

FAO: Adam Birkett

Application Number :3/2021/0556

Proposal: Application for reserved matters consent (appearance, scale, landscape and layout) pursuant to outline planning consent (ref: 3/2016/1082) for the demolition of 74 Higher Road and construction of up to 123 houses on land to the rear.

Location: 74 Higher Road Longridge PR33SY and land to the rear.

Further to the notification made to us from RVBC on this application we have provided our representation on the proposal within this letter and associated plans. In summary we feel that the application is not valid as it was maladministered by the applicant and has not been submitted in line with the requirements of the consent made on Appeal – i.e. by midnight 21st May 2021. The package of information is poorly presented and does not address the requirements needed and should not have been accepted and, similarly, should not subsequently be given consent. It is our feeling that this application is a development strategy to maintain the validity of the consent on the land as there was real risk of this expiring and, as such, requiring a re-application.

It is our request that RVBC undertakes an independent review, or similar, of this application submission and support our view that the consent granted on Appeal following a few refusals by RVBC is considered to have expired. The fear of legal costs that the applicant may impose on RVBC if they were to challenge the decision of the expiration of the consent should not sway RVBC to take a balanced judgement from what, in principle, is an invalid reserved matters submission - now resulting in the expiration of the consent on this land.

We have grouped our representations to the Officer into six categories (see below) to enable a clearer understanding of both our objection to this application and our suggestions of potential mitigation where it is clear there lies an unreasonable level of impact and lack of integration with its surroundings.

Comment A: Validity of the submission (expiration beyond midnight 21st May 2021)

Comment B: Assurances (on demolition of 74 Higher Road and other principle site requirements (surface and foul connection) (agreed details with LCC regarding Higher Road traffic calming and safety enhancements))

Comment C: Construction strategy (site managements / spoil and environmental retention / noise and disturbance mitigation)

Comments D: Agricultural / building restriction on a portion of Land within redline Boundary

Comment E: Design proposals, translation of the overall impacts of the proposal and mitigation measures to reconsider within any re-application.

Comment F: Proposal impact on neighbouring property on northern boundary (namely 54 Higher Road)

Comment A: Validity of the Submission

A1 To avoid repeating comments made earlier, it is our opinion that the planning consent has expired on this site and we request a transparent reassessment (albeit interpedently by a third party) of what was submitted to RVBC by the Applicant for this reserved matters consent and by when – we request further scrutiny, review and statement of a timeline of this and how it either meets, or doesn't meet, the procedural requirement set out by the Planning Inspector at the Appeal. It is our determination that it appears the application was invalid and hence the subsequent consent on this land that sits outside of the settlement boundary of Longridge has expired. We request a statement from the Council providing evidence of the timelines of data received, email correspondences with Officers, and such like, to confirm whether or not a valid application was submitted within three years of the Appeal decision on the 22nd May 2018.

Comment B: Assurances

B1 There are a number of clear requirements to have assurance of, and enable, the overall appearance, scale, landscape and layout to be determined and we draw the Council's attention to specifically three examples – namely the actual demolition of the currently occupied 74 Higher Road within two years - positive consultation responses from statutory bodies on the surface and foul water proposed route through third party land and subsequent connections – positive consultation and proposals of traffic mitigation and proposed highway works to Higher Road from LCC and others.

B2 Having recently witnessed home maintenance carried out by the long standing occupier of 74 Higher Road, it is very unclear that the reality that this long standing family home for the occupier is to be demolished within the stated requirements of this application to enable delivery of the site. Anecdotally it has been suggested to others that the occupant does in fact have no intention to

The applicant provides no assurances that this undertaking to demolish 74 Higher Road is within their control and, subsequently, puts the deliverability of this proposal in terms of the layout undetermined.

B3 The documentation provided requires surface and foul water routing and connection through third party land and, again, no assurances are provided by the Applicant (obtainable over the last three years) that this is under their control or even achievable - again putting this application indeterminable. Details provided are aspirational at best and inappropriate for reserved matters consent.

B4 As with B3 above, the documentation provided requires traffic mitigation and highway works to Higher Road and, again, no assurances or details are provided by the Applicant (obtainable over the last three years) that this is under their control, assessed or even agreed in principle with the highway authority making this application indeterminable.

Comment C: Construction Strategy

C1 The spatial provision granted by the layout and landscape, and such like, determines the construction strategy due to their interdependency. We require details of the construction methodology and phasing to determine if the layout and landscape design (or lack of) is acceptable. We strongly request that the existing agricultural land where it remains left for landscape is protected throughout construction to maintain the existing vibrant ecological and environmental habitats on this location. We urge methods of bulk storage of spoil, site cabins and yard storage is kept from these protected agricultural landscape habitats that are rich with wildlife and to maintain

the currently wildlife habitat that thrives in this location. Details of this are absent from the consent application therefore the appearance, scaling, landscape and layout is unable to be determined.

Comment D: Land Restriction

D1 During the planning application process, it is understood that written objections to the proposals were made which included reference to a restrictive covenant on a portion of the land within the redline boundary of this site. Anecdotally mentioned by owners of properties adjacent to this site that they also have reassurances whilst purchasing their properties that a portion of this land has a restrictive covenant on it preventing building being constructed on part of it. This application does not provide any Assurance that the Applicant clearly understands, or has agreed, which areas of this site in fact have or have no covenant restricting building on them. Resulting in the uncertainty regarding the appearance, scale, landscape and layout are in fact realistic, deliverable and meet the requirements of reserved matters consent.

Comment E: Design Proposals

E1 Having reviewed the 40 or so individual reports, documents and drawings submitted with this application given the time constraints of what is in real terms two weeks from receipt of the notification and the submission requirements for representation to the Council, below are further additional comments on the design proposals and, where possible, suggestions to mitigate impacts that maybe considered in subsequent refinement of the proposal.

- a. Red line boundary inconsistency – the application has a changing redline boundary and it is unclear what this application redline boundary is as the ‘boundary’ appears to alter particularly near Broomfield Lodge area.
- b. Inconsistency and lack of coordination between different plans, proposals, illustrations, detailed layouts – whilst comparing interdependent proposals and plans, there is a clear lack of consistency between the drawings where, for example, some houses are categorised and others are not, landscape and environmental mitigation is called up and in others it is not, and layouts differs depending on which drawing you look at or what report you read that describes something that is being proposed by the Applicant however the drawings show something else.
- c. Tan Yard cycle route feasibility and integration within Tootle Green and the wider area – much is made of a cycle route however the Tan Yard is not a cycle route and the steep topography of this site suggests that the integration of inclusive and DDA compliant movement corridors for all modes is very challenging and no details are provided on a compliant layout.
- d. Dominance of the primary and secondary highway around the loop – the layout suggests a clockwise primary road when in fact the distribution is even (the secondary road ought to be similar nature to the cul-de-sac and the main clockwise highway needs to pick up more of the housing access.
- e. Habitat, ecology and environmental boundary and continuity with wider adjoining corridors – there is no environmental or habitat continuity alongside the north west side of the site (i.e. 54 Higher Road) and it would be recommended to extend and enhance this with a woodland corridor.
- f. Tree preservation and removal of existing environmental habitat and other trees missing from the plans – there appears to be no design around the existing trees and wooded areas within the site and no identification or justification for the removal of trees with protection provided to them.

- g. Use of materials or the non-use of stone walls for boundary and stone for housing – selected imagery simply to suit design proposal. Around this location sits stone fronted buildings and stone walls whereas the proposal is of selected redbrick imagery. Use of the adjoining vernacular in terms of the structural environment should be included in this proposal.
- h. Housing choice – the layout and appearance of this site is one of an urban generic and ‘potato stamp’ design, certainly not aspiring to the current ‘Building Better, Building Beautiful’ Commission – little attention to the mix of housing is offered to enhance the character of the area.
- i. Housing massing is inconsistent with good design layouts to the point that there is clearly a missing section opposite Plot 50-30 that would afford the mitigation of the impact of housing along the boundary and adjoining properties.
- j. Distribution of open space and natural habitat versus new landscaping – the protection of the existing habitat must be made and avoidance of disturbance during construction of land to be retained for environmental landscape – similarly, these open spaces and natural areas are not continued towards the existing properties along the northern boundary and to the west and east.
- k. Complete physical and community severance with the new adjoining Tootle Green site - this 74 Higher Road ‘back land development’ is not integrated with the newly built Tootle Green housing site of over 200 families and fails in any attempt to be a cohesive neighbourhood additional to the outskirts of Longridge.
- l. Isolated plot – an unidentified or missing plot is both detailed and then not detailed opposite Plots 40 to 50 and it has access to this site albeit it sometimes is within the redline boundary and sometimes it is not. Presumption this isolated parcel of land is included within the Public Open space allocation, transferred to RVBC in due course, and is not developable land with the current field access stopped up.

Comment F: Northern Boundary

F1 Within the decision made on Appeal it was clear the neighbouring properties along the northern boundary of this site were provided protection/consideration in terms of maintaining a level on amenity value, mitigating the impacts caused by the permanence of this housing site on agricultural land outside of the natural settlement boundary of Longridge and the associated wellbeing of the occupants. Specifically, our home [No 54 Higher Road] forms part of this northern boundary and is part of the neighbourhood under the Planning Inspectors consideration during determination of the case.

F2 In real terms, the Applicant has overlooked that the ground level at the house at 54 Higher Road is up to 4m lower than the bungalow at 56 Higher Road, and number 54 has a rear garden that reduces in a four terraced section a further 6m below that – whereas the applicant also proposes to reorientate a pair of semi detached affordable houses 3.5m a [REDACTED] whilst these properties are a further 6m higher than this raised ground level. In any other application it would be wholly unacceptable to raise the ground level in this manner and site a pair of permanent habitable structures on top of this retained land.

The northern boundary of this site allows for environmental mitigation whereas the proposals submitted do not address these requirements to the property at 54 Higher Road and significantly impacts on the visual amenity provide to this location by the wholesale removal of any natural horizon with the replacement of a panoramic roofscape.

F3 With reference to the plan provided [reference F3a Plot proposal mitigation remarks]

Provided are three key views regarding current amenity and appearance, the approximate GL999 ground levels, given housing ridge heights and other supporting relevant details such as proposed retaining structure heights.

Ref F3a shows 54 Higher Road GL139m and the terraced garden to the rear and respective proposed levels for this site that we feel are unacceptable and would be to any other site proposal if it were considered on its own. The worst case is plot 115 114 that is [REDACTED] and would have a layout allowing the rear of two properties to back onto the side of garden at an elevated level with no clearly defined boundary treatment.

Plots 113 112 is unusually undefined in some information then identified as a house surrounded by bungalows, this double plot is also raised up to a GL139 along a natural topography some five meters lower.

We are showing an area of potential woodland enhancement and an environmental barrier/habitat corridor continuation along the south and east of 54 Higher Road with, say, a woodland pedestrian walking route to connect the independent silos of the site.

We are suggesting the refinement of the radius endpoint and introduction of a turning head to address the highways hierarchy and to enable the clockwise movement.

The layout appearance scale and landscaping at the boundary location to 54 Higher Road is unacceptable. We are suggesting a considered green barrier, with slight site layout refinement and reconsideration of ground levels, resulting in a saving of retaining structures and reduction in ridge heights afforded to those properties along the central area of the northern boundary as specified by the Planning Inspector.

F4 With reference to the plan provided [reference F4a Plot Adjustment proposal]

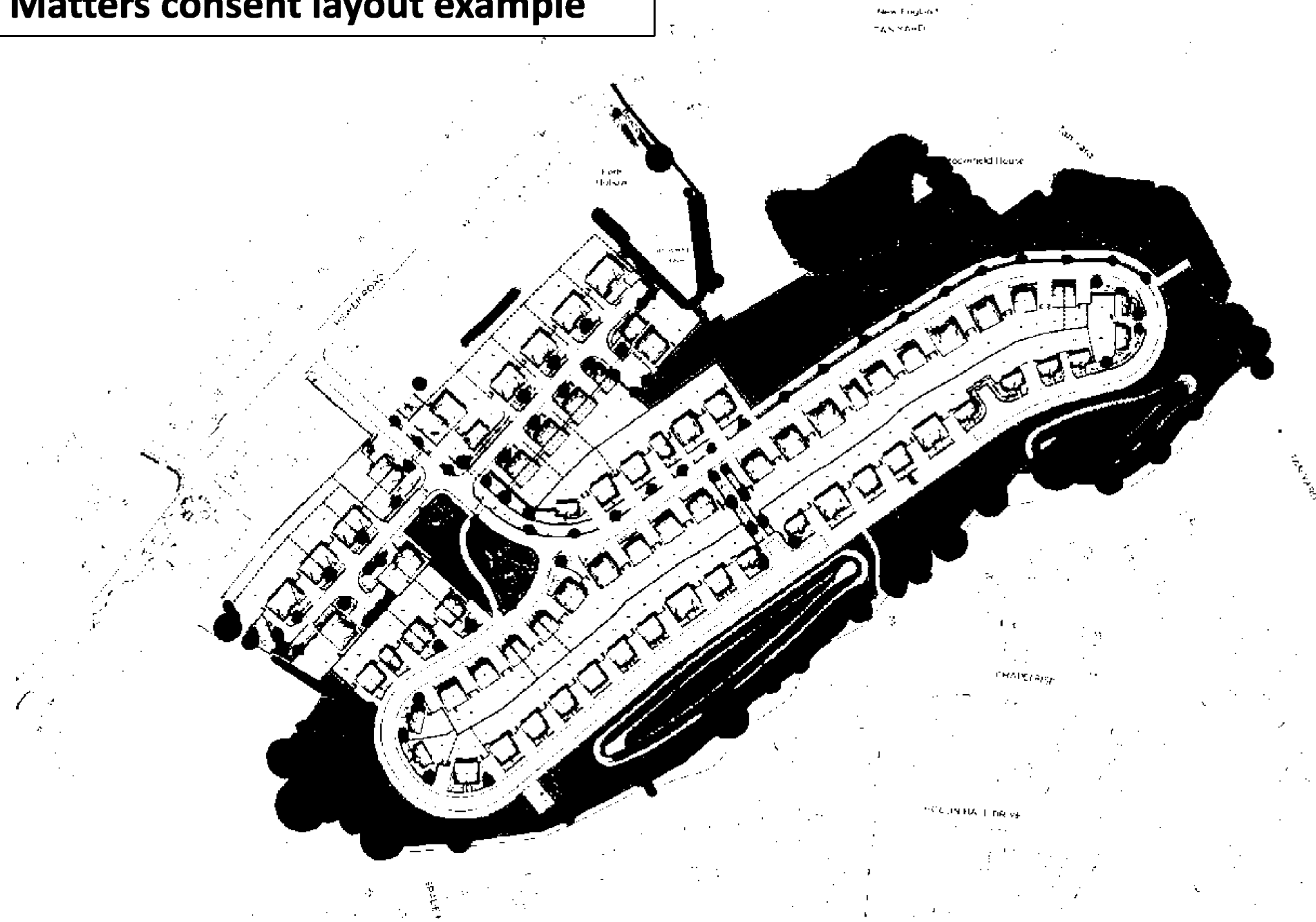
Provided are our plot adjustment proposals to the layout in the northern boundary (west) interface with 54 Higher Road that addresses several concerns regarding the layout, appearance, scale and landscape proposals submitted.

By realising the obvious opportunity to naturally allocate displaced plots opposite No49 to No37 (a gain of up to at least 12 plots), the proposal within F4a modifies the existing plot categories and offers a relocation of plots to this potential windfall location and, in real terms, maintains the maximum number of plots developable on this site. [i.e. recategorizes four plots / relocates eight plots and refines six plots]

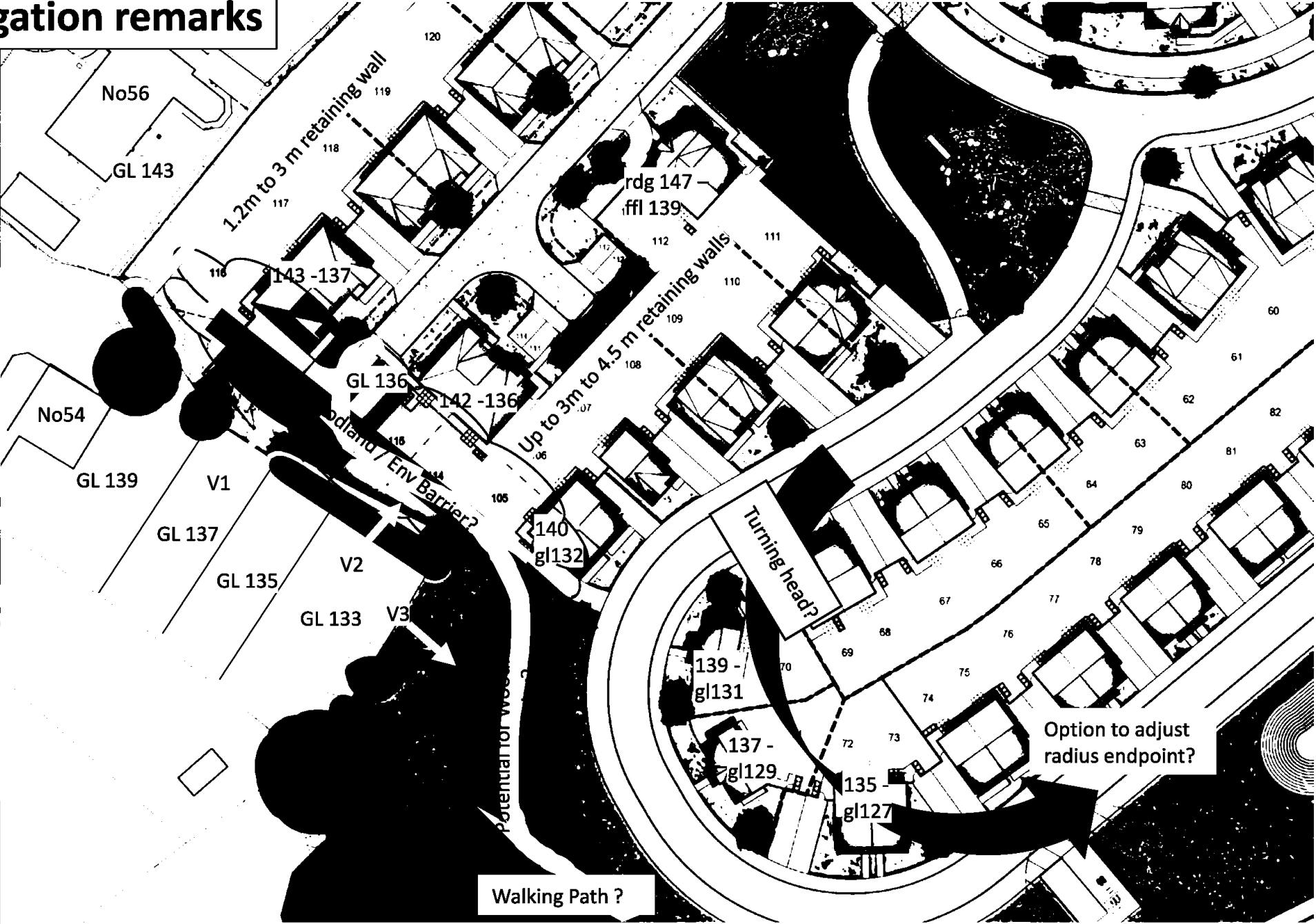
To explain the illustration : Relocate Plot 116 and Plot 117, refine the location of Plot 115 and Plot 114 opposite Plot 118 Plot 119, Recategorizes Plot 113 and Plot 114 from E/F to A/B, Relocate Plot 105 and Plot 106, Relocate Plots 74 Plot 75 Plot 68 Plot 69, refine location of Plot 70 Plot 71 Plot 72 Plot 73 further to the east, Recategorizes Plot 70 Plot 71 from H to A/B.

END.

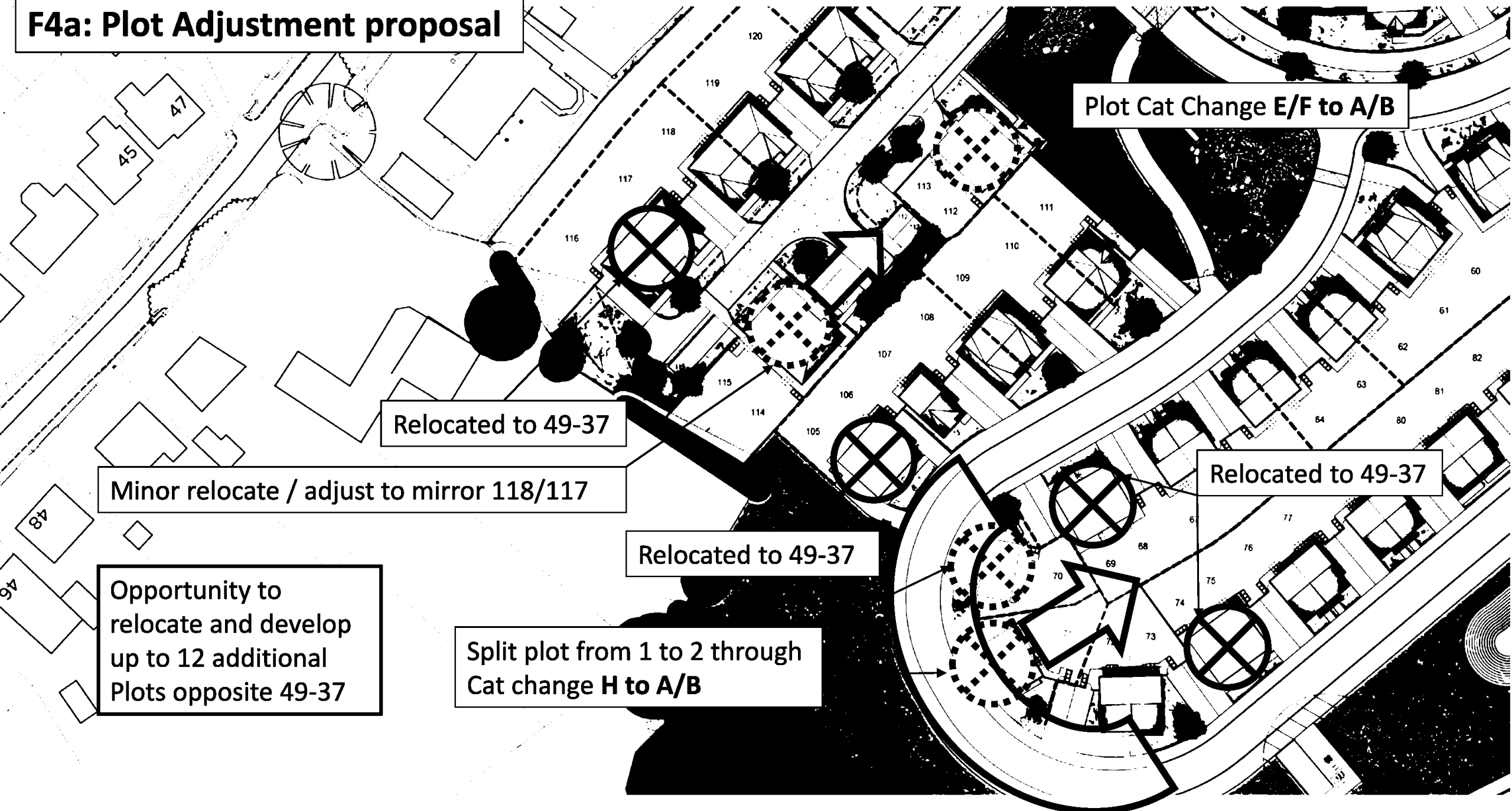
Reserved Matters consent layout example



F3a: Plot proposal mitigation remarks



F4a: Plot Adjustment proposal



Supplemental Info – Topo levels

