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## PLANNING STATEMENT

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# IN RESPECT OF A PLANNING APPLICATION FOR THE PROPOSED CONVERSION OF A REDUNDANT WATER TOWER AND VALVE HOUSE INTO A PRIVATE DWELLING

on

## LAND OFF VICARAGE LANE, WILPSHIRE

FOR AND ON BEHALF OF:

**MR J TURNER  
DEWHURST FARM  
LONGSIGHT ROAD  
LANGHO  
BLACKBURN  
BB6 8AD**

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**Our Client:** Mr J Turner  
**Our Ref:** Tur/155/3074/GH  
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## **1. INTRODUCTION AND BACKGROUND INFORMATION**

- 1.1 Gary Hoerty Associates has been instructed by Mr John Turner to submit a full planning application on his behalf for the proposed conversion of a redundant water tower and valve house located on land off Vicarage Lane, Wilpshire to create a single dwelling.
- 1.2 The existing buildings, to which this application relates comprise a single storey brick-built valve house and a nearby concrete water tower. These buildings are redundant and have been for many years and this application if approved would see them brought back into use as a single private dwelling making good use of a brownfield site.
- 1.3 We set out within this Planning Statement the proposed development in more detail providing a review of the planning history of the site, an outline of the development proposal, an assessment of the development site and a review of the planning policies and guidance and set out why we believe the application conforms to the national and local planning policies, and why the application should therefore be looked upon favourably by the Council.

## **2. PLANNING HISTORY**

- 2.1 We are aware of two planning applications having been submitted in respect of the property and one on adjacent land which is of relevance, the details are as follows:
- 2.2 Planning application number 3/98/0097/P was an application for the conversion of water tower and valve house to create one dwelling. The application was submitted on 3 February 1998 and was refused on 3 April 1998. The decision to refuse the application was referred to appeal under reference T/APP/T2350/A/98/295099/P2 and in a decision dated 26 August 1998 the appeal was allowed, and planning permission was granted. The appeal decision references an earlier application in 1992 which was also the subject of an appeal that was unsuccessful.
- 2.3 Planning application number 3/2001/0646 was an application for the conversion of water tower and valve house to create one dwelling. The application was submitted on 23 August 2001 and approved with conditions on 9 October 2001.
- 2.4 Planning application number 3/2021/0918 was a prior notification application for a farm track 240m long and 3.7m wide. The application was submitted on 7 September 2021 and determined as permission not required on 6 October 2021.

## **3. THE APPLICATION SITE**

- 3.1 The application site comprises a redundant water tower and valve house together with an adjoining parcel of land, the site is situated on land off Vicarage Lane, Wilpshire. The site is located in the corner of a field just to the north of a group of dwellings on the village edge and it lies to the west of the railway line which runs between Blackburn and Clitheroe.

- 3.2 The application site includes land that was not included in the previously approved applications which will enable the proposed development to be accessed by cars rather than solely on foot as was previously the case.
- 3.3 The application site is located in a rural area and is within an area defined as open countryside in the adopted Ribble Valley Core Strategy 2008-2028 A Local Plan for Ribble Valley.

#### **4. THE PROPOSED DEVELOPMENT**

- 4.1 The application seeks full planning permission for the conversion of a redundant water tower and valve house into a single dwelling and the use of an existing agricultural access which was recently constructed under application number 3/2021/0918 which is proposed to be extended. Existing and proposed plans and elevations of the development are included with the application and are shown on plan numbers
- 4.2 The application is in full and as such the proposed plans detail the external and internal arrangements of the property, to enable the Council to reference the level of accommodation within the dwelling. With reference to the proposed plans, the dwelling will be created within the water tower over three floors and within the valve house as single storey accommodation and there will be a new build link connecting the two.
- 4.3 At ground floor level the proposed dwelling will comprise a double garage and a utility room within the valve house, a link to the water tower which will provide an entrance hall, snug/office and dining living kitchen. The first floor within the water tower will provide two bedrooms, one with an ensuite bathroom and a house bathroom and on the second floor of the water tower a landing with three bedrooms one of which will have an en-suite bathroom.
- 4.4 Externally it is proposed that the valve house walls are cleaned of graffiti and repointed, and a new flat roof structure will be provided, the link building will be constructed from brick to match the valve house with powder coated aluminium windows and doors and roof glazing. The water tower will have powder coated aluminium windows inserted into it, a new flat roof structure and it will be rendered in K Rend.

#### **5. PLANNING POLICY CONSIDERATIONS**

##### **5.1 General**

- 5.1.1 Local planning authorities are required to determine planning applications in accordance with the statutory development plan unless material considerations indicate otherwise. In order for this planning application to be approved it must satisfy as far as possible the guidance contained in the National Planning Policy Framework (NPPF 2021) and the relevant policies of the Councils adopted Core Strategy 2008 – 2028: A Local Plan for the Ribble Valley.
- 5.1.2 The Core Strategy contains a number of key statements and policies which are relevant to this application, and these are:

5.1.3 Key Statement DS2 - Sustainable Development;  
Key Statement DMG1 - General Considerations;  
Key Statement DMG2 - Strategic Considerations  
Key Statement DMG3- Transport and Mobility;  
Key Statement DME2 - Landscape and Townscape protection  
Key Statement DME3 - Site and species protection and conservation;  
Key Statement DMH3 - Dwellings in the open countryside & the AONB  
Key Statement DMH4 - The Conservation of barns and other rural buildings to dwellings.

5.1.4 National planning policy guidance is provided in the National Planning Policy Framework (NPPF).

5.1.5 We set out below extracts from the relevant documents to assess the application against all the appropriate policies and guidance.

## **5.2 Core Strategy 2008-2028 A Local Plan for Ribble Valley Adoption Version**

### **Key Statement DS2: Presumption in favour of Sustainable Development**

5.2.1 Key Statement DS2 “presumption in favour of sustainable development” identifies that the Council when considering development proposals should take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The policy states:

*“Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision the Council will grant permission unless material considerations indicate otherwise - taking into account whether:*

- *any adverse impact of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- *specific policies in that Framework indicate that development should be restricted.*

5.2.2 It is our contention that there are no such adverse impacts and that the proposal is in line with the policy approach set out in the NPPF. In this case there are policies within the adopted Core Strategy and the National Planning Policy Framework which support the conversion of permanent buildings in the countryside notwithstanding the fact that these buildings are often located in areas where the occupiers of the converted property will rely primarily on the use of private vehicles for travel to and from the proposed development.

### **Policy DMG1: General Considerations**

5.2.3 This policy sets out a schedule of criteria against which development proposals within the Borough will be assessed and we consider each of these criteria in detail below and provide justification for the proposed development.

## Design

- *Be of a high standard of building design which considers the 8 building in context principles (from the CABE/English heritage building on context toolkit).*
- *Be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.*
- *Consider the density, layout and relationship between buildings, which is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of the development on existing amenities.*
- *Use sustainable construction techniques where possible and provide evidence that energy efficiency has been incorporated into schemes where possible.*
- *The code for sustainable homes and lifetime homes should be incorporated into schemes.*
- *Consider the protection and enhancement of public rights of way and access.*

5.2.4 The proposed development is unusual in that it does not involve the conversion of a traditional agricultural building rather it involves the construction of industrial buildings of more recent construction, however as was acknowledged by the inspector in respect of an earlier application for their conversion, they are permanent buildings which have been part of the landscape for many years and are likely to remain so for many years to come. The proposed conversion scheme is the same as that previously approved which was considered to be imaginative and carefully thought out.

5.2.5 The proposed development is sympathetic to existing and proposed land uses in terms of its size, intensity and nature, as well as scale, massing, style, features and building materials. This was certainly the view of the planning inspector who determined the planning appeal in respect of a very similar application in 1998.

5.2.6 The proposed development will incorporate sustainable construction techniques and will meet current building regulation standards with regard to thermal insulation. As part of the building regulation application, a design and as-built stage Standard Assessment Procedure (SAP) calculation will need to be carried out to demonstrate that the dwelling complies with the thermal efficiency part of the building regulations. The building regulations will also require a set of design and as-built water usage calculations, to demonstrate that the amount of water used within each dwelling per day, meets the requirements of the building regulations. To achieve this, installations such as low flush volume WCs and low volume / capacity baths will be incorporated. Sustainable surface and foul water drainage systems are proposed.

### Amenity

- *Not adversely affect the amenities of the surrounding area.*
- *Provide adequate day lighting and privacy distances.*
- *Have regard to public safety and secured by design principles.*
- *Consider air quality and mitigate adverse impacts where possible.*

5.2.7 The conversion of these buildings to a dwelling will not have any adverse effect on the amenities of the surrounding area, there are some nearby dwellings however the presence of another dwelling will not adversely affect them. It is clear that the buildings have been subject to vandalism and the lack of any positive use of the buildings will see them deteriorate and become a problem for those living nearby as they are likely to attract anti-social activity.

### Environment

- *Consider the environmental implications such as SSSIs, County Heritage Sites, Local Nature Reserves, Biodiversity Action Plan (BAP) Habitats and Species, Special Areas of conservation and special protected areas, Protected Species, Green Corridors and other sites of nature conservation.*
- *With regard to possible effects upon the natural environment, the Council propose that principles of the mitigation hierarchy be followed. This gives sequential preference to the following: 1). Enhance the environment, 2). Avoid the impact, 3). Minimise the impact, 4). Restore the damage, 5). Compensate for the damage, and 6). Offset the damage.*
- *All development must protect and enhance heritage assets and their settings.*
- *All new development proposals will be required to take into account the risk arising from former coal mining and, where necessary, incorporate suitable mitigation measures to address them.*
- *Achieve efficient land use and the reuse of remediation of previously developed sites where possible.*

5.2.8 To the extent that they are relevant the proposal takes account of the criteria set out above. The application site is not within any of the environmentally restricted areas mentioned above. Due consideration has been given to any environmental impacts that the proposal may have on the environment by incorporating sustainable construction methods and materials. A protected species survey has been carried out and the report has been submitted with this application. There are no mining issues on the site.

### Infrastructure

- *Not result in a net loss of important open space, including public and private playing fields, without a robust assessment that the sites are surplus to need.*
- *Have regard to the availability to key infrastructure with capacity, where key infrastructure with capacity is not available it may be necessary to phase development to allow infrastructure enhancements to take place.*
- *Consider the potential impact on social infrastructure provision.*

5.2.9 There will be no loss of open space as a consequence of the proposed development, and it will not place any burden at all on key or social infrastructure.

### Other

- *Not prejudice future development which would provide significant environmental and amenity improvements.*

5.2.10 There will be no prejudiced future development which would provide significant environmental and amenity improvements.

### **Policy DMG2: Strategic considerations**

5.2.11 This policy deals with strategic considerations for the location of development within the Borough and identifies that development proposals should generally provide for most development to be located within the principal settlements of Clitheroe, Longridge and Whalley and the Tier 1 Villages and it should be closely related to the main built-up areas ensuring that it is appropriate to the scale and in keeping with the existing settlements. There is a limited type of development that will be permitted in the Tier 2 villages which is set out within the policy and the policy also identifies considerations for development in the open countryside stating:

*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. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build.*

5.2.12 The proposed development is for residential use and makes use of two existing buildings and is therefore compliant with this policy. The development is in keeping with the character of the local area by virtue of its size, design, use of materials and siting as was determined at the appeal in respect of application number 3/1998/0097/P.

### **Policy DMG3: Transport and Mobility**

5.2.13 This policy identifies the importance of considering the availability and adequacy of public transport and associated infrastructure to serve those moving to and from the development. There is preference for developments

to be located where there is a good relationship to the primary route network and strategic road network, also locations that increase the ability of the users of the development to access public transport. However, it is accepted that the importance of converting and retaining heritage assets is one form of development where this will take precedence over the requirement to have access to public transport.

**Policy DME2: Landscape and Townscape Protection**

- 5.2.14 The policy states that proposals which damage and cause significant harm to important landscape features which include townscape elements such as the scale, form and materials of a development that can contribute to the characteristic townscapes of the site, will be refused. Our client's proposal will have no negative impact on any natural landscape features or any negative impact on the scale and massing of the buildings forming the application site and will retain many of the existing architectural features of the traditional barn that is to be converted.

**Policy DME3: Site and Species Protection and Conservation**

- 5.2.15 This policy states that proposals that will adversely affect priority habitats and species will be refused. To safeguard and mitigate against any harmful effects that a development may have, the Council is able to use planning conditions and agreements to secure the protection of the natural environment. A licensed ecologist has undertaken a protected species survey which concluded that there was no evidence of bats roosting in the building and negligible potential for roosting bats. A copy of the protected species survey report is included with this application.

**Policy DMH3: Dwellings in the Open Countryside and AONB**

- 5.2.16 This policy sets out a number of exceptions to the general restriction preventing new residential development in the open countryside or AONB. Of this list our client's proposal fully conforms to the following:

*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.*

- 5.2.17 Our client's proposal conforms to the above as the proposal will see the sensitive conversion of two old industrial buildings into a single residential dwelling. The proposed conversion of the buildings will not significantly alter the form, design and visual appearance of them, and the conversion will retain distinctive features of the barn. The existing buildings are structurally sound and can be converted with minimal rebuilding being required.

**Policy DMH4: The conversion of barns and other buildings to dwellings**

- 5.2.18 This policy sets out a number of criteria to which conversion proposals must conform and our client's proposal fully conforms to all of the criteria. The policy states that where proposals conform to these criteria planning permission will be granted. We set out below, against each of the criteria reasoned justification as to how our client's proposal conforms to the policy.

*1. The building is not isolated in the landscape, is within a defined settlement or forms part of an already defined group of buildings,*

5.2.19 The buildings are not in an isolated location they are situated in relatively close proximity to a number of other dwellings on the edge of the village.

*2. There need be no unnecessary expenditure by public authorities and utilities on the provision of infrastructure,*

5.2.20 The proposal will see no significant expenditure by any public authorities and / or utilities.

*3. There would be no materially damaging effect on the landscape qualities of the area or harm to nature conservation interests,*

5.2.21 There will be no damage to the landscape of the area and it is considered that the scheme would provide an improvement in this regard as it will regenerate the buildings which have been the subject of some disrepair and vandalism.

*4. There would be no detrimental effect on the rural economy,*

5.2.22 The proposal will have no detrimental effect on the rural economy as the granting of permission for the development will support and increase the customer base on which local businesses can serve. It is likely that the works to implement the proposal will be carried out by local contractors who will be supplied by local builders' merchants, further supporting employment and the rural economy.

*5. The proposals are consistent with the conservation of the natural beauty of the area,*

5.2.23 The conversion of the buildings will be carried out in a sympathetic manner and will have no negative impact on the visual aspect 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.*

5.2.24 A protected species survey has been undertaken and copies of the report have been submitted to the Council with the application. The report concludes that there is currently no apparent activity at the site and the potential for roosting is negligible.

5.2.25 The policy goes on to state that converted buildings must be structurally sound and capable of conversion for the proposed use without the need for extensive building or major alteration, which would adversely affect the character or appearance of the building. It must be of a sufficient size to provide necessary living accommodation without the need for further extensions which would harm the character or appearance of the building and the building must be of an appropriate character and it must have a genuine history of agricultural use. The buildings that are the subject of the application fully conform to these requirements.

5.2.26 The above assessment of the proposal against the relevant policies clearly sets out comprehensive reasoned justification as to how our client's proposal conforms to the Adopted Core Strategy.

### 5.3 National Planning Policy Framework (NPPF)

5.3.1 The National Planning Policy Framework was adopted in March 2012 and has been revised since, the latest revision was July 2021. It is the main national planning policy guidance influencing planning decision making and replaces a substantial number of documents previously in place. The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied, it sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so.

5.3.2 The main thrust of the document is that development, which is considered sustainable should go ahead, without delay and that there should be a presumption in favour of sustainable development and that planning should be a creative exercise in finding ways to enhance and improve the places in which we live our lives.

5.3.3 Paragraphs 10 - 12 of the NPPF highlight the presumption in favour of sustainable development confirming that planning law requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF does not change the statutory status of the development plan as the starting point for decision making. It makes clear that proposed development that accords with an up-to-date local plan should be approved and that proposed development that conflicts should be refused unless other material considerations indicate otherwise. We have clearly demonstrated within this planning statement that the proposed development conforms to the relevant Adopted Core Strategy policies.

5.3.4 Paragraph 10 of the NPPF states:

*"So that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development (paragraph 11)**.*

*11. Plans and decisions should apply a presumption in favour of sustainable development.*

*For plan-making this means that:*

- *All plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;*
- *Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*
  - *The application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting*

*the overall scale, type or distribution of development in the plan area;  
or*

- *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

*For decision-taking this means:*

- *approving development proposals that accord with an up-to-date development plan without delay; or*
- *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
  - *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
  - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

5.3.5 Paragraph 11 clearly spells out the Government's presumption in favour of allowing sustainable development unless the adverse impacts of doing so would be very significant. There are no significant adverse impacts in respect of the development that is proposed in this case.

5.3.6 Paragraphs 78 to 80 of the NPPF is headed "*Delivering a wide choice of high-quality homes*" and sets out the Government's policy in respect of housing delivery. Paragraph 55 states amongst other things that:

*"Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:*

- *There is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- *The development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- *The development would re-use redundant or disused buildings and enhance its immediate setting;*
- *The development would involve the subdivision of an existing residential building; or*
- *The design is of exceptional quality, in that it:*
  - *is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
  - *would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*

5.3.7 The proposed development would re-use a redundant or disused building, thereby representing the most optimal viable use of the asset and lead to an enhancement to the immediate setting.

5.3.8 We consider that the National Planning Policy Framework fully supports the approval of the proposed development.

## 6. SUMMARY AND CONCLUSIONS

6.1 We consider that we have demonstrated within this Planning Statement that the proposed development conforms to both the national planning policy guidance and the relevant local plan policies.

6.2 The principle of the development proposed has been accepted on appeal and while the local plan that was in force at the time has been replaced there have been no significant changes in the policies that are relevant to the determination of this application such that the proposed development would now be contrary to policy. Furthermore, the buildings have been so well built that although there has been some deterioration, they are still structurally sound and capable of conversion without significant rebuilding.

6.3 The proposed conversion of the buildings into a dwelling will see the positive reuse of the buildings which are a permanent feature of the landscape and which are currently the subject of anti-social behaviour having been subject to vandalism. The inspector dealing with the appeal acknowledged that although the buildings are not constructed out of traditional materials, he did not consider them to be uncharacteristic of the area or harmful to it. He also acknowledged that the buildings are part of the history of the area.

6.4 As we have demonstrated in this report the proposal satisfies the requirements of the relevant policies and we therefore believe the application should be looked upon favourably by the Council and the application approved without delay.

Signature

Date

28/6/2022

Signature

