

EAVES HALL EAVES HALL LANE WEST BRADFORD CLITHEROE BB7 3JG

Resubmission of Planning Application Ref. 3/2021/1020: Variation of Condition 2 (Plans) of planning application 3/2020/0544, to reflect the updated layout and change of lodge type. Conditions 3, 4, 5, 12, 14, 15, 16, 19, 22 to be varied as additional information included within application to allow condition to be discharged.

SUPPORTING STATEMENT

April 2022

REPORT CONTROL

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/1 INTRODUCTION

- 1.1. PWA Planning is retained by Mr James Warburton (the applicant) to progress an application for a variation of a condition following the grant of planning permission at Eaves Hall, Eaves Hall Lane, West Bradford, Clitheroe, BB7 3JG ('the site') full planning application for the construction of 15 eco lodges and infrastructure to provide additional accommodation for Eaves Hall ('the proposed development'). Consent was originally granted under permission ref. 3/2020/0544, dated 25th November 2020.
- 1.2. This application seeks the resubmission of planning application ref. 3/2021/1020. The proposal seeks principally to amend the layout of the scheme via a variation of the wording to Condition 2 (Plans) of planning application 3/2020/0544, to reflect the updated layout and change of lodge type. The layout has been amended as detailed in Section 2 of this statement. In addition, a Heritage Statement and Landscape Assessment has been provided which seeks to address the reason for refusal within planning application ref. 3/2021/1020.
- 1.3. Furthermore, Conditions 3, 4, 5, 12, 14, 15, 16, 19, 22 are also to be amended as additional information included within application should allow these to be effectively discharged, with the wording amended to related to compliance with approved details.
- 1.4. It is prudent to mention that a planning appeal has been submitted to the Planning Inspectorate (ref. APP/T2350/W/22/3296866) against the refusal of consent under ref. 3/2021/1020. Given the similarities between the proposals, the applicant would be willing to consider withdrawing the appeal, if the scheme subject of this application is considered acceptable and to resolve the reasons for refusal as detailed in planning application ref. 3/2021/1020.

/2 APPLICATION CONTEXT

Existing site

- 2.1. The application relates to the land north-west of Eaves Hall, which is a popular wedding venue and hotel located in West Bradford, a short distance from Clitheroe.
- 2.2. The site sits on a slightly sloped field and covers a total area of approximately 1.8ha. Dense vegetation is located along the west and eastern boundary of the site. Vehicular access is also currently taken from Moor Lane, towards the south-east of the site.
- 2.3. The development site within its wider context is shown in Figure 1 below.



Figure 1: Aerial Image showing Stone Fold Farm (not to scale) (Source: Google Maps)

Local Context

- 2.4. To the north, west and east of the site are agricultural fields. Moor Lane is located immediately to the east, beyond which lies an existing caravan park. Dwellings also front Moor Lane to the south-west of the site.
- 2.5. Eaves Hall and 'The Lodge', which is operated in connection with the wedding venue is located to the south of the site. These are separated from the appeal site by an existing masonry wall covered in vegetation.
- 2.6. The surrounds are generally rural/agricultural though the village of West Bradford is located 800m to the south of the site and Clitheroe is located approximately 4km further south.
- 2.7. A Public Right of Way (PROW) runs just beyond the eastern boundary of the site allowing sustainable access to the wider rural area. This PROW links to a variety of other paths within the local area.

Landscape Designations

- 2.8. The application site is located within the Forest of Bowland Area of Outstanding Natural Beauty (AONB). It site sits on slightly sloping land 150m from Eaves Hall, off Moor Lane. The field is open and comprises of mainly improved and marshy grassland with soft rush. The west and east site boundaries are formed by dense vegetation and to the south a large masonry wall is located. In terms of views from the site, there are clear views from the top of the southwards towards Eaves Hall and Pendle Hill beyond. Further afield, there are agricultural fields to west, north and east, with Rivers Caravan Park beyond. To the south east of the site, there are dwellings facing the access highway. A belt of woodland vegetation edges the western site boundary.

Heritage Assets

- 2.9. Eaves Hall is located directly to the south of the site is a Grade II listed building. The Grade II listed Eaves House Cottage and Barn is located approximately 400m to the west of the appeal site. Views from the site towards Eaves Hall can be seen in Figure 2 below.



Figure 2: View from the site towards Eaves Hall (south) (photograph taken on 20th January 2022)

- 2.10. Eaves Hall was built around 1870, in recent times the building and surrounding area has undergone considerable change including the construction of residential housing immediately to the east of the site in the C20th. Eaves Hall and the wider estate and gardens possess illustrative historic interest in that they are indicative of the historic architectural fashions and living practices of the wealthier classes of the area in which it was built.
- 2.11. The site does not possess any historic interest aside from its location near to the Eaves Hall building and its siting within the wider estate. The gardens are of some interest and are included in the Local List of Lancashire's Designed Landscapes.

- 2.12. The wider setting of the site including the road, lodge and gate piers are also positive contributors to the setting of the building but like the gardens, are not included within the listing description for Eaves Hall or listed themselves separately as they typically would be if of national interest. The terraced garden to the south is altered, missing its planting and its pond. However, the walkways remain, and the gardens are interpretable as to their original design if not grandeur and remain as the primary positive aspect of the setting of Eaves Hall. The land to the north, i.e. the appeal site, has much less significance development on here would have a very limited impact on the setting of the heritage asset.

Other Technical Constraints

- 2.13. With regards to flood risk, the site is within Flood Zone 1 where the risk of flooding is low. There are no known Tree Preservation Orders affecting the site.

Development Proposals

- 2.14. As discussed above, Eaves Hall is a popular wedding venue. The venue provides exclusive hospitality for events, in which the whole hall is hired for use by guests. It is not a general hotel use.
- 2.15. Guest catering is provided on-site, and the venue currently provides an offer of 6 luxury suites and 30 en-suite bedrooms. Demand for the accommodation is however normally very high and the Appellant has long considered potential options for increasing the guest accommodation offer.
- 2.16. When closure of the venue was forced because of the March 2020 Covid-19 lockdown, which generated a significant financial impact, the time was appropriate to apply for consent for lodge accommodation. The revenue generated through the installation of these is deemed essential aid the recovery of the business and the long-term investment in Eaves Hall.
- 2.17. In November 2020 permission was approved for the construction of 15 eco lodges and infrastructure to provide additional accommodation for Eaves Hall under application

- reference 3/2020/0544. The originally approved lodges comprised a prefabricated cylindrical timber framed pod with a green sedum roof and large window at the end of the pod, angled to frame views and provide adequate daylight.
- 2.18. Following the grant of permission however, the applicant purchased lodges of a different, much more preferred design. These were perceived by the applicant to offer a modestly better standard of accommodation. Alterations to the site layout were also deemed appropriate. It was not anticipated at that time that the LPA would likely to object to the amended design, given that buildings are ultimately of similar dimensions and materials.
- 2.19. An application was consequently submitted under S73 of the Town and Country Planning Act (1990), allocated ref. 3/2021/1020 to vary Condition 2 of the planning permission to reflect the updated layout and change of lodge type. The application also sought for Conditions 4, 5, 12, 14, 15, 16, 19, 22 to amended to allow for compliance, rather than seeking additional information to be submitted and approved by the LPA at a later date. A sample was provided to also discharge Condition 3.
- 2.20. The current application seeks to provide a resubmission of the above, albeit with a different layout proposed. Rather than re-submitting a materials sample in relation to Condition 3, photographs have been provided and the lodges are also on-site and can be inspected.

Proposed Condition Variations

- 2.21. It is proposed that the conditions are amended as follows:

Condition 2

- 2.22. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawing ref.

- Location Plan
- Existing Site Plan 1813/EX01 rev.A
- Proposed Site Plan 2148_PL01 rev E
- Proposed Eco Lodge 2148_PL04 rev C
- Refuse and Cycle Storage 2148_PL05 rev A
- Site Entrance Plan 2148_PL10 rev B

2.23. Reason: For the avoidance of doubt since the proposal was the subject of agreed design improvements/amendments and to clarify which plans are relevant to the consent.

Condition 3

2.24. The development hereby permitted shall be carried out in accordance with the materials installed on the lodges on site and remain in perpetuity unless agreed with the Local Planning Authority.

2.25. Reason: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

Condition 4

2.26. The development hereby permitted shall be implemented in accordance with the landscaping plans detailed on Plan ref. 4993_B1 and ref. 4993_B2. Any vegetation removed without the Local Planning Authority's consent, or which die or become, in the Authority's opinion, seriously damaged or otherwise defective during a period of five years following occupation shall be replaced and/or shall receive remedial action as required by the Authority. Such works shall be implemented as soon as is reasonably practicable and, in any case, replacement planting shall be implemented by not later than the end of the following planting season, with planting of such size and species and in such number and positions as may be agreed with the authority in writing.

2.27. All trees and hedgerows identified to be retained within influencing distance of the development will be adequately protected during construction, in accordance with BS5837; 2012 'Trees in relation to design, demolition and construction' equivalent unless otherwise agreed. The agreed protection measures shall be put in place and maintained during the construction period of the development.

2.28. Reason: To ensure the proposal is satisfactorily landscaped and appropriate to the locality.

Condition 5

2.29. The development shall be implemented in accordance with the siting, details of the construction and design of external refuse recycling/bin stores and cycle storage detailed on plan ref. 2148_PL05 Rev A. The duly approved facilities shall be made available for use before the development hereby approved is first occupied and retained thereafter.

2.30. Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and in the interest of visual amenity.

Condition 12

2.31. The development shall be implemented in accordance with the details and maintenance strategy provided within plan ref. 2148_P10 Rev B. The maintenance strategy shall be completed in perpetuity to ensure satisfactory visibility splays at the entrance to the development.

2.32. Reason: To ensure adequate inter-visibility between highway users at the street junction or site access, in the interests of highway safety.

Condition 14

2.33. The development shall be completed in accordance with the Surface Water Drainage scheme completed by Reid Jones Partnership (dated September 2021).

- 2.34. The scheme shall be implemented in accordance with the approved details prior to first occupation or completion of the development whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.
- 2.35. Reason: To ensure that the proposed development can be adequately drained; to ensure that there is no flood risk on or off the site resulting from the proposed development; to ensure water quality is not determinately impacted by the development proposal; and to ensure appropriate maintenance mechanisms are put in place for the lifetime of the development.

Condition 15

- 2.36. The development shall be constructed in accordance with the surface water and pollution prevention in line with the detailed in the Construction Management Plan completed by Stanton Andrews Architects and Surface Water Drainage Scheme completed by Reid Jones Partnership (dated September 2021).
- 2.37. Reasons: To ensure that the construction phase(s) of development does not pose an undue flood risk on site or elsewhere; to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

Condition 16

- 2.38. The development hereby approved should be carried out in accordance with the details of the proposed surface water attenuation ponds and all other water bodies detailed in the Proposed Site Plan ref. 2148_P01 Rev E.
- 2.39. The development shall be carried out in strict accordance with the approved details and the attenuation ponds and/or other water bodies shall be constructed and operational prior to first use of the site.

- 2.40. Reason: To ensure a satisfactory form of development in the interests of visual amenity and to ensure the Local Planning Authority can make an accurate assessment of the details relating to matters of flood risk and sustainable drainage.

Condition 19

- 2.41. The development shall be implemented in accordance with the Construction Management Plan completed by Stanton Andrews Architects, which provides details on:

- The parking of vehicles of site operatives and visitors
- The loading and unloading of plant and materials
- Details of working hours
- Routing of delivery vehicles to/from the site

- 2.42. Reason: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway during the construction phase of the development.

Condition 22

- 2.43. The development shall be completed in accordance with the provisions to be made for species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites, as detailed within the Proposed Site Plan (ref. 2148_PL01 Rev E) and the Surface Water Drainage Scheme completed by Reid Jones Partnership (September 2021). The artificial bird/bat boxes shall be provided before the development is first brought into use and retained as such thereafter.

- 2.44. Reason: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and protected species.

/3 PLANNING ASSESSMENT

Condition 2

Proposed Site Plan (1813/PL01 Rev E)

- 3.1. The proposal consists of 15 no. holiday lodges as per the approval under permission ref. 3/2020/0544, albeit of a different layout which consists of a main gravel or bark path in a loop formation around the site, with lodges being located directly off the path. It is also proposed to reorientate the lodges from a north-west / south-east orientation to north-east / south-west orientation. The landscaping remains similar to the approval under permission ref. 3/2020/0544, this is detailed within the landscape proposal mentioned below.
- 3.2. Access to the lodges will remain the same as previously approved from Moor Lane. A wildflower meadow proposed to the south west of the proposed lodges, to further mitigate and landscape impacts. Parking is proposed in the same location as originally approved.

Proposed Eco Lodges (2148/PL04 Rev C)

- 3.3. It is also proposed to amend the lodge type, from the approval under permission ref. 3/2020/0544, to provide oval shaped lodges with a rounded roof. As detailed in plan ref. 2148/PL04 Rev B, it is further proposed to define the plot for each lodge plot with large boulders to the rear and side of the lodges with a gravel / bark area surrounding each lodge. The walls and roof comprise of a spruce shingles, with PVC windows, door and flooring. It is proposed that the walls will comprise from PVC double glazed, with grey frames.
- 3.4. The lodges will incorporate glazing to the front, which has been reduced significantly over the previous submission to reduce light pollution. The cabins have been positioned to ensure privacy. The cabins will also be screened by the existing land, the existing tree line and additional planting around the boundaries of the site. The height of the

cabins has been reduced from the previously approved lodges, now demonstrating a total height of 2.5m to further reduce the landscape impact of the cabins.

Landscape Impact

- 3.5. A detailed landscape scheme is submitted with the application, proposing a comprehensive scheme of native species tree planting and establishment of wildflower meadow. Bird and bat boxes will be introduced in accordance with the Ecology Report. A SuDS (Sustainable Drainage System) will be established to attenuate surface water run-off and minimise the impact on the drainage system, as detailed in the submitted Drainage Scheme.
- 3.6. Furthermore, a detailed landscape assessment has been provided with the application, which describes the character area as well vegetated landscape of gently sloping open fields. Whilst the proposed development would have a direct physical change over the proposed site itself, the changes would be indirect for the wider landscape and only result in changes to the visual amenity of the immediate areas around the site. The magnitude of change for the area has been assessed as negligible as it represents a very minor change which is not uncharacteristic and maintains the quality value of the landscape.
- 3.7. The development provides an opportunity to make improvements to the existing boundary treatments around the site and overall improve its landscape value which has been described as ranging from low to moderate. Therefore, the effects of the proposal on settlement have therefore been assessed as negligible and surrounding countryside are assessed as slight as it would represent very little change over existing and would not be uncharacteristic of the existing uses found in the adjacent areas and within the surrounding countryside. The surrounding woodlands and vegetation provide visual and physical boundaries between the site and the adjacent countryside which would help reduce any visual intrusion and maintain its landscape quality and value.

- 3.8. The landscape effects on the site are assessed as moderate, given there will be little change in land use on the site but a well-considered relationship with the edges of the site and adjacent countryside will reduce the magnitude of this change.
- 3.9. The layout of the eco-lodges, the site arrangements and landscaping will play an important role in ensuring that the development is integrated as effectively as possible. Once established, the mitigation measures will help the development become a more integral part of the landscape and views will be restricted to those closest to the site.

Heritage Impact

- 3.10. A Heritage Statement is submitted in support of this application which assesses the potential impacts of the variation of condition in relation to the amended design. Given the approval for 15no. lodges under permission ref. 3/2020/0544, the principle of development is not in contention, but the orientation of the lodges and the aesthetics of the lodges. In terms of the orientation, it is not considered that the proposals would harm the significance of the listed building over and above the impacts of the approved scheme, which was not found to alter the setting to a degree that harms significance and was granted planning permission.
- 3.11. Furthermore, the Heritage Statement found that the primary heritage significance of the building relates to its external aesthetic / architectural appearance from the south and the way in which it provides insight into its historic nature in an illustrative manner. In terms of the impacts of the impacts the proposed variations may have, it was found that whilst they are of a slightly different aesthetics, they will not harm heritage significance, they will not harm heritage significance and will remain consistent with the requirements of the approved scheme. To conclude there appears no reason as to why the proposed variations should not be approved on heritage grounds.
- 3.12. Given that the principle of development has been accepted through the previous permission ref. 3/2020/0544, the matter at hand relates to whether the proposed proposal will harm the significance of the listed building over and above the impact of the proposed scheme. In this respect, the Delegated Report details that:

'No harm to the setting of the listed building was identified as part of the previous planning application as the design and appearance of the lodges were considered to be sympathetic to their setting and were of a high-quality design. However, given the abovementioned concern regarding the design and appearance of the proposed new lodge types, it is considered that there would be some harm to the setting of Eaves Hall arising from the proposals. The NPPF at paragraph 202 states, 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.

- 3.13. It is considered that whilst there is a slightly different aesthetics to the proposed scheme, the impacts of the proposed variations would not harm the heritage significance and will remain consistent with the requirements of the approved scheme.
- 3.14. As detailed in the submitted heritage statement, there appears to be no reason as to why the proposed variations should not be approved on heritage grounds. It is also considered that this proposal provides an accommodation solution for the popular 'picture box' wedding venue, without causing harm to the listed building.
- 3.15. Whereas alternative options to provide much needed accommodation on the site, such as an extension to the listed building could be detrimental to the listed building itself and the surrounding setting. Furthermore, bearing in mind Paragraph 202 of the NPPF, if there are less than substantial harms, then these should be hugely outweighed by the public benefits of assisting in generating further revenue streams for the associated Eaves Hall wedding venue – helping to underpin the long-term optimum viable use of the heritage asset.

Condition 3 – Materials

- 3.16. The materials of the eco lodges are detailed within the submitted document '*Eaves Hall_Condition 3_Materials*'. The lodges are also on-site and can be inspected.

Condition 4 – Landscaping

- 3.17. The Proposed Site Plan ref. 2148/PL01 Rev E details the proposed landscaping, including tree specifications and height. The Proposed Site Plan details the distribution of the proposed trees and the areas to be seeded, turfed, paved and hard landscaped.
- 3.18. It is considered that the information provided is sufficient to enable the wording of the condition to be amended to refer to simply compliance with the approved plans.

Condition 5 – Refuse Details

- 3.19. The location and details of the refuse / recycling and bin store details have been provided on the Proposed Site Plan ref. 2148/PL01 Rev E and ref. 2148/PL05 Rev A. It is proposed that the bin store will be located within the car parking area and provide sufficient space for the collection and recycling of refuse on the site. It is proposed that the bin store will be enclosed in tanalised sawn timber hit and miss fence, consisting of 125 x 22mm vertical panels, 100 x 50mm horizontal supports fixed to 100 x 100mm timber corner posts.
- 3.20. It is considered that the information provided is sufficient to enable the wording of the condition to be amended to refer to simply compliance with the approved plans.

Condition 12 – Landscaping and Maintenance Scheme

- 3.21. The Proposed Site Entrance Plan ref. 2148/PL10 Rev B details the site access and maintenance strategy. The strategy includes the maintenance of the grass verge monthly between April and November, any branches within the visibility splay to be cut back to at least 3m above ground level and low level marker / sign to be installed to show extent of the area to be mown.

Condition 14 – Drainage Scheme

- 3.22. A Surface Water Drainage Scheme has been submitted which details the management and maintenance of the drainage features of the scheme. Furthermore, it details that surface water runoff from the lodges and pathways will runoff to the adjacent ground.

Swale basins have been incorporated into the site design and are located within the areas of grassland in between the lodges to intercept and store and surface water runoff from this area of the development site that does not infiltrate or evaporate, prior to entering the watercourse. The surface water runoff from this area of the site will therefore act as it currently does, mimicking the natural drainage patterns, and the surface water runoff regime of the site will not be altered.

3.23. Surface water runoff from the access road and car parking area will be collected by a combination of French drains and swales and be controlled to 5 l/s prior to a discharge being made into the Greg Sike watercourse via a swale that is to run along the western part of the site's southern boundary.

3.24. It is considered that the information provided is sufficient to enable the wording of the condition to be amended to refer to simply compliance with the Surface Water Management Scheme.

Condition 15 – Surface Water and Pollution Prevention

3.25. The submitted Construction Management Plan completed by Stanton Andrews Architects and Surface Water Drainage Scheme completed by Reid Jones Partnership (dated September 2021) details the surface water and pollution prevention measures which will be adhered to during the construction phase.

3.26. It is considered that the information provided is sufficient to enable the wording of the condition to be amended to refer to simply compliance with the approved plans.

Condition 16 – Surface Water and Attenuation Pond Details

3.27. The Proposed Site Plan ref. 2148/PL01 Rev E details the proposed swale details which comprises of a perforated pipe underdrain to outfall, with some infiltration into the soil. The swale will consist of 1:3 side slopes and 50mm maximum of topsoil and turf layer or 150mm topsoil seeded root zone.

- 3.28. It is considered that the information provided is sufficient to justify an amendment to Condition 16, to refer to compliance with the approved details.

Condition 19 – Construction Method Statement

- 3.33 A Construction Method Statement completed by Stanton Andrews Architects has been submitted with this application, which details parking, dust and noise suppression measures, site security, health and safety, site waste management plan and working hours to be adhered to during the construction phase.

Condition 22 – Species Conservation

- 3.34 The Proposed Site Plan ref. 2148/PL01 Rev E details the proposed species conservation in terms of the locational details and specification of bat boxes and bird boxes to be installed within the site. The location of the proposed boxes is illustrated within the proposed site plan. Further details are also provided within the submitted surface water drainage scheme.
- 3.35 It is considered that the information provided is sufficient to enable the wording of the condition to be amended to refer to simply compliance with the approved plans.

/4 CONCLUSION

- 4.1. The LPA is respectfully asked to approve the variation of Condition 2 on variation of condition permission (specified on approval ref. 3/2020/0544), as proposed by this application. Furthermore, Conditions 3, 4, 5, 12, 14, 15, 16, 19, 22 are also to be amended to allow for compliance, as the additional information submitted should allow these to be effectively discharged.
- 4.2. The evidence presented demonstrates how the proposed development has overcome the reason for refusal set out in application ref. 3/2020/0544. The Landscape Assessment demonstrates how the proposed scheme has limited impacts on the AONB and the Heritage Assessment which concludes that there will be no impact on the significance of the Heritage Asset. Significant work has been undertaken to demonstrate how the proposals are acceptable in terms of landscape impact and conservation aims, with the siting, design, scale and landscaping associated with the lodges ensuring harms are limited. Furthermore, any limited harms that could be perceived because of the development are demonstrably outweighed by the public benefits and economic, social and environmental gains that would be secured through support for the wedding venue business and keeping the heritage asset in an active use.
- 4.3. Also, it is also considered that this proposal provides a much-needed appropriate accommodation solution for the popular wedding venue, without causing harm to the listed building. Whereas alternative options to provide accommodation on the site, such as an extension to the listed building would be detrimental to the listed building itself and the surrounding setting.

The proposed development is ultimately compliant with the Development Plan and achieves sustainable development, as per the NPPF. There are no significant or demonstrable harms arising from the proposed development that could outweigh the very clear benefits. As such it is requested that this application be approved without delay.



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