

Resubmission of application
for a replacement detached
dwelling. 36 Painter Wood,
Billington, Whalley. BB7 9JD

Planning Supporting Statement

Trevor Hobday Associates
Development Management
Consultants

Trevor Hobday MRTPI
M: 07483236519
E: yadboh@btinternet.com

This statement is made in support of a detailed planning application to Ribble Valley Borough Council for the construction of a replacement detached dwelling sitting within the extensive and established residential curtilage of 36 Painter Wood, Billington. BB7 9JD. This application is a resubmission of the previously refused application reference **3/2021/1122**

1 Site Location

- 1.1 The proposal relates to the construction of a replacement dwelling at 36 Painter Wood. The site is currently occupied by a flat roofed bungalow dwelling constructed in the mid-20th century. It is adjacent to a number of similar properties along this stretch of Painter Wood. The existing property occupies a substantial footprint and stands within a generous curtilage. The site, along with others along this section of Painter Wood, is elevated above Whalley Old Road and all share very similar characteristics. Directly opposite the site is a recently constructed, modern high density urban residential housing estate.
- 1.2 The whole of the site sits with The Green Belt; it lies outside the established settlement boundary as defined in the Core Strategy but immediately adjacent thereto.

2 Planning History

- 2.1 There is now very recent planning history attached to the application site. Peter Hitchen Architects (PHA) submitted a detailed pre-application enquiry to the planning authority in July/August 2021 which was given the reference [RV/2021/00093](#). The case officer was Laura Eastwood. A formal application [3/2021/1122](#) was subsequently refused on 31 March 2022 and the case officer was Adrian Dowd.
- 2.2 In principle, the general thrust of the pre-app enquiry response from the planning authority was extremely positive. Having regard to the fact that the site is within the Green Belt, the case officer did raise a number of issues that

would need to be addressed in any detailed planning application. The original planning application was prepared on the basis of the pre-app design and addressed the pre-app comments. The project architects PHA submitted a detailed assessment that addresses specifically the whole scheme concept insofar as it relates to the issue of “openness” by detailing matters relating to footprint, massing, height, volume, design, external appearance. The architects amended (reduced volume/massing) scheme appraisal is a material consideration; it forms part of the planning submission and is to be read in conjunction with this planning statement.

3 The Development Plan

- 3.1 In preparing this supporting statement for the re-submission, reference has been made to the relevant policies in the Development Plan including those in the Adopted Core Strategy. Current Government advice contained in the National Planning Policy Framework has also been considered. It is respectfully submitted that the following Development Plans and policies are the most relevant against which to assess the merits of the proposal:

[Ribble Valley Core Strategy](#)

Key Statement DS1 Development Strategy

Key Statement DS2 Sustainable Development

Key Statement EN1 Green Belt

Policy DMG1 General Considerations

Policy DMG2 Strategic Considerations

Policy DMG3 Transport and Mobility

Policy DME1 Protecting Trees & Woodland

Policy DME2 Landscape and Townscape Protection

[National Planning Policy Framework \(NPPF\)](#)

Chapter 2 achieving sustainable development

Chapter 5 delivering a sufficient supply of homes

Chapter 8 promoting healthy communities

Chapter 9 promoting sustainable transport

Chapter 11 making effective use of land

Chapter 12 achieving well designed places

Chapter 13 Protecting Green Belt Land

Chapter 14 Meeting the challenge of climate change, flooding and coastal change

Chapter 15 Conserving and enhancing the natural environment

4 The Proposal

- 4.1 In essence, the proposal is for a replacement dwelling with the existing and long established residential curtilage of 36 Painter Wood, Billington. The detailed principle for the scheme has now materially changed from that set out in the very detailed pre-application enquiry to Ribble Valley Borough Council under reference RV/2021/ENQ/00093 and the refused application reference 3/2021/0322
- 4.2 The full details of the amended proposal are set out in the application form, plans, graphics and project statement prepared and submitted by the Architect. The revised design is in direct response to the case officer's delegated report which supported the refused application.

5 Development Strategy/Sustainable Development

A Key Statement EN1 Green Belt (RV Core Strategy)

Chapter 13 Protecting Green Belt Land (NPPF)

- 5.1 The site lies within the Green Belt; Core Strategy policy does not impose an embargo per se on development within the green belt; however, any new development within the green belt is limited to pre-determined forms of development that preserve the essential character of the green belt, its openness, and does not conflict with the purposes of the green belt. Indeed, Core Strategy policy states "*the overall extent of the green belt will be maintained to safeguard the surrounding countryside from inappropriate*

encroachment. The development of new buildings will be limited to the purposes of agriculture, forestry, essential outdoor sport and recreation, cemeteries and for other uses of land which preserve the openness of the green belt, and which do not conflict with the purposes of this designation.”

- 5.2 In regard to Green Belt policy at the national level, The Framework is very clear and unequivocal; Chapter 13 sets the whole context and this is effectively replicated in the Core Strategy policy statement EN1. Paragraph 138 of The Framework indicates the 5 purposes of the Green Belt. Paragraph 149 states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. However, at paragraph 149 a series of exceptions are set down and listed subsections A – G. Of material significance and relevance to the planning application now before the LPA for consideration is paragraph 149(d) which states, *“the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.”*. In the context of both this policy and the Core Strategy Key Statement EN1, both are silent on the issue of what is considered to be “materially different” in terms of size/footprint. It is noted in the pre-application response that the case officer states, inter alia, “.....there is no specific definition of what is “materially larger” but a generally accepted figure would be anything above a volume increase of 30% over the dwelling as originally built....” It is respectfully considered that there is no evidential base or policy ground for making such an assumption and it is necessary and essential for each proposal to be considered on its individual merits. The test must surely be an assessment as to whether or not the proposal materially affects the openness of the Green Belt and if the overall footprint of the proposed new dwelling does exceed that of the original dwelling, what factors in mitigation are offered in terms of lessening the impact, if any, on openness.
- 5.3 In dealing very specifically with this issue of impact upon openness and as suggested by the case officer in the delegated report from the previous refusal, Peter Hitchen Architects (PHA) have produced a detailed analysis in the form of a statement which includes plans and graphics which sets the whole context of the development in terms of reduced volume, scale, footprint, street scene, long distance views into and from the site. This statement/assessment is a material consideration in the determination of the planning application. It will be noted that the report/assessment from PHA includes relevant and material

comparisons with the recently constructed replacement dwelling on the adjoining site 34 Painter Wood. The planning authority having granted approval after rightly concluding that such a development was in accord with Green Belt policy.

- 5.4 In dealing specifically with the Green Belt policy at both national and local level, it is respectfully submitted that the proposal meets the tests set down for a replacement dwelling (building) in the Green Belt.

B Key Statement DS1 Development Strategy

Key Statement DS2 Sustainable Development

Policy DMG1 General Considerations

Policy DMG2 Strategic Considerations

- 5.5 The proposed application site is situated on Painter Wood, Billington; for the purposes of the Core Strategy it lies outside any established settlement boundary. However, it is clear that along Painter Wood/Whalley Old Road between its junction with Whalley Road Billington and the settlement of York to the west, there are a significant number of long established residential properties. Many of these properties and more specifically those on Painter Wood enjoy substantial residential curtilage and all sit comfortably within their respective curtilages notwithstanding the contours of the land which rise generally from Billington/Langho. In this regard it is noted that the Core Strategy is silent on the issue of allowing development within the dispersed settlement more particularly where it lies within the Green Belt. Painter Wood/Whalley Old Road is the physical boundary between Billington on the west side and the Green belt on the east side. It will be noted by the planning authority that immediately opposite the application site (36 Painter Wood) and on land within the urban boundary is a recently completed substantial, modern, high density housing estate.
- 5.6 The application site sits comfortably within the existing and long established residential curtilage of 36 Painter Wood, Billington. The proposal does not extend the limits of development in this part of the Development Plan area.

The site is clearly established. The built form of the proposed replacement dwelling is proportionate in terms of scale, size and footprint. This is complimented by the use of appropriate materials. Peter Hitchen Architects Ltd has produced a design brief which forms part of the submission.

- 5.7 Given the nature of the immediate area that surrounds the site, it is considered that the replacement dwelling is appropriately located within the existing residential site curtilage and will have no adverse effect upon the overall landscape character of this part of the Green Belt. Whilst it is clearly evident that the site has, to a limited degree, an open frontage affording long distance views, appropriate mitigation measures in the form of landscaping and respecting the topography of the site can be implemented and this will ensure that the replacement dwelling will sit comfortably within the landscape without being prominent or intrusive. Indeed, it will be noted from the submitted plans and graphics prepared by PHA, that the replacement dwelling sits very comfortably between the two properties either side (34 and 38); the ridge height does not exceed those of the adjacent properties. In terms of siting/massing, the replacement dwelling, though of contemporary design as indeed is the recently approved replacement dwelling at 34 Painter Wood, is not incongruous.
- 5.8 Utility services are already located within the site which is also served by an existing and established access directly onto Whalley Old Road.
- 5.9 It is respectfully submitted that the Core Strategy supports the proposal in terms of its development strategy and sustainable development policies and objectives.

C Policy DME1 Protecting Trees & Woodland

Policy DME2 Landscape and Townscape Protection

- 5.10 The application proposal will sit comfortably within the existing and established residential curtilage of 36 Painter Wood; there are already in place extensive areas of established landscaping; a planning condition can be imposed that safeguards the integrity of these landscaped areas. It will also be noted that, whilst the proposal will be set into the landscape as opposed to sitting atop it, no landscape features of any not are being removed or are adversely affected by the proposal. It is respectfully submitted that the Core

Strategy supports the proposal in terms of its development strategy insofar as it relates to landscape and townscape protection and the protection of trees and woodland.

D National Planning Policy Framework (NPPF)

Chapter 2 achieving sustainable development

Chapter 11 Making effective use of land

Chapter 12 achieving well designed places

Chapter 15 Conserving and enhancing the natural environment

- 5.11 The proposal is very clearly sustainable development and there is, therefore, a presumption that the planning application should be approved. The development is making effective use of land in that the proposal lies within established residential curtilage and is a replacement dwelling. The design and external appearance of the dwelling is entirely appropriate for the site and surrounding area and the overall street scene along Whalley Old Road. The proposal will not cause harm to the natural environment; existing landscaping is not adversely affected and areas of new planting are proposed.
- 5.12 In the context of the site being within the Green Belt both the NPPF and the Core Strategy are in harmony (section 5A above refers). In the context of this policy, it is respectfully submitted that the proposal meets the established test for appropriate development within the green belt. The proposal is for a replacement dwelling that sits entirely within a well-established residential curtilage; it will be set into the contours of the site where appropriate and this is very clearly demonstrated in the plans and graphics that accompany the design statement prepared by PHA. The replacement dwelling, though contemporary, will not be prominent in the landscape; it will be constructed in modern but entirely appropriate materials that will complement the surrounding landscape. The reduced built form of the replacement dwelling is proportionate in terms of scale, size and footprint. It is submitted that the proposal meets the test set down in The Framework

6 Conclusions

- 6.1 This planning application seeks detailed consent from Ribble Valley Borough Council for the construction of a replacement, contemporary dwelling at 36 Painter Wood, Billington. The site lies within the Green Belt.
- 6.2 The project architects PHA, have been involved in this project from its inception. They submitted a detailed pre-application enquiry in July/August 2021 (see section 2 above) in advance of the previous formal submission. This detailed resubmission, together with the plans and graphics prepared by PHA and included within their own project analysis statement, sets the whole context of the proposal particularly insofar as it relates to the issues raised by the case officer in the delegated report with regard to impact in relation to the overall volume (now reduced). Further, and in this specific regard, the proposal does not compromise the integrity of the Green Belt in maintaining its “openness” and the proposal sits comfortably within the street scene of Painter Wood.
- 6.3 The proposal does not prejudice the overall development strategy set out in the Core Strategy or the provisions of the National Planning Policy Framework.

Trevor Hobday MRTPI

May 2022