

STATEMENT OF CASE

**Planning Appeal in relation to the refusal by Ribble Valley Borough
Council of Planning Application Ref. 3/2017/0039.**

APPELLANT: MR PAUL LYNCH

**APPELLANT ADDRESS: 18 NETHERWOOD GARDENS
BROCKHALL VILLAGE
OLD LANGHO
BLACKBURN
BB6 8HR**

JUNE 2017

DOCUMENT REF. 1101.4.PL.AJO.Fn



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1. INTRODUCTION & BACKGROUND

- 1.1 This full Statement of Case is submitted in relation to an appeal submission made by the Appellant, following the refusal by Ribble Valley Borough Council to grant planning permission under Application Ref. 3/2017/0039, which sought the following;

“Retention of unauthorised amendments made to front and rear first floor balcony areas.”

- 1.2 The planning application the subject of this appeal was submitted to the Local Planning Authority (LPA) on 16th January 2017. A copy of the relevant submitted supporting documentation is enclosed with the appeal submission papers.

- 1.3 The planning application was refused on 21st March 2017 for the following reasons:

“The proposal, by virtue of its design, would result in an incongruous and discordant addition that would detract from the visual appearance of the host dwelling and impact adversely upon the visual amenities of the street scene contrary to Policies DMG1 and DMH5 of the Ribble Valley Core Strategy”; and

“The proposed balustrade arrangement on the flat roof of the single storey rear extension would facilitate the use of the entire roof as a balcony, roof garden or similar amenity area contrary to condition no. 8 of planning application 3/2015/0317 which sought to reduce the impact on the residential amenity of neighbouring occupants to an acceptable level and would make difficult the enforcement of this condition.”

2. THE CASE FOR THE APPELLANT

- 2.1 In the first instance, the Local Planning Authority (LPA) primarily contends that the design of the amended first floor balcony area to the front of the dwelling results in an incongruous and discordant addition that detracts from the visual appearance of the host dwelling and impacts adversely on the visual amenities of the street scene. As such, the LPA therefore consider that the appeal proposal is contrary to policies DMG1 and DMH5 of the Ribble Valley Core Strategy.
- 2.2 Policy DMG1: General Considerations, of the Ribble Valley Core Strategy is primarily concerned with multiple aspects of design, access, amenity, environment and infrastructure, in relation to development proposals. In particular, it provides guidance in relation to design standards; size, intensity and nature; density, layout and the relationship between buildings; the use of sustainable construction techniques; and the code for sustainable homes.
- 2.3 In the case of this appeal, there is no suggestion that the proposal is deficient in relation to matters of size, intensity and nature; density, layout or sustainable construction techniques. The concerns of the LPA relate wholly to design quality.
- 2.4 In this regard Policy DMG1 states that in relation to matters of design, all development must be of a high standard of building design, which considers the 8 building in context principles (from the CABE/ English Heritage Building in context toolkit).
- 2.5 Policy DMH5: Residential and Curtilage Extensions, of the Ribble Valley Core Strategy, is concerned with proposals to extend or alter existing residential properties. Insofar as the alteration of existing residential properties are concerned, policy DMH5 states that proposals must accord with policy DMG1 and any relevant designations within which the site is located. The remainder of policy DMH5 is concerned with proposals for the extension of properties to provide accommodation for elderly or dependent relatives; and with proposals for the extension of curtilages. Neither of these instances apply in the case of the appeal scheme.

2.6 In the second instance, the LPA contends that the balustrade arrangement on the flat roof of the single storey rear extension facilitates the use of the entire roof area as a balcony, roof garden or similar amenity area, contrary to condition 8 of planning permission ref. 3/2015/0317, which sought to reduce the impact on the residential amenity of neighbouring occupants to an acceptable level and would make the enforcement of this condition difficult.

Against the assertion that the design of the amended first floor balcony area to the front of the dwelling results in an incongruous and discordant addition that detracts from the visual appearance of the host dwelling and impacts adversely on the visual amenities of the street scene.

2.7 In the first instance it is arguable as to whether the works undertaken to install the glazing panel to the previously open balcony, constitute works within the statutory definition of development. It is the opinion of the Appellant that in themselves, they amount to works of a 'de-minimis' nature, for which the express consent of the LPA would not be required. Nonetheless, the LPA disagrees in this regard. In the event that the Inspector also disagrees, the Appellant sets out in the following paragraphs, its position in relation to the contention of the LPA.

2.8 It is the Appellants case that the amended first floor balcony area to the front of the dwelling relates appropriately to the domestic scale, character and appearance of both the existing dwelling and the street scene of Netherwood Gardens. Furthermore, given the use of the glazed material to achieve the implemented amendment, it is not considered that it results in an incongruous or discordant addition to the dwelling that has detracted from the visual appearance of the host dwelling or the street scene.

2.9 Netherwood Gardens is a wholly residential cul-de-sac, characterised by large detached dwellings that are sited relatively close to their road frontage. It is a relatively new development and whilst there is a commonality to the broader design of each dwelling, they each also include more individual elements that define them from one another and do not conform to a more sterile and uniform approach that can typically be found on a development carried out by a volume house builder.

Each dwelling can be identified as having individual elements that contribute appropriately to both the character of the individual dwellings and the overall character of surrounding street scene.

- 2.10 The cul-de-sac character of the southern most end of Netherwood Gardens, results in an opening out of this part of the street scene and a perceived stepping back of the build line from that which is otherwise largely maintained by the rest of the properties located on the road. This is where the appeal property is located.
- 2.11 For the most part when approaching the appeal dwelling from a northerly direction, the amendment to the existing first floor front balcony is largely invisible from within the public domain. It only has the potential to be explicitly noticed at the point of passing almost immediately in front of the property itself. In this regard and given the limited scope for it to be readily observed from within the public domain, it must follow that it relates appropriately to the domestic scale, character and appearance of both the host dwelling and the streetscene.
- 2.12 This is further supported by the use of glazing to achieve the amended balcony feature. The use of glazing keeps the perceived impact of the addition lightweight and of limited visual impact.
- 2.13 An alternative solution was suggested by the LPA during the currency of the planning application (see **Appendix 1**). The advice of the planning officer was that a more solid and heavyweight solution comprising of a tiled, hipped roof should be considered. It was the opinion of the Appellant that this would not have the desired effect and would in fact serve to add inappropriate bulk to the front elevation of the property. In effect, the Officer advocated a solution that would in itself introduce an incongruous and discordant addition that would jar and detract from the visual appearance of the host dwelling and in itself detract from the domestic, visual amenity of the street scene. The Officer also confirmed that the advice provided by the LPA had no been discussed with an appropriate design colleague. It was essentially the subjective opinion of the Officer. The exchange of correspondence in this regard is enclosed at **Appendix 2**.

-
- 2.14 It is a long-standing and fundamental principle that applications for planning permission be determined in accordance with development plan policy unless material considerations indicate otherwise. In this case the LPA has fundamentally failed, by applying poor subjective judgement to the proposal and failing to correctly assess the clear character of the appeal site, and the wider character typical on Netherwood Gardens. It has fundamentally failed in its character assessment of the appeal proposal and the visual affect that it considers would arise from the appeal proposal.
- 2.15 Had the LPA had appropriate regard to the relevant material considerations in this instance, it is the case that the proposal is not contrary to the provisions of the statutory development plan.
- 2.16 Overall, the Appellant has demonstrated that the proposal will not be contrary to Policies DMG1 and DMH5 of the Ribble Valley Core Strategy. The form that the amended balcony feature has taken has had appropriate regard to the character and appearance of the dwelling and has sought to minimise the impact of the addition through the use of glazing. It has not sought to add to the solid bulk of the property or introduce a feature that would compete with the existing defining features of the front elevation to the property.
- 2.17 As was explained in the application submission, the primary reason for enclosing the external balcony area, was for the safety of the Appellants young children and remove the potential for the external balcony wall to be accessed.
- 2.18 Given that the works have already been implemented, the Inspector must satisfy him/herself that it is in the overriding public interest to require the removal of the glazed addition and return the balcony to its previous open form. Contrary to the assertion of the LPA, the safety aspect in this regard is also a material planning consideration, which must be given appropriate regard and weighed appropriately in the planning balance.

Against the assertion that the balustrade arrangement on the flat roof of the single storey rear extension facilitates the use of the entire roof area as a balcony, roof garden or

similar amenity area, contrary to condition 8 of planning permission ref. 3/2015/0317, which sought to reduce the impact on the residential amenity of neighbouring occupants to an acceptable level and would make the enforcement of this condition difficult.

2.19 The LPA is clear in the Officer delegated report that concern regarding the flat roof of the rear single storey extension extends only to the use of this area as a balcony. It is confirmed that the physical balcony arrangement itself does not raise any concerns in relation to the impact on neighbouring occupants.

2.20 It is the Appellants case that the use of the rear extension roof as a balcony, is clearly defined by condition 8 of the previous approval of planning permission (Ref. 3/2015/0317).

2.21 Condition 8 of planning permission ref. 3/2015/0317 stated;

The balcony hereby permitted shall be carried out in accordance with the approved plans. The remaining roof area of the extension shall not be used as a balcony, roof garden or similar amenity area without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities and privacy of the neighbouring properties and in accordance with policy DMG1 of the Ribble Valley Core Strategy.

2.22 The LPA has fundamentally abused its Authority in consideration of this matter.

2.23 There has been no complaint or suggestion that the Appellant is in breach of condition 8. Whilst confirming on one hand that there is no concern in relation to the physical balustrade, the LPA is asserting that it should be removed because it will facilitate the removal of the 'inner balustrade' resulting in the use of the whole roof area as a balcony.

2.24 The Appellant has been clear that it is not their intention to do this and that the outer balustrade has been installed primarily as a safety measure. This was

explained in detail in the covering letter that was submitted with the application **(Appendix 3)**.

2.25 The 'inner balustrade' remains in place, in the location that accords with the plans approved by planning permission ref. 3/2015/0317 and it is the intention of the Appellant to only use this area as a balcony.

2.26 Condition 8 is clear on the use of the rear extension roof as a balcony, which is also clearly defined on the approved plans. As such, the LPA has a clear and determinative basis upon which to confirm a breach of planning, should the terms of condition 8 be exceeded. It would also be reasonable to assume that a complaint made in this regard would likely come from a neighbouring property who would be able to support their complaint with photographic evidence. The presence, or not, of the 'outer balustrade' is not the determinative factor in the use of the roof area as a balcony. As such, if there is no concern regarding the physical appearance of the 'outer balustrade' in relation to the impact on neighbouring occupants, then it follows that there are no reasonable grounds for retrospective planning permission of this feature to be withheld.

2.27 Overall, had the LPA had appropriate regard to the relevant material considerations, it is the case that the appeal proposal is not contrary to the provisions of the statutory development plan. Insofar as decision-taking is concerned, national planning policy and the 'presumption in favour of sustainable development' is clear that this means, approving without delay, development proposals that accord with the development plan. Furthermore, there are no other material considerations that would support the retrospective refusal of the proposal. There is therefore no reason to continue to withhold the grant of planning permission.

APPENDICES

APPENDIX 1: E-mail correspondence LPA to Appellant 7th March 2017

Subject: Planning application 3/2017/0039

Date: Tuesday, 7 March 2017 17:00:24 Greenwich Mean Time

From: Adam Birkett <Adam.Birkett@ribblevalley.gov.uk>

To: 'amandaolley@summitassociates.co.uk' <amandaolley@summitassociates.co.uk>

Dear Ms Olley,

**18 Netherwood Gardens Brockhall Village BB6 8HR
Retention of unauthorised amendments made to front and rear first floor balcony areas.**

I refer to the above planning application for the retention of unauthorised amendments made to front and rear first floor balcony areas.

I have assessed the application and make the following observations:-

- The external glazed balustrade does not result in any visual harm to the application property or the surrounding area. However, for clarity the approval of the external glazed balustrade would not permit the use of the area between the external and internal balustrades of the balcony as an amenity area.
- Having regard to the internal timber balustrade which denotes the 3mx3m which has approval for use as a balcony, the preference would be for this to be similar in appearance to the external balustrade (approx. 1.2m high glazed panels).
- To the front of the dwelling it is considered that the existing infill arrangement results in harm to external appearance of the property. This is mainly as a result of the roof design. I have attached what I would consider to be an appropriate roof design for this part of the property. I would also prefer some vertical glazing bars to break up the large horizontal window that extends the length of the former balcony area.

Please provide amended plan(s)/information within 10 days of this email. If amended plan(s) are not received, the application will be determined as submitted and, if refused, you would have the right to appeal against the decision.

Please discuss these options with your client and let me know how you wish to proceed.

Should you wish to discuss the above, or require further clarification on the requirements, please do not hesitate to contact me.

Kind Regards,

Adam Birkett

Principal Planning Officer

Ribble Valley Borough Council

Council Offices, Church Walk, CLITHEROE, Lancashire, BB7 2RA

Tel: 01200 414571 **Fax:** 01200 414487

Email: adam.birkett@ribblevalley.gov.uk

Web: www.ribblevalley.gov.uk

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APPENDIX 2: E-mail correspondence LPA to Appellant 17th March 2017

Subject: RE: Planning application 3/2017/0039
Date: Friday, 17 March 2017 16:01:50 Greenwich Mean Time
From: Adam Birkett <Adam.Birkett@ribblevalley.gov.uk>
To: 'Amanda Olley' <amandaolley@summitassociates.co.uk>

Amanda,

I have not sought design comments for this application as it is not common practice to do so on householder applications of this scale/nature.

My concerns regarding the application relate to the appearance of the front extension and also to the fact that the external balcony would encourage use of the additional roof space and would make the condition no.8 attached to the previous approval difficult to enforce. There is no justification for the external balustrade on safety grounds.

Regards,

Adam Birkett
Principal Planning Officer
Ribble Valley Borough Council
Council Offices, Church Walk, CLITHEROE, Lancashire, BB7 2RA
Tel: 01200 414571 **Fax:** 01200 414487
Email: adam.birkett@ribblevalley.gov.uk
Web: www.ribblevalley.gov.uk

From: Amanda Olley [mailto:amandaolley@summitassociates.co.uk]
Sent: 17 March 2017 15:27
To: Adam Birkett
Subject: Re: Planning application 3/2017/0039

Hi Adam,

Thank you. Are you able to confirm if you have had any design colleague input into the application? Has a formal consultation response been provided? If it has, could you please forward a copy.

I would also be keen to understand if you have discussed the application in detail with your line manager, to understand the full grounds upon which you may consider a refusal of planning could be sustained at appeal, if we end up going down that route.

If you would like to discuss in the meantime, please do not hesitate to call me.

Kind Regards
Amanda

Amanda Olley MRTPI

Director

Summit Planning Associates Ltd
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From: Adam Birkett <Adam.Birkett@ribblevalley.gov.uk>
Date: Friday, 17 March 2017 11:09
To: Amanda Olley <amandaolley@summitassociates.co.uk>
Subject: RE: Planning application 3/2017/0039

Dear Amanda,

I note your comments and shall take them into consideration when determining the application.

Kind Regards,

Adam Birkett
Principal Planning Officer
Ribble Valley Borough Council
Council Offices, Church Walk, CLITHEROE, Lancashire, BB7 2RA
Tel: 01200 414571 **Fax:** 01200 414487
Email: adam.birkett@ribblevalley.gov.uk
Web: www.ribblevalley.gov.uk

From: Amanda Olley [<mailto:amandaolley@summitassociates.co.uk>]
Sent: 16 March 2017 13:36
To: Adam Birkett
Subject: Re: Planning application 3/2017/0039

Hi Adam,

Thanks for your e-mail last week. I had to take some personal time off last week and beginning of this week so have been catching up with myself. I have also now had chance to discuss the content of your e-mail with the applicant and consider what you set out. I'll respond in the same order to the points as you set out in your e-mail.

1. We note your comments regarding the appearance of the external glazed balustrade and that the use of the rear extension roof balcony extends only to the defined 3mx3m area and not the whole roof area. We would take this opportunity to confirm that only the defined inner balcony area is being used for amenity purposes, which accords with the condition attached to the planning permission and as such, no breach of planning control is occurring in this regard;
2. Insofar as the timber balustrade itself is concerned, we note the Council's preference for this to be a glazed balustrade. However, given the presence of the external glazed balustrade, this is not visible to any extent that could be considered detrimental to the visual amenity of the property or surrounding area. As such, it would be unreasonable to expect the applicant to incur unreasonable additional expense in this regard, on the basis of a material consideration, that in itself would not justify a refusal of planning permission;
3. Insofar as the infill arrangement to the front of the property is concerned, it is noted that the Council consider this to result in harm to the external appearance of the property and we note the hipped roof detail that you suggest by reference to a photograph you have provided of a nearby property. Considering there to be harm is one thing, this being harm to the extent that would justify a refusal of planning permission is another thing.

At the moment the infill has been predominantly undertaken by introducing glazing to the previously external feature to enclose the balcony space within the property. The use of glazing is a well used design technique to keep such features light and transparent, so as not to unduly add to the bulk of a property. In the case of the application property, this has also been introduced to complement the render detail of the property that sits below the glazed balcony.

Your suggestion of introducing a tiled, hipped roof feature on top of the enclosed balcony would add undue bulk to the front elevation of the property, which would also compete with the existing projecting gables that are already a dominant feature to the front elevation of the property. Is your suggestion supported by a reasoned design rationale, from a design colleague? We are of the opinion that the introduction of such a feature would be of greater visual detriment to the property than that which you suggest currently exists. I note from the photo you have taken that the hipped, tiled roof feature sits in a different design context to the application property. It is not reasonable to simply isolate a single design feature from a different property and assume that it will work in a different setting. Your suggestion is

already a dominant feature of the existing property you have chosen, sitting on top of a projecting feature. The application property already has two, two-storey, projecting gable elements to the front, which are the dominant feature in this case.

As such, we are hesitant to agree to the change you suggest, on the basis that it will result in a greater detriment to the external appearance of the property than may be caused by the existing situation, which has also been created to improve safety for the applicants children.

4. The point you make regarding the extent of glazing is noted. As such, the applicant is prepared to consider the introduction of a glazing detail that would break this up. Given the relationship of the existing glazing to the render detail below, it is considered that glazing bars would again be competing with existing design details, particularly the horizontal detailing of the existing render.

As a compromise, the applicant is prepared to consider the introduction of lead glazing detail to the existing glazed panel that would introduce an ornate design. I attach for your attention a photograph of a similar approach on a nearby property, albeit provided in the vertical rather than the horizontal. Is this something that you consider could achieve the same outcome?

Please let me know your further thoughts. If necessary, we are happy to agree to an extension of time for the determination of the application to hopefully reach a reasonable compromise, rather than end up at appeal.

Kind Regards
Amanda

Amanda Olley MRTPI
Director

Summit Planning Associates Ltd
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From: Adam Birkett <Adam.Birkett@ribblevalley.gov.uk>
Date: Tuesday, 7 March 2017 17:00
To: Amanda Olley <amandaolley@summitassociates.co.uk>
Subject: Planning application 3/2017/0039

Dear Ms Olley,

18 Netherwood Gardens Brockhall Village BB6 8HR
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- Having regard to the internal timber balustrade which denotes the 3mx3m which has approval for use as a balcony, the preference would be for this to be similar in appearance to the external balustrade (approx. 1.2m high glazed panels).
- To the front of the dwelling it is considered that the existing infill arrangement results in harm to external appearance of the property. This is mainly as a result of the roof design. I have attached what I would consider to be an appropriate roof design for this part of the property. I would also prefer some vertical glazing bars to break up the large horizontal window that extends the length of the former balcony area.

Please provide amended plan(s)/information within 10 days of this email. If amended plan(s) are not received, the application will be determined as submitted and, if refused, you would have the right to appeal against the decision.

Please discuss these options with your client and let me know how you wish to proceed.

Should you wish to discuss the above, or require further clarification on the requirements, please do not hesitate to contact me.

Kind Regards,

Adam Birkett

Principal Planning Officer

Ribble Valley Borough Council

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APPENDIX 3: Copy Application Covering Letter 16th January 2017

Ribble Valley Borough Council
Council Offices
Church Walk
Clitheroe
Lancashire
BB7 2RA

By Planning Portal

Our Ref: 1101.2.PL.AJO.Fn

16th January 2017

F.A.O. Planning Services, Development Control

Dear Sir/ Madam,

**Re: Planning portal Ref. PP-05758233
Retrospective householder application to regularise implementation of planning permission ref. 3/2015/0317
18 Netherwood Gardens, Brockhall Village, Old Langho, Blackburn, Lancashire, BB6 8HR**

Further to the recent exchanges of correspondence regarding the Breach of Condition Notice (BCN) issued against the above property, we submit a retrospective application to regularise the implementation of planning permission ref. 3/2015/0317.

This application is submitted on-line, via the Planning Portal and comprises of the following;

- i) Completed application form and correct certificates;
- ii) Site Location Plan;
- iii) Drawing No. 1398_BRO_01_Planning_Rev_G – Existing and Proposed Plans & Elevations & Bat Roost Locations; and
- iv) Doc Ref. 1101.3.PL.AJO.Fn – Photo Schedule

The BCN issued on November 11th 2016 specifically related to works carried out to implement the first floor rear balcony and stated that condition 8 of planning permission ref. 3/2015/0317 had not been complied with. Condition 8 stated;

The balcony hereby permitted shall be carried out in accordance with the approved plans. The remaining roof area of the extension shall not be used as a balcony, roof garden or similar amenity area without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities and privacy of the neighbouring properties and in accordance with policy DMG1 of the Ribble Valley Core Strategy.

The specifics of this condition referred to the balcony and roof area provided at first floor to the approved rear extension.

As stated in our correspondence of 12th December 2016, it is agreed that the physical works carried out to the rear balcony have not been implemented strictly in accordance with the approved plans.

As explained in that correspondence, currently, two balcony arrangements can be observed on the roof of the rear first floor extension. The first balcony arrangement is sited in accordance with the 3000mm by 3000mm balcony arrangement shown on approved drawing no. 1398_BRO_Planning_Rev_E. However, it does not adhere to the visual appearance of the balcony shown in this location. It comprises of a timber structure, as shown in photos 1 and 2 of the photo schedule submitted with this application.

The 'outer' balcony arrangement is sited closer to the roof edge and does visually accord with the approved details as were shown on approved drawing no. 1398_BRO_01_Planning_Rev_E. This outer balcony detail is also shown in photos 1 and 2 of the photo schedule submitted with this application. The primary purpose for installing this 'outer' balcony is for safety purposes. It's primary purpose is to reduce the risk of danger to the applicant's young children and friends when they play within the permitted balcony area and may be inclined to venture beyond the inner balcony area.

It was unclear from the correspondence associated with the BCN if the Council were asserting that only the physical implementation of the 'outer' balcony comprised a breach of planning, or whether it was also asserted that a complaint had been made regarding the use of the balcony. To be clear, the area beyond the defined 3000mm by 3000mm area is not used as a balcony for amenity or leisure purposes. Occasional isolated instances when the applicant's young children may venture beyond the 'inner' balcony area, do not amount to activity in itself that would constitute a breach of planning permission ref. 3/2015/0317, insofar as the use of the roof balcony is concerned. As such it complies with the requirements of condition 8 in this regard and no breach has taken place. The overriding issue is one of safety. It is simply the physical works, in this location, to provide this safety barrier that currently comprises a breach.

The physical appearance of what now constitutes the 'outer' balcony feature, accords with what was approved by planning permission ref. 3/2015/0317, albeit to be sited in the location of what now constitutes the 'inner' timber balcony feature. The modest relocation of this approved balcony structure, closer to the edge of the balcony will have no greater impact on the amenities and privacy of the neighbouring properties, than it would have had in the position shown on approved drawing no. 1398_BRO_Planning_Rev_E. Furthermore it is not contrary to the provisions of policy DMG1 of the Ribble Valley Core Strategy, insofar as it relates appropriately to the design, scale and massing of the already approved extension

and will not result in a detrimental impact to the visual appearance of what has already been approved.

Overall, this application seeks retrospective planning permission for the material of the 'inner' balcony as implemented and for the siting of the 'outer' balcony feature, as shown on submitted drawing no. 1398_BRO_Planning_Rev_G.

In addition, the correspondence accompanying the BCN issued on 11th November 2016, also asserted that the balcony to the front of the property is an incongruous feature that has a detrimental impact on the appearance of the property and wider area.

It was clear from approved drawing no. 1398_BRO_Planning_Rev_E that a balcony feature existed at first floor level to the front of the property, albeit as an external balcony feature. Having regard to the same safety concerns as apply in relation to the rear balcony, the applicant has taken steps to internalise this balcony feature by introducing a glazed panel on top of the external balcony wall. The internal and external view of this glazed panel is shown in photos 3 and 4 of the photo schedule submitted with this application.

The addition of this glazed panel has not added to the bulk of the dwellinghouse, it has simply sought to internalise what was otherwise a relatively modest external space. Whilst broadly, a lot of the neighbouring dwellings follow a general pattern of scale, massing and use of materials, they also incorporate some individual design features to distinguish them with their own identity. The addition of the glazed panel in this instance has not resulted in the introduction of an incongruous feature that is detrimental to either the application dwelling itself, or the appearance of neighbouring properties and the wider area. Furthermore, the introduction of the glazed panel to the front balcony arguably constitutes work of a 'de-minimis' nature, that in itself does not constitute works within the statutory definition of development to require planning permission at all. However, for the sake of completeness and to respond to the matter raised by the Council, the introduction of the glazed panel has been included on the submitted revised plan.

I trust that you will have all of the information you require for this application and I look forward to receiving confirmation of its validation at your earliest convenience. Payment of the correct application fee of **£172** has been made under separate cover.

Yours faithfully



Amanda Olley MRTPI

Director

On behalf of Summit Planning Associates Ltd



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