

Planning Committee - 6 September 2023

Supplementary Late Observations

Application Item 1 – Application 21/1127 at Kirkwood, Church Road, Treales

Additional Representation from Parish Council

“Further to the opening of a dialogue that FBC Officers had with Treales, Roseacre & Wharles Parish Council (TRW PC) just before submitting their assessment to you regarding item 1 application 21/1127 Kirkwood, Treales, please find below a statement on behalf of TRW PC for your reference for the Planning Committee meeting tomorrow.

A colleague from our Council will be in attendance at the meeting to answer any of your questions. We trust that you will find this of assistance in your preparation.

The Parish Council supplied its feedback as a statutory consultee for this application dating back to December 2021 in February of 2022 and again in August of 2023. Four days before the officers were apparently electing to submit this application to you, the Parish Council were asked to reconsider their assessment based on criteria that are not in the approved Local Plan and were unable to get a satisfactory explanation in the time frame set by the officers.

This appeared to be a seemingly simple assessment of an application that officers agree does not comply with the agreed policy criteria for scale of enlargements of dwellings in the countryside.

The officers reportedly agree that it significantly breaches the allowable limits on extensions scale that is in the approved Local Plan, yet after almost two years of deliberation without feedback there seems to be new criteria being introduced.

If new criteria are being used, this is a very important application decision in which new unapproved and unwritten criteria appear to have been used here very recently and seeking your approval of this application.

The applicable FBC policy H7 allows for a 33% extension to the original Parish Vicarage dwelling. The officers report that this application further compounds past enlargements of almost twice that allowed now, which is apparently already 59% larger than the original dwelling. Critically, there are no exemptions in the policy for houses of a certain size to be excluded from the criteria.

It is understood the former vicarage is now a multi-generational family home, which presumably fulfils a family choice.

The policy does not exclude large houses, they of course fulfil a demand. It is just that their enlargement under the current Local Plan is subject to well defined criteria.

The Parish Council and officers are now in agreement that the proposed development significantly exceeds the allowable enlargement. If there is an issue about unauthorised, or policy breaching development that is a matter for the Planning Function to answer and, as applicable, the scrutiny or governance committees to investigate. That is not a material issue described in the policy or therefore for this decision.

You will have seen that the other aspect of policy H7 referred to in the policy on page 135 is to protect against the subsequent impact of enlargements creating urbanising features.

The Parish Council always refers to the Local Plan Policies to ensure we are fully considering material issues.

If you have visited the location you will have seen that the Application site is visible to the public on three sides in a very rural community setting.

It is adjacent to the 1850s Parish Church, the Grade 2 listed Treales Primary School, the Church Green, a Public Right of Way and Parish Playing Field.

It is at the very heart of much of community led activity in the parish.

You will have also seen that in recent years the environs of this very prominent, public, rural and originally single dwelling site has been subject to multiple urbanising developments. Just like policy H7 warns of and claims it is intended to avoid.

This includes a development of: a separate multi-extended dwelling using the former vicarage coach house; a two storey dwelling sized "studio"; a further double garage; gates; ornate walls; floodlighting; and unimplemented planning permission for a swimming pool.

The proposed extension of the dwelling is in conflict with the scale allowed for in the policy in countryside locations, It can be seen that there are emerging, adverse, dominating urbanising effects as predicted by the policy justification.

The full and consistent application of the policy is therefore important to conserve this characterful rural setting.

The officers seem to agree that the application is in breach of the approved policy but seem to be advocating a change to this policy. There has been almost two years to give that feedback to the applicants or Parish Council, but that has not been apparent in a timely way for some reason.

The Parish Council has used all the material criteria and its local knowledge available to it, to reach the conclusion that the application should be refused.

Critically, if this application is authorised by FBC in clear conflict with its own approved policies, it creates a precedent that the Council may find difficult to defend, with the associated financial and community costs.

We trust that you will apply the same best practice.

That you'll ensure that sustainable development as set out in FBC's approved Local Plan proceeds However where – as in this case – there are conflicts with the material planning policy criteria, such enlargements are refused to protect the amenity of this rural setting for the benefit of the community that we all represent now and in the future.

Thank you and we will be available to answer your questions."

Officer Response to representation

The points raised related to the application of Policy H7 and are addressed fully in the officer report. There is no change to the recommendation or conditions as a result.