

**13 Glen Avenue,
Ribchester, Preston,
PR3 2ZQ**

**Single Storey Conservatory
Extension to the Side
of Existing Dwelling**

December 2017

Report Control

Document: Appeal Statement

Client: Mr and Mrs T Baker

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1. INTRODUCTION

- 1.1 PWA Planning is retained by Mr and Mrs T Baker ('the appellant') to lodge an appeal against the refusal of planning permission by Ribble Valley Borough Council ('the Council') in relation to planning application reference **3/2017/0141** for a proposed single storey conservatory side extension ('the Proposed Development') at 13 Glen Avenue, Ribchester, Preston, PR3 2ZQ.
- 1.2 This appeal statement, made under Section 78 of the Town and Country Planning Act 1990, has been prepared against the refusal. It should be read in conjunction with the other submitted documents and drawings that formed part of the original planning application.
- 1.3 The application site for the proposed development comprises of land to the side and south of 13 Glen Avenue, Ribchester, Preston, PR3 2ZQ. The site comprises of an existing dwelling with a raised private garden. The site is located approximately 160m to the south west of Knowle Green.
- 1.4 The total area of the site is approximately 0.1 hectares and is shown in the aerial image below. The wider ownership belonging to the appellant is illustrated on the submitted Location Plan, and includes land to the south east, along with a wooded area to the south and west including the land that encompasses Footpath 12 (3-35-FP 12).

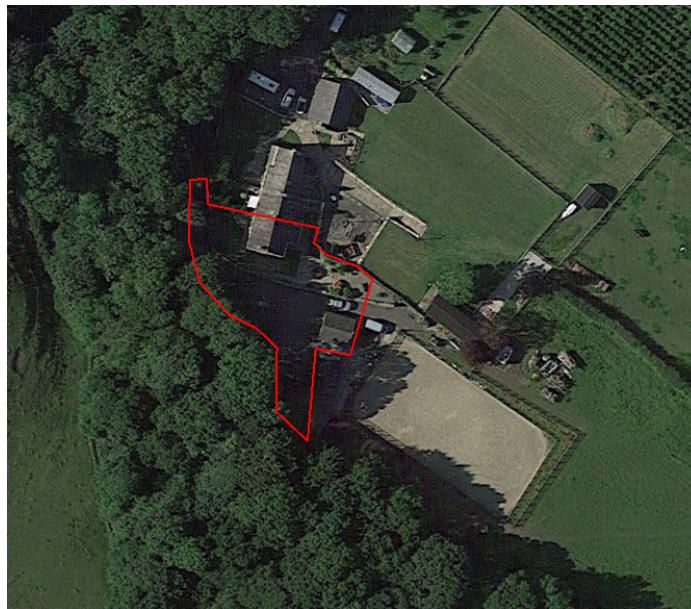


Figure 1: Aerial image showing site location (not to scale) (Source: Google Maps)

- 1.5 The north-western boundary of the site is formed by the existing dwelling and access to the site. Directly to the south of the site is a hardstanding area and driveway. To the east is a garage erected as part of the 3/2005/0828 permission. Access to the application site is from the existing driveway off Glen Avenue (also known as Clay Hill Lane) to the north and west.

1.6 The site lies to the south-western periphery of the settlement of Knowle Green. The property is the end terraced dwelling at the southern end of Glen Avenue and directly to the north of the site is the adjoining residential property, 12 Glen Avenue. The dwellings along Glen Avenue are stone cottages. The surrounding landscape is predominantly rural.

1.7 An area of woodland with a Public Right of Way (3-35-FP-12 also known as Footpath 12), is situated 25m to the south which includes mature trees and vegetation. The footpath starts to the north east of the site at the junction of Glen Avenue with Clitheroe Road. It follows south west on Glen Avenue until it reaches 12 Glen Avenue where it then leads into the woodland, down some steep steps and follows a beck southward eventually becoming Footpath 13.

1.8 The application site is not within an area defined as at risk from flooding according to the Environment Agency's Flood Risk Map and is not subject to any ecological designations. The site is located within the Open Countryside (in planning policy terms) and no assets of historical value are in close proximity to the site, with the nearest listed building the 'Grade II 9 and 10 West View and Barn Adjoining to south west' is approximately 0.06 km to the north.

Planning History

1.9 The site subject of this planning appeal has a varied planning history:

- **Application ref. 3/2017/0741.** Single Storey Conservatory Extension to the Side. Refused. 4th October 2017. (**THIS APPEAL**).
- **Application ref. 3/2005/0828.** Erection of Garage and Retrospective permission for Extension of Domestic Curtilage. Approved. 6th December 2005.
- **Application ref. 3/2002/0746.** Proposed Two Storey Extension to form Office and Bedroom. Approved. 5th November 2002.

1.10 The appeal proposal (Application ref. 3/2017/0741) was submitted in August 2017. A decision notice dated 4th October 2017 confirmed the following reason for refusal:

1. The proposed extension is considered contrary to Policies DMG1 and DMH5 of the Ribble Valley Core Strategy by virtue of its design and appearance which will result in the introduction an incongruous discordant and unsympathetic modern addition that fails to respond positively to the inherent character or proportioning of the existing building.
2. The proposal would result in an incongruous and unsympathetic addition that is afforded a high level of visual prominence within the area particular from Footpath 12 which would be of

detriment to the visual amenities of the area contrary to policy DMG1 and DMH5 of the Ribble Valley Core Strategy.

2 CASE FOR THE APPELLANT

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a requirement upon Authorities when determining planning applications to do so in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this instance, the statutory Development Plan for the application site comprises the Ribble Valley Borough Council Core Strategy 2008 – 2028 (2014).

2.2 The rest of this statement sets out the case for the appellant with regards Policies DMG1 and DMH5 of the Ribble Valley Core Strategy as set out in the Council's reason for refusal.

Reasons for Refusal

2.3 The first reason for refusal states that *'The proposed extension is considered contrary to Policies DMG1 and DMH5 of the Ribble Valley Core Strategy by virtue of its design and appearance which will result in the introduction an incongruous discordant and unsympathetic modern addition that fails to respond positively to the inherent character or proportioning of the existing building'*.

Additionally, the second reason for refusal states that *'The proposal would result in an incongruous and unsympathetic addition that is afforded a high level of visual prominence within the area particular from Footpath 12 which would be of detriment to the visual amenities of the area contrary to policy DMG1 and DMH5 of the Ribble Valley Core Strategy'*.

Policy DMG1: General Consideration

2.4 Both reasons for refusal relate to Policy DMG1. It sets a criterion based test relating to design, access, amenity, environment, infrastructure, and other. The design criteria are considered pertinent to the Council's first reason for refusal, these are that *'All development must:*

1. *Be of a high standard of building design which considers the 8 building in context principles (from the Cabe/English heritage building on context toolkit).*
2. *Be sympathetic to existing and proposed land uses in terms of its size, intensity, and nature as well as scale, massing, style, features and building materials.*
3. *Consider the density, layout and relationship between buildings, which is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.*

4. *Use sustainable construction techniques where possible and provide evidence that energy efficiency, as described within policy dme5, has been incorporated into schemes where possible.*
5. *The code for sustainable homes and lifetime homes, or any subsequent nationally recognised equivalent standards, should be incorporated into schemes.'*

2.5 It is Parts 1 to 3 of Policy DMG1 which relate to the Council's first reason for refusal that state that the Proposed Development is not compliant with the policy by virtue of its design and appearance and will result in the introduction of an incongruous discordant and unsympathetic modern addition that fails to respond positively to the inherent character or proportioning of the existing buildings.

2.6 In contrast, it is considered by the appellant that the use of the extension will be well integrated into the main dwelling by virtue of its design and use. The proposed extension will be utilised as a conservatory area, which will be ancillary to the dwelling. It is not uncommon for Victorian greenhouses to be a lean-to feature of a gable end. The materials proposed in the extension will be in-keeping with the current materials of the dwelling which have been installed as part of the recent refurbishment to the property. Moreover, it will be in-keeping with similar glass extensions within the surrounding area, see examples in Figure 2.



Figure 2: Examples of similar extensions within the area.

2.7 The evidence provided by this appraisal demonstrates the character of the area in a different context to that suggested by both the Officer's Report, in relation to the introduction of an incongruous, discordant and unsympathetic modern addition, and the Council's reason for refusal that states that this fails to respond positively to the inherent character of the proportioning of the existing building. As evidenced by the images in Figure 2, houses in this area do show designs of similar glassed extensions with PVC wood effect windows, which is also evident on the property subject of this appeal.

- 2.8 In this respect, it is considered the Proposed Development is compliant with Parts 1 to 3 of the policy by virtue of being a high standard of building design, being sympathetic to the existing and proposed land uses along with the impact on the landscape character. In this respect the proposal is sited on an existing patio with stone walls, along with being set back from the front elevation and is of modest scale.
- 2.9 The Part 3 of the access criteria within Policy DMG1 states that all development must consider the protection and enhancement of public rights of way and access. This aspect of the policy is directly relevant to the second reason for refusal which states that the *'The proposal would result in an incongruous and unsympathetic addition that is afforded a high level of visual prominence within the area particularly from Footpath 12 which would be of detriment to the visual amenities of the area contrary to policy DMG1 and DMH5 of the Ribble Valley Core Strategy'*.
- 2.10 In this respect, the proposal would not interfere with the use of Footpath 12, this will continue unaffected. The footpath currently runs along Glen Avenue, before cutting through the appellants woodland to a lower topography. In this regard, **Appendix A** includes photos illustrating the view of the house from this level. It is considered from this location that any level of view will be limited and not prominent and as such would also be compliant with this aspect of the policy. In addition, any views would be experienced for only a short period by those using the footpath and would be further limited during the summer months.
- 2.11 In this regard, Policy DMG2 Strategic Considerations states that *'within the open countryside development will be required to be in-keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting'*. The refusal comments on the *'inappropriate addition that would have harmful impact on the south elevation with the introduction of a modern glazed structure on a prominent location of the building'*.
- 2.12 The south elevation of the property is not overlooked by any other properties in the area, with the exception of 12 Glen Avenue which the report states would not be impacted on, as the proposed extension is located away from the aforementioned property. However, with regards to Footpath 12 which is located to the south of the property, the report states that the extension will be *'highly visible from the Footpath 12...contrary to Policies DMG1, DMG2 and DMH5 of the Ribble Valley Core Strategy'*.
- 2.13 Furthermore, the Officer's Report states that *'Extensions can be perceived as being prominent if not carefully sited and particular care should be taken with schemes which are visible from public vantage points. Due to the siting of the extension it would be highly visible from Footpath 12 which runs directly adjacent to the front of the property. It would be afforded a high level of visual prominence within the*

immediate area. Whilst it would be visible from Footpath 12 that runs adjacent to Glen Avenue when in proximity of the house, it is not considered that this impact would be materially harmful to the users of the footpath. The extension would sit to the south of the existing property, remaining largely screened for the duration of footpath users time on the path, and would also be viewed in the context of the existing dwelling/s. Furthermore, from the wooded area where the footpath drops, the extension would be largely screened (see **Appendix A**) and be unaffected by the Proposed Development.

Policy DMH5

- 2.14 In respect of Policy DMH5 it is considered that the Proposed Development can be found consistent with both the thrust of the policy and the policy as a whole. The policy states that *‘Proposals to extend or alter existing residential properties must accord with Policy DMG1 and any relevant designations within which the site is located.’* The remaining aspect of the policy relate to extensions associated with accommodation for elderly or dependent relatives, and extensions of curtilage.
- 2.15 As stated in the introduction to this appeal statement, the site is not located within a designation, other than Open Countryside. It is as such taken that the key concern with respect to Policy DMH5 relates to compliances with Policy DMG1 and its design related matters which as discussed in the preceding sections, the Proposed Development is considered to be found compliant with.
- 2.16 Whilst not directly related to this submission, the aspect of the policy relating to accommodation for elderly or dependent relatives seeks development that are capable of integration into the main dwelling, or a use that is ancillary to the use of the main dwelling housing when circumstances changes, and secondly the extension should generally provide only a modest level of accommodation.
- 2.17 In this regard, it is considered that the Proposed Development is considered subservient to the main dwelling and is to be attached to the south side of the main dwelling house. It will not prove visually prominent within the locality or from the footpath, or even the AONB (located approximately 180m north of the site on the north side of Clitheroe Road).

Other Matters

Landscape and Visual

- 2.18 The Proposed Development is considered to result in an enhancement to the existing dwelling with no harm to landscape and visual amenity. The impact from the viewpoint of Footpath 12 will be minimal due to the positioning of the footpath at a significantly lower level than the appeal site. The materials

used for the proposed extension have been selected to mirror other dwellings in the area and also the dwelling at 13 Glen Avenue.

2.19 In relation to Key Statement EN2 (Landscape), the Officer's Report emphasises that whilst the application site is not located within the Forest of Bowland Area of Outstanding Natural Beauty, the remit of the policy extends beyond that of the AONB with the supporting text of Key Statement EN2 which states; *'Developers should adopt a non-standardised approach to design which recognises and enhances local distinctiveness, landscape character, the quality of the built fabric, historic patterns and landscape tranquillity'*.

2.20 As mentioned previously, the proposed extension is considered to be in-keeping with the landscape character, as per the existing PVC doors and windows installed on the property, also as per the similar extensions in the area, as seen in Figure 2. It will not be visible from the AONB.

Ecology and Biodiversity

2.21 The site is not subject to any ecological designations. The Proposed Development would not result in a loss of trees.

Flood Risk and Drainage

2.22 As the site is located within Flood Zone 1, the risk of flooding is considered to be the lowest. It is considered that this Proposed Development will have a negligible effect on surface water runoff and drainage.

Residential Amenity

2.23 The south elevation of the property is not overlooked by any other properties in the area, with the exception of 12 Glen Avenue which the Officer's Report states would not be impacted on, as the proposed extension is located away from the aforementioned property. The Proposed Development as such can be found acceptable in residential amenity terms.

Access and Transport

2.24 Access to the site will remain as existing. The potential increase in the usage of the road network following this development is considered to be negligible. Access to Footpath 12 will remain and will not be affected by the Proposed Development.

Conclusions

2.25 It is not considered that there are any technical considerations which would preclude the grant of planning permission for the Proposed Development.

3 CONCLUSION

- 3.1 Planning permission for the Proposed Development was refused on the basis that the proposed extension is considered contrary to Policies DMG1 and DMH5 due to its design and appearance and also the proposal would result in an incongruous and unsympathetic addition that is afforded with high levels of visual prominence from Footpath 12.
- 3.2 The case put forward by the appellant is that, contrary to the assertions of the Council, the Proposed Development would be a sympathetic addition to the property, by utilising existing materials (PVC Wood effect windows) with nominal impact on the visual amenity from Footpath 12, due to the level difference and the woodland barrier between the footpath and the appeal site, but also the context in which the extension would be viewed and the limited duration of the existing footpath it would be viewed from.
- 3.3 Therefore, when taking the aforementioned arguments into account, it is considered that the Proposed Development is compliant with relevant Development Plan policies and that the Council were wrong to have refused to grant planning permission. The Inspector is therefore respectfully requested to uphold the appeal and to grant planning permission.

APPENDIX A: PHOTOS FROM FOOTPATH 12

Appendix A: Photographs taken from Public Right of Way (Footpath 12)



Glen Avenue, Ribchester, PR3 2ZQ

