



Pendle View, Lovely Hall Lane, Copster Green, BB1 9EQ

Conversion of 2no. Holiday Lets into 1no. Dwellinghouse

PLANNING STATEMENT

November 2021



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/1 INTRODUCTION

- 1.1. PWA Planning is retained by Mike Melville ('the Applicant') to progress a planning application for the conversion of two holiday lets into one dwellinghouse ('proposed development') at Pendle View Nursery, Lovely Hall Lane, Copster Green, BB1 9EQ ('application site'). This planning application is made to Ribble Valley Borough Council ('the Local Planning Authority') as a full application and relates to the red edge application site boundary defined by the submitted Location Plan.

- 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: -
 - 1 APP form, relevant certificates and notices.
 - Drawn information: -
 - Location Plan;
 - Existing Site Plan (ref. PHD/400);
 - Existing Plans and Elevations (ref. A2.1);
 - Proposed Site Plan (ref. PHD/667);
 - Proposed Plans and Elevations (ref. A1.4);
 - Planning Statement (this document).

1.4. The aforementioned documentation reflects the validation requirements of Ribble Valley Borough Council.

1.5. The remainder of this report is structured as follows: -

- Section 2 - Site Description;
- Section 3 - Proposed Development;
- Section 4 - Planning Policy Context;
- Section 5 - Planning Policy Assessment;
- Section 6 - Conclusions.

/2 SITE DESCRIPTION

- 2.1. The application site extends to approximately 0.08 hectares in size and relates to a property known as Pendle View which is situated to the south of Lovely Hall Lane, off Longsight Road, Copster Green. The property was originally a dwellinghouse and then became a dwelling and cafe before consent was granted in 2000 for the conversion of the building into 2 dwellings. Later in the same year planning permission was granted for change of use to a child nursery. In 2016 its conversion back to a residential use was refused and instead the property was divided into two holiday lets.
- 2.2. Throughout the course of the various uses the building was not subject to any significant external alterations and as such reads very much as a residential dwelling, especially when viewed in the context of Lovely Hall Lane which is characterised by residential properties. To the east of the site is open agricultural land, whilst to the immediate south, north and west are further residential properties. The application site sits within the defined Copster Green settlement boundary.
- 2.3. The application site is very much in keeping with the local character as it is surrounded by other residential properties within the village settlement. The property is set within a large residential curtilage, enjoying gardens/amenity space. The property is accessed via Lovely Hall Lane, where it has the benefit of expansive parking for more than 4 cars, which solely serves the application site.
- 2.4. A location plan showing the site within its wider setting is provided within the supporting documents. For an aerial image of the site within its closer setting please see Figure 1 over page.



Figure 1: Aerial image showing the location of the site (not to scale) (Source: Landinsights)

- 2.5. There are no public rights of way which run along the boundaries of the site. There are no listed buildings within the site, the nearest listed building is located over 1km away. The site is not located within the Forest of Bowland Area of Outstanding Natural Beauty, and by reference to the Environment Agency's flood risk map, the site does not fall within an area subject to flooding.

Relevant Planning History

- 2.6. A search of Ribble Valley Borough Council's planning register has been carried out to understand the planning history relevant to the site and the proposed development. Applications on Ribble Valley Borough Council's public access system which are relevant to the proposal at hand are:

- **Application Ref. 3/2021/0614** – Variation of condition 7 of planning permission 3/2017/0008 - to modify the use of the holiday lets. Refused July 2021.

- **Application Ref. 3/2017/0008** – Proposed redevelopment of the existing children’s nursery to two holiday lets. Approved February 2017.
- **Application Ref. 3/2016/0620** – Proposed redevelopment of the existing child day care centre and first floor accommodation into two apartments. Refused August 2016.
- **Application Ref. 3/2000/0165** – Proposed change of use to child nursery. Approved May 2000.
- **Application Ref. 3/2000/0077** - Conversion of dwelling/part cafe into two separate dwellings. Approved April 2000.

/3 PROPOSED DEVELOPMENT

- 3.1. The application proposes the conversion of two holiday let apartments into one dwelling. The property was built and occupied as a dwelling prior to 2000, where it changed use to a children's nursery. The proposal doesn't induce any notable expansion of the property, it is an existing building with a previous history of residential occupation. The application is submitted in full; the layout is illustrated on the submitted site plan (ref. Proposed Site Plan (ref. PHD/667)).
- 3.2. The proposed external alterations are noted below:
- **Northern Elevation (Primary elevation)** – demolition of large porch and replacement with smaller enclosed central porch
 - **Southern Elevation (Rear elevation)** – extension of lower roof plane across the rear of the property and replacement of dormer to match existing.
 - **Eastern Elevation** – removal of porch blocking up of existing door openings.
- 3.3. The landscaping to the front and rear of the property will be altered in line with the original residential facilities, with approximately 4 no. parking spaces to the front of the property, whilst the rear of the property, which current accommodates more car parking will be restored to a traditional private garden.
- 3.4. The property is suitable in size to operate as a single dwelling and represents an appropriate use for the location given the property was previously a dwelling and the dominated surrounding land use is residential.

/4 PLANNING POLICY CONTEXT

- 4.1. 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 consideration indicates otherwise"*.
- 4.2. The Development Plan for the application site comprises of the Ribble Valley Borough Council Core Strategy 2008-2028 and the Housing and Economic Development DPD (2019). Key policy documents that comprise 'material considerations' include the National Planning Policy Framework (NPPF), The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and any local supplementary planning guidance documents considered relevant to the proposal.

Development Plan

Ribble Valley Borough Council Core Strategy 2008-2028

- 4.3. The policies considered relevant to the determination of the application are:
- Key Statement DS1: Development Strategy;
 - Key Statement DS2: Sustainable Development;
 - Policy DMG1: General Considerations;
 - Policy DMG2: Strategic Considerations;
 - Policy DMG3: Transport and Mobility;
 - Policy DME2: Landscape and Townscape Protection; and
 - Policy DMH4: The Conversion of Barns and Other Buildings to Dwellings.

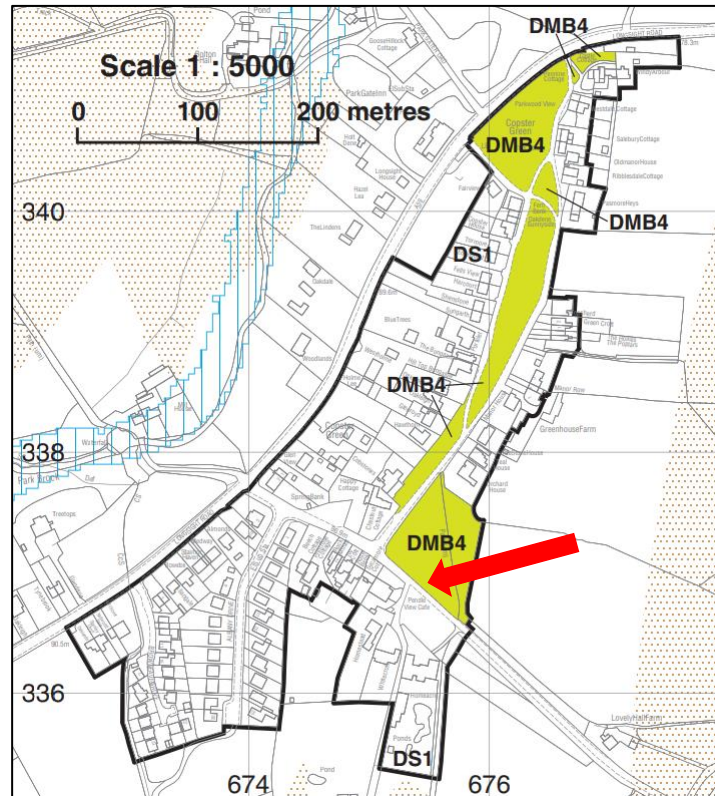


Figure 2: Excerpt from the Ribble Valley Borough Council Proposal Map

- 4.4. **Key Statement DS1** looks to the priority areas of new development, which includes Clitheroe, Longridge and Whalley. It describes Copster Green as a Tier 2 Village settlement which is considered less sustainable for new development than other villages within the Local Authority.
- 4.5. **Key Statement DS2** looks to mirror Paragraph 11 of the NPPF which details the sustainable development principles 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 where possible applications are approved unless material considerations indicate otherwise.
- 4.6. **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.

4.7. **Policy DMG2: Strategic Considerations** 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.

4.8. **Policy DMG3: Transport and Mobility** attaches considerable weight to the availability and adequacy of public transport, noting the relationship between the primary route network and making provisions for pedestrian, cyclists and those with reduced mobility.

4.9. **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)."*

6.1 **Policy DMH4: The Conversion of Barns and Other Buildings to Dwellings** states planning permission will be granted for the conversion of buildings to dwellings where:

1. *The building is not isolated in the landscape, i.e. it is within a defined settlement or forms part of an already group of buildings, and*
2. *There need be no unnecessary expenditure by public authorities and utilities on the provision of infrastructure, and*
3. *There would be no materially damaging effect on the landscape qualities of the area or harm to nature conservations interests, and*
4. *There would be no detrimental effect on the rural economy, and*
5. *The proposals are consistent with the conservation of the natural beauty of the area.*
6. *That any existing nature conservation aspects of the existing structure are properly surveyed and where judged to be significant preserved or, if this is not possible, then any loss adequately mitigated.*

The building to be converted must:

1. *Be structurally sound and capable of conversion for the proposed use without the need for extensive building or major alternation, which would adversely affect the character or appearance of the building. the council will require a structural survey to be submitted with all planning application of this nature. this should include plans of any rebuilding that is proposed;*
2. *Be of a sufficient size to provide necessary living accommodation without the need for further extensions which would harm the character or appearance of he building, and*
3. *The character of the building and its materials are appropriate to its surroundings and the building and its materials are worthy of retention because of its intrinsic interest or potential or its contribution to its setting, and*
4. *The building has a genuine history of use for agriculture or another rural enterprise.*

Material Considerations

National Planning Policy Framework (NPPF)

- 4.10. 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.
- 4.11. The Framework sets out 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.
- 4.12. 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.

4.13. Section 12 of the NPPF deals with good design, and states this is a key aspect of sustainable development. Decisions should not attempt to impose architectural styles or tastes and 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.

/5 PLANNING POLICY ASSESSMENT

Principle of Development

5.1. The primary point for consideration is that a proposal to bring the building back into residential use was previously refused by the Council in 2016 (app ref: 3/2016/0620) for the following reasons:

1. *"The proposal is considered contrary to Key Statements DS1, DS2 and Policy DMG2 of the Ribble Valley Core Strategy in that the approval would lead to the creation of a new residential dwelling within a Tier 2 Village Settlement without sufficient justification which would cause harm to the development strategy for the borough. It is further considered that the approval of this application would lead to the perpetuation of an unsustainable pattern of development in a location that does not benefit from adequate walkable access to local services or facilities placing further reliance on the private motor-vehicle contrary to the aims and objectives of Policy DMG3 of the adopted Core Strategy and the NPPF presumption in favour of sustainable development.*
2. *The proposed development would create a harmful precedent for the acceptance of other similar proposals in Tier 2 Village Settlements, without sufficient justification, which cumulatively would lead to the perpetuation of unsustainable patterns of development within the Borough, which would have an adverse impact on the implementation of the Development Strategy (Key Statement DS1) as adopted within the Ribble Valley Core Strategy, contrary to the interests of the proper planning of the area in accordance with the core principles and policies of the National Planning Policy Framework."*

5.2. Key Statement DS1 relates to the spread of new development, it is a strategic policy which seeks to guide future growth to the areas deemed appropriate by the Council. This is enshrined further in Policy DMG2 which lists criteria for development within tier 2 settlements. The aforementioned refusal of application 3/2016/0620, failed to give

sufficient weight to the locational situation of the property, its previous uses and previous planning permissions. The application site represents a developed plot within the settlement boundary which historically was a dwellinghouse. These are all material considerations and clearly require the proposal to be considered differently to applications relating to new build residential development, the harm generated is not comparable. Moreover, whilst it is accepted that the policies do not draw a distinction, they are clearly in place in relation to new build development rather than proposals for a former dwelling to revert back to its previous lawful use. In this context it is more pertinent to give weight to surrounding land uses and the built form associated with the site.

- 5.3. The previous refusal seemingly does not give weight to the fact permission was granted in 2000 for the conversion of the building into 2 dwellings (3/2000/0077) and that prior to this the property was already a dwelling (and café). It's of fundamental importance in considering the proposals to give weight to the fact the property was originally a dwelling. The foundation for the previous refusal was the idea the application would establish a precedent and the unsustainable nature of the pattern of development. Firstly, the granting of planning permission would not set a precedent, or at least not a negative one. The number of applications for former dwellings, within a settlement boundary, seeking permission to revert back to a dwelling must be extremely minimal. It is conceivably the case that a comparable proposal has not been made within the Borough since the application was refused in 2016. The prospect of this proposal, if consented, resulting in an influx of applications for similar changes of uses is negligible, as the parameters of the application are so infrequently seen.
- 5.4. Moreover, it is asserted that any precedent that may be set would not be a harmful one. The application relates to an existing building which sits within the settlement of Copster Green, on a residential road. It involves changing the use of the building to its previous lawful use, which is the same use as neighbouring properties. The works would not induce any significant changes to the built form and would not generate vehicle movements in excess of the current lawful use.

- 5.5. The reuse of existing buildings is inherently more sustainable than new build development, something noted within Policy DMG2, and the change of use to one dwelling will result in a reduction in the holiday lets currently associated with the site and the number of residential units previously consented (3/2000/0077). Thus the suggestion that the proposal allows for the creation of dwellings in areas lacking in local facilities is not applicable when sufficient regard is had for the current and previous uses.
- 5.6. Furthermore, notwithstanding the previous use as a dwelling, the proposal effectively seeks permission for the conversion of the building into a dwellinghouse and hence Policy DMH4 is directly relevant, despite not being noted within the reasons for refusal on the 2016 application. With further regard to the policy, the application building is not isolated, would not induce any unacceptable landscape or environmental impacts and would not require any expenditure by the local authority. In relation to the second part of the policy, the building is clearly structurally sound, of sufficient size and worthy of retention. This leaves the final criteria that the building has a genuine history of use for agriculture or another rural enterprise. In this regard the application site is clearly viewed as a rural location by the Council. Policy DS1 draws no distinction between Tier 2 and open countryside locations and the Council make numerous references to the location being unsustainable. Henceforth the commercial history of the property in relation to both the previous uses as a café and a child's nursery, do constitute a rural enterprise.
- 5.7. Consequently, irrespective of the Council's concerns over sustainability, DMH4 offers a direct avenue of support for the proposal and further validates the assertion that the application should be approved without delay. The main exercise undertaken when determining this application is to establish the level of harm generated by the proposal. When viewed holistically there is no unacceptable harm induced by the change of use, the use is more appropriate and in keeping than all the intervening uses (café, nursery and holiday let) and thus should not be resisted on the unjustified assertion that the proposal is unsustainable and sets a damaging precedent.

- 5.8. Consequently, the proposal is thought to represent logical sustainable development to the extent whereby no perceived conflict with policies DS1, DS2 and DMG2 could be reasonably adjudged as significant enough as to result in the application being refused.

Design

- 5.9. The supporting suite of planning drawings accompanying the application illustrate the appearance of the proposed works. The external design of the development has been considered to provide a residential dwelling that is aesthetically pleasing and in keeping with the surrounding properties. There is minimal work that needs to be done externally to accomplish this considering the high-quality finish to the elevations of its existing fabric.

- 5.10. The scheme is not thought to induce any harm on existing features of the house or the wider landscape. The changes do not impact any heritage assets or compromise relationships with other existing built form and would not generate any traffic or lighting issues. The design does not result in a dwelling which is excessive in scale and certainly not oversized in relation to its curtilage. The materials used as part of the works replicate the existing residential character as opposed to appearing as subsequent add-ons of contrasting design. Consequently, the proposal is considered acceptable in principle in the context of policies DMG1, DMG2, DME2 and DMH5.

Highways

- 5.11. **Policy DMG3:** Transport and Mobility attaches considerable weight to the availability and adequacy of public transport networks which are available for Tier 2 Village settlements. This proposal offers adaptability for mobility with ground floor facilities and full living accommodation. The proposal is sympathetic to sustainable transport with two bus stops within 200m, making provisions for pedestrian, cyclists, and those with reduced mobility, noting the relationship between the primary route networks.

Summary

- 5.12. Overall, it is considered the proposed development is consistent with both the Development Plan and NPPF. The dwelling represents an appropriate form of

development within the settlement. The works would allow the dwelling to meet the needs of the applicant but have also been designed in a manner which assimilates the additions into the existing dwelling successfully. The principle of the development can therefore be supported.

/6 CONCLUSIONS

- 6.1. PWA Planning is retained by Mr Mike Melville to progress a full planning application for the change of use of two holiday lets back to its previous use as a dwelling house, at Pendle View Nursery, Lovely Hall Lane, Copster Green, BB1 9EQ.
- 6.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a requirement upon Authorities when determining planning applications to do so in accordance with the adopted Development Plan unless material considerations indicate otherwise.
- 6.3. This statement has set out the planning policy relevant to the determination of the planning application and has assessed the proposed development in this context. Section 5 of the statement assesses the proposal against the relevant planning policies, and it is concluded that the proposed development is overall acceptable in the context of the relevant policies of the Development Plan.
- 6.4. For the reasons identified within this statement, it is considered that detailed planning permission for the development should be granted and that there would be no harmful impacts resulting from the proposed development.



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