

Steven Abbott Associates LLP
Chartered Town Planners

STATEMENT OF CASE

Mr Gavin Baker

Householder Appeal for a Two-storey Side Extension Following Removal of
Existing Conservatory

Fairclough Barn, Loud Bridge Road, Chipping, PR3 2NX

April 2020



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1. INTRODUCTION

1.1. Steven Abbott Associates LLP are instructed by Mr Gavin Baker (“the appellant”) to provide professional planning advice in relation to the production and submission of a planning appeal (“the appeal”) against the refusal of Ribble Valley Borough Council (“the Council” or “the LPA”) to grant planning permission for a two storey side extension – following the removal of an existing conservatory – at Fairclough Barn, Loud Bridge Road, Chipping, PR3 2NX (“the appeal site”).

1.2. The appeal proposals are considered to be perfectly acceptable and compliant with both local and national planning policy. However, on 27th February 2020, the LPA refused the planning application for the following reason:

“The proposed extension is considered contrary to Policies DMG1 and DMH5 of the Core Strategy in that it would have a detrimental impact on the original character of the building which is considered to be a non-designated heritage asset. The extension is disproportionate to the original building and the proposed window openings and the juliet balcony on the south elevation would further detract from the original form of the building and represent a discordant and inappropriate feature.”

1.3. The planning application was prepared and submitted by ML Planning Consultancy Ltd but the appellant instructed Steven Abbott Associates LLP after the application was refused to assess the decision of the LPA and advise if a planning appeal would be a reasonable course of action.

1.4. Having reviewed the application submission documents, the case officer’s delegated report and the LPA’s reason for refusal, it is our view that the appeal proposals are fully compliant with both local and national planning policy and planning permission should have been granted by the LPA.

1.5. The reasons why this is our view will be set out in the main section of this report.

2. SITE DESCRIPTION AND APPEAL PROPOSALS

- 2.1. The appeal site contains a single residential dwelling which is a converted barn that was approved by the LPA in September 1989.
- 2.2. The site is located on the southern side of Loud Bridge being within a small cluster of existing residential dwellings.
- 2.3. The property is within the defined Forest of Bowland AONB in a predominantly rural area.
- 2.4. The proposed development is a relatively modest two storey extension to the existing building. The proposals will allow an extended family room at ground floor and an additional bedroom at first floor level.
- 2.5. The extension is to be located on the south-east facing gable of the property and will project to the south by 3.65m. The eaves height is proposed to be the same of the existing dwelling but is set down from the ridge height of the dwelling to reduce any impact that the extension might have.
- 2.6. The east facing elevation will feature two windows – one at ground floor level and one at first floor level – with the south facing elevation accommodating tri-fold doors at ground floor level and a double door and Juliet balcony arrangement at first floor level.
- 2.7. Facing materials are proposed that will match the existing building.

3. PLANNING HISTORY

3.1. The following planning applications have previously been submitted on the appeal site:

- LPA Ref: 3/2019/0299 – Retrospective application for erection of garage and stable building with ancillary living accommodation above. (Approved)
- LPA Ref: 3/2001/0067 – Garage with storage space above, 3no. stables and tack room. (Approved)
- LPA Ref: 3/1989/0226 – Barn conversion to create a single residential dwelling. (Approved)

3.2. The planning application subject to the appeal is not listed above.

4. PLANNING POLICY CONTEXT

4.1. The following are the most relevant planning policies to this planning appeal:

- Ribble Valley Core Strategy – Key Statement EN2 (Landscape)
- Ribble Valley Core Strategy – Policy DMG1 (General Considerations)
- Ribble Valley Core Strategy - Policy DMH5 (Residential and Curtilage Extensions)

4.2. On a national level, the National Planning Framework (NPPF) provides the planning policy framework.

4.3. The relevance of the above will be addressed in the main section of this report.

5. APPELLANT'S CASE

- 5.1. For ease of reference, the planning application subject to this appeal (3/2020/0037) was refused by the LPA on 27th February 2020 for the following reason:

“The proposed extension is considered contrary to Policies DMG1 and DMH5 of the Core Strategy in that it would have a detrimental impact on the original character of the building which is considered to be a non-designated heritage asset. The extension is disproportionate to the original building and the proposed window openings and the Juliet balcony on the south elevation would further detract from the original form of the building and represent a discordant and inappropriate feature.”

- 5.2. As already set out, Steven Abbott Associates LLP were not involved with the planning application subject to this appeal at all and our first instruction post-refusal was to assess the decision and provide advice on moving forward.
- 5.3. It was, and still is, our professional view that the proposed extension has been sensitively designed to appear subservient to the main building and is not ‘disproportionate’ in size in comparison to the original building.
- 5.4. Whilst it is accepted that the window openings and Juliet balcony proposed for the south (gable) elevation of the extension have more of a contemporary feel to them than the existing openings, these are not considered to detract from the original character of the building given that they are not read in conjunction with the majority of the main building and the window openings and are mainly seen in isolation due to the orientation of the building.
- 5.5. Furthermore, it is argued that the conservatory which is proposed to be demolished is a much more incongruous feature on a converted barn and its removal should be welcomed and supported by the Council, especially given the high quality extension that it is being replaced with.
- 5.6. The reason for refusal states that the proposed development is in conflict with Core Strategy Policies DMG1 (General Considerations) and DMH5 (Residential and Curtilage Extensions). The

reasons why it is the appellant's case that the proposed development is compliant with these two policies are set out below.

Core Strategy Policy DMG1: General Considerations

5.7. The above policy text is included in Appendix 1 for ease of reference. It is the appellant's case that the proposed extension complies with Core Strategy Policy DMG1 for the following reasons:

Design

- It is of a high standard of design and is in context with its surroundings and the host building;
- It is sympathetic in terms of its size, scale, massing style features and building materials;
- It is not visually obtrusive and would not have a detrimental impact on the character of the landscape.

Access

- The existing access will be utilised and the proposed extension will not create any highway safety and car parking issues.

Amenity

- The proposed extension will not affect the amenities of the surrounding area;
- The proposed extension will provide adequate day lighting and privacy issues;
- The proposed extension will not cause any harm to public safety;
- The proposed extension will not have any detrimental impact on air quality.

Environment

- The appeal site is within the Forest of Bowland AONB yet the proposed extension will have no environmental implications for the AONB;
- The proposed extension is not considered to have a detrimental impact on the natural environment in any way;
- The LPA consider the existing building to be a non-designated heritage asset but the appeal proposals are not considered to be harmful to the building and it is argued that the demolition of the conservatory to make way for the extension will result in an overall improvement of the property;

Infrastructure

- The proposed extension has no impact on public open space;
- The proposed extension will not put a strain on infrastructure capacity;
- The proposed extension will not have an impact on social infrastructure provision.

Other

- The proposed extension will not prejudice future development which would provide significant environmental amenity improvements.

Core Strategy Policy DMH5 (Residential and Curtilage Extensions)

5.8. The above policy text is included in Appendix 2 for ease of reference. It is the appellant's case that the proposed extension complies with Core Strategy Policy DMH5 for the following reasons:

- The appeal proposals are for the alteration (demolition of the conservatory) and extension of an existing residential property and accord with Policy DMG1 (as can be seen above);

- There is no extension to the curtilage proposed.

5.9. Whilst not set out in the reason for refusal, Core Strategy Key Statement EN2 (Landscape) is also relevant given the location of the appeal site within the Forest of Bowland Area of Outstanding Natural Beauty. This Key Statement is included in Appendix 3 but for ease of reference reads as follows:

“The landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area.

The landscape and character of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced.

As a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.”

5.10. It is the appellant’s case that the proposed extension is fully in keeping with the character of the area, reflects local distinctiveness, vernacular style and is of a scale and style which also reflects the surroundings. This is also true of the proposed features and building materials which do not cause harm to the AONB and conserve its character.

5.11. The appeal proposals are therefore fully compliant with Core Strategy Key Statement EN2.

Case Officer’s Delegated Report

5.12. I have had sight of the Case Officer’s delegated report and it is included in Appendix 4 for ease of reference.

5.13. The report confirms that the LPA have no issues with the proposed extension’s:

- Impact on residential amenity;
- Impact on landscape;

- Impact on ecology.

5.14. However, it is the LPA's view that the visual amenity/external appearance of the proposed extension would not be acceptable.

5.15. Interestingly, it seems that, from the wording of the report, the case officer and Head of Service might not have been in agreement on this matter and the application would have possibly been approved without the intervention of the Head of Service. Notwithstanding this, the conclusion from the LPA in the report is that the proposed extension would be "harmful and inappropriate".

5.16. It is not agreed that the proposed extension is 'inappropriate' as there is nothing set out in the relevant policies which states that such an extension is inappropriate in this particular location. Furthermore, for the reasons set out earlier in this section, it is not considered that the proposed development is harmful to the main building or the surrounding countryside.

5.17. It is the appellant's case that the proposed extension has been sensitively designed to appear subservient to the host building and it being set down from the ridge height of the host building mitigates any impact that the extension might have even further.

5.18. Whilst it is appreciated that the 'need' of the appellant is not necessarily a material planning consideration, it is relevant that his family is desperate for additional bedroom and living space and what is proposed is not excessive in this respect and just provides the minimum that his family requires.

5.19. At the time of writing, the appellant has submitted a planning application for a single storey side extension which is currently under consideration by the LPA. The design of the single storey extension reflects the advice given by the LPA about what would be acceptable in their eyes. It was considered prudent to submit the application while this appeal was being determined but the submission of that application in no way changes or weakens the case set out in this document.

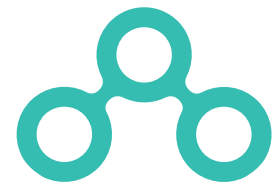
5.20. There is nothing in the NPPF which conflicts with the appellant's case.

6. CONCLUSIONS

6.1. In summary, the proposed extension subject to this appeal is considered to be fully compliant with Core Strategy Policies DMG1 and DMH5 and Key Statement EN2 for the following reasons:

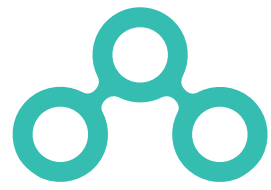
- It would not have a detrimental impact on the original character of the building;
- It is not disproportionate to the original building;
- The proposed window openings and the Juliet balcony on the south elevation do not detract from the original form of the building and are perfectly acceptable;
- The proposed window openings and the Juliet balcony on the south elevation are not discordant and inappropriate features;
- The extension will not harm the AONB and will conserve its character

6.2. For these reasons, and for all those set out elsewhere in this document, it is respectfully suggested that the appeal should be allowed and planning permission granted.



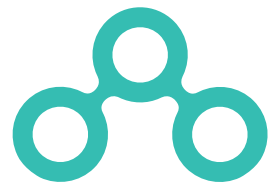
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Appendix 1



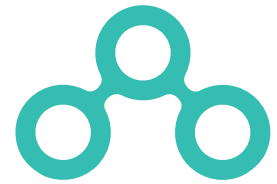
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Appendix 2



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Appendix 3



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Appendix 4