

# Planning Statement

**Location:**

Sawley Lodge

320130854P

**Proposal:**

Erection of replacement dwelling, construction of new gateway and gatehouse lodge, reinstatement of original driveway route and provision of car parking facility for anglers.

**Applicants:**

Mr & Mrs Richard Bannister

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## **1. Introduction**

- 1.1 This planning justification statement has been produced to support two separate applications covering land within the same ownership at Sawley, Lancashire.
- 1.2 Section two of the statement provides details of the development proposal, which across the two applications principally includes the erection of a replacement dwelling, construction of a tied gate lodge and reinstatement of a historic driveway.
- 1.3 At section three the economic benefits associated with the new development proposed are qualified.
- 1.5 An assessment of the sustainability of the proposed development is provided at section four.
- 1.6 At section five information on relevant conservation issues is provided.
- 1.7 An appraisal of local and national planning policy that is of relevance to the determination of this planning application is provided at section six
- 1.8 Conclusions to the statement are provided at section seven.

## **2. Development Proposal**

### **Replacement House**

- 2.1 The proposed development is the erection of a new country dwelling of the highest architectural design and construction methods, on the site of an existing redundant dwelling.
- 2.2 The proposal has been the subject of ongoing pre-application discussions with Ribble Valley Borough Council and consultation with the Forest of Bowland Area of Outstanding Natural Beauty Management Team, prior to the submission of this application.
- 2.3 In terms of the principle of development the replacement of an existing house with a new property is not considered to raise any strategic planning issues.
- 2.4 Issues relating to the Ribble Valley Borough Council's adopted policy on replacement dwellings is appraised at section six however, the replacement of an existing architecturally unremarkable dwelling with a materially larger replacement of a high standard of classical architecture has been accepted on various other sites within the Ribble Valley and across the country.
- 2.5 At Appendix 1 to this statement we provide details of a number of precedent examples, some from designated Areas of Outstanding Natural Beauty, for the replacement of existing dwellings with larger neo-classical properties, some of which Rural Solutions has secured planning consent for.
- 2.6 With regard to the size of the dwelling a material increase in the amount of built development has been a feature of many of the precedent schemes shown in Appendix 1.
- 2.7 In addition it is clear, from an assessment of the theoretical permitted development rights that apply to the existing property at Sawley, that the extent of built

development on the site could be significantly increased without the need for planning permission. This is on the basis of the significant curtilage of the property and the fact that it cannot be considered to 'front a highway' in terms of the interpretation of planning law, therefore allowing very large extensions to its front (south) and rear (north) elevations.

#### **New Staff Accommodation including Gate Lodge**

- 2.8 As part of the proposal new self-contained accommodation for live-in staff is provided in the adjacent courtyard building.
- 2.9 In addition a new gate lodge is to be provided at the point where the reinstated driveway meets the public highway.
- 2.10 In the past Mr & Mrs Bannister have experienced a serious security incident at their current property (of which further details can be provided if necessary) and on that basis have a requirement for a level of security which includes the need for a permanent on-site presence, which the proposed ancillary staff accommodation and gate lodge will provide.
- 2.11 The provision of additional accommodation will have the benefit of both additional investment in the construction sector, the benefits of which are qualified at section three of the statement, as well as the provision of additional support for existing village services in Sawley, which are qualified at section four.
- 2.12 It is proposed that all ancillary staff accommodation be tied by way of a legal agreement, which the applicants are happy to enter into it.

#### **Reinstatement of Former Driveway**

- 2.13 A further part of the proposed development involves the reinstatement of the former driveway which once served the existing dwelling on the site.

- 2.14 The old access will be reduced in width with the surface being amended to gravel at the point nearest to the public highway. At the point where the existing driveway leads up to the existing house, it will be grassed over.
- 2.15 As an alternative access to the proposed replacement house, the original driveway which served the existing house on site is to be reinstated with a bitmac surface and a grass banking. We include the amendments to existing and historic access ways for reasons of completeness however we appraise that some of these works could be undertaken without planning permission under Schedule 2 Part 9 of the General Permitted Development Order 1995 which would allow, without the consent of the Local Authority, *"The carrying out on land within the boundaries of an unadopted street or private way of works required for the maintenance or **improvement** of the street or way."*
- 2.16 As part of the amendments to access arrangements, the applicant is also intending to provide a new gravel car parking area for the angling club which uses the adjacent River Ribble.
- 2.17 This will provide a secure place to park for anglers and mitigate against existing problems associated with anglers parking on or adjacent to the existing highway or access to the property.

#### **Submission of Two Planning Applications**

- 2.18 To realise consent for the above developments it has been determined that it is most appropriate to submit two separate planning applications.
- 2.19 This is based upon the fact that there are multiple planning issues covering all of the above developments, with some of these issues relating to one part of the overall project only.
- 2.20 On that basis one planning application relates to the erection of the replacement dwelling and adjacent staff accommodation, while the other application relates to

the provision of the gate lodge and reinstatement of the historic driveway within the site.

### **3. Economic Benefits Associated with Development**

3.1 Development will bring with it economic benefits to the local economy and construction industry as outlined in this section.

3.2 The National Planning Policy Framework and particularly paragraph 19 of this document clearly outlines the need for decision makers to have regard to the economic benefits of development proposals when determining planning applications:

*“19. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”*

#### **Calculating the Benefits of Development**

3.3 In terms of calculating the economic benefits of the proposed development, a study undertaken on behalf of the UK Contractors Group<sup>1</sup> found that a £1 investment in construction results in £2.84 in terms of benefits to the wider economy, as outlined in fig.1 on the following page.

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<sup>1</sup> Construction in the UK economy; L.E.K for UK Contractors Group (2010)



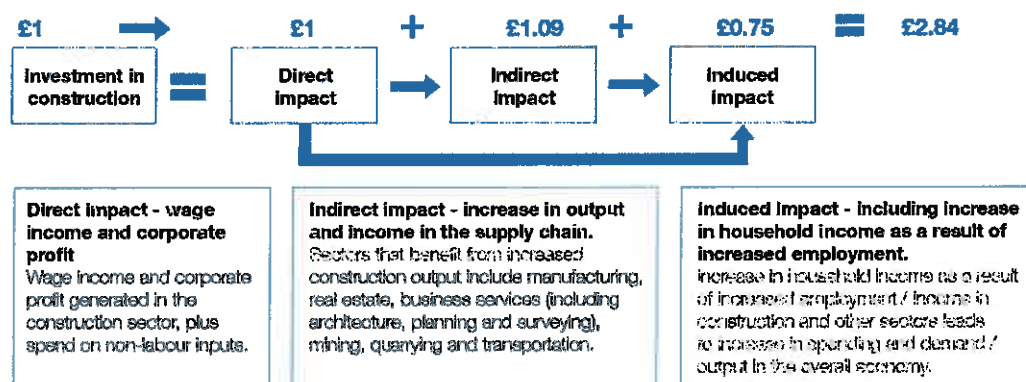


Fig 1: Image from UK Contractors Group study

3.4 The construction cost alone of the proposed development is c.£3,000,000. Therefore this would result in approximately c.£8,520,000 in terms of a contribution to the local economy.

3.5 Planning Inspectors and the Secretary of State have highlighted in appeal decisions<sup>2</sup> the significant weight to be attributed to the need to support economic growth (as required by the Ministerial Statement – Planning for Growth and the National Planning Policy Framework) through the planning system and the contribution that housing development can make to economic growth:

*“The Secretary of State attaches significant weight to the need to support economic growth through the planning system...and he also considers that the provision of housing is itself a contributor to economic growth.”*

3.6 In this case although only a single, replacement dwelling is proposed it is clear from the construction costs that development will bring with it the economic benefits associated with a much larger quantum of standard house types.

<sup>2</sup> APP/G1630/A/11/2146206, APP/G1630/A/11/2148635

- 3.7 Therefore despite the fact that the proposed development is for a single house only *'significant weight'* should be afforded to the economic benefits of development arising from it in the decision making process.

#### **4. Sustainability of Proposed Development**

- 4.1 In making decisions on development proposals national planning policy requires Local Planning Authorities to consider the sustainability of individual schemes. The appraisal of the sustainability of a development is particularly important now that the Government has introduced a presumption in favour of sustainable development in the National Planning Policy Framework.

##### **Government Definition of Sustainable Development**

- 4.2 Paragraph 6 of the NPPF defines the Government's view of sustainable development as follows:

*"The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system."*

- 4.3 The development is in accordance with various policies of the NPPF which relate to the provision of support for economic growth, as outlined at section three of this statement; heritage issues; design issues; and, Areas of Outstanding Natural Beauty as outlined in section five and six of this statement.
- 4.4 There is no identified conflict with any other paragraphs of the document and the proposed development is therefore firmly in accordance with the Government's definition of sustainable development. Nevertheless the following points further indicate the sustainability of the development proposal.
- 4.5 Paragraph 29 of the NPPF specifically recognises that *"opportunities to maximise sustainable transport solutions will vary from urban to rural areas."*
- 4.6 In the case of Sawley there are a number of sustainable transport options (bus services) in addition to the option involving the use of the private car. Bus services

provide linkages from the village to Clitheroe and rail and bus linkages to larger centres elsewhere.

- 4.7 In terms of other local services the village has a pub, a village hall which plays host to numerous leisure and community activities, a care home and a regular farmer's market. These services will be supported by the provision of a replacement house together with tied accommodation.
- 4.8 Sawley was considered a sustainable location for new housing allocation when the Ribble Valley Borough Council District Wide Local Plan was adopted in 1998 and we are not aware of any significant change in circumstances which would lead to a different assessment in this instance.
- 4.9 For the above reasons the provision of a replacement house together with tied staff accommodation is considered sustainable and the presumption in favour of sustainable development, incorporated in the NPPF, should be enacted in the decision making process.

## 5. Conservation Issues

- 5.1 The application is accompanied by a Statement of Significance which provides a detailed assessment of the significance of the existing dwelling on site, which is to be replaced.
- 5.2 The building is not currently listed nor is it included by the Local Planning Authority on any local list, despite the fact that it has been previously reviewed for that purpose.
- 5.3 It is therefore our interpretation that the existing building does not meet the definition of a heritage asset included in the National Planning Policy Framework:

*“Heritage asset: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)”*

- 5.4 Neither the site of the proposed new country house or the proposed gate lodge is situated within the Sawley Conservation Area. However, the new gate lodge is situated within close proximity of it and we therefore appraise its impact on the setting of this designated area below.
- 5.5 The Sawley Conservation Area was designated in 1971. The Conservation Area appraisal confirms that designation was justified for the following eleven reasons:

*“• The ruins of the Cistercian Abbey founded in 1147 and now under the guardianship of English Heritage; the Abbey is a Grade-I listed building and its surroundings are designated as a Scheduled Monument;*

*• The historic bridge;*

- *The earthworks and St Mary's Well in fields to the east of the Abbey;*
- *Its listed buildings, several of which owe their character to the reuse of Abbey masonry;*
- *The unusual industrial character and historical importance of The Long Building, a former textile printing works;*
- *The survival of an early Friends Meeting House, untouched since 1777 and still in use as a place of worship;*
- *The setting of the village on the banks of the Ribble, whose meanders provide many scenic views from various points in the village;*
- *Its open and dispersed character, with green fields forming an important component of most views;*
- *The backdrop of high hills and fells;*
- *The Ribble Way Long Distance Footpath, which passes through the village and brings visitors to Sawley;*
- *Its location within the Forest of Bowland Area of Outstanding Natural Beauty."*

- 5.6 There are no specific reasons for designation which relate to the area of the conservation area to which the site of the proposed new gate lodge is adjacent.
- 5.7 The Conservation Area map for Sawley shows key views into and out of the designated area which are of importance to its heritage. None of these views would be impacted upon by the new gate lodge proposed.
- 5.8 Paragraph 138 of the National Planning Policy Framework confirms that *"Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance."*

- 5.9 Based upon review of the Sawley Conservation Area Appraisal this is considered to be the case with regard to the part of the area to which the site of the proposed dwelling is adjacent.
- 5.10 On that basis the key reference in the National Planning Policy Framework with regard to heritage issues which is considered of relevance to the determination of the submitted planning application is paragraph 131, which states that:
- “(131.) In determining planning applications, local planning authorities should take account of:*
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
  - the desirability of new development making a positive contribution to local character and distinctiveness.”*
- 5.11 Neither the proposed gate lodge which will be adjacent to the designated area nor the replacement house which it is at some distance from it are seen to have any adverse impact on the designated conservation area and on that basis there is no conflict with planning policy on this issue.

## 6. Appraisal of Local and National Planning Policy and Guidance

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that *"if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*
- 6.2 Relevant national planning policy is incorporated in the National Planning Policy Framework (NPPF).
- 6.3 Local planning policies are contained within the Ribble Valley Local Plan. This local plan was adopted in 1998 with some policies 'saved' in 2007 while the new local plan for the Borough was being prepared.
- 6.4 Saved policies outlined from para 6.10 onwards are of some relevance to the proposed development. However, in terms of the weight that may be attributed to these policies, this has been significantly diminished by the introduction of the National Planning Policy Framework on March 27<sup>th</sup> 2012 and the fact that the Council's policies have not been updated to reflect pro-development national policy in the year following the framework's introduction.
- 6.5 Reference to paragraphs 214-215 confirms the fact that local policies may be considered out-of-date and greater weight should be applied to national rather than local policy.
- 6.6 Paragraph 14 of the National Planning Policy Framework confirms that where development plan policies are out-of-date, planning permission should be granted for sustainable development proposals unless:

*"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*



*specific policies in this Framework indicate development should be restricted.”*

- 6.7 The policies in the National Planning Policy Framework that are of relevance to the proposed development are outlined later in this section, however it is clear that there are no policies in the document which indicate that development should be restricted in this instance.
- 6.8 On that basis it is considered that the principal issue for determination of the proposed application is whether there are any adverse impacts which both significantly and demonstrably, outweigh the benefits.
- 6.9 The implications of this test are that even if the Local Planning Authority considers that there is harm arising from a particular development proposed, which marginally outweighs the benefits, this is not sufficient justification to refuse planning permission. It must be demonstrated that the adverse impacts *significantly* outweigh the benefits.

#### **6A. LOCAL PLANNING POLICY AND GUIDANCE**

- 6.10 As outlined above saved local plan policies of the Ribble Valley Districtwide Local Plan (1998) are of relevance to the proposed development.
- 6.11 Although we understand that Ribble Valley Borough Council has reached the submission stage of its Core Strategy, the principle of attaching minimal weight to untested, emerging policies is well established and has been confirmed to be the view of both the Planning Inspectorate and the Secretary of State on various occasions, including in relation to a recovered appeal decision<sup>3</sup> at Worsley, Manchester.
- 6.12 However, the following saved local plan policies are considered of some relevance to the proposed development:

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<sup>1</sup> APP/U4230/A/11/2157433

**Saved Policy G5 – Development outside of village boundaries**

This policy states that outside of village boundaries planning consent will only be granted for developments which meet one of a number of exceptions which focus around rural needs.

Comment: As the proposed development is for a replacement dwelling, with ancillary tied accommodation, development will not lead to any net increase in the unrestricted dwelling stock in the area and is therefore not considered to conflict with this policy.

**Saved Policy ENV1 – Area of Outstanding Natural Beauty**

The policy states that the landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. In addition development will also need to contribute to the conservation of the natural beauty of the area. The environmental effects of proposals will be a major consideration and the design, materials, scale, massing and landscaping of development will be important factors in deciding planning applications (see Policy G1). The protection, conservation and enhancement of the natural environment will be the most important considerations in the assessment of any development proposal. Regard will also be had to the economic and social well-being of the area.

Comment: For reasons outlined at para 6.20 of this statement it is not considered that there will be any adverse impact on the Forest of Bowland AONB arising from development.

#### **Saved Policy H14 - Rebuilding or Replacement of Dwellings**

The policy states that:

*“Rebuilding or replacement of dwellings will be permitted in the open countryside, subject to the following criteria:*

- (i) the residential use of the property should not have been abandoned. (If this is the case Policy H2 will apply);*
- (ii) the impact on the landscape will be assessed in relation to that of a new dwelling. As such very careful consideration to design and use of materials must be made. In addition, excessive increase in the size of property will not be permitted;*
- (iii) the creation of any extra curtilage will be assessed in relation to Policy H12;*
- (iv) the terms of Policy G1 will apply.”*

Comment: In the case of the proposed dwelling for replacement the residential use has clearly not been abandoned, given the short space of time since its last occupation. As outlined in the accompanying Design & Access Statement the design of the proposed replacement dwelling is of the highest quality with the use of a commensurate quality of materials.

The justification for the policy provides a ‘general guide’ as to the increases in property size which will be acceptable in the case of replacement dwellings. This guide does not constitute adopted policy in itself and there have been a number of cases from across the Ribble Valley area (and across the country) where replacement dwellings with a high quality of design and materials have been permitted with a significant increase in size. Some precedent examples are included as Appendix 1 for reference.

It should be noted from the Architect’s Plans and Design and Access Statement that the footprint of the proposed house is not significantly larger than the house it will replace. While additional courtyard development is proposed, this will be far less

prominent, being set to the east of the house, than existing stables and outbuildings to be removed which are open to long-distance views across the valley bottom.

As outlined earlier in this statement at para 2.7 the existing property could also be significantly increased in size under permitted development rights providing further justification for the increase in amount of built development on the site.

On the basis of this additional information it is not considered that there is any material planning reason to withhold planning consent for the larger replacement dwelling proposed. Moreover as the Borough Council's Local Plan policies are out-of-date then determination of the application should be made in accordance with the presumption in favour of sustainable development incorporated within the National Planning Policy Framework and the application granted consent unless there are any adverse impacts which would both significantly and demonstrably outweigh the benefits, as appraised below.

## **6B NATIONAL PLANNING POLICY AND GUIDANCE**

6.13 As outlined earlier in this section, as the local plan adopted in 1998 may be considered out-of-date, the strategic policies of the National Planning Policy Framework and the presumption in favour of sustainable development that is included within it are of principal relevance to the determination of this planning application. Relevant policies are appraised below, with the exception of NPPF policies on heritage issues, which have been appraised at section five.

6.14 This presumption in favour of sustainable development, incorporated at paragraph 14 of the Framework, states that where Local Plan policies are out-of-date, consent should be granted for sustainable development proposals unless:

*“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this*

*Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.”*

### **Economic Growth**

- 6.15 Paragraph 19 of the NPPF outlines the very strong support attributed to economic growth by the Government:

*“19. The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”*

- 6.16 The specific benefits that this proposed development will bring to the local economy are outlined at section three of this statement.
- 6.17 In accordance with NPPF para 19 guidance, significant weight should be therefore attributed to these benefits in the determination of this planning application.

### **Design Policy**

- 6.18 The NPPF provides a requirement for Local Authorities to deliver a good quality of design through the planning system.
- 6.19 Paragraphs 60 and 63 from the design section of the NPPF are considered of principal relevance to the determination of this application:

*“60. 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. It is, however, proper to seek to promote or reinforce local distinctiveness.*

*63. In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area."*

Comment: The proposed replacement dwelling is clearly based upon the classical tradition. This is an established architectural form for dwellings constructed throughout recent history and the use of this form should not be precluded when assessed against NPPF policy. Replacement dwellings of a similarly classical style have been permitted both in the Ribble Valley and across the country in recent years as demonstrated at Appendix 1 of this statement.

The Design & Access Statement provides details of the architectural ethos behind the building, however in its interpretation of the classical style, the building may be considered as outstanding and supported as such by the Local Planning Authority.

#### **Areas of Outstanding Natural Beauty**

- 6.20 Paragraph 115 of the NPPF has regard to Areas of Outstanding Natural Beauty and states that:

*"Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads."*

Comment: The replacement dwelling for which consent is sought is proposed to be sited on the area of land that is occupied by the dwelling to be replaced. The

site has a backdrop of trees, together with some tree planting to the front and significant new woodland planting is proposed, as shown on submitted plans.

Existing stables / outbuildings, which as shown in photos in the Design and Access Statement are seen to be prominent to long distance views within the AONB, are to be removed and new ancillary buildings proposed will be better sited to the east of the replacement dwelling where they will be shielded from long distance views.

On that basis the replacement dwelling will not have any demonstrable adverse impact on the designated area in which it is sited. In terms of ancillary development the proposed gate lodge is sited in relative proximity to the existing built form, where the introduction of a new high quality dwelling will not have any adverse impact on the designated area.

#### **Ministerial Statement – Planning for Growth (March 23<sup>rd</sup> 2011)**

- 6.21 The statement set out in 2011 the steps the Government expected local planning authorities to take with immediate effect to ensure that sustainable development needed to support economic growth (including housing) was able to proceed as easily as possible. The statement set out the Government's clear expectation that local planning authorities should deal promptly and favourably with applications that comply with up to date plans and that where plans are out of date, a strong presumption in favour of sustainable development that accords with national planning policies should be applied.
- 6.22 The statement remains a material planning consideration, having not been cancelled with the introduction of the NPPF and remains an important guide to the Government's 'direction of travel' in planning policy terms and its support for new housing development and economic growth.

## **7. Conclusions**

- 7.1 The proposed development of a high quality replacement dwelling on the site will replace a dwelling of unremarkable architecture and will positive contribute to the cannon of classical architecture in the Ribble Valley.
- 7.2 Development will bring with it significant economic benefits associated with construction and this is a material planning consideration which, in accordance with national planning guidance should be attributed significant weight in the determination of the planning applications submitted.
- 7.3 Only a small part of the development proposed across two applications is located directly adjacent to the Sawley Conservation Area, however as demonstrated there will be no adverse impact on the setting of the designated area arising from development.
- 7.4 The inclusion within the proposal of ancillary accommodation to be tied to the use of the main house is necessary for security purposes and is commensurate with the type of house that is proposed.
- 7.5 The provision of this tied accommodation, together with the replacement of the existing house, will add to the vitality of the village of Sawley which is seen to be a sustainable location for development, as outlined at section four of this statement.
- 7.6 The proposed development should be considered within the presumption in favour of sustainable development and on the basis that local plan policies are considered to be out-of-date, the application should be approved unless it is determined that there are any adverse impacts, which both significantly and demonstrably outweigh the benefits arising from development. These benefits include the economic contribution of development, the contribution of development to the vitality of the village and the restoration / replanting of significant areas of woodland.



- 7.7 It is not considered that any adverse impacts exist which significantly and demonstrably outweigh these benefits and on that basis there is no reason for Ribble Valley Borough Council to withhold the granting of planning consent in this instance.

## Appendix 1: Replacement House Examples

The following case studies all provide examples of the replacement of existing dwellings with larger houses in the classical style, where similar planning issues existed to those associated with the proposed replacement dwelling at Sawley.

### Example i)

**Property:** Sandown Hall, Rimington

**Local Authority:** Ribble Valley Borough Council



**Example ii)**

**Property:** The Ridge

**Local Authority:** Cotswold District Council

**Notes:** 33,000 sq ft replacement house on site within Cotswolds Area of Outstanding Natural Beauty



**Example iii)**

**Property:** Tusmore Park, Oxfordshire

**Local Authority:** Cherwell District Council

**Notes:** Winner of 2004 *'Best new building in the Classical tradition'* award from the Georgian Group.



**Example iv)**

**Property:** Farmcote Wood Farm

**Local Authority:** Cotswold District Council

**Notes:** Site within Cotswolds Area of Outstanding Natural Beauty



**Example v)**

**Property:** Parkwood House

**Local Authority:** Runnymede Borough Council

**Notes:** Site within Green Belt and Area of Landscape Importance

Third Party Comments as follows:

*"The new house is an elegant essay in the use of the Palladian vocabulary to create a design which obviously provides the space and comfort that someone who would live in such a house would demand but is also architecturally interesting. This is no mere cobbling together of a few weak ideas – this is a house which would rightly enter the list of good country houses in Surrey."*

Source: The Country Seat – *"The UK's most popular blog dedicated to news and comment on country houses and stately homes"*

