

LAND TO THE REAR OF 16 WHITEACRE LANE, BARROW, BB7 9BJ.

Full permission for the erection of 1 dwelling resubmission of
application 3/2020/0677

PLANNING STATEMENT

August 2021

REPORT CONTROL

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Project	Land to the rear of 2 Whiteacre Lane, Barrow
Client	Mr. and Mrs. Hindle
Job Number	20-921
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Appendix A – Appeal decision APP/T2350/W/21/3269165

/1 INTRODUCTION

- 1.1 PWA Planning is retained by Mr. and Mrs. Hindle ('the applicant') to progress a full planning application for the erection of 1no. dwelling ('the proposed development') on land to the rear of 16 Whiteacre Lane, Barrow, BB7 9BJ ('the application site'). The planning application is made to Ribble Valley Borough Council ('the Council') as a full planning application and relates to the red edge application site boundary defined on the Location Plan. The application is a resubmission of application 3/2020/0677 which was refused on the 1st of February 2021.
- 1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. This Planning Statement will demonstrate that the proposals accord with the provisions of the relevant policies of the Development Plan, and moreover that there are other significant material considerations which indicate that planning permission ought to be granted. In addition, the statement will seek to demonstrate that there are no technical reasons which could hinder the grant of planning permission.
- 1.3 This statement should be read in conjunction with the submitted application package, which includes the following documents:
 - 1APP Form;
 - Design and Access Statement;
 - Ecology Report;
 - Tree Report;
 - Drawings:
 - As Proposed (including Location Plan) (drawing ref: AL(2-) rev 06);
 - Proposed Site Plan (drawing ref: AL(2-)01 rev 007);
 - Existing Topo

/2 SITE DESCRIPTION

- 2.1. The land extends to approximately 0.14 hectares in size and is bounded by existing residential development on all sides. The site comprises of an area of maintained grassland.
- 2.2. The adjoining plot of land to the west is being developed for residential use as part of Phase 2 (see planning permission 3/2017/0603) and Phase 3 (see planning permission 3/2018/0500). Whalley Road is located to the west, linking the site directly to the centre of Barrow and Whalley to the southeast.
- 2.3. A Location Plan showing the site within its immediate setting is submitted with the application, whilst an aerial image of the site within its wider setting is illustrated in Figure 1.



Figure 1: Aerial image of the site (Source: Google Maps, not to scale)

- 2.4. The site is well connected by public transport with various bus services available along Clitheroe Road to the west of the site. The closest bus stop is approximately 190m from the site's western boundary. This service provides frequent and direct services to Clitheroe centre whilst also traveling in the opposite direction to Blackburn and Burnley along with serving other smaller settlements in the area.
- 2.5. The site is not within an area identified by the Environment Agency's flood risk map as being subject to flooding. Nor is it in close proximity to any listed heritage assets, the nearest being the grade II listed barn, which is located in Wiswell, over 800m to the south east.

/3 PLANNING HISTORY

3.1. A search of Ribble valley Borough Council's planning register has been carried out in order to understand the site's planning history. As noted, this application represents a resubmission of a previous application which was given the reference 3/2020/0677. The application was refused on the 1st of February 2021 with five reasons for refusal given which were as follows:

1. The proposal is considered contrary to Policies DMG2 and DMH3 of the Ribble Valley Core Strategy in that approval would lead to the creation of a new residential dwelling in the defined open countryside, located outside of a defined settlement boundary, without sufficient justification.
2. The proposal is considered contrary to Key Statement EN2 and Policies DMG1, DMG2 and DMH3 of the Ribble Valley Core Strategy as it would lead to the creation of a new residential dwelling in the defined open countryside that would be injurious to the character and visual amenities of the area and would result the outward expansion of development.
3. The proposal, by virtue of its design, external appearance, scale and elevational language would result in an incongruous form of development that fails to respond positively to or enhance the immediate context, being of detriment to the visual amenity of the area contrary to Policy DMG1 of the Ribble Valley Core Strategy.
4. The proposal is in direct conflict with policies DME1 and DME2 of the Ribble Valley Core Strategy insofar that the proposal will result in the unacceptable loss of trees protected by a Tree Preservation Order that are considered to be of landscape amenity value without sufficient justification or adequate mitigation having being proposed.
5. Insufficient evidence has been submitted to assess the potential impact of the development on protected species, namely bats. In the absence of such information therefore, the likelihood that the proposed works will cause

disturbance to bats, result in the loss of a bat roost or cause injury or death to bats cannot be determined.

3.2. These reasons for refusal are addressed within section 7 of this statement.

3.3. As mentioned previously, the site is located adjacent to an approved residential development at 'Land East of Clitheroe Road'. The approved applications are as follows:

- **3/2016/0374.** Erection of 9 dwellings and associated works. Approved. 22nd December 2016.
- **3/2018/0500.** Erection of ten bungalows and associated works. Approved. 3rd April 2019.
- **3/2019/0782.** Non-material amendment to planning permission 3/2018/0500 (Erection of ten bungalows and associated works) to allow the enlargement of house type F (affordable homes) and the provision of single garages. This includes changes to the site layout. Refused. 10th September 2019.
- **3/2019/0862.** Variation of condition 2 (approved plans) from planning permission 3/2018/0500 to allow a change of site layout, and a change of house type modifying the design house type F. Approved. 23rd January 2020.
- **3/2019/0907.** Outline application for the erection of one new dwelling and associated works. Approved. 20th April 2020.

/4 PROPOSED DEVELOPMENT

- 4.1. It is proposed to develop land to the rear of 16 Whiteacre Lane, to provide 1no. dwelling. The proposed site plan illustrates the erection of 1no. dwelling, which comprises of a large open plan kitchen and dining area, utility room, a separate lounge, bathroom and bedroom to the ground floor. An integral garage is also located on the ground floor, to provide parking for one vehicle. The first floor will comprise of a family bathroom and a further two bedrooms.
- 4.2. The site takes direct access from the previous phase of development currently being built out under planning application ref. 3/2018/0500. The proposal can be considered a continuation of the development of an allocated site (as part of the adopted HED DPD), in a location with clear connections to the existing settlement boundary.
- 4.3. It is the applicant's intention to deliver a scheme which respects the vernacular and enhances the local sense of character; therefore, the design of the property seeks to reflect adjacent properties as will the choice of materials. The orientation of the dwelling ensures it would not overlook those units consented as part of application 3/2018/0500 and suitable standoffs are in place as to not impinge residential amenity.
- 4.4. It is not proposed that any trees will be removed as part of the development, however it is pertinent to mention that an application for the removal of a TPO tree has been granted previously on the site, under application ref. TREEACK/3/2020/0097. The other trees on site and vegetation will not be affected by the proposed development. The surrounding hedging and trees are to be retained limiting visual impact on the surrounding area.
- 4.5. The dwelling's siting has been marginally changed to ensure there isn't any encroachment on the protected tree to the northeast, marked as T4 on the proposed site plan. Further to this it is worth noting the Council have also granted permission for this tree to be felled under application 3/2021/0596 submitted by the applicant's neighbours at no. 18 Whiteacre Lane.

- 4.6. The proposals would be seen as rounding off development, on the edge of the settlement boundary of Barrow, providing a natural extension of the approved residential development to the west of the site. Moreover, whilst technically outside the settlement boundary it is considered in reality the site functions as part of the settlement following the consent granted under application 3/2018/0500. The consent all but formally extends the settlement boundary to include the development site and the adjacent field.

/5 TECHNICAL CONSIDERATIONS

- 5.1. This planning application is supported by the relevant technical details which demonstrate that the proposed development is capable of being implemented without significant adverse impacts arising from site constraints. These are summarised below.

Arboriculture

- 5.2. The planning application is accompanied by a Tree Survey and Arboricultural Impact Assessment (AIA). It is not proposed to remove any trees other than that approved under the aforementioned TPO application (app ref TREEACK/3/2020/0097). The proposed site plan includes location for replacement tree planting.

Drainage

- 5.3. The site sits adjacent to a residential development which is currently being built out. The developer has intentionally retained some capacity within the implementation drainage strategy for this proposal to utilise a rate of 5l/s. Therefore, the intent is to feed into the existing system associated with the previous phase of development for both surface and foul water.

Ecology

- 5.4. The Ecology Report submitted in support of this application concludes that the proposal site is a poor semi mature grassland field previously grazed. Furthermore, the area is of low importance from a nature conservation perspective.

/6 PLANNING POLICY CONTEXT

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

"Where in making any determination under the Planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise."

Development Plan

6.2. In this instance, the Development Plan for the Application Site comprises of the Ribble Valley Borough Council Core Strategy 2008 – 2028 (2014) and Housing and Economic Development Development Plan Document (HED DPD). Additionally, key policy documents that comprise 'material considerations' include to the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).

Ribble Valley Borough Council - Core Strategy 2008 – 2028

6.3. The Ribble Valley Borough Council Core Strategy 2008 – 2028 was adopted in December 2014 and therefore can broadly be regarded as containing relevant and up to date policies in the consideration of this application. Furthermore, the following policies are considered to be relevant to the determination of the application, however they will be afforded weight in accordance with their consistency with the NPPF and this is discussed further in the Material Considerations section of the statement: -

- Key Statement DS1: Development Strategy;
- Key Statement DS2: Sustainable Development;
- Key Statement EN2: Landscape;
- Key Statement Policy EN4: Biodiversity and Geodiversity;
- Key Statement H1: Housing Provision;
- Key Statement H2: Housing Balance;
- Policy DMG1: General Considerations;
- Policy DMG2: Strategic Considerations;
- Policy DMG3: Transport and Mobility;

- Policy DME1: Protecting Trees and Woodlands;
- Policy DME2: Landscape and Townscape Protection; and
- Policy DMH3: Dwellings in the Open Countryside and the AONB.

6.4. An extract from the Proposals Map is provided at Figure 2, the site is located within the designated open countryside falling outside of the settlement boundary of Barrow.

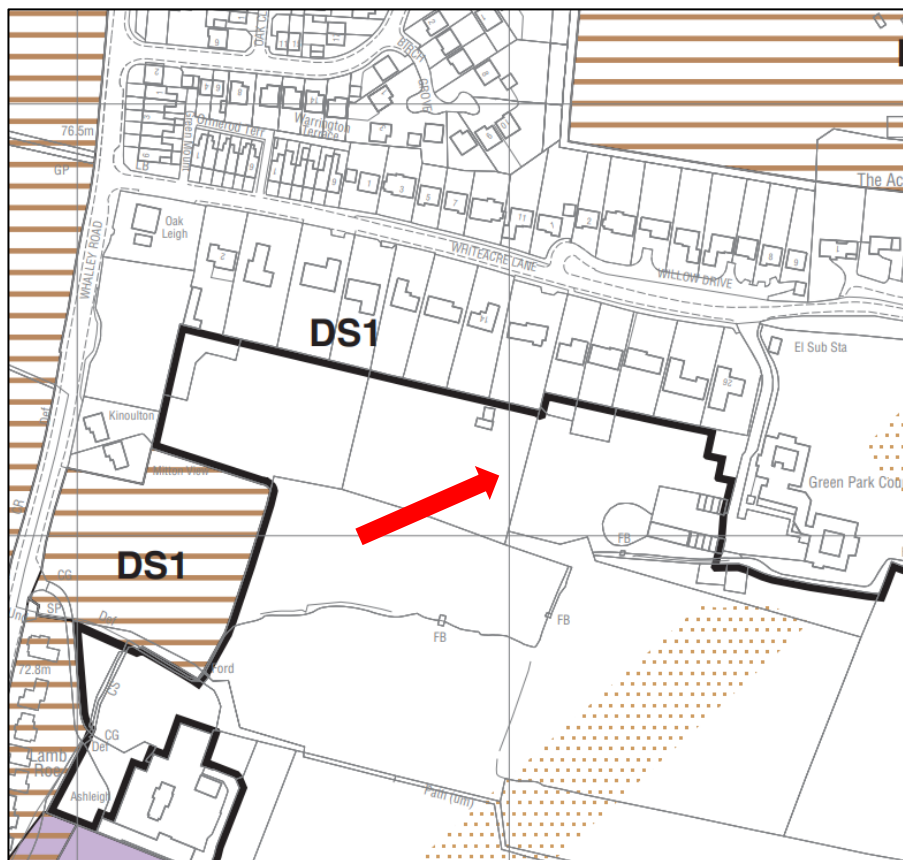


Figure 2: Proposals Map

6.5. **Key Statement DS1** seeks to outline briefly the locations in which growth will be focused. Whilst the statement refers to strategic sites already allocated for development, it does also infer that all other development will be focused around principal settlements and 'Tier 1' settlements, one of which is Barrow. The policy states that development in all settlements will be considered acceptable if they demonstrate regeneration benefits and are 'appropriate for consolidation and expansion or rounding-off of the built-up area'.

6.6. **Key Statement DS2:** Sustainable Development looks to mirror Paragraph 11 of the NPPF which details the sustainable development principle that seeks to guide both authorities and developers. Further to that it places emphasis on the Council to develop proactive relationships with applicants to ensure that where possible applications are approved unless material considerations indicate otherwise.

6.7. **Key Statement EN2:** Landscape, mainly focuses on protection of the Forest of Bowland AONB through ensuring development contributes to the conservation of the area by enhancing and protecting the landscape and character. The statement does offer more general coverage by linking the policy to the protection of all landscapes outlining that the Council expects all development to be in-keeping with the character of the landscape.

6.8. In the Council's justification for the policy they state that:

"The Council will also seek to ensure that the open countryside is protected from inappropriate development. Developers should adopt a non-standardised approach to design which recognises and enhances local distinctiveness, landscape character, the quality of the built fabric, historic patterns and landscape tranquillity."

6.9. **Key Statement Policy EN4:** Biodiversity and Geodiversity, outlines how the Council will conserve and enhance the area's biodiversity and geodiversity and to avoid the fragmentation and isolation of natural habitats. Negative impacts on biodiversity through development proposals should be avoided.

6.10. **Key Statement H1:** focuses on housing provision, it states that the requirement for new homes will be delivered in line with the Council's Strategic Housing Land Availability Assessment. Further to this it states the Council will adopt a 'plan-monitor-manage' approach to guarantee the assessment is continually monitored to ensure a rolling five-year land supply is achieved and maintained.

- 6.11. The subsequent statement **Key Statement H2: Housing Balance**, follows on from the above to outline that planning permission will be granted when the proposal is in line with local demand as evidenced in the Strategic Housing Market Assessment (SHMA). The SHMA (2008) acknowledges that detached housing in rural and suburban areas such as that proposed is clearly in demand.
- 6.12. **Policy DMG1:** General Considerations assists in ensuring that development proposals are in line with numerous broad considerations by providing a series of overarching considerations regarding the quality of developments. The policy categorises the criteria under 6 headings which are as follows: Design, Access, Amenity, Environment, Infrastructure and Other.
- 6.13. **Policy DMG2** outlines further strategic considerations. The policy assists in the interpretation of the Development Strategy and underpins the settlement hierarchy for the purposes of delivering sustainable development. The policy also states that within the Open Countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting.
- 6.14. **Policy DMG3:** Transport and Mobility, details how weight will be attached to the availability and adequacy of public transport and associated infrastructure moving to and from the development. Developments will also be required to provide adequate car parking in line with currently approved standards.
- 6.15. **Policy DME1:** Protecting Trees and Woodlands details that there will be a presumption against the clearance of broad-leaved woodland for development purposes. Where applications are likely to have a substantial effect on tree cover, the Council will require detailed arboricultural survey information and tree constraint plans.

6.16. **Policy DME2:** Landscape and Townscape Protection states the proposals which induce significant harm to important landscape or landscape features. Such features are outlined as including:

1. *"Traditional Stone Walls.*
2. *Ponds.*
3. *Characteristic Herb Rich Meadows and Pastures.*
4. *Woodlands.*
5. *Copses.*
6. *Hedgerows and Individual Trees*
7. *Townscape Elements such as the Scale, Form, and Materials that Contribute to the Characteristic Townscapes of the Area.*
8. *Upland Landscapes and Associated Habitats Such as Blanket Bog.*
9. *Botanically Rich Roadside Verges (That are Worthy of Protection)."*

6.17. **Policy DMH3:** Dwellings in the open countryside outlines that residential development within the open countryside will be limited to the following:

1. *"Development essential for the purposes of agriculture or residential development which meets an identified local need. In assessing any proposal for an agricultural, forestry or other essential workers' dwellings a functional and financial test will be applied;*
2. *The appropriate conversion of buildings to dwellings providing they are suitably located and their form and general design are in keeping with their surroundings. Buildings must be structurally sound and capable of conversion without the need for complete or substantial reconstruction;*
3. *The rebuilding or replacement of existing dwellings subject to the following criteria:*
 - *The residential use of the property should not have been abandoned;*
 - *There being no adverse impact on the landscape in relation to the new dwelling;*
 - *The need to extend an existing curtilage."*

Material Considerations

National Planning Policy Framework (2019)

- 6.18. The NPPF is a material consideration in planning decisions as per Paragraph 2 of the Framework and Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 6.19. The NPPF sets out Government planning policies for England and how these are expected to be applied. The golden thread running throughout the NPPF is the Government's presumption in favour of sustainable development (Paragraph 11) whereby developments which correctly balance the requirements of economic, social and environmental issues should be granted planning permission unless there are strong reasons that permission should not be granted. The NPPF also strongly supports economic and housing development.
- 6.20. Sustainable development is broadly defined in Paragraph 8 of the Framework as having three overarching objectives:
- a. an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
 - b. a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
 - c. an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution,*

and mitigating and adapting to climate change, including moving to a low carbon economy.

6.21. Section 5 of the NPPF seeks to deliver a wide choice of high-quality homes. In particular, Paragraph 74 relay government policy in relation to identifying and updating annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements along with the need for housing applications to be considered in the context of the presumption in favour of sustainable development. Paragraph 11 also states that *"those policies which are most important for determining the application are out-of-date"* if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

6.22. Section 9 of the Framework, Promoting Sustainable Transport, at Paragraph 111 states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. It is clear that this is not the case with the proposal before the Council.

/7 PLANNING POLICY ASSESSMENT

Principle of Development

- 7.1. Whilst the proposal sits within the open countryside, the application site represents a small rectangular parcel of land which, lies immediately adjacent to the settlement boundary of the village of Barrow, to the north. Moreover, the dwelling would sit in a logical position adjacent to previous phases of a housing development and as such would represent an in-keeping addition to the immediate locality.
- 7.2. It is not disputed that the application site lies outside the Barrow settlement boundary in an area defined as open countryside where Core Strategy Policies DMG2 (Strategic Considerations) and DMH3 (Dwellings in the Open Countryside & the AONB) apply. However, the settlement boundary of Barrow, as shown on the HED DPD proposal maps, shows that the opportunity for available land to come forward to meet any unmet or additional need within the main settlement is somewhat limited and as such, on balance, the proposed development, on the edge of the main settlement, is considered to be acceptable in principle and the benefits of the scheme outweigh the conflict with policies DMG2 and DMH3 in this case. This is a position that the Council have taken previously on development sites in this location, namely that consented under application 3/2018/0500. Moreover, the Council's housing requirements represent a minimum number and as such irrespective of any residual need in Barrow, the application site represents a logical windfall site whereby the harm generated through development will be negligible. The application should not be resisted solely on the parameter that the Council are presently able to meet their minimum housing targets.
- 7.3. The refusal of the previous application confirms the Council do not agree with the above assessment. However, the applicant's position has not changed, in that it is not correct when applying policies DMG1, DMG2, DMH3 and EN2, to treat all open countryside in the same way. The application does not function as part of the open countryside, it is separated from the wider countryside by a significant amount of mature tree coverage, all of which is covered by a tree protection order. The site is not visible from any vantage

point other than residential properties given this is the land use which characterises the immediate surround. At the time the initial application was live, another application for residential development (3no. dwellings) within Barrow was also being considered (application reference: 3/2020/0938). The application was also refused, a week after the application on Whiteacre Lane, with the reason for refusal relating to the site's location outside the settlement boundary of Barrow. On this basis the two proposals are quite comparable, for clarity the below image shows both proposed development sites:



Figure 3: Aerial image of the site (red) in the context of application site 3/2020/0938 (blue)

7.4. Both sites technically sit with the designated open countryside but with fundamental links to the settlement and lie on the edge of modern housing development sites. Following the refusal of application 3/2020/0938 an appeal was submitted and was subsequently allowed on the 28th of May 2021 (appeal reference: APP/T2350/W/21/3269165). Whilst

the appeal decision is included within Appendix A, the below excerpts from the decision are deemed most relevant to the application at hand:

7. *"The proposed development would thereby conflict with Policies DMG2 and DMH3 of the CS as they seek to deliver the Council's strategic approach to housing delivery and provide suitable locations for residential development.*
8. *However, the site lies immediately adjacent to the settlement boundary of Barrow. The adjacent village is identified as a Tier 1 Village in Policy DS1 of the CS, which offers a higher level of sustainability than other settlements classified within Tier 2 elsewhere. Although further residential development is not promoted in Barrow on account of existing commitments, Policy DMG2 of the CS seeks to consolidate, expand or round off development in Tier 1 settlements so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of and in keeping with the existing settlement.*
9. *On the ground, the site appears to form part of the wider development area and within the 'natural' boundary to built development contained by the western hedge line and Barrow Brook. These features are continuous with the settlement boundaries extending to the south and east respectively. For all intents and purposes the site pertains to the adjacent settlement area and contrasts sharply with the substantially open undeveloped fields to the north and west. It does not share the open characteristics or beauty of the countryside the CS policies seek to protect. It would regenerate a site previously used to serve the settlement area without harm to an open landscape or appearing as sporadic development. It could be designed in a manner to reflect the character of nearby development."*

7.5. The above excerpts could be readily applied to the proposed development site and echo the conclusions made in this statement in relation to the why planning permission should be granted. The appeal decision represents a significant material consideration in the

determination of the application and one which provides clarity as to how proposals like the one at hand should be determined with regard to the open countryside. The context of this particular development site differs so significantly from more isolated rural open countryside sites and its consideration against development plan policy should reflect that. In light of the aforementioned appeal decision it is considered there is a strong basis for the Council to reconsider the position taken on this application.

- 7.6. In terms of the site's proximity to services, the site should be viewed as being sustainably located. The provision of 1no. additional dwellings adjacent to the settlement of Barrow would represent a minor addition to the settlement and would not result in any quantifiable or measurable harm to the Development Strategy presented by Key Statement DS1 of the Core Strategy, particularly given that it seeks to focus some new housing development towards the tier 1 settlements.
- 7.7. With reference to the NPPF, it is important to note that Paragraph 7 is clear that the purpose of the planning system is to contribute to the achievement of sustainable development. At Paragraph 8 it is stated that: *"Achieving sustainable development means that the planning system has three overarching objectives which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)"*.
- 7.8. Firstly, in terms of economic benefit, given the small nature of the proposal it is considered that before and during construction, the development would contribute to the local economy directly through the employment of local companies to facilitate the build. This includes the planners and architects/designers used as a part of this application, local contractors involved in the physical build and the local supply chain through the provision of materials. Once occupied, new residents of the proposals would use and support the growth of local services. It is considered that the proposed development would therefore assist in achieving the economic aims of sustainable development.

7.9. The social aspect of sustainability is met, in that the proposal will result in the creation of a high-quality environment and comprises a compatible use in keeping with neighbouring residential properties in the immediate surrounds of the site. The site also lies in a sustainable location, given it lies close to the settlement boundary of Barrow, a short distance from Clitheroe. Excellent transport links to the A59 and M6 are available providing easy access to Preston, Lancaster and routes through to Manchester. The site sits on a bus route along Clitheroe Road which provides regular routes into Clitheroe Town Centre.

7.10. Turning to the environmental aspect of sustainability, the site is not subject to any statutory ecological designations or heritage assets. It is not within an area of flooding as defined by the Environment Agency flood map.

Design

7.11. The application is submitted in full and it is the intention of the applicant to provide a dwelling which is appropriately sized to fit the application site and of a design which mirrors and complements the surrounding dwellings. Whilst the stone, slate and cladding match the adjacent development, the dwelling is also of a unique and high standard of design which makes best use of the application site to deliver both adequate living and amenity space. The proposal is therefore deemed not to give rise to any unacceptable impacts and accords with Policy DMG1. Whilst the Council did share this view, the applicant maintains the design responds well to the surround and reflects the fact the locality is not defined by one palette of architectural styles and materials. The prospect of discussing matters of design via pre-app was discussed however this service has currently been suspended by the Council for minor applications. Consequently, we trust the Council will be amenable to discussing this matter more openly as part of the application's determination.

Landscape and Visual Impact

7.12. Core Strategy Policy EN2 aims to ensure developments are appropriate and don't induce harm on the open countryside. The site is bound by residential development on two fronts and is largely made up of maintained grassland. The site boundaries which are not made

of existing dwellings constitute a strong mature line of vegetation which separate the application site from the wider rural surround, hence the development of the site would round off development in a logical manner.

7.13. As a result, the proposed dwelling represents development in an area defined by residential land uses on a site which makes no positive contribution to the wider landscape.

7.14. The proposal also retains the existing trees along the western boundary of the site and includes a sizable curtilage whilst maintaining the existing landscape features of the site in line with Policy DEM2.

Transport and Highways

7.15. It is considered that the proposed development for one dwelling would cause negligible impact upon the surrounding highway network. The proposed access from Clitheroe Road already provides a safe access for surrounding dwellings with clear visibility splays and is therefore deemed an appropriate access point for the dwelling.

7.16. There is adequate space on the site to cater for two parking spaces, in accordance with the Council's parking standards outlined within Policy DMG3.

Arboriculture

5.5. As noted, the planning application is accompanied by a Tree Survey and Arboricultural Impact Assessment (AIA). It is not proposed to remove any trees other than that approved under the aforementioned TPO application (app ref TREEACK/3/2020/0097). The provided site plan includes planting locations for the two replacement trees, hence no adverse impacts in this regard are associated with the proposed development.

5.6. The Council did include a reason for refusal relating to impact on trees namely relating to T4. In this context it should be noted that the siting of the dwelling has changed marginally to ensure the RPA of the tree is not intruded upon and hence there is no need

to remove the tree. Moreover, as noted in subsequent paragraphs permission has since been granted for the felling of this tree (3/2021/0596).

- 5.7. Concerns were also raised with regard to T9 and the formation of the driveway, however the Council noted within the officer's report that this could be addressed via the introduction of a cellular confinement system which would need to be implemented prior to any other works and the applicants are agreeable to a condition to this effect.

Ecology

- 7.17. The application site is considered to have limited ecological value. The protection of trees on the site boundary will promote wildlife diversity and encourage a wider variety of wildlife to use the site than already occurs. Given the proposals nominal impact on ecology and biodiversity, it is deemed to be in accordance with Policy EN4.

- 7.18. Previous concerns regarding bat impacts have also been addressed as part of this submission within the ecology survey.

Flood Risk and Drainage

- 7.19. The site lies within Flood Zone 1 where the risk from flooding is at its lowest. The proposal is for a single dwelling, inferring it can be deemed to have a minimal impact on the drainage of the site. Given the site's location close to a number of new-build properties, it's likely a number of options exist to survey the drainage needs of the proposed dwelling.

The Planning Balance / Summary

- 7.20. This section of the Planning Statement has succinctly detailed how the proposed development can be adjudged as acceptable in the context of the Development Plan and the Framework.

- 7.21. The proposal is deemed to raise minor conflicts with Policies DS1 and DHM3 on the basis the site sits outside the settlement boundary of Barrow. However, in referring to the revised settlement boundaries put forward as part of the HED DPD it is prudent to note the application site abuts the settlement. The site therefore has a functional relationship

with Barrow and would allow for the delivery of 1no. dwelling without generating any quantifiable harm which suggests that any policy conflicts ought not to be determinative.

7.22. The proposed development would provide a small but valuable boost to the supply of housing in the area and result in economic and social benefits. It makes use of an existing access point and is clearly of an appropriate size to accommodate the level of development being proposed.

7.23. Taking the above into account, it is considered that the principle of the proposed development can be viewed as acceptable, there are no material or technical considerations which indicate otherwise.

/8 CONCLUSION

- 8.1. PWA Planning is retained by Mr. and Mrs. Hindle to progress a full planning application on land to the rear of 16 Whiteacre Lane, Barrow, BB7 9BJ.
- 8.2. The proposed development is of a small scale and constitutes the rounding off development within a location characterised by new build dwellings permitting for the proposal to be viewed as appropriate development within the open countryside. Henceforth, its use for the provision of a further dwelling can be considered to constitute sustainable development and any limited harm as a result of the scheme is not considered to demonstrably outweigh the benefits of the proposal.
- 8.3. There are no technical constraints which would preclude the development of this site for residential use.
- 8.4. Given the above, the proposed development is considered acceptable and should be approved without delay.

Appendix A – Appeal Decision APP/T2350/W/21/3269165



Appeal Decision

Site Visit made on 25 May 2021

by R Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 May 2021

Appeal Ref: APP/T2350/W/21/3269165

Former waste water treatment works, Whalley Road, Barrow, BB7 9AP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr Chris Ball against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2020/0938, dated 9 November 2020, was refused by notice dated 8 February 2021.
 - The development proposed is 3no dwellings.
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Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising a minimum of 1 and a maximum of 3 dwellings at the former waste-water treatment works, Whalley Road, Barrow, BB7 9AP in accordance with the terms of application Ref 3/2020/0938, dated 9 November 2020.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.

Main Issue

4. This main issue is whether the site is suitable for residential development, having regard to its location, the proposed and surrounding land uses and the amount of development.

Reasons

5. The site is a former waste-water treatment works where the installations have substantially been removed. According to the appellant, the northern part of the site is used in conjunction with a forestry business; the southern part is levelled with a compacted stone surface and, at the time of my site inspection, was used for storage of miscellaneous materials and machinery. The land is

accessed from Whalley Road via an estate road through a new residential housing development which is currently under construction. The site is bordered by the new residential development to the south and east, Barrow Brook watercourse lies immediately to the north and a hedged boundary with open fields beyond to the west.

6. The land is allocated as Open Countryside in the Ribble Valley Borough Council Core Strategy 2008-2028 [2014] (CS). Policies DMG2 and DMH3 of the CS limit new housing in the countryside to those essential for the purposes of forestry or agriculture, or those to meet a locally identified housing need. Although there is potentially some activity associated with forestry taking place on the site, there is little evidence to suggest the proposal for housing would meet an essential need relating to the business. Furthermore, whilst it is indicated that the dwellings would be occupied by the site owners and operators of the business, there is little to suggest this would meet a locally identified housing need that could not be met within the nearby settlement area or elsewhere.
7. The proposed development would thereby conflict with Policies DMG2 and DMH3 of the CS as they seek to deliver the Council's strategic approach to housing delivery and provide suitable locations for residential development.
8. However, the site lies immediately adjacent to the settlement boundary of Barrow. The adjacent village is identified as a Tier 1 Village in Policy DS1 of the CS, which offers a higher level of sustainability than other settlements classified within Tier 2 elsewhere. Although further residential development is not promoted in Barrow on account of existing commitments, Policy DMG2 of the CS seeks to consolidate, expand or round off development in Tier 1 settlements so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of and in keeping with the existing settlement.
9. On the ground, the site appears to form part of the wider development area and within the 'natural' boundary to built development contained by the western hedge line and Barrow Brook. These features are continuous with the settlement boundaries extending to the south and east respectively. For all intents and purposes the site pertains to the adjacent settlement area and contrasts sharply with the substantially open undeveloped fields to the north and west. It does not share the open characteristics or beauty of the countryside the CS policies seek to protect. It would regenerate a site previously used to serve the settlement area without harm to an open landscape or appearing as sporadic development. It could be designed in a manner to reflect the character of nearby development.
10. The redevelopment of part of the site would retain the existing employment use and could provide an enhancement to the site's appearance to the benefit of the surrounding new residential development. It would have equal access to local services when compared to that within the surrounding estate and would therefore retain a sustainable pattern of development which would minimise the need to travel.
11. Furthermore, there is agreement between the main parties that the southern part of the site could be developed for residential purposes without harm to the living conditions of prospective residents of the adjacent housing development or to those who might reside in the proposed houses. The area of the site for residential development would be capable of delivering the proposed number of houses with private amenity space and sufficient space for parking.

12. In support of its case the Council has referred me to an appeal decision elsewhere for a development of 3 homes adjacent to the settlement boundary which was dismissed. However, the circumstances of the site in that instance were distinct from those before me. In that case, the proposal would neither result in a consolidation nor rounding-off of the settlement. Moreover, the site had a much greater affinity to the rural landscape than the settlement area. It is therefore distinct from circumstances of this case, a case I have considered on its own merits.
13. For the above reasons, I find that there would be a minor conflict with the spatial strategy for locations for housing as set out in the CS. However, the Government's objective is to significantly boost the supply of housing and the proposal would provide up to three modern homes in a location with adequate access to services. It would round off the developed area of the settlement and improve the site's appearance in an area dominated by housing development without harm to the character of the countryside. Taking all of these considerations into account, I conclude that the benefits outweigh any harm arising from the degree of conflict with the development plan.

Conclusion

14. For the above reasons, the appeal should be allowed.

R Hitchcock

INSPECTOR



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