


Report to be read in conjunction with the Decision Notice.

Signed:	Officer:		Date:		Manager:		Date:	
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Application Ref:	3/2020/01085	 <p>Ribble Valley Borough Council www.ribblevalley.gov.uk</p>
Date Inspected:	N/A pre-application	
Officer:	SK	
DELEGATED ITEM FILE REPORT:		REFUSAL

Development Description:	Proposed construction of two semi-detached bungalows with associated gardens and parking areas.
Site Address/Location:	Land at Bank Cottages Whalley Road Billington BB7 9NL

CONSULTATIONS:	Parish/Town Council
<p>Billington and Langho Parish Council have no objections to the proposal but wish that the following is taken into account:</p> <ul style="list-style-type: none"> <i>The design of the proposed bungalows would be in keeping with the general appearance of Bank Cottages, but it is a tight site. The Parish Councils no objects is to be subject to comments from the existing residents of that end of Bank Cottages. Application says that these buildings will be no closer than 40 feet to existing cottages, but site looks closed in, if you look at it from the road.</i> <i>Is visibility from the A666 good enough and safe for this application, this is in an awkward place just near the railway bridge.</i> <i>Billington village is currently suffering with water supply problems. The Parish Council requests that RVBC should send the plans to United Utilities with the simple question 'is it happy to supply water to 2 extra properties off the main pipeline?'</i> 	

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	
No objections raised.	
United Utilities:	
No objections subject to the imposition of conditions relating to surface water drainage.	
LLFA:	
<p>The Lead Local Flood Authority have not raised any objection to the proposal but have offered the following observations:</p> <p><i>As you may be aware, there is a culverted watercourse that runs east to west through the application site. Construction within 8m of this watercourse is not advised as access for future maintenance purposes could become restricted and it could have the potential to pose an undue flood risk to structures should the culvert ever collapse or should its capacity ever become exceeded.</i></p> <p><i>Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), the applicant may need consent from the LLFA should they wish to carry out works to the culverted watercourse. Further information on the land drainage consenting process can be found via the following link: http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-awatercourse.aspx.</i></p>	

For the avoidance of doubt, once planning permission has been obtained it does not mean that land drainage consent will be given.

CONSULTATIONS:

Additional Representations.

Two letters of representation have been received objecting on the following grounds:

- Proposal would set a dangerous precedent
- Increased flooding
- Loss of privacy by virtue of overlooking
- Proposal will impede upon access
- Proposal not in keeping with the character of the area

RELEVANT POLICIES AND SITE PLANNING HISTORY:

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy
Key Statement DS2 – Sustainable Development

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility

National Planning Policy Framework (NPPF)

Relevant Planning History:

No recent history directly relevant to the determination of the current application.

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

The application relates to an area of garden/amenity land associated with Bank Cottages, Billington. The area of land to which the application relates is bounded to the south by Whalley Road and to the north by the existing terrace of properties known as Bank Cottages. The site is located within the defined settlement of Billington which is designated as a Tier 1 village. The topography of the area of land to which the application relates increase in height running from north to south towards Whalley Road.

Proposed Development for which consent is sought:

The proposal seeks consent for the erection of a pair of semi-detached single storey bungalow style dwellings on land to the south of Bank Cottages. The submitted details propose that the existing topography of the site will be reduced to accommodate the proposed dwellings providing a terraced garden arrangement to the south. Dedicated parking provision for 4 vehicles in a tandem arrangement is provided towards the western extents of the site with the dwellings being accessed by the occupiers via dedicated external staircases towards their northern elevation.

It is proposed that the dwellings will be faced in natural stone with slate roofing. The submitted sectional details show that the eaves and ridge height of the prospective dwellings will be lower than

that of their neighbouring counterparts to the north. It is further proposed that all northerly facing windows serving the dwelling will be obscure glazed to mitigate potential overlooking of the properties to the north and their respective private garden areas.

Each of the dwellings will accommodate two-bedrooms with open-plan living kitchen/dining area and dedicated bathroom. The submitted details propose that a pedestrian access will also be provided off Whalley Road through the removal of a small area of existing hedgerow and the installation of a twin-gate arrangement.

Principle of Development:

The site is located within the defined settlement boundary for Billington being located directly adjacent existing residential development to the north, with recent development also being located to the south on the opposing side of Whalley Road. As such, given the location of the site within the defined settlement boundary, Policy DMG2 is fully engaged.

In this respect Policy DMG2 is two-fold in its approach to guiding development. The primary part of the policy DMG2(1) is engaged where development proposals are located 'in' principal and tier 1 settlements with the second part of the policy, DMG2(2) being engaged when a proposed development is located 'outside' defined settlement areas or within tier 2 villages, with each part of the policy therefore being engaged in isolation and independent of the other dependant on the locational aspects of a proposal.

The mechanics and engagement of the policy are clear in this respect insofar that it contains explicit triggers as to when the former or latter criterion are applied and the triggers are purely locational and clearly based on a proposals relationship to defined settlement boundaries and whether, in this case, such a proposal is 'in' or 'outside' a defined settlement.

Given the location of the site within the defined settlement boundary, it is therefore considered that it is DMG2(1) which remains engaged for the purposes of determining the application which states that *'development proposals in the principal settlements of Clitheroe, Longridge and Whalley and the tier 1 villages should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.'*

As such, taking account of the criterion of DMG2(1) and that the proposal site lies within close proximity of existing development and taking account that the site lies within the defined settlement limits of Billington. It is considered that the proposal represents that which would fall within the definitions and align with the exception criterion contained within Policy DMG2(1).

Taking into account the above matters, notwithstanding other development management considerations, it is considered that the principle of the development of the site for residential purposes raises no direct conflicts with the development strategy in relation to the aspirations for the location for new residential development within the Borough.

Impact Upon Residential Amenity:

Given the proposals proximity to existing residential receptors, consideration must be given for the potential for the proposal to result in detriment to the residential amenities of nearby residential occupiers by virtue of a loss of light, loss of privacy or over-bearing impact.

It is proposed that the dwellings will benefit from a spatial offset of 14m from the existing properties to the north, also being of a lower eaves and ridge height, it is noted that the proposed 14m offset distance

falls significantly short of the 21m back-to-back interface distance usually secured and required by the authority.

However, it should be noted that the north-facing elevations of the proposed dwellings, that will have a direct-facing relationship with Bank Cottages, contains only windows and glazing that is proposed to be obscure glazed. In this respect the interface between the existing and proposed properties, in terms of outlook-interface and the inter-visibility of occupiers from habitable rooms is fully mitigated.

Taking account of the above, consideration must still be given in respect of the potential for an over-bearing impact or an unsympathetic relationship with the properties to the north. The proposed northerly window arrangement, by virtue of a lack of windows that benefit from an outward northerly aspect, is considered to therefore be akin to an arrangement whereby a rear elevation (existing or proposed) benefits from a direct visual interface with a flank (gable) wall or elevation. In such arrangements the authority would normally seek to secure a 13.5m offset distance in such circumstances. Given the submitted details propose an offset-distances of 14m it is clear that the proposal aligns with and exceeds the minimum tolerances that would normally be sought to mitigate the potential for an over-bearing impact or unsympathetic relationship.

In respect of the above matters, it is not considered that the proposal will result in any significant measurable detrimental impact upon the existing residential amenities of existing occupiers by virtue of a loss of light, direct-overlooking nor overbearing impact that would warrant the refusal to grant planning permission.

Visual Amenity/External Appearance:

Given the potential visual prominence of the site and the high-level of visibility of the site upon approach from the east and west along Whalley road, consideration must be given in respect of how the proposal will be visually assimilated into the townscape and as to whether the proposal will be read as unsympathetic, discordant or as an anomalous introduction into the area.

The proposal seeks to introduce development in a parcel of land that is largely devoid of significant structures and on an area of land that directly fronts Whalley Road. In this respect, when taking account of the inherent pattern of development within the vicinity and taking account of the level of visibility that the proposal will be afforded upon approach, it is considered that the proposal will be read as an incongruous introduction that fails to respond positively to the dominant pattern of development established by the terraced properties to the north.

Whilst the design and external appearance of the dwellings themselves are austere and simple in their character and as such are unlikely to be of an architectural language that would allow them to be read as unsympathetic or incongruous. It is the resultant pattern of development and the introduction of built form in to an area of land that is largely devoid of development that raises fundamental concerns insofar that it is not considered that the proposal will be visually assimilated into the area without being read as being anomalous or discordant.

Landscape/Ecology:

The application has been accompanied by a Tree Survey which identified that the site is bounded to the south and west by category C Hedgerow, however the submitted details do not contain any information in respect or hedgerow works, removal or management. However, the applicant has confirmed that there is no intention to alter or remove the existing hedgerow save that for the removal of a small area to facilitate the introduction of the pedestrian access gates off Whalley Road.

The application is also accompanied by a bat survey in relation to an existing detached garage/storage building on site that is proposed to be demolished. The report concludes that there is no evidence of

the building having been used for roosting by bats and as such no mitigation is required to offset the impacts of the development.

Observations/Consideration of Matters Raised/Conclusion:

It is 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 followings reason(s):

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| 01: | The proposal is considered contrary to Policies DMG1 and DMG2 of the Ribble Valley Core Strategy by virtue of the density of the proposed developable parcels, cumulative overall density, the quantum of development proposed and its location, which would result in an anomalous and discordant pattern of development that fails to respond positively to the inherent pattern and density of adjacent built-form and fails to be well-related to the main built up area of the settlement of Whalley, being of detriment to the character and visual amenities of the area. |
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