

Report to be read in conjunction with the Decision Notice.

Application Ref:	3/2021/0216	 Ribble Valley Borough Council www.ribblevalley.gov.uk
Date Inspected:	30/03/2021	
Officer:	AB	
DELEGATED ITEM FILE REPORT:		REFUSED

Development Description:	Regularisation of unauthorised summer house within the curtilage of the existing property.
Site Address/Location:	Varleys Farm Anna Lane Bolton by Bowland BB7 4NZ

CONSULTATIONS:	Parish/Town Council
None received.	

CONSULTATIONS:	Additional Representations.
No representations have been received.	

RELEVANT POLICIES:

Ribble Valley Core Strategy:

Policy EN2 – Landscape
 Policy DMG1 – General Considerations
 Policy DME2 – Landscape and Townscape Protection
 Policy DMH5 – Residential and Curtilage Extensions

National Planning Policy Framework

National Planning Policy Guidance

RELEVANT PLANNING HISTORY:

3/2002/0065 - Extn of farmhouse into part adj barn and erection of new detached garage. Conv of barn into one dwelling erection of new detached garage and stables. New septic tank and soakaway. Approved.

3/2003/0049 - Extension of dwelling into barn and rear extension. Approved.

3/2003/0124 - Proposed garage unit. Withdrawn.

3/2003/0400 - Second floor extension (alteration to plans as passed under 3/03/0049). Approved.

3/2007/0233 - Take down existing concrete block and corrugated roofed barn. Replace with smaller footprint, stone flag roof and stone and oak built outbuilding to provide storage, feed, vehicle and stable building and school (for personal use). Approved.

3/2015/0639 - Change of use of part of the first floor of previously approved outbuilding (3/2007/0233) to granny annexe. Approved.

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

Planning consent is sought to regularise the unauthorised construction of a summer house at Varleys Farm, Anna Lane, Bolton by Bowland.

The site is located in the Forest of Bowland AONB. The residential plot includes the main house which was extended into the adjoining barn following the grant of permission in the early 2000's. The applicant also owns surrounding agricultural land amounting to around 34 hectares which is used for grazing and the production of hay. There is an existing oak-built building which provides storage, stables and annexe accommodation situated around 50 metres south-east of the main house.

Proposed development for which consent is sought:

Permission is sought to regularise a summerhouse structure located to the west of the main house. The farmhouse and barn are surrounded by an enclosed stone flagged area. Retaining walls bound these areas of hardstanding, beyond which land levels are considerably higher. The summerhouse which has been constructed is located beyond the stone retaining wall to the west of the farmhouse such that it is built which a significantly higher floor level.

Consideration must also be given to the lawful use of the land on which the summerhouse is sited as it would appear to extend beyond the previously consented residential plot.

Design and Visual Appearance:

The site is located in the Forest of Bowland AONB which is given the highest level of landscape protection. Great weight is given to the conservation and enhancement of the AONB.

The main concerns relate to the building's location on raised land and the lawful use of the land on which it is sited. The original consent(s) to extend the farmhouse into the adjoining barn at Varleys Farm denotes a relatively modest curtilage area close to and surrounding the historic stone farm building.

The summerhouse which is the subject of this application is located outside of the approved curtilage boundary. The surrounding land has taken an increasing manicured appearance over the years to the detriment of the setting of the farmhouse and barn, and it is considered that approval of the summerhouse, which includes large patio doors opening onto the land in question, would be taken as indication that residential garden use of a wider area is acceptable.

Policy DMH5 of the Core Strategy does not permit extensions of residential gardens in such open countryside locations due to the landscape and visual impacts. Aerial photographs of the site provide clear indication of the changing nature of the surrounding land which can now be seen as a significant alien addition in the rural landscape.

It is considered that unless the applicant can provide sufficient evidence of continuous residential use of the land for a period of no less than 10 years to be considered under an application for a certificate of lawful use, planning consent for an extension of the residential use should not be permitted nor should any residential outbuilding be granted on the land.

Google Earth images show that in December 2010, the land beyond the retaining walls surrounding the house remains agricultural in appearance. As such, based on the evidence, regularisation of the building of the summerhouse would also include a change in the use of the land on which it is located and the areas of land beyond this where residential garden use would be facilitated.

In terms of the summerhouse itself, the building is not significant in size or scale. However, it is a prominent addition as a result of its raised position. Given its prominence and its failure to respect the inherent character of the main building, it is considered to be harmful to the character and appearance of the main dwelling.

Conclusion

Having regard to the above, the summerhouse has been constructed on land beyond the established residential unit, can only be accessed across non-residential land and would also provide direct access to said land, therefore facilitating it unlawful residential use.

The change of use of this wider area to residential use would, taking into account the other unlawful extensions of residential garden land at the site, result in a harmful change to the character of the landscape.

RECOMMENDATION:	That planning consent be refused for the following reasons:
1. The proposed development, by virtue of its siting beyond the established residential planning unit, would result in a material change of use of the land which in conjunction with other unauthorised extensions of residential garden have resulted in considerable harm to character and visual appearance of the immediate area, a designated Area of Outstanding Natural Beauty, contrary to Core Strategy Key Statement EN2 and Policies DMG1, DME2 and DMH5 and paragraph 172 of the NPPF. 2. The proposed development, by virtue of its siting and design, would be a prominent addition elevated above the height of the parent property as a result of its location atop a raised platform and would fail to harmonise with the inherent character of the traditional stone-built farmhouse and barn contrary to Core Strategy Key Statement EN2 and Policies DMG1, DME2 and DMH5.	