

Application 3/2011/0971 Cobden Mill, Sabden

Site inspection 6 January 2012.

The site would appear to have been excluded from Sabden Conservation Area because it has limited intrinsic interest, inclusion would have diminished the value of the designation and any development proposals would in any case be considered with respect to impacts on the setting and views into and out of the conservation area (material considerations as confirmed at PPG15 paragraph 4.14; see also Policy ENV16 of the RVDLP).

In my opinion, the latter issues above are very significant as the conservation area encircles and focuses on the site eg faced by the terraced houses on Pendle Street East and Whalley Road. Furthermore, Policy HE9.5 of PPS5 implies that the more stringent policies (including HE10 – setting) should relate to the Buildings of Townscape Merit and Significant Open Spaces as well as to the conservation area as a whole. It is therefore disappointing that the submitted design and access statement fails to consider the heritage issues and does not meet the requirements of PPS5 Policy HE6. This approach is evident in:

- (i) Unsympathetic fenestration – white uPVC windows/patio doors (see Sabden Conservation Area Appraisal [The Conservation Studio; adopted by the Borough Council following public consultation 3 April 2007] SWOT analysis Threats). The character of the conservation area would suggest vertically emphasised openings and a consistent treatment within terraces/blocks (there are a number of different window shapes even within the front elevations of one unit). The distinct and characteristic two-storey windows to the former Roman Catholic church and school at 1-7 Pendle Street East (noted in Appraisal ‘Key unlisted buildings – Buildings of Townscape Merit;’) appears to be a spurious and reoccurring theme incorporated (with ‘Juliet’ balconies) within the scheme;
- (ii) Flat roofs, hipped roofs and gables are a dominant theme but do not connect to the character or appearance of the conservation area;
- (iii) Roofscapes are further weakened by the absence of chimney stacks – Sabden’s valley bottom location and the impressive approaches from the hills to the north and south make this significant;
- (iv) Unsympathetic and non-traditional materials palette;
- (v) Removal of historic boundary walling and replacement with extensive close-boarded fencing. The Sabden Conservation Area Management Guidance (The Conservation Studio; subject to public consultation) notes *‘Traditionally most boundaries in the Sabden Conservation Area are defined by stone walls for new development in Sabden, it is important that local materials and detailing are used and new boundaries following the historic precedent of stone will help development to fit in to its context close-boarded fencing, with timber posts, may be an alternative to stone in certain locations away from the public viewpoint’*;

In my opinion, the proposed development would be conspicuous, incongruous and visually intrusive because of its design (fenestration, roofscape, use of gables, boundary treatments) and materials (modern and unsympathetic). This would be unduly harmful to the character, appearance and significance of the setting to Sabden Conservation Area and contrary to Policy ENV16 of the Ribble Valley Districtwide Local Plan.

Relevant legislation, policy and guidance

Policy ENV16 of the Ribble Valley Districtwide Local Plan is 'saved' and concerns development proposals within conservation areas:

'Within conservation areas development will be strictly controlled to ensure that it reflects the character of the area in terms of scale, size, design and materials. Trees, important open spaces and natural features will also be protected as appropriate. The desirability of preserving or enhancing the character or appearance of a conservation area will also be a material consideration in deciding development proposals outside the designated area which would affect its setting or views into or out of the area''

Policy G1 of the Ribble Valley Districtwide Local Plan is a 'saved policy'. This states *'In determining planning applications the following criteria will be applied:*

- (a) Development should be sympathetic to existing and proposed land uses in terms of its size, intensity and nature ''*

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of planning functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

Planning Policy Statement 5 – Planning for the Historic Environment (PPS5, March 2010) states at paragraph 7 that government objectives for planning for the historic environment include:

the delivery of 'sustainable development by ensuring that policies and decisions concerning the historic environment ...recognise that heritage assets are a non-renewable resource...';

and the conservation of 'England's heritage assets in a manner appropriate to their significance by ensuring that ... decisions are based on the nature, extent and level of that significance, investigated to a degree proportionate to the importance of the heritage asset'

PPS5 Policy HE7.1 states *"in decision making local planning authorities should seek to identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal"*

PPS5 Policy HE7.5 states *"Local planning authorities should take into account the desirability of new development making a positive contribution to the character and*

local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use”.

PPS5 Policy HE10.1 states *“when considering applications for development that affect the setting of a heritage asset, local planning authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. When considering applications that do not do this, local planning authorities should weigh any such harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval”.*

PPS5 is accompanied by the Historic Environment Planning Practice Guide (HEPPG, March 2010). Paragraph 2, Introduction, of the HEPPG states that the practice guidance may be *“material to individual planning and heritage consent decisions”.*

Paragraph 114 and 116-117 of the HEPPG relate to setting.

“the extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration; by spatial associations, and by our understanding of the historic relationship between places.”(paragraph 114).

“the setting of a heritage asset can enhance its significance whether or not it was designed to do so”(paragraph 116).

“the contribution that setting makes to the significance does not depend on there being public rights or an ability to access or experience that setting. Nevertheless, proper evaluation of the effect of change within the setting of a heritage asset will usually need to consider the implications, if any, for public appreciation of its significance”(paragraph 117).

Paragraph 44 of the HEPPG relates to design and states *‘it is important to recognise that new development that relates well to its surroundings is likely to last longer before its replacement is considered and therefore make a greater contribution to sustainability. Local planning authorities are encouraged to seek well-conceived and inspirational design that is founded on a full understanding of local context’.*

Paragraph 80 of the HEPPG, New development: design in context, states :

‘Policies ... HE10 require attention to the extent to which the design of new development contributes positively to the character, distinctiveness and significance of the historic environment. A successful scheme will be one whose design has taken account of the following characteristics of the surroundings, where appropriate:

- (i) The significance of nearby assets and the contribution of their setting.*
- (ii) The general character and distinctiveness of the local buildings, spaces, public realm and the landscape*
- (iii) Landmarks and other features that are key to a sense of place.*

- (iv) *The diversity or uniformity in style, construction, materials, detailing, decoration and period of existing buildings and spaces.*
- (v) *The topography.*
- (vi) *Views into and from the site and its surroundings.*
- (vii) *Green landscaping*
- (viii) *The current and historic uses in the area and the urban grain'.*

Paragraph 177 of the draft National Planning Policy Framework (July 2011) states '*the Government's objectives for planning for the historic environment are to: ...conserve heritage assets in a manner appropriate to their significance...*'

Paragraph 183 of the draft NPPF states '*as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification ...*'

Paragraph 114 of the draft NPPF states '*the Government's objective for the planning system is to promote good design that ensures attractive, usable and durable places. This is a key element in achieving sustainable development*'.

The 'Setting of Heritage Assets: English Heritage Guidance' (EH, October 2011) states:

'The numbers and proximity of heritage assets in urban areas means that setting is intimately linked to considerations of townscape and urban design' (2.2)

... the recognition of, and response to, the setting of heritage assets as an aspect of townscape character is an important aspect of the design process for new development, and will, at least in part, determine the quality of the final result' (2.5)

A Dowd
6 January 2012