

From: Mark Waleczek

To: Laura Eastwood

cc: Colin Hirst

Ext: 4581

Date: 22/11/2021

Location: Land at Higher Hodder Bridge, Chipping Road, Chaigley, Clitheroe BB7 3LP

Re: Consultation on planning application 3/2021/1008

Brief Description of Proposal

The proposal seeks consent for a new house of exceptional quality (NPPF Paragraph 80e) of Passivhaus Plus and Zero Energy design with associated landscaping and biodiversity enhancements.

Policy Response

A review of the location plan attached to the application demonstrates that the site on which consent is sought is outside any defined settlement boundary, benefitting from both an open countryside designation as well as being within the Forest of Bowland AONB. As a result, the following policies are seen to be key to understanding the application from a policy perspective:

- Key Statement DS1
- Key Statement EN2
- Policy DMG2 – Strategic Considerations
- Policy DMH3 – Dwellings in the Open Countryside and AONB
- Policy DMG3 – Transport and Mobility
- National Planning Policy Framework (NPPF)

Policies DMH3 and DMG2 of the Ribble Valley Core Strategy seek to restrict residential development within the open countryside and AONB to that which meets several explicit criteria, with Key Statement DS1 setting out the overall spatial aspirations for development which is to be contained largely within the three principal settlements within the Borough. As mentioned, the proposal is located outside of any defined settlement boundary and as a result must meet one of the 6 criteria within the second part of policy DMG2 in order to be compliant. A review of submitted material does not indicate any of these criteria are met and as such it appears that the existing proposal is contrary to this policy.

In addition, the proposal must also be in accordance with policy DMH3 as a result of being within the defined Area of Outstanding National Beauty (AONB). This policy is key to upholding the Council's commitments to protection, conservation and enhancement of the AONB as set out in Key Statement EN2, as well as the Development Strategy as a whole (Key Statement DS1). Comparing the application with the policy criteria within DMH3, the proposal does not appear to be essential for agriculture purposes, there is no identified need within the area of development and the proposal does not involve the conversion or use of existing structures. As a result, the criteria within DMH3 fail to be met.

I note that within the submitted supporting information that the proposal is considered to benefit from support through Para. 80(e) (formerly Paragraph 79) of the National Planning Policy Framework and as such it should be considered as an exception to adopted policy (both local and national) which seeks to avoid the development of isolated homes in the open countryside or AONB. Paragraph 80 provides certain circumstances upon which isolated homes are supported, with criteria (e) stating that isolated homes in the countryside will be supported if:

'the design is of exceptional quality, in that it:

- is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

- would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.'

The extent to which the submitted proposal is seen to satisfy the exception test above is clearly critical to the determination of this application. In the first instance, the proposed dwelling must be deemed sufficiently isolated in order for this policy to be applied, before the design element of the application is considered against the statement above. Both are matters which ultimately must be decided by the case officer.

Finally, without passing comment on the test of isolation in regard to Paragraph 80, the creation of a new dwelling at this location would not benefit from adequate walkable or public transport access to a wide range of local services or facilities. This places further reliance on the private motor-vehicle (albeit for a single dwelling) and therefore would be found contrary to the aims and objectives of Policy DMG3 of the Ribble Valley Core Strategy.

Conclusion

It is clear that this application is contrary to the borough's development strategy and could not be supported from a local policy perspective. Despite this, national policy may be in support of the proposals through Paragraph 80(e), though whether the tests of isolation and design are met are matters for Development Management consideration. If it is found that the proposals are in accordance with national policy and paragraph 80, this must become a material consideration balanced against the findings of local policy tests as part of the application's determination.

If you wish to discuss any aspect of the above, please do not hesitate to contact me.

Mark Waleczek

Planning Policy Assistant