


Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	LE	Date:		Manager:		Date:	
Site Notice displayed	N	Photos uploaded	Y					

Application Ref:	3/2019/1103	 Ribble Valley Borough Council www.ribblevalley.gov.uk
Date Inspected:	16 th October 2020	
Officer:	LE	
DELEGATED ITEM FILE REPORT:		Decision

Development Description:	Demolition of existing house and erection of two two-storey detached dwellings with attached garages.
Site Address/Location:	Twin Brook Farm Up Brooks Clitheroe BB7 1P

CONSULTATIONS:	Parish/Town Council
<p>Clitheroe Town Council - Comments: The Town Council wishes to voice a concern over this application as regards the Public Right of Way 3-1FP 6a. This path runs as a link between 3-1-FP5 and 3-1-FP8. It is temporarily closed and the plans for this application appear to show the blocking and closing of this path which the Town Council objects to. It may seem that this small link is covered by surrounding PROW but it is the only link between Up Brooks and the Salthill Quarry paths which is important and should not be overlooked. It may be argued that it will be replaced by access through the industrial park but such a walk over tarmac is not a substitute for a country path. If the application is to be approved the Town Council requests that it be made a condition that the footpath is retained.</p>	

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	<p>No objection in principle but raised the following issues:</p> <p><i>1 The development comprises of 2 x 4 bed detached properties which would suggest a parking provision of 3 vehicles per unit. Whilst these are shown on the site plan there is no provision within the site for vehicles to turn around and exit in forward gear.</i></p> <p><i>2 The parking spaces shown in front of the garages scale at 4.6m. It is generally accepted that in order to retain the function of the garage and allow the garage door to be opened when the driveway space is occupied a minimum parking bay length of 5.5 to 6m is required. If these dimensions were applied to the proposed layout then the extended length would result in the partial obstruction of the access road.</i></p> <p><i>3 The position of the public footpath (3-1-FP6a) running adjacent to the development site is unclear. The route of the path needs to be clearly defined on the site plan</i></p> <p>Following receipt of amended plans points 1 and 2 have been resolved. Standard conditions are also suggested.</p>
LCC Rights of way	<p>Unfortunately, the application documents and particularly the plan is not clear in terms of how the development should it be successful will affect Public right of Way 3-1-FP6a and amended documents show little if any meaningful detail of the likely impact of the development on the footpath concerned. In addition, there is currently a temporary closure on the footpath that is unlikely to be reopened for some time</p>

	due to serious sink holes under the footpath that would be a danger to the public – at this time without a full detailed account of what the development will entail we would raise an objection to this application.
LLFA	No comment – consultation not required
UU	The site should be drained on separate systems and standard conditions are recommended.
CONSULTATIONS:	Additional Representations.
<p>One objection has been received from the adjoining property; summarised as follows</p> <p>Inappropriate scale</p> <p>Concerns over choice of materials</p> <p>Overshadowing</p> <p>Overlooking</p> <p>Highway safety</p> <p>Impact on footpath</p>	

RELEVANT POLICIES AND SITE PLANNING HISTORY:

Ribble Valley Core Strategy:

Policy DS1: Development Strategy

Policy DS2: Sustainable Development

Policy DMG1: General Considerations

Policy DMG2: Strategic Considerations

Policy DMG3: Transport and Mobility

Policy DME1: Protecting Trees and Woodlands

Policy DME2: Landscape and Townscape Protection

Policy DME3: Site and Species Protection and Conservation

Policy DMB5: Footpaths and Bridleways

Policy DMB1 – Supporting Business Growth and the Economy

Relevant Planning History:

3/2008/0902 – conversion of barn to dwelling.

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

The site is located towards the end of Up Brooks close to Clitheroe's settlement boundary. It is bounded to the South by Mearley brook along which runs a partially collapsed and temporarily closed public right of way. The other three sides of the site are bounded by industrial units.

Proposed Development for which consent is sought:

The application seeks consent for the demolition of the house "Twin Brook Farm" and the construction of two detached dwellings.

The site plan has been amended twice since the original submission but the layout remains broadly similar. Building 2 is located on the site of the demolished dwelling with Building 1 located to the rear.

Principle of Development:

The site is within the principal settlement boundary and the Core Strategy for the borough seeks to direct development towards these areas

The site and immediate surrounding areas are currently designated as employment land which

generally requires that land of this nature is retained for new business development. Where alternative uses are proposed, several criteria within Policy DMB1 must be met. However, the site is in residential use as a dwelling and curtilage and therefore the development would not lead to the loss of employment generating land. It is considered that new development in this location will contribute, albeit on a small scale, to the delivery of sustainable housing within the Borough. Furthermore, given the proximity to the remaining dwelling "Twin Brook Barn", which is in separate ownership the redevelopment of this site for employment may raise other development management issues.

As such it is considered that the proposal accords with the aims of policies DS1, DMG2 and DMB1 of the Core Strategy. This is subject to an assessment of the material planning issues below.

Residential Amenity:

The proposal consists of two new dwellings.

Building two is located adjacent to the barn and whilst it would be detached from it occupies a similar footprint to the farm. The relationship to the barn is considered acceptable. The concerns with regard to the access ramp to the front are noted however it is not considered that if this is in use any glimpses of the neighbour would be fleeting, it is not proposed to be a raised balcony and will be screened by a boundary fence. A condition can be imposed to ensure it remains for access purposes only to clarify this point.

Building one is located to the rear of the site and is oriented so that the rear elevation faces onto to the barn's garden. There is a distance of 9.5 metres to the common boundary. Amended plans have been received which omit a bedroom window from rear elevation, there are two windows at first floor which serve bathrooms and a condition can be imposed to ensure that these remain obscure glazed in perpetuity. Whilst it will introduce substantial built form into the former garden and change the outlook from the neighbouring house, it is considered that the distance to the boundary and location of windows facing away from the neighbour will mitigate any harmful impact.

Visual Amenity:

In terms of visual impact, the dwelling to be demolished is a stone built dwelling with conservatory to the side which appears to be unoccupied at present. The dwelling is attached to a barn which has been converted to a dwelling in separate ownership. The buildings in some form appear to be present on 1845 maps and whilst it is formerly a farmstead it is now surrounded by industrial development and much of the rural character lost. The farm has been altered with modern extensions, rendering and windows and there is a static caravan in the rear garden and does detract somewhat from the barn. No information has been submitted as to the current state of repair of the building but it does not appear so dilapidated that it could not be renovated or that the residential use abandoned. It should also be noted that given the secluded location that the site is not particularly prominent in views, other than from the footpath running along the side.

The replacement dwelling (building 2) will be detached and the application states that the dividing wall will be made good. The existing height of the farm and barn is 6715mm. The new dwelling will be slightly higher at 7718. It has a forward projecting gable which will be in line with the recessed part of the barn where there is full height glazing and the main portion of the new dwelling will be set further back. There will be a gap of approx. 1 metre to the side boundary. It will have an impact visually by changing the relationship between the formerly attached farm and barn. The new dwelling will be of a simple form constructed of traditional materials. Given the location, loss of character and surrounding development it is not considered that this impact will be harmful providing that the exposed gable wall to the barn is made good with suitable materials and the choice of materials for the new dwelling is acceptable.

With regard to building 1 this is a similar design and height to building 2 but is larger in footprint and located to the rear. It will be obscured from public vantage points and will have an acceptable relationship to the other buildings being detached and standing within its own separate garden area.

There is a static caravan on site and it is understood that this is being used as temporary accommodation. It shall be a condition of the approval that this is removed on occupation of the new dwellings.

Highways:

The proposal will result in a net increase in one dwelling. The highway authority is satisfied with the principle of the development but request some amendments to the scheme with regards to number of parking spaces and turning areas. These issues have been addressed with a revised site plan which shows 3 spaces per dwelling and adequate turning space. The third issue relates to the public right of way which is discussed below and it should be noted that the parking and turning areas are clear of the footpath route.

Public Right of Way:

Public footpath 3-1-FP6a crosses the site close to the site boundary. This path is currently closed as it lies adjacent to the brook and sinkholes under the path have caused it to partially collapse into the brook. The agent has attempted to address the concerns of LCC by showing the route of the footpath remaining unobstructed close to the site boundary. LCC have objected to the proposal as they do not consider that there is enough information as to what the development will entail and its impact on the path. They also have advised that the path is likely to be closed for some time. The town council have also raised concerns that this path will be lost. The site plan shows that the area to be developed is clear of the path and there is no intention to extinguish the right of way. In any case this would have been done via a separate legal process if this were the case. No further correspondence has been received from Rights of Way since November and it is not considered reasonable to delay the determination of the application further. It is considered that ground conditions can only be determined fully once development commences and that in terms of the other considerations the proposal is acceptable.

Water Management:

The LLFA have no comment to make on the application
United Utilities have no objection and request two conditions to deal with drainage of the site.

Ecology:

There are no protected trees on site that would be impacted by the proposal and the proposed site plan indicates planting will be incorporated into the scheme.
A bat survey has been submitted which concludes that there is negligible potential for roosting bats and no mitigation measures deemed necessary.

Observations/Consideration of Matters Raised/Conclusion:

A neighbour has raised a number of concerns with regard to inaccuracies on plans, residential amenity and impact on their property during the build.
It is noted that an adjacent building was not accurately positioned on the originally submitted plans, This issue has now been rectified.
With regard to the impact on the adjoining structure, this issue is a private matter involving a party wall. The development will also be subject to building regulations approval to ensure the development is carried out without detriment to the structural stability of the barn.
The other material planning issues raised are addressed above.
In conclusion it is considered that the proposal is acceptable on balance and will make a small contribution to housing supply in a sustainable location. As such it is recommended accordingly.

RECOMMENDATION:

That conditional planning consent be granted.