 1:200 scale proposed site plan shows that, as scaled, the shed would be approximately 0.8m away from the northern side boundary wall. However, there is a notation on the plan that this is the "approx position of shed". In response to the point made by the neighbour concerning his gaining access to the application site in order to maintain his wall, the applicant has stated that this is not a planning matter and therefore should have no concern in the planning decision. The applicant is correct insofar as it is a matter between the two parties concerned (and would not involve the Council) as to whether the applicant permitted his neighbour to come onto his property in order to maintain the boundary wall. However, from the point of view of being able to maintain both the side of the shed and the adjoining section of boundary wall, in the interests of visual amenity, I consider that the separation

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distance of 0.8m as shown on the submitted 1:200 scale proposed site plan, is appropriate. In the event that permission is granted, this separation distance will be ensured by an appropriate condition.

The owners of the adjoining property to the north of the site do not make any other objections to the proposed development. In particular, they do not claim that the shed or the greenhouse would, in any way, adversely affect their residential amenities. Due to the height of the boundary wall, I also consider that the proposal would not have any detrimental effects upon the amenities of that particular adjoining property; nor would there be any detrimental effects upon any other nearby residents. These relatively small curtilage buildings would also, in my opinion, not have any detrimental effects upon the visual amenities of the locality.

In response to the comments made by the other nearby resident, these small structures would not result in overdevelopment of this site nor would they, in any way, result in any detriment to highway safety.

Overall, I can see no objections to the proposed development subject to appropriate conditions.

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**RECOMMENDATION:** That conditional planning permission be granted.