

Planning Appeal Statement of Case



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Town and Country Planning Act 1990,
Section 78 Appeal; Erection of private
double garage, Curtis House, Chipping
Road, Longridge, Preston. PR3 2NB

APP/T2350/W/15/3124801

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This statement is made in support of a written appeal against the decision of Ribble Valley Borough Council to refuse planning consent for the erection of a private double garage on land adjacent to the curtilage of Curtis House, Chipping Road, Longridge, Preston. PR3 2NB.

1 Site Location

- 1.1 The application site forms part of the newly created residential curtilage on land to the south of Curtis House, Chipping Road, Longridge. Within this curtilage and to the rear is located a single storey brick building that has the benefit of an extant consent for conversion to a dwelling. To the north of the site lies Curtis House; to the south lies a utilitarian building used as a pumping station by the water utility company.
- 1.2 The area generally is open and rural in character with pockets of development interspersed with open fields.

2 Planning History

- 2.1 Planning permission was granted for the conversion of the red brick agricultural building to a single storey dwelling on 12 February 2015 under planning application reference 3/2014/0425/P

3 The Development Plan

- 3.1 In preparing this appeal statement, full regard has been made to the relevant policies in the Development Plan including those in the Adopted Core Strategy. Current Government advice contained in the National Planning Policy Framework has also been considered. It is respectfully submitted that the following Development Plan Policies are the most relevant against which to assess the merits of the proposal:

The Core Strategy

Key Statement EN2

Development Strategy

Policy DMG1 –

General Considerations

Policy DMH4 –

National Planning Policy Framework (NPPF)

4 Background

- 4.1 In putting together the appeal proposal, the appellant has sought to address the issues raised by the decision. In particular, it should be noted as a material consideration, that there is an extant consent for conversion of the single storey brick building to a private dwelling (see application 3/2014/0425). This consent also includes the provision of a vehicular access onto Chipping Road.

5 The Case and the Planning Balance

- 5.1 It is respectfully submitted that there are 2 issues for consideration in this appeal:
- The effect of the proposed siting of the double garage on the overall character and appearance of the immediate locality;
 - The effect of the proposal upon highway safety with particular regard to safe access and egress onto Chipping Road;
- 5.2 In assessing this proposal, the development Plan is a material consideration. The relevant policies have been considered and referred to in putting together this appeal statement.
- 5.3 In appraising the overall context of the proposal, it is submitted that the development is fully supported by the advice contained in the National Planning Policy Framework which clearly states that there is a presumption in favour of approval for sustainable development. Likewise, the proposed development accords with the requirements of Key Statement 2 and policies DMG1 and DMH4 of the Adopted Core Strategy.

Effect upon character and appearance

- 5.4 The appeal site is wholly contained within the newly created residential curtilage established under planning consent 3/2014/0425. It is a legitimate and perfectly reasonable assumption to make that when creating a new residential curtilage there is always the possibility that there will be a demonstrable need to make provision for structures that support the residential use albeit ancillary to the principal use for residential purposes. The appeal proposal is just such a case. Further, it is respectfully submitted that in establishing such a new residential curtilage in open countryside and placing new buildings therein, one does so without creating a discordant, sporadic and isolated form of development that detracts not only for the existing group of buildings on the appeal site and Curtis House but also the wider area.
- 5.5 The proposed double garage is of a size entirely commensurate with its intended use. The materials of construction will match those of the adjacent brick agricultural building a detail in line with the planning authority's view and requirement. The roof detail, pitch, orientation and materials not only contributes to the overall character of the group of buildings centred around Curtis House but, because the roof is pitched parallel to Chipping Road, creates a distant perspective from the highway bringing it more into the residential curtilage as opposed to being a prominent and unsightly addition when viewed from either north or south of the appeal site further along Chipping Road. Conversely, by turning the pitch of the proposed garage through 90 degrees will create a visually dominant feature giving an impression that the garage is isolated from and does not form part of the newly created residential curtilage.
- 5.6 The proposed design and external appearance of the double garage together with the siting thereof, when viewed from the north along Chipping Road beyond Curtis House will have no material or detrimental impact whatsoever upon the visual character of the immediate locality. It will be seen as a building that sits comfortably on the site well behind the line

created by Curtis House and the distant Pumping Station to the south. Likewise, when viewed from the south and standing alongside the Pumping Station, the visual impact of the proposed garage will be minimal.

- 5.7 Both the Development Plan and the National Planning Policy Framework support the development proposed. It is sustainable development and of excellent design appropriate to its use and setting within a newly created residential curtilage. The Local Planning Authority refers, in its decision notice, to policies DMG1 and DMH4. Both are permissive policies.
- 5.8 The Local Planning Authority makes reference in its decision notice to the “linear form of development” in the locality. This is not the case. When travelling from the Alston Arms to the south of the appeal site, to the Derby Arms north of Curtis House, the overall character of the locality is of consolidated small groups of buildings be they detached dwellings, farmsteads, terraced rows, utility buildings or substantial recreational facilities. The appeal proposal has been designed and orientated on the site so it clearly forms part of a consolidated group of buildings centred on Curtis House; it is neither isolated nor visually prominent in the local landscape. Rather, it contributes in a positive way to the overall form and character of development in the locality.
- 5.9 It is respectfully submitted that, for the reasons set out above, the appeal proposal meets the requirements of the Core Strategy insofar as it relates to Key Statement E2 and the Core Strategy Policies DMG1 and DMH4. The development as proposed, if approved, will not prejudice the overall implementation of these policies as set out in the Core Strategy.

Effect upon highway safety

- 5.10 The appellant is at a loss to reconcile the second reason for refusal on the decision notice. There is an extant consent for conversion of the brick agricultural building on the appeal site to a dwelling (3/2014/0425). In that approval, the submitted plan clearly indicates the means of access and its position along Chipping Road. There are conditions on that consent which relate to visibility and treatment of the boundary hedge. The appeal proposal insofar as it relates to the provision of a vehicular access to serve the proposed double garage, is identical in every respect to the extant consent.
- 5.11 Further, the internal arrangements are clearly set out in the detailed plans. Vehicles can enter and leave the appeal site in forward gear. The visibility requirement along Chipping Road in both directions, as indicated on the submitted plan, is as already approved. It cannot be the case that the proposal will prejudice or cause harm to highway safety. In this regard, the proposal meets the requirements of policies DMG1 and DMH4 as set out in the adopted Core Strategy.

6 Planning Conditions

- 6.1 A condition relating to the approval of materials before development commences is acceptable.

7 Conclusions

- 7.1 The appeal proposal relates to an application for a private double garage set within the newly created residential curtilage of land immediately adjacent to the south of Curtis House, Chipping Road, Longridge. Within this curtilage there is a brick built single storey building that has the benefit of a planning consent for conversion to a private dwelling.
- 7.2 The scale, form and massing of the development is proportionate and in keeping with the overall character of the immediate locality.
- 7.3 The proposal does not prejudice the overall development strategy set out in the Core Strategy or the provisions of the National Planning Policy Framework.
- 7.4 It is respectfully requested that the appeal is allowed and planning permission granted for the development as set out in this appeal and application.

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