

Peter Hitchen Architects

Peter Hitchen Architects Ltd

Marathon House
The Sidings Business Park
Whalley
Lancashire
BB7 9SE
18 February 2020

APPELLANT STATEMENT

Proposed attached double garage with external terracing to part of roof; hot tub and terraced area above new feeding store and log store; glass balustrading to both terrace areas. Resubmission of application 3/2019/0586.

There was only one reason given for the refusal in the decision notice (planning ref 3/2019/1021) which was confirmed as :-

The proposed development is in direct conflict with Policy DMG1 of the Ribble Valley Core Strategy insofar that it would be of significant detriment to the residential amenities and undermine the sense of privacy experienced by the occupiers of the dwelling known as 'Brigadoon' by virtue of the proximity of the raised terrace area to the aforementioned dwellings private garden area and the direct resultant overlooking relationship from an elevated position into habitable room windows.

As stated above the application which is the subject of this appeal is a resubmission of a previously refused proposal (planning ref – 3/2019/0586). Both ourselves acting as agent and the appellant had a grievance with the way the application was consulted and we include correspondence from the appellant which explains their complaint and we confirm that this was raised with the Head of Planning at the time. Acting as Agent we engaged in consultation with Mr Macholc at RVBC to discuss the potential re-design which ultimately concluded with the resubmitted details under the planning application reference 3/2019/1021.

The principal issue is the matter of maintaining a sense of privacy to the adjacent neighbouring property 'Brigadoon'. The appellant was prepared to compromise and amend the proposal. The re-design removed the larger area of terrace and replaced this with a mono pitch zinc roof and increased the height of a portion of boundary fencing. The application drawings included dimensions across the site to the neighbouring property. The application was re-submitted on 6 November 2019.

It was extremely disappointing to receive a second refusal notice without any consultation or any concerns raised by the case officer. It appeared that the decision was expediated in advance of the Christmas holidays. We issued a formal complaint via email on 7 January 2020 explaining our position and received no response.

We contest the reason for the refusal and in particular the statement that the proposal would be of 'significant detriment to the residential amenities' of Brigadoon.

We ask the Planning Inspector to assess this aspect and take into account the lack of consultation with RVBC.

Appellant comments via email to Peter Hitchen Architects on 6 February 2020

Hi Peter,

Don't know dates sorry, here's a quick something...

On our first application, we were told there were issues and to come to for a meeting with the planning officer.

When we arrived the lady we were supposed to meet (Harriet) had been delayed at the dentist, so we met with another planning officer who I think was called Steven.

He explained the main problem was with the terrace over the garage, we said we were willing to compromise and remove the terrace and just have a garage with a sloping roof which he said would be fine.

He said the second hot tub terrace might be too close to next door, we explained and showed videos that there was already land there, and he said they would need to see elevations etc, which my architect provided later.

The next we heard was when John Macholc arrived at the house one morning. He said that he was here to check that the refusal he was about to issue was correct, I was shocked as I thought we were still discussing the plans. I once again explained that we were prepared to compromise on the garage and the hot tub terrace changing them to sloping roofs if need be, he said he would go back and discuss it with his colleagues, I presumed we would then be contacted with what they thought and would then amend the plans, but instead the application was refused without any further contact.

When drawing up the plans to be re-submitted, we changed the garage to have a sloping roof, but decided that by increasing the height of a small portion of existing fence it would block all views to the neighbouring house Brigadoon, which was the only outstanding reason for the previous rejection. These changes dealt with all the issues in the previous rejection. Once again though, we would have prepared to compromise and change that to a sloping roof if needed, but this time there was no communication at all from the planning office, just a refusal.

I am extremely disappointed in the behaviour of the planning office, we have been open to compromise all along but because they have chosen not to communicate, they have cost us a considerable amount of time and money. This could so easily have been resolved months ago so that everybody was happy.

*Regards
Damian Webber*