

Ribble Valley Borough Council

DELEGATED ITEM FILE REPORT - REFUSAL

Ref: SK

Application No:	3/2014/0827
Development Proposed:	Outline application (All matters reserved save that of Access) for one dwelling using existing access off Clitheroe Road. 39 Clitheroe Road Whalley, BB7 9AD.

CONSULTATIONS: Parish/Town Council

Parish /Town Council	Whalley Parish Council have made the following observations: Had the RVBC core strategy been in place by the time this application had been received then the allocation for settlement in Whalley would have already been exceeded.
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CONSULTATIONS: Highway/Water Authority/Other Bodies

LCC Highways	The County Surveyor has made comments in respect of the application requiring that a number of conditions be attached in relation to the nature of the access.
Electricity Northwest	No objections but the proposal may have an impact upon existing infrastructure.
United Utilities	Have not objected to the proposal but have offered the following observations: In accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

CONSULTATIONS: Additional Representations.

No representations have been received.

RELEVANT POLICIES:

Ribble Valley Districtwide Local Plan (DWLP):

Policy G1
Policy G5
Policy H2
Policy ENV3

Ribble Valley Core Strategy (As proposed to be modified):

Policy DMG1
Policy DMG2
Policy DMH3
Policy DME2
Key Statement DS1

National Planning Policy Framework

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

Site Location:

The proposal site is located approximately 20m to the north of the defined Main Settlement Boundary of Whalley fronting Clitheroe Road to the east.

The immediate and surrounding context is predominantly typified and defined by well-established roadside hedgerow and tree-coverage.

The site is currently part of the residential curtilage of 39 Clitheroe Road, located to the north and is approximately 0.34Ha in area. Whilst the site is currently used as extended garden space for number 39 there is clear delineation, by virtue of extensive hedgerow/tree planting to the northern boundary, between the plot and the 'immediate' garden area associated with the number 39. The site also benefits from an existing dedicated gated vehicular access and dropped kerb onto Clitheroe Road.

To the south of the development site is a buffer strip of land that is currently fenced off and creates an element of separation from the proposal site and number 37 (The Chestnut) to the south.

Proposal:

The proposal seeks outline consent, all matters reserved save that for access, for the erection of a single dwelling, with the existing vehicular access being utilised to serve the dwelling.

No indicative plans have been put forward in relation to the location or scale of the dwelling and it is envisaged these matters will be determined at reserved matters stage.

A number of trees on site are subject to Tree Preservation Orders, as no details have been put forward in relation to the location of the proposed dwelling no harm is identified at this stage.

Principle of Development:

In assessing the proposal it is imperative to establish whether, in principle, the development would be considered acceptable in light of current and emerging policy considerations whilst fully considering the proposal against the aims and objective of the National Planning Policy Framework (NPPF).

The Core Strategy was submitted to the Secretary of State for Examination in September 2012 with the formal Hearing Sessions of the Examination in Public (EiP) taking place between 14 and 22 January 2014. Following those sessions it was considered that a series of Main Modifications be made for the purposes of soundness with those proposed Modifications out for a six week consultation period from 23 May to 7 July 2014. The Development Strategy put forward in Key Statement DS1 as proposed to be modified (Main Modification 21 & 25) seeks to direct the main focus of new house building to the Strategic Site and the Principal Settlements of Clitheroe, Longridge and Whalley and Tier 1 villages which are considered the more sustainable of the 32 defined settlements.

In respect of dwellings in the open countryside such as this site these are covered by Policies ENV3 (DWLP) and DMH3 (Core Strategy) which similarly seeks to resist such developments unless they are to meet an identified local need.

In respect of the housing requirement for the borough, an annual figure of 280dpa is put forward in the Proposed Main Modifications to the Core Strategy and this has also been adopted for Development Management purposes.

In terms of five year land supply, the latest position (July 2014) is that the Council is able to demonstrate a 5.10 year supply) using the Sedgfield method of calculation. The figure of 250dpa was considered at the Hearing Sessions of the EiP and has now increased up to 280dpa as a result of comments made by the Inspector following on from those sessions in January of this year.

Housing provision is a benefit when it is of the right type and in the right location but the ability to demonstrate a five year supply alters the weight to be attributed to this 'benefit' in the planning balance under paragraph.14 of the NPPF when determining applications. This said, the modification in relation to the 280 figure is subject of public consultation and may still attract objections and thus the weight to be attached to this and the emerging Development Strategy must be reflected in the overall planning balance.

As a consequence I consider that whilst the principles of development still remain the in the first instance to be assessed against the provisions of the NPPF (due to the fact the Core Strategy has not yet been adopted) the weight to be attributed to the Core Strategy has increased post the EiP sessions as set out in para.216 of the NPPF and this, coupled with the ability to demonstrate a 5yr supply of housing, must be reflected in any decision taken.

The proposal site is located outside the defined settlement boundary for Whalley, whilst recognised as a principal settlement, the development represents encroachment into the defined open countryside contrary to Policies ENV3 (DWLP) and DMH3 (Core Strategy) which seeks to resist such developments unless they are to meet an identified local need. No evidence has been presented to suggest the proposed dwelling would meet such need or that any such need exists.

Observations/Assessment:

It is additionally considered that the proposal site forms an important visual break between the existing settlement and that of the larger dwellings to the north which are afforded significant curtilages and separation distances that are inherent to the character of the area. Therefore the granting of consent would result in a loss of the 'sense of openness' and result in a discordant and unsympathetic pattern of development that would be of detriment to the character of the area.

It is for the above reasons I recommend accordingly.

RECOMMENDATION: That planning permission be refused.

01	The proposal is considered contrary to Policies G5 and H2 of the Ribble Valley Districtwide Local Plan and Key Statement DS1 and Policies DMG2 and DMH3 of the Ribble Valley Core Strategy Submission Version as proposed to be modified. Approval of the scheme would lead to the creation of a new dwelling in the open countryside without sufficient justification which would cause harm to the
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	development strategy for the borough as set out in the emerging Core Strategy.
02	The proposal is considered contrary to Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan and policy DMG1 and DME2 of the Ribble Valley Core Strategy Proposed Main Modifications (May 2014) in that it would result in a loss of visual openness and degree of visual separation from the main settlement that would be of detriment to the character and appearance of the area.