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The Holly,  
Wardsley  
Road,  
Chipping

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Roof extension  
above garage to form  
live in carer  
accommodation

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**APPEAL STATEMENT**

**Planning application  
reference 3/2015/0318**

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August 2015

**Janet Dixon**

**TOWN PLANNING**

**APPEAL UNDER SECTION 139  
OF THE PLANNING (LISTED BUILDINGS AND CONSERVATION AREA) ACT 1990  
BY MR & MRS POTTER  
AGAINST THE REFUSAL OF RIBBLE VALLEY BOROUGH COUNCIL  
TO GRANT PLANNING PERMISSION  
FOR  
PROPOSED ROOF EXTENSION ABOVE GARAGE TO FORM LIVE IN CARER  
ACCOMMODATION  
AT  
THE HOLLY, WARDSLEY ROAD, CHIPPING, PR3 2QT**

**GROUNDS OF APPEAL STATEMENT  
WRITTEN STATEMENT OF CASE  
AUGUST 2015**

**Prepared by:**

Antonio Caparelli  
antonio@jdixontownplanners.co.uk

**Janet Dixon Town Planners Ltd**

144 Woone Lane  
Clitheroe, BB7 1BN  
Tel. 01200 425051  
www.jdixontownplanners.co.uk

**Ref. W/C725**

## 1.0 INTRODUCTION

1.1 The application which is the subject of this appeal was validated by Ribble Valley Borough Council on 2<sup>nd</sup> July 2015 and given the reference number 3/2015/0318. The application sought planning permission for a roof extension above the garage at The Holly, Wardsley Road, to provide live-in carer's accommodation. The need to provide live-in carer accommodation has arisen from [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]. Please refer to Appendices 1-3 which provide detailed evidence of her conditions by several medical professionals including a Physiotherapist, a General Practitioner and a Neurologist.

1.2 At present Mr Potter is providing care for his wife, however given his late stage in life and several medical conditions of his own, the time has arrived when 24 hour care is required. The fact that the property is relatively isolated and some distance from the nearest settlement further generates a need for 'in-house' care. The elderly couple state that other means of meeting the care needs of Mrs Potter have been considered, including residential care; this option has been discounted on the basis that it would significantly affect her quality of life.

1.3 Given the above, the applicant sought permission for a roof extension above the garage to provide live-in carer accommodation. The Local Planning Authority refused the application on 17<sup>th</sup> August 2015 for the following reason:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

- 1) *The proposal is contrary to Key Statements EN2 and EN5 and Policies DMG1, DME4 and DMH5 of the Core Strategy in that it would not contribute to the Area of Outstanding Natural Beauty but would cause visual harm by virtue of its bulk and massing and the box dormers appearing as incongruous features and as such the proposal would be to the detriment of the visual amenity of the area.*

1.4 This statement describes the site and its surroundings along with the relevant planning guidance. The planning issues are then identified and discussed before arriving at the conclusion that there is a genuine requirement for the proposed roof extension which would not negatively impact on the Area of Outstanding Natural Beauty (AONB). Consequently, it is concluded that the appeal should be allowed.

## 2.0 APPEAL SITE AND SURROUNDINGS

2.1 The appeal property comprises a barn conversion dwelling with a detached garage set within a sizeable, relatively isolated plot to the north of Hodder Hole Wood. The detached stone built garage with slate roof is the focus of this application and is a later addition which was constructed when permission was granted to convert the barn to residential in 1999.



Figure 1: Appeal site



Figure 2: Appeal site location

- 2.2 The site is located outside of any settlement boundaries in an otherwise undeveloped rural locality, within the Forest of Bowland AONB as defined by the adopted Ribble Valley Districtwide Local Plan Proposals Map.



**Figure 3: Detached garage to which the appeal relates**

### *Planning History*

- 2.3 The following applications have relevance to the appeal property:

- **3/99/0752** Change of use of barn to dwelling and erection of garage and garden store (change of house type). **Approved 1999**
- **3/00/0817** Helicopter building and retention of hard standing. **Approved 2001**
- **3/2006/0325/P** Erection of Swimming Pool in garden. **Approved 2006**

- 2.4 It should be noted that both permissions ref no. 3/00/0817 and ref no. 3/2006/0325/P have not been implemented owing to a change in circumstances and have since expired.

### 3.0 RELEVANT PLANNING POLICY CONTEXT

3.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004). The Council's decision notice refers to policies from the Ribble Valley Core Strategy (adopted 2014). The National Planning Policy Framework (NPPF) also has relevance to the proposal.

#### *Ribble Valley Core Strategy (2014)*

3.2 The following policies are quoted within the Council's decision notice:

- **Policy DMG1: General Considerations** – sets out the general principles relating to design, access and amenity and environment; proposals must be of a high standard of building design, be sympathetic to its surroundings and consider highway implications.
- **Policy DMH5: Residential and Curtilage Extensions** – Proposals that are for the extension of properties to provide accommodation for elderly or dependant relatives should generally speaking provide only a modest level of accommodation and be capable of integration in to the main dwelling when circumstances change.
- **Key Statement EN2: Landscape** - The landscape and character of the Forest of Bowland AONB will be protected, conserved and enhanced. As a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, style, scale, features and building materials
- **Key Statement EN5: Heritage Assets** - There will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. Heritage Assets will be conserved and enhanced in a manner appropriate to their significance for their heritage value and sense of place; and to wider social, cultural and environmental benefits.
- **Policy EN4: Protecting Heritage Assets** – sets out how the Council will conserve and enhance the borough's conservation areas, listed buildings, historic parks and scheduled monuments.

- 3.3 The vision of the Core Strategy is also relevant to the appeal proposal and is as follows:

*“The Ribble Valley will be an area with an exceptional environment and quality of life for all, sustained by vital and vibrant market towns and villages acting as thriving service centres, meeting the needs of residents, businesses and visitors.”*

#### *National Planning Policy Framework (NPPF) (2012)*

- 3.4 The NPPF sets out the Government’s planning agenda and should be referred to when considering the proposal. The NPPF places great importance on providing homes which meet the needs of different groups in the community including older people and people with disabilities (para 50).
- 3.5 Section 7 of the framework sets out Government Planning Policy relating to Design. Para 56 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It goes on to state at para 60 that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.

#### *Other Relevant Documents*

##### *Ribble Valley Borough Council Corporate Strategy 2011-2015*

- 3.6 This document sets out the strategic direction of the Council over the period 2011 - 2015, providing a focus to ensure that services meet the needs of communities. In pursuing priority actions, the Council will ensure that access to services is available to all and recognises that people must have a high quality of life; that suitable homes are available to meet their diverse needs and that they should be safe and feel safe. People should also be able to access the best services without having to travel long distances to receive them according to the Corporate Strategy.



## 4.0 STATEMENT OF CASE

- 4.1 Ribble Valley Borough Council provided one reason for refusal; in the opinion of the Council, the design of the proposal would cause harm to the visual amenities of the AONB. This section of the Statement will deal with the Council's refusal reason accordingly.
- 4.2 Core Strategy Policy DMH5 *Residential and Curtilage Extensions* states that proposals that are for the extension of properties to provide accommodation for elderly or dependant relatives should generally speaking provide only a modest level of accommodation and be capable of integration in to the main dwelling when circumstances change. The Council have not raised any concern about the nature of the proposal or the level of accommodation to be provided. According to the policy, proposals to extend residential properties must accord with Policy DMG1 *General Considerations* and any relevant designations within which the site is located (in this case, within the AONB).
- 4.3 Key Statement EN2 *Landscape* states that the landscape and character of the Forest of Bowland AONB will be protected, conserved and enhanced. As a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, scale, style and building materials. The proposal simply involves the raising of the ridge of the garage roof by just 1m and the insertion of three small dormers as shown in Figure 5. The proposal has been designed in way so that it is orientated facing inwards (towards the private garden area of the dwelling); the rear elevation (fronting the highway) would see no changes other than a small increase in height and the insertion of four small conservation roof lights.
- 4.4 The nearest residential property is located some 90m away from the appeal site and owing to the sloping land, the proposal is not visible from this property. As such the Council have raised no issues relating to overlooking, overshadowing or privacy given that there are no properties within the immediate vicinity. The site is well-screened by substantial boundary treatment and a hedgerow when approaching the site from the west which further limits outside views of the proposed roof extension when viewing the site from further afield.



Figure 4: Hedges and trees limit views of the site from further afield



Figure 5: Scheme Proposals (Submitted plan extract)

*Not to scale*

- 4.5 The design of the modest roof extension has taken in to consideration the guidance set out within Key Statement EN2 and as such the proposed fenestration would be in keeping with that of the main house and the materials would be of high quality stone and slate to match the existing, reflecting the surrounding rural built form. In terms of visual impact the development relates well to the main dwelling and would appear well proportioned. The ridge of the garage would still remain much lower than that of the main dwelling and would not dominate.
- 4.6 To conclude, it is not considered that a minor roof extension to a single storey garage of a relatively isolated dwelling would negatively impact on the character and appearance of the surrounding AONB. The appeal proposal is well-contained within the applicant's private garden in that any new external additions including the dormer windows will be inserted to the elevation which does not front the highway and which is not visible. This eliminates any visual impact on the AONB. As set out, in terms of design, the proposal is compliant with Key Statement DMG1 *General Considerations* and EN2 *Landscape*.

#### *Other Considerations*

- 4.7 In the decision notice, the Council wrongly quote Key Statement EN5 *Heritage Assets* and Policy EN4 *Protecting Heritage Assets*, both of which set out how the Council will conserve and enhance the borough's conservation areas, listed buildings, historic parks and scheduled monuments. The appeal property does not fall in to any of those categories and has not been designated as a heritage asset.
- 4.8 Clearly there is a genuine and documented need for the development being proposed, the reasons of which have been presented and evidenced by various medical professionals who concur that live-in 24 hour care is required. The appellant maintains that other means of meeting the care needs of Mrs Potter have been considered, including residential care; these options have been discounted on the basis that they would significantly affect her quality of life. The proposal would allow for Mrs Potter to remain in the family dwelling whilst also relieving the huge pressure from an elderly Mr Potter; allowing the proposal would be consistent with the overall Core Strategy vision statement, which aims to provide an "exceptional quality of life for all". Furthermore, the proposal is consistent with the aims of the Council as set out within the *Ribble Valley Borough Council Corporate Strategy 2011-2015* which recognises that

people must have a high quality of life; that suitable homes are available to meet their diverse needs and that they should be safe and feel safe.

- 4.9 As set out within Section 2, various planning applications have been granted at the appeal site but not implemented. The development being proposed as part of the appeal application is minor when compared to previous permissions granted by Ribble Valley Borough Council at the property, including for an outdoor swimming pool house with changing rooms equating to 163sqm<sup>2</sup> and a helicopter building<sup>3</sup>. At the time of the swimming pool house submission, the Case Officer concluded that the proposal “represented an appropriate form of development and given its design, size and location would not result in visual detriment to the surrounding countryside...” The application proposal is obviously much smaller than both app ref no. 3/00/0817 & app ref no. 3/2006/0325/P and it is within this context that the appeal application should be considered.

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<sup>2</sup> App ref no. 3/2006/0325/P See Appendix 4 for plans

<sup>3</sup>App ref no. 3/00/0817 See Appendix 4 for plans

## **5.0 CONCLUSION**

- 5.1 This Statement has demonstrated that the appeal proposal which sought permission for a roof extension to provide much needed live-in carer accommodation would not negatively impact the Forest of Bowland AONB through its design. The proposal represents a high-quality development which is compliant with both local and national planning policy and which responds positively to its setting and surroundings and will not result in any adverse impacts in respect of the visual amenities of this rural locality.
- 5.2 A genuine need for the development has been presented and it is clear that the proposal would greatly improve the quality of life of the applicant. Paragraph 186 of the NPPF states that local planning authorities should approach decision-taking in a positive way and goes on to state in paragraph 187 that local planning authorities should look for solutions rather than problems.
- 5.3 For the reasons provided throughout this Statement, the Inspector is kindly requested to allow the appeal.

**Janet Dixon Town Planners Ltd**  
**August 2015**

**Appendix 1 – Medical Evidence (Physiotherapist)**



**Alderbank**  
Physiotherapy & Sports Injury Clinic

132 Preston Road  
Grimsargh  
Preston PR2 5JQ

t: 01772 653501

e: lee@alderbankphysio.co.uk

e: victoria@alderbankphysio.co.uk

w: www.alderbankphysio.co.uk

11<sup>th</sup> March 2015

To Whom it May Concern :

Re: Support of planning Application for Mr & Mrs Potter,  
The Holly, Leagram Road, Chipping, PR3 2QT

I am writing as Mr & Mrs Potters physiotherapist, having known them for several years and helped them with a variety of physical complaints and injuries over the years.

As you are aware Mr Potter is hoping to build an extension to his home to accommodate a live in carer to help look after his wife Pam, who has been diagnosed with [REDACTED]

I feel it is commendable of Mr and Mrs Potter aiming to achieve maintaining as normal life as possible within their home. If adaptation to their home allows the convenience of a permanent carer to help then achieve this then it should be encouraged and applauded. Any help you can provide in making this a possibility would be greatly appreciated.

I trust this meets with your approval.

Yours sincerely [REDACTED]

Lee Barker M.C.S.P  
Registered with the Health Professions Council



Chartered & Registered with The Health Professions Council  
Registered Limited Company 04972409 Alderbank Therapy Clinic Limited  
Directors Lee and Victoria Barker

**Appendix 2 – Medical Evidence (General Practitioner)**



**BERRY LANE  
MEDICAL CENTRE**

Berry Lane  
Longridge Preston  
Lancashire PR3 3JJ

Telephone 01772 783021  
Fax 01772 785809

Dr G. Rowlandson  
Dr S. J. Griffin  
Dr D. A. Lakeland  
Dr C. M. Gee  
Dr V. J. Miller

Please address your  
letter to the  
doctor concerned

09-Mar-2015

Our ref: NK/jbd

Mrs P Potter  
The Holly  
Leagram Road  
Chipping  
Preston PR3 2QT

**To whom it may concern:**

I can confirm that Mrs Potter suffers from [REDACTED]

Due to the progressive nature of the illness often these patients do require regular support from carers and eventually they often do end up requiring 24 hour care and help with most activities of daily living.

Yours sincerely,

[REDACTED]  
Dr N Kaleem

**Appendix 3 – Medical Evidence (Neurologist)**

**DR S D V SHAUNAK MD FRCP**  
***Consultant Neurologist***

**Appointments:**  
**Tel: 01254 507617**  
**Fax: 01254 507696**

**Consulting Rooms**  
**Beardwood Hospital**  
**Preston New Road**  
**Blackburn**  
**BB2 7AE**

**Secretary: Zoe Rogers**  
**Direct Line: 01772 522557**

SS/ZR  
25 March 2015

Mrs P Potter  
The Holly  
Leagram Road  
Chipping  
Preston PR3 2QT

To Whom It May Concern:

Re: [REDACTED]  
The Holly Leagram Road Chipping Preston PR3 2QT

I am writing to confirm that Mrs Potter is under my care with a diagnosis of [REDACTED] disease.

[REDACTED] and there is a high probability that she will require a carer.

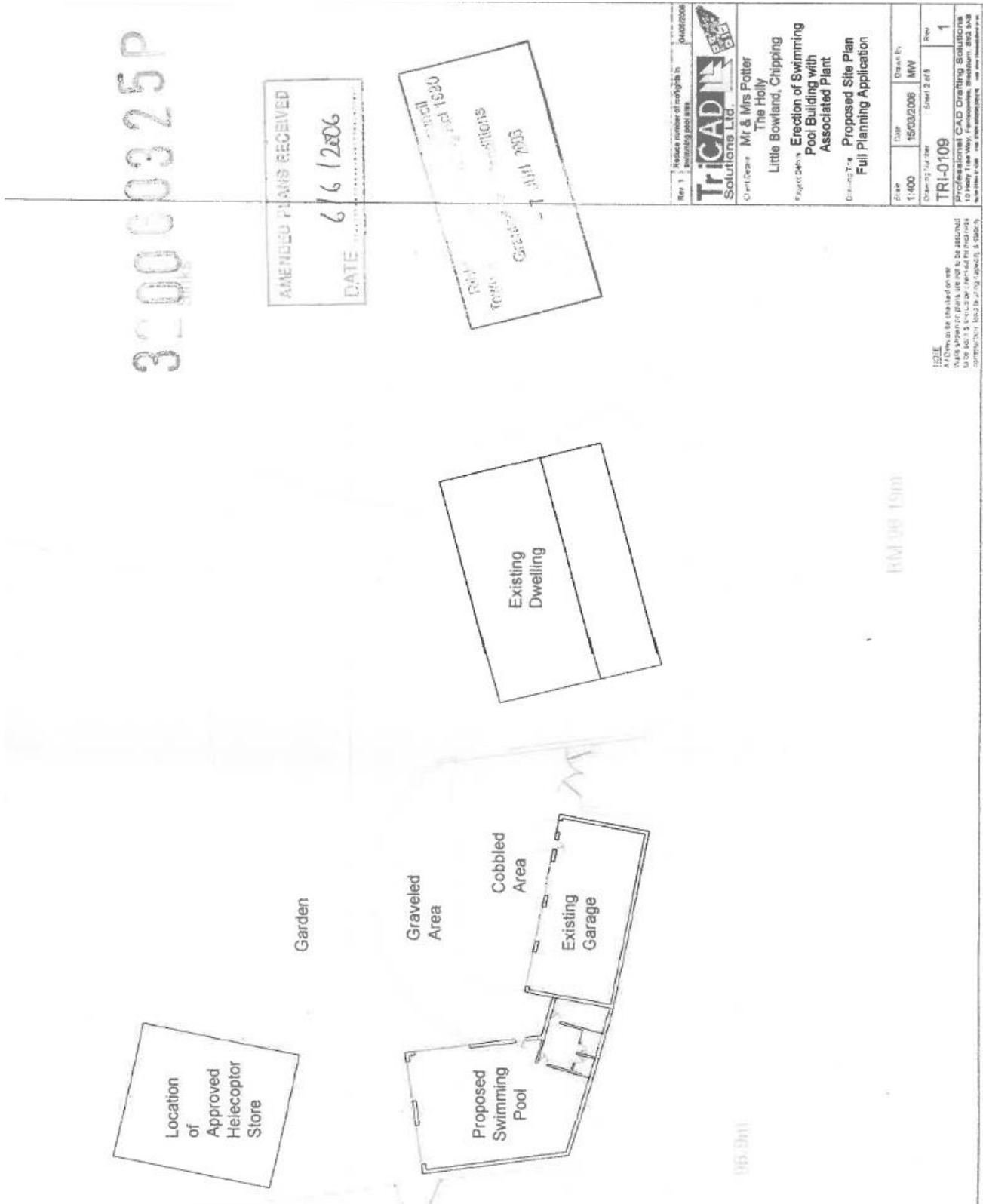
I would therefore support her application for construction of a carer's apartment above her garage.

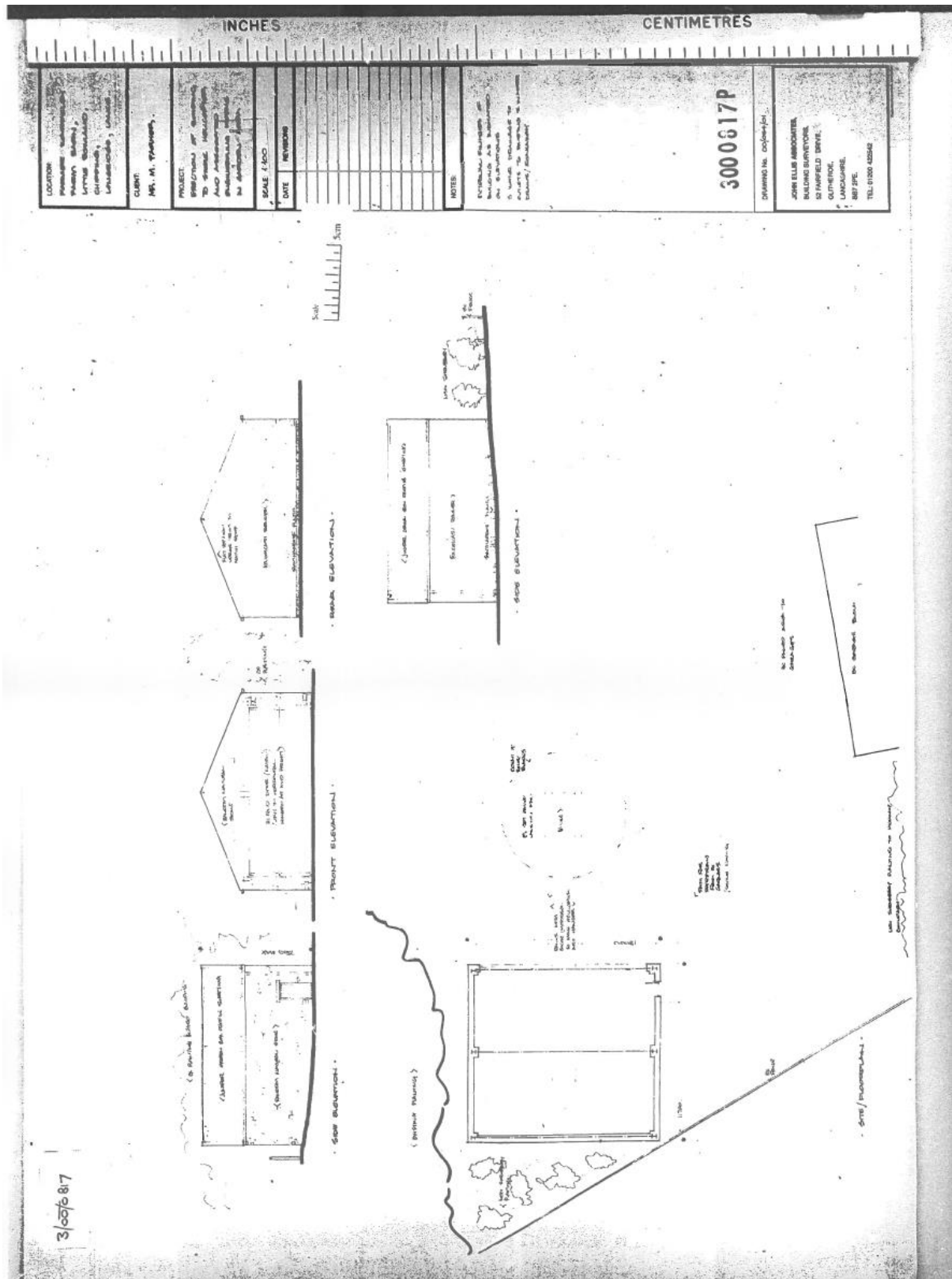
Yours sincerely

[REDACTED]  
**Dr S D V Shaunak**  
**Consultant Neurologist**



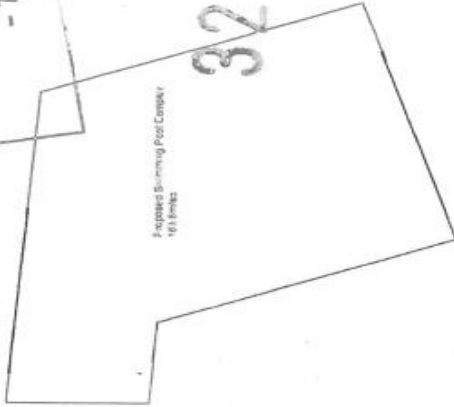
**Appendix 4 – Plans relating to Helicopter building and Swimming Pool House permitted at the site (app ref no. 3/00/0817 & app ref no. 3/2006/0325/P)**





Ribble Valley Borough Council  
 Town and Country Planning Dept. 1990  
 Granted with Planning Permission  
 - 7 JULY 2005

320060325P

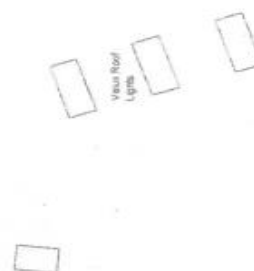


AMENDED PLANS RECEIVED  
 DATE 6.16.2006

Rev 1	Revised number of depths in swimming pool area	04/06/2006
Client: <b>Mr &amp; Mrs Potter</b> The Holly Little Bowland, Chipping		
Project: <b>Erection of Swimming Pool Building with Associated Plant</b>		
Drawing Title: <b>Plans and Areas Full Planning Application</b>		
Scale	Date	Drawn By
1:200	15/03/2006	MW
Drawing Number	Sheet	File
TRI-0109	Sheet 4 of 8	1



External Foot Prints



NOTE:  
 All Plans to be checked on site  
 before construction starts are not to be approved  
 to be used & should be checked to be correct  
 construction. There be any error, cost, or liability.