

Planning Statement

Including Statement of Community Involvement and Affordable Housing Statement

Planning and Listed Building Applications

Erection of 39 Residential Units with Access, Parking and Landscaping and Conversion and Extension of Outbuilding to Residential Unit and Refurbishment/ Modernisation of Crow Trees Farmhouse including Internal Reconfiguration, Introduction of Rooflights and a Side Window and Extension of Outbuilding to Form Garage

Crow Trees Farmhouse and Land to Rear,
Crow Trees Brow, Chatburn, Clitheroe, Lancashire, BB7 4AA

Pringle Homes

October 2022

Job Number: 18-078

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Appendix 1 – Public Consultation Leaflet and Distribution Area

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1.0 Introduction

1.1 This Planning Statement has been prepared by Maybern Planning and Development ('Maybern') on behalf of Pringle Homes ('Pringle'). It supports an application for full planning permission and listed building consent from Ribble Valley Borough Council ('RVBC') regarding the farmhouse and outbuildings and land at Crow Trees Farm, Crow Trees Brow, south of Bridge Road in Chatburn.

1.2 The description of the application proposal is:

Application for Full Planning Permission for Erection of 39 Residential Units with Access, Parking and Landscaping, and Conversion and Extension of Former Dairy Outbuilding to Residential Unit, and Refurbishment/ Modernisation of Crow Trees Farmhouse including Internal Reconfiguration, Introduction of Rooflights and a Side Window and Extension of Two Outbuildings to Form Garages

Application for Listed Building Consent for Refurbishment/ Modernisation of Crow Trees Farmhouse including Internal Reconfiguration, Introduction of Rooflights and a Side Window and extension of outbuilding to form a garage

1.3 In summary the application proposal comprises:

- Development of 39 no. affordable houses with access from an existing driveway access point from Crow Tree Brow
- Refurbishment and modernisation of the listed Farmhouse of Crow Trees Farm to enable improved accommodation for family living. This would comprise internal reconfiguration, the insertion of three velux windows in the roof and the insertion of one window in the side elevation. A garage would be created via extension and refurbishment of an existing outbuilding
- Conversion and extension of a redundant dairy outbuilding to the rear of the farmhouse to a residential dwelling; again a garage would be created via extension and conversion of an existing barn

1.4 This statement describes the site and surroundings, the statutory and planning policy context of the site and the application proposals. The proposals are then assessed against the statutory and planning policy context and other material considerations and having regard to technical matters relevant to the site and proposals.

1.5 The statement also includes a Statement of Community Involvement section and Affordable Housing Statement in conjunction with a Registered Provider that has expressed interest in the site.

1.6 The application is submitted following a pre-application enquiry submission to RVBC¹ and having regard to feedback received, as well as the aims of the applicant for the delivery of a high quality development on the site including sensitive refurbishment of the listed farmhouse.

1.7 The application comprises:

- Planning Application Forms and Certificate (via the Planning Portal ref PP-11557617);
PLANS
- Location Plan – Ref – 21/139/L01
- Existing Dwelling Main House – Floor Plans, Sections & Elevations – Ref – 21/139/E01

¹ Albeit for a smaller development proposal

- Existing Dwelling (Ancillary Buildings) – Floor Plans & Elevations – Ref – 21/139/E02
- Existing Barn – Floor Plans & Elevations – Ref – 21/139/E03
- Existing Dutch Barn – Floor Plans & Elevations – Ref – 21/139/E04
- Proposed Site Layout – Ref – 21/139/P01
- Proposed Site Layout Colour – Ref 21/139/P01 Colour
- Mews Block – Proposed Floor Plans & Elevations – Ref – 21/138/AF01
- The Bristow (Apartment Block) – Proposed Floor Plans & Elevations – Ref – 21/139/AF02
- The Marsden (2H795) – Proposed Floor Plans & Elevations – Ref 21/139/AF03
- The Bransfield (3H951) – Proposed Floor Plans & Elevations – Ref – 21/139/AF04
- The Wainwright (3H1079) – Proposed Floor Plans & Elevations – Ref – 21/139/AF05
- The Wainwright (3H1057) – Proposed Floor Plans & Elevations – Ref – 21/139/AF06
- The Ruxton (2B719) Proposed Floor Plans & Elevations – Ref – 21/139/AF07
- The Hastings (2B744) Proposed Floor Plans & Elevations – Ref – 21/139/AF08
- Proposed Main House Refurbishment and Extension of Store to form Garage – Ref – 21/139/C01
- Proposed Barn Conversion & Extension – Floor Plans & Elevations – Ref – 21/139/C02
- Proposed Dutch Barn Conversion – Floor Plans & Elevations – Ref – 21/139/C03
- *Other Plans*
- Proposed Street Scene – Ref – 21/139/SS01
- Topographical Survey – Ref A0/22B077/ 01; 02; 03

REPORTS

- Design and Access Statement prepared by LMP Architects
- Heritage Statement prepared by Graeme Ives Heritage Planning
- Flood Risk Assessment and Drainage Strategy prepared by Re:Ford
- Transport Statement prepared by Mode Transport
- Arboricultural Impact Assessment and Tree Survey Report prepared by Bowland Tree Consultancy
- Phase 1 Site Conditions Report (inc Appendices) (3 parts) prepared by Betts Geo Consulting Engineers
- Preliminary Ecological Appraisal prepared by Envirotech NW Ltd
- Bat, Barn Owl and Nesting Bird Survey prepared by Envirotech NW Ltd
- Biodiversity Net Gain prepared by Envirotech NW Ltd
- Noise and Vibration Assessment prepared by Martec Environmental Consultants Ltd
- Structural Survey prepared by RG Parkins and Partners

Pringle Homes

- 1.8 Pringle Homes is a housing development company which specialises in the delivery of high quality development sites in the North West, including the delivery of both market and affordable homes. The company also strives to save, restore and convert historical buildings with care and compassion.
- 1.9 Development sites in RV and nearby Preston, including Northcote Park, Langho, have seen the delivery of affordable housing units to a high standard with involvement from Registered Providers, along with the erection of high quality market housing.

2.0 The Site and Its Wider Context

- 2.1 The site extends to approximately 1.68ha and comprises land and buildings at Crow Trees Farm, Chatburn.

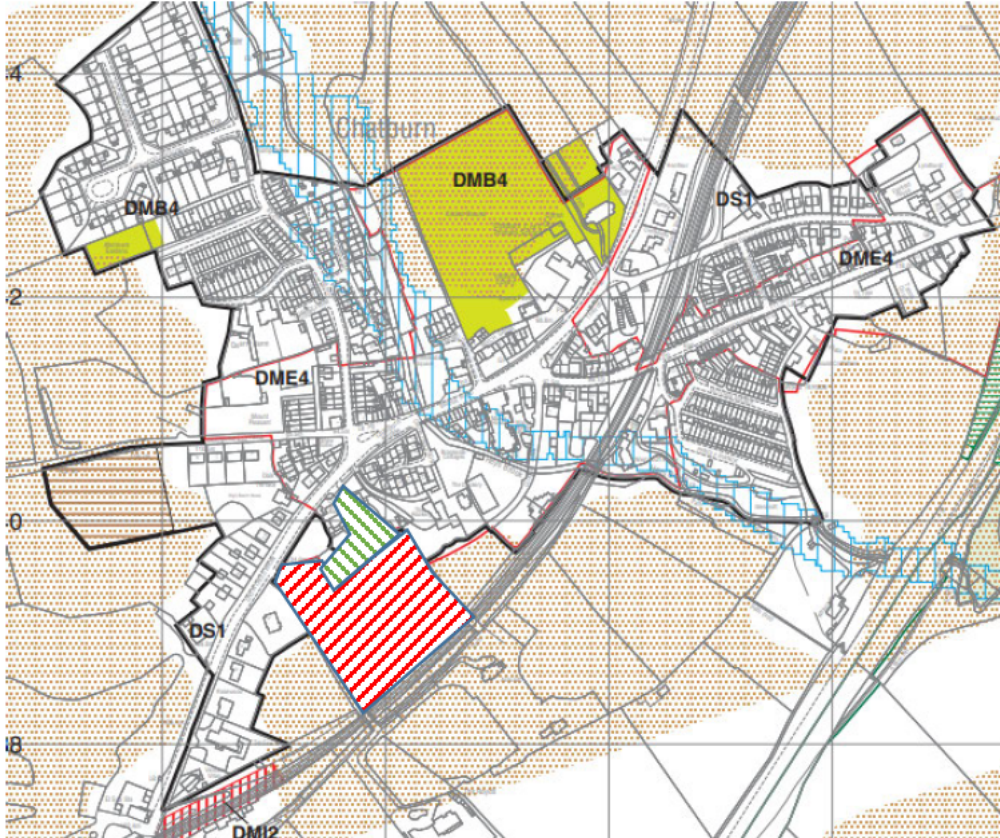


Figure 1 - Land hatched red; Crow Tree Farmhouse and Dairy Building hatched green

- 2.2 Chatburn lies 3km north east of Clitheroe and c8km north of Whalley, the larger settlements of the Borough. It is accessible to the A59 main road corridor through the Borough that provides access to the motorway network and larger towns across Lancashire.



Figure 2 - Chatburn Location

The Land

- 2.3 The c1.3ha of land comprises two fields with a central hedgerow interspersed by trees. The land is generally flat and rises gently from the rear of the farmhouse up to the southern boundary.
- 2.4 The land is contained by Crow Trees Farmhouse and other existing dwellings and gardens within the settlement boundary to the north and north east and by the Clitheroe-Manchester railway line to the south. To the south west, an access track lies within and along the edge of the land (serving two dwellings beyond the railway). This access track joins to Crow Trees Brow and provides access to the fields (and the two dwellings). Beyond the access (south west) is a further small field and further detached dwellings that front Crow Trees Brow.



Photograph of the land looking north towards the village

The Buildings

- 2.5 The existing farmhouse and a number of accompanying outbuildings lie within the settlement boundary of Chatburn.
- 2.6 The Grade II listed farmhouse is a three storey rendered building with slate roof and features dual gable elements on the northern elevation facing towards the road and a small garden. The main (front) elevation is on the south side overlooking a more formal garden with two small stone outbuildings and a now derelict glasshouse all enclosed by a stone garden boundary wall. A more recent lower height addition to the farmhouse is located on the eastern elevation.
- 2.7 Externally, elements of the farmhouse construction from the listing description² are still present including windows, stone gutter, gable copings, and end stacks (the listing entry relates to the exterior of the building only).
- 2.8 Internally, the farmhouse is now dated and in need of modernisation and refurbishment to bring it up to liveable standards. Whilst the interior of the building isn't covered in the listing, a number of original features remain (floorboards, panelled doorways, architraves); the room layout seems to remain largely in its original format, with the cellar being of most completion, albeit a change to the position of the kitchen/ dining room dividing wall is apparent. A cheese press is located in the corner of the more recent eastern room.

² From 1984



Photographs Of the Farmhouse – Front (South) Elevation/ Rear (North) Elevation

- 2.9 To the southwest of the farmhouse is a rectangular stone dairy building/ outbuilding with a slate roof that comprises a two storey element and a one storey element to the southern end. A single storey stone projection building and a partly open lean-to element abutt the building at the north (albeit these elements are in different ownership). The dairy building is understood to have last been in agricultural use associated with the farmhouse.



Photographs of Dairy Outbuilding

- 2.10 A further dutch barn building lies to the south of the dairy which has been subject to a number of additions/alterations. The land immediately around the dairy and dutch barn is separated from the fields to the rear and includes a number of fruit trees and hardstanding areas.



Photograph of Dutch Barn

- 2.11 The farmhouse and its associated garden buildings and the dairy building/dutch barn are also located within Chatburn conservation area as illustrated on figure 3 (below).

Surroundings

- 2.12 The adjacent dwelling of Crow Farm Barn is also illustrated as a listed building on the conservation area plan³. A number of important trees (understood to be subject to TPO) extend along its road frontage up to the north west boundary with the site.

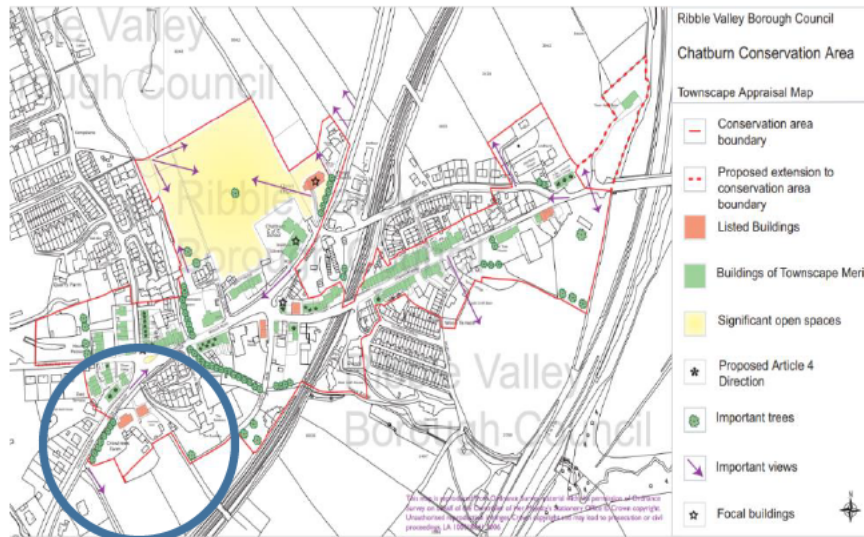


Figure 3: Chatburn Conservation Area Blue circle added around part of site for identification

- 2.13 The site lies to the south of and within the context of the village centre and residential development that lines and extends back from Crow Trees Brow/ Bridge Street that run through the centre of the village.
- 2.14 There is a mixed residential context to the village with detached and terraced dwellings of various sizes. There is also a mix of vernaculars and materials to dwellings, albeit a predominance of stone and render.

Accessibility and Services

- 2.15 The site is accessible to the local road network by two means. An existing driveway access off Crow Trees Brow serves the farmhouse dwelling and outbuildings. A separate access to the land lies further to the west along Crow Trees Brow, which also currently provides access to the dwellings of The Royds and Ashcroft (located to the south of the railway line).

³ Refer to Heritage Statement for further commentary on this



Photograph of access point to the land off Crow Trees Brow

- 2.16 The site is located close to the village centre and its services including the local food shop (SPAR) which includes a post office, pubs (Black Bull Inn, Brown Cow) and butchers. Also within the village are a library, primary school and parish church and restaurants/cafés and beauty salon/ hairdressers. A further convenience store is also located c500m to the west of the village at a petrol station along with a garden centre with café.
- 2.17 Bus services and stops are available along Crow Trees Brow with a stop within c140m of the site accesses. The bus services run at a 2-hour frequency providing access to local service centres such as Clitheroe, Grindleton, Bawley and Pendleton, and access to Clitheroe railway station for services to Manchester and Blackburn.
- 2.18 A primary cycle route also runs along Crow Trees Brow, providing alternative access to local service centres within Ribble Valley.

Planning History

- 2.19 It is understood that there is no planning history in relation to the farmhouse or dairy outbuilding nor to the land to the rear.
- 2.20 It is understood that the residential conversion of the adjacent Crow Trees Barn was granted in 1994. Subsequent to this there have been a small number of proposals for extensions and improvements to the dwelling and its accommodation (roof changes and garden shed in 2006).
- 2.21 It is also understood that planning permission was granted for the alteration of stables at the rear of the Barn dwelling to a residential annex in 2006 (ref 2006/0075), however Listed Building Consent for the proposal was withdrawn (ref 2007/0336). It must be noted that application preceded the issue of the NPPF and policy considerations in respect of heritage assets have changed significantly since that time.

Other Site Considerations and Designations

- 2.22 The map extract provided at Figure 1 also identifies the majority of the land is within a minerals safeguarding area. However, the presence of surrounding residential development and the railway line is likely to be a significantly limiting factor to any potential for future mineral extraction at the proposal site.
- 2.23 The site and surrounding land are located in Flood Zone 1.

- 2.24 There are no known ecological designations for the site or immediate surroundings.
- 2.25 The Chatburn Conservation Area was designated in 1974 and an Appraisal published in 2005. As shown at Figure 3, the boundary of the conservation area is tightly drawn around the organic pattern of development and buildings that encloses the western part of Crow Trees Brow as well as extending along Bridge Street and Downham Road. Later phases of the village, principally of terraced development, have been excluded from the designated area.
- 2.26 The land to the rear of the farmhouse is not included in the conservation area. This is different to fields in other areas of the village where the 2005 CA Appraisal recommended a modest extension to the conservation area to include a field on the south side of Downham Road and a field and farmstead on the northern side of Downham Road.
- 2.27 An 'important view' is noted on the CA Appraisal map coinciding with the existing access point in the north west corner of the land.

3.0 The Proposed Development

3.1 The proposed development comprises:

Affordable Housing Development

3.2 The land is proposed to be developed for 39 affordable housing units in a mix of 1 to 4 bed units comprising apartments, bungalows and mews and semi -detached house types as follows:

Unit Type/Name	Number of units	Number of Bedrooms	Size (sq ft)
Bristow Apartments	8	1	512-613
Ruxton Bungalow			
Semi- detached	2	2	719
Detached	1	2	719
Hastings Bungalow			
Semi-detached	2	2	744
Marsden			
Mews House	4	2	795
Semi-detached	8	2	795
Raleigh Mews House	2	3	927
Bransfield			
Mews House	2	3	951
Semi-detached	6	3	951
Wainwright Semi-detached	4	4	1079

3.3 The tenure mix is proposed to include affordable rent, rent to buy and shared ownership units. Discussions would however be undertaken with the Housing Officer at RVBC during the course of the planning application to confirm the housing tenure split and considerations for the delivery of the units to future residents.

3.4 A local Registered Provider (RP) with established housing stock in RV is in discussions with the applicant to take forward the delivery and allocation of units on the site following a grant of planning permission and construction. Progressing to a swift delivery of the site would therefore allow the prospective RP to ensure local housing needs are met quickly.

- 3.5 The RP would also maintain open space and communal areas on the site via a management agreement.

Layout, Scale and Design

- 3.6 The houses and apartments would be two storey and predominantly semi-detached in form; two runs of mews units (four units) are also proposed at the north and south of the site. One storey semi-detached bungalows would be located to the east of the site to the rear of the listed farmhouse.



Semi- Detached Units – Stone and Render Materials



Mews

Apartments



Bungalows

- 3.7 The house units would be either of stone or render materials, with the apartments and bungalows featuring a stone plinth and stone gables. All units have simple elevational forms featuring porches, gables and chimneys to provide detail and diversity to the street scene. Dwellings on corner locations at the end of runs would also include outward facing facades to provide active frontages and surveillance to the street-scene.
- 3.8 All units would have rear gardens with the apartments also having joint garden areas to the rear and side. Access to rear gardens would be via driveways or side/central pathways for access and bin movements.
- 3.9 Given the site size and arrangement, appropriate separation distances between main facing elevations are achieved.

Access and Parking

- 3.10 The new units would be accessed at the north west of the site via an amendment to the existing residential track access point.

- 3.11 The access road would be re-provided at 5.5m in width with 2m footways on both sides (with the exception of a short section on the western part of the site where a footway is provided on one side only). It would largely follow the western boundary of the site before turning north eastwards into the central part of the site. Towards the south western corner of the site the road would also maintain the access to the two dwellings south of the railway.
- 3.12 Parking to the units would comprise 1 space to one unit apartments, 2 spaces to two and three bed units and 3 spaces to four bed units in line with parking standards.

Open Space and Landscaping

- 3.13 Areas of open space would be located across the site encompassing 0.234 ha. This would include a main central area maintaining the hedgerow and majority of the mature trees through the central field boundary line; to the rear of the farmhouse and adjacent to the dairy conversion unit, and at the site access point and along the western boundary.
- 3.14 A small number of trees would be removed for the development (15 no.) primarily to the rear of the dairy building and for access areas. These have been surveyed as primarily lower quality category C or U trees. New trees would be provided along with new hedgerows to the western boundary (replacing the existing hedge) and along the southern boundary to the railway.

Farmhouse and Dairy Outbuilding

Modernisation of the Farmhouse

- 3.15 It is proposed to repair and modernise the listed farmhouse and refurbish and extend an existing garden outbuilding to form a garage to enable its upgrading to an improved residential dwelling.
- 3.16 Most works would be internal to the dwelling comprising:
- amalgamation of the kitchen and dining room via removal of the dividing wall to form a larger family kitchen living room as now required for modern living
 - re-purposing of the downstairs bathroom area
 - reuse of the vacant side extension room for a home office/ gym with introduction of a mezzanine floor with spiral staircase access; a cheese press in the corner of the room would be retained as a feature
 - review of the first floor bedroom areas and introduction of en-suite facilities to rooms
 - review of the upper level to provide a master bedroom suite with dressing room and en-suite
- 3.17 To enable the upper floor modernisation, a small number of window changes would be proposed including insertion of a small window in the side (eastern elevation) for lighting the stair access and three conservation velux roof lights in the rear facing (southern) elevation (that being the front elevation given the farmhouse facing towards the land to the south) again to improve lighting.
- 3.18 Associated repair of the building structure and roof and treatment of significant damp ingress would also be undertaken along with consideration of window conditions and replacement of other bathroom and kitchen fittings.
- 3.19 Following the storms of early 2022, a greenhouse structure in the garden area has been subject to significant damage. The adjoining garden building is also experiencing deterioration and would be extended to its western façade and undergo minor internal alterations and the addition of doors to

enable its retention and reuse as a workable garage and storage facility to the farmhouse. It is not proposed to re-provide the greenhouse to enable improved access and circulation to the garage.

- 3.20 The farmhouse would continue to be accessed from its current driveway on Crow Trees Brow with parking accessed via the lane to the rear of the garden.
- 3.21 As an existing dwelling, this modernisation should not invoke any considerations to policy requirements e.g. open space, affordable housing, etc.

Conversion of Dairy Outbuilding to Dwelling and Dutch Barn to Garage

- 3.22 It is proposed to convert and refurbish the former dairy and its southern wing to a dwelling and to provide a high quality and low impact rear extension.
- 3.23 The key frontage façade of the building would be largely retained with very minimal alterations to openings at first floor level only; there would be no alteration to its form, height or materials in associated repair to it.
- 3.24 Whilst the dairy would enable provision of a small residential unit, in line with modern expectations for agricultural conversions and family living the site enables the opportunity to consider a more substantial dwelling to complement the scale of the farmhouse and Crow Trees Barn. As a result, additional accommodation is proposed via a new rear extension that would be linked to the existing building via a glazed link so providing separation to the existing structure visually and largely physically. The rear extension would be to a lower height than the existing two storey element of the dairy and the use of stone and timber materials would reflect the current materials palette on the site. Main windows and views would be to the south and south west away from the Crow Trees Barn dwelling to respect amenity and privacy.
- 3.25 The existing dutch barn to the south would be refurbished and subject to a minor extension to provide a garage and ancillary domestic accommodation to the new dairy dwelling. It would be accessed from the existing farmhouse access point from Crow Tree Brow and via a yard area to the rear of the new dwelling and garage.
- 3.26 The garden area would be delineated largely by the existing field boundaries around the building and having regard to the setting out of gardens to the four new mews properties proposed to the immediate west
- 3.27 As conversion of an existing building, NPPF at para 64 references that this would not invoke any considerations to affordable housing.

4.0 Statement of Community Involvement

Pre – Application Engagement

- 4.1 The NPPF⁴ promotes pre-application engagement and ‘front-loading’, stating that:

‘Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.’

- 4.2 The NPPF also confirms at Section 12 (‘Achieving well-designed places’) that:

‘The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.’ (Para. 124).

Consultation with RVBC

- 4.3 In considering this site, a pre-application advice request was submitted to RVBC in 2021 to allow the opportunity to ‘*approach decisions on proposed development in a positive and creative way*’ (Para. 38 of the NPPF) and, also for any feedback that may influence the future design and site operations.
- 4.4 The pre-application advice request was made on the basis of an alternative residential option and scale of development at the site alongside the opportunity to modernise and refurbish the listed farmhouse and for conversion of the dairy building.
- 4.5 An initial sketch proposal for 9 detached units across the land was included alongside broad indication of the scope of improvements/development to the existing farmhouse and buildings.
- 4.6 An on-line meeting was held with RVBC in December 2021 and following the meeting, formal written pre-application advice was issued by RVBC in January 2022. This was subsequently followed up with further discussion and email response from the Policy team at RVBC.
- 4.7 During the pre-application process, a High Court decision to a market housing scheme in the Borough was released which has influenced the advice received from RVBC to the enquiry and also the further consideration of the scheme to be progressed on the site by the applicant.
- 4.8 The relevant feedback received was therefore a highly policy-based response to the site’s location. The response on the land related primarily to its open countryside position and a local policy restraint to development other than where it would meet a local housing need; as such a scheme for local needs (affordable housing) on the land was considered likely to be supported. Details of a local housing need in the Chatburn area, as well as in the Borough, have subsequently been supplied by RVBC.
- 4.9 General support to the works to the farmhouse and dairy conversion was given, albeit subject to full consideration of the scope of works to be undertaken given the conservation area location.
- 4.10 The response also raised potential considerations to the development of the southern section of the field areas and to potential density/quantum given a perception to a pattern of development associated

⁴ National Planning Policy Framework (2021)

with adjacent land i.e. a perceived 'southerly building line' beyond which an 'unsympathetic incursion into open countryside' could occur.

- 4.11 As a result of the RVBC engagement and the High Court decision, the applicant has, for this site, undertaken a full review of the potential scheme for the site and has therefore revised the scheme to the current proposals for a 100% affordable housing development on the land.
- 4.12 In the evolution of the scheme and having regard to the pre-application comments, the layout and high levels of landscaping in the proposals as now developed also respect the site setting and village context and have due regard to heritage, amenity and technical considerations.
- 4.13 Further assessment of the final design and aspirations for proposal having regard to the site context and relevant policy considerations is provided in subsequent sections of this report and the DAS.

Public Consultation

- 4.14 To assist the applicant in considering the need for the proposal and its relationship to the village, the applicant has engaged with the local community and Parish Council.
- 4.15 RVBC Councillors for the site ward were also contacted to inform them of the developing proposals.
- 4.16 An information leaflet was circulated on 23rd July 2022 to around 2,500 properties in the Chatburn village area advising of the proposal and forthcoming planning application and inviting any feedback and views on the proposal. A plan showing the general catchment area covered and a copy of the leaflet is provided at Appendix 1.
- 4.17 From these consultations, 13 responses with comments were received from residents via email. No response was received from the Parish Council.
- 4.18 The feedback from this consultation can be summarised as follows:
 - 4 respondents outlined support/neutral view for the proposal – including expressing interest in future occupancy at the site
 - 2 respondents outlined a split response to the proposal – some positive and some negative comments
 - 7 respondents outlined concerns to the proposal for reasons including:
 - traffic
 - loss of wildlife
 - need and whether the units would be genuinely availability to local families
 - infrastructure capacity – sewage, schools, medical services
 - effect on the stream in the village and potential for flooding from hard surfacing
 - preference for a luxury development on the site
- 4.19 Considerations to the matters raised has been given in the preparation of the supporting information to the proposals and the planning application.

5.0 Planning Policy Context and Other Material Considerations

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

“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”.

5.2 Therefore, the starting point for the consideration of any planning application is the Development Plan.

5.3 It is also relevant that material considerations will include national policy as set out in the National Planning Policy Framework (NPPF) (2021), in respect of the approach to decision making and to support and aims for development relevant to specific policy topics and the Planning Practice Guidance.

5.4 In accordance with Section 70(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Act incorporates several ‘statutory duties’ for decisionmakers, including the following:

- S. 16 (2): In considering whether to grant Listed Building Consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses.
- S. 66 (1): In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- S. 72 (1): In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

5.5 Recent case law has confirmed intentions in respect of the provisions of the Act, including that decision makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings, where “preserve” means to “to do no harm”. This duty must be borne in mind when considering any harm that may accrue and the balancing of such harm against public benefits as required by national planning policy. Case law has also confirmed that this weight can also be applied to the statutory tests in respect of conservation areas. It is also to be noted that it has also been confirmed that ‘considerable importance and weight’ is not synonymous with ‘overriding importance and weight’.

5.6 Importantly, the meaning of preservation in this context, and for both Listed Buildings and conservation areas, as informed by case law, is taken to be the ‘avoidance of harm’.

The Development Plan

5.7 The statutory development plan for the application site comprises the adopted RVBC Core Strategy (adopted 2014) (CS), which predates the issue of current national planning policy guidance, and the RVBC Housing and Economic Development DPD (adopted 2019) (HED).

5.8 In summary, the farmhouse and dairy/barn buildings **lie within the settlement boundary** on the adopted Chatburn Local Plan Map (2014) and HED Proposals Map. The land to the rear **lies outside but on the immediate edge of the settlement boundary** and is therefore **open countryside**.

- 5.9 The site area is not subject to any specific allocation e.g. for strategic employment or residential development.
- 5.10 The pertinent policies from the CS and HED relevant to the delivery of the proposals at the site are summarised below:
- DS1 –Spatial Strategy - to focus development to the borough’s principal settlements (Clitheroe, Longridge, and Whalley), and Tier 1 villages, including Chatburn, which are the more sustainable of the 32 designated settlements
 - DMG2 - Strategic Considerations – a two part policy relevant to location:
 - (1) - relevant to development ‘in’ tier 1 settlements – this is now being interpreted stringently as only applying to land ‘within’ a settlement boundary to the principal settlements and tier 1 villages
 - (2) - Outside defined settlement areas or within tier 2 villages - development to meet at least one of five criteria including (1) be essential to the local economy or social wellbeing of the area; (3) is for local needs housing which meets and identified need and is secured as such
 - DMH3 – Open Countryside development – development to be limited to (1) residential development which meets an identified local need
 - *Within the CS, the local need is to be evidenced by Housing Needs Survey for a parish, the Housing Waiting List and the Strategic Housing Market Assessment*
 - DS2/ EN3 – Sustainable Development - development to optimise energy efficiency by using new technologies and minimising the use of energy through appropriate design, layout, material and landscaping and sustainable drainage where viable. Liaison is to be undertaken with the County Council over development within Mineral Safeguarding Areas (MSAs)
 - EN5/DME4– Heritage Assets –proposals that conserve and enhance the significance of the historic environment and setting will be encouraged, with considerations for Conservation Areas and Listed Buildings⁵
 - H2 – Housing Balance – for a suitable mix of houses having regard to housing needs
 - H3 – Affordable Housing – for delivery of units on sites and with specific provisions for older persons accommodation
 - DMH1 – Affordable Housing criteria - including considerations to eligibility and provisions for occupancy

⁵ To be noted that NPPF and case law post-date the CS policies and due regard is to be had to updated interpretations

- DMH4 – Conversion of Barns to Dwellings – is encouraged where within a settlement or group of buildings and structurally capable of conversion without significant rebuilding or alterations to affect character or appearance
- DMH5 – Residential and Curtilage Extensions – proposals to alter or extend properties to accord with DMG1 and any site designation
- DMI2/ DMG3 – Transport Considerations – development should be located to minimise the need to travel. Provision is also made for a new station in the village of Chatburn.
- DMG1 – General Considerations – relating to design, layout, access, amenity, environment and infrastructure
- EN4/DME1 – Biodiversity and Trees- to conserve and enhance the area’s biodiversity and protect trees
- EN2/DME2 – Landscape and Townscape Protection – to seek to protect landscape and townscape features of significance
- DMB4 – Open Space - sites of over 1 hectare, the layout will be expected to provide adequate and usable public open space via site by site discussions
- DM6 – Water Management –

National Planning Framework

5.11 The NPPF provides a statement of Government planning policies with key areas relevant to the proposals comprising:

- Sustainable development (para 7)
- Decision making in the context of the presumption in favour of sustainable development (para 11)
- Boosting the supply of housing and meeting the needs of all sections of the population (paras 60/ 62)
- Provisions for the conservation of the historic environment including the preparation of information to describe and assess the significance of any heritage assets and any contribution from their setting (para 189); the desirability of sustaining and enhancing significance and putting them into viable uses and the desirability of new development making a positive contribution to local character and distinctiveness (para 192); consideration to impact of a development on the significance of an asset, with great weight to those most important assets and where harm does arise, a framework to considering that harm (paras 194/195). Sustaining assets via viable uses and the contribution that assets can make to sustainable communities is also recognised (para 197)

- achieving high quality design (para 92) and well designed places and making efficient use of land (para 119) are also encouraged
- protecting the environment including flora, fauna and achieving biodiversity gains where possible (para 174) and having due regard to natural resources and climate change (para 152)

Housing Need Information in Ribble Valley

- 5.12 The Council consider that there is currently a 5 year housing land supply (5YHLS) position for the Borough⁶, however it is to be noted that the government's aim is to boost supply, and appeal decisions across the country confirm that such a 5YHLS position is not a maximum or limit and can be exceeded.
- 5.13 The Housing position in the Borough is considered in the 2020 Strategic Housing and Employment Needs Assessment (SHENA) (Turley) and the report also highlights a significant level of Affordable Housing need in the Borough (88dpa). This is a clear material consideration to the proposals.
- 5.14 Affordability in the Borough is also highlighted in the SHENA.
- 5.15 The RV Corporate Strategy 2019-2023 includes an Ambition (5) to match the supply of houses to identified needs and includes an objective for providing adequate mix of additional affordable housing throughout RV and meeting the housing needs for all sections of the community. A medium priority for mechanisms for delivering affordable housing in villages is also outlined.
- 5.16 Similarly the Pennine Lancashire Housing Strategy 2009-2029 seeks a renaissance and steady growth in the housing market and outlines issues of affordability are present in the Borough. Policy aims to deliver affordable housing and rural affordable housing are included.

⁶ 2021 Housing Land Supply Statement

6.0 Affordable Housing Statement

The number, size, type, tenure and location of the affordable housing provision to be made (including reference to the definition of affordable housing in the NPPF)

- 6.1 As already confirmed elsewhere in this statement, the planning application proposes 39 no. new dwellings, all of which would be affordable homes split between affordable rent, rent to buy and shared ownership units. Also as outlined, the proposed homes include house types which range from 1 bedroom to 4 bedroom dwellings across apartment, semi-detached and mews/terraced house types and bungalows.
- 6.2 It is anticipated that the specific affordable housing provision could be secured by way of Section 106 in agreement with the Council's planning and housing officers during the course of the planning application.

The timing of the construction of the affordable housing and its phasing (e.g. by tenure)

- 6.3 Subject to the grant of planning permission, the site will be developed in one phase before transferring to a Registered Provider (RP). Subject to a grant of planning permission in late 2022/early 2023, construction could commence in later 2023 with final handover in 2024/25.

The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing (if no Registered Provider is involved);

- 6.4 Subject to the grant of planning permission, all proposed dwellings would be transferred to a RP – discussions are ongoing between the applicant and a local RP which should be concluded shortly.

The arrangements to ensure that such provision is affordable for both the first and subsequent occupiers of the affordable housing

- 6.5 It is anticipated that a Section 106 agreement could secure the affordable housing in perpetuity (in line with Homes England Capital Funding Guide). An agreement could be reviewed and agreed during the course of the application/ post a resolution to grant planning permission.

The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy shall be enforced

- 6.6 The scope of eligibility criteria for the proposed affordable housing could be agreed by the RP and RV local housing team during the course of the planning application/post a resolution to grant planning permission. This could then be incorporated in the S106 drafting.

7.0 Assessment Against the Development Plan and Other Material Considerations

7.1 The scheme proposals are essentially in three parts:

- the farmhouse improvements and modernisation and conversion and extension of outbuilding to garage
- the conversion and extension of the dairy building to a single residential unit and an adjacent barn to a garage
- 39 no. new affordable housing units

7.2 In respect of each part, relevant considerations are to:

- the principle of development arising from site designations and key policies of the development plan
- design and townscape
- heritage
- amenity; and
- other environmental and technical matters – e.g. transport and accessibility, ecology, trees, biodiversity, flood risk and ground conditions

Principle of Development

Farmhouse Improvements and Garage

7.3 As an existing dwelling within the settlement boundary, the principle of its residential use is accepted.

7.4 The key consideration is achieving a modernisation scheme that is sensitive to its listing and its conservation area setting.

7.5 The improvements to the farmhouse would be structural repair and refurbishment following structural assessment of the dwelling and modest internal and external changes that have been sensitively designed to have regard to modern living requirements. There would be no physical extension to the dwelling or material alteration to its external appearance from the works.

7.6 A structural review of the dwelling has been undertaken and this has identified a range of issues with the structure (walls and roof) and significant ingress of water and damp that is currently affecting its integrity and potential for re-occupation, factors which would only deteriorate further if not fully addressed.

7.7 The internal works to the house would maintain the overall room plan and use of areas within the dwelling and original features within the fabric of the building. It would improve on previous works and additions that have been undertaken to the house and would provide for modern family living arrangements to enable the repair and future use of the house rather than ongoing vacancy.

7.8 The minor changes to the external part of the house via the inclusion of a small window to the east elevation and rear rooflights to the lower roof to enable fuller occupation of the upper floor would be

a minimal alteration to the form and appearance of the building and have been considered to have a neutral impact on the significance of the asset in the Heritage Statement (HS).

- 7.9 The scheme for modernisation would enable the asset and its most notable features i.e. elements contained in the listing description and original internal features of merit, to be preserved. The improvement and bringing the house back into use is concluded in the HS to be a beneficial effect and impact to the significance of the asset.
- 7.10 The garden outbuilding is an aging structure that is experiencing deterioration to its walls and roof and would need to be renovated/repared to prevent further dilapidation as identified in the structural report. The works to extend it and convert it to a usable garage would be respectful to its form and height and materials and provide an associated domestic use to enable its repair and maintenance; again this is considered a beneficial impact on the significance of the farmhouse asset in the HS assessment.
- 7.11 Whilst the former greenhouse is not to be replaced, as a feature not originally part of the farmhouse site, it is not considered this would harm the significance of the farmhouse asset.
- 7.12 The submitted plans indicate the scope of improvements proposed and the structural report outlines the broad scope of works that would be required to repair the buildings. However, a planning condition could be utilised to ensure full detailed plans and method statements for works and full materials specifications are submitted for relevant approvals prior to works commencing on this phase and thus enable planning and listed building consent to be granted at this time.
- 7.13 It is therefore concluded that the proposal accords with S16 of the Listed Building Act and para 197 of the NPPF for sustaining and enhancing the asset and putting it to viable use and for improvements that maintain and to positively contribute to the setting and local character and the vernacular of the conservation area.
- 7.14 It is therefore considered this element of the application can be progressed in line with heritage guidance in national policy and provisions of policies EN5/ DME4 of the CS.

Dairy Outbuilding Conversion and Improvement

Principle

- 7.15 As a building/location within the settlement boundary, residential use is acceptable and policy DMH4 enables residential conversion of barns/ agricultural buildings where criteria are met. Given the conservation area location and proximity to the listed farmhouse, the works are also to be considered for impact on the assets.
- 7.16 Initially, it is relevant to reference that following input from the heritage advisor, it is considered that the dairy and barn to the rear are not curtilage listed in connection with the farmhouse. This is based on a review and findings of caselaw⁷ and advice from Historic England (HE) that has concluded that assessment of whether a building is listed by virtue of being within the 'curtilage' of a listed building relies on a number of factors, including: physical layout, ownership past and present, use or function past and present, and whether considered 'ancillary' to the listed building.
- 7.17 As such, it has also been determined in caselaw that the whole of a farm cannot sensibly be considered to form the curtilage of a listed farmhouse; in the case referenced it was held that where the curtilage was physically separated or functionally distinct, notwithstanding the fact that a house and barn formed part of the same farm, it did not mean that barns within an agricultural holding were within the curtilage of the farmhouse. HE guidance has further concluded on the caselaw that whilst the primary use of the

⁷ Debenhams Plc v Westminster City Council [1987] AC 396;
R (Egerton) v Taunton Deane Borough Council [2008] EWHC 2752

farmhouse was as a house, the primary use of the barn was agricultural. It was not being used, for example, to store domestic items, or as a children's playroom or staff quarters etc. The barn (in the case) was therefore considered outside the curtilage and not listed.

- 7.18 The immediate listed curtilage of Crow Trees Farmhouse is considered to be clearly defined by the boundary wall that encloses the house and its domestic garden. The former dairy building and barn are separated from the house by the joint access and narrow lane that form part of the wider farm complex. Therefore, given the decision of the 'Egerton' case, the dairy building and barn should not be considered as a 'curtilage listed building' and LBC should not be required for the works of alteration or extension.
- 7.19 The key consideration is therefore achieving a quality residential scheme and an appropriate residential relationship with the setting of the farmhouse and the conservation area as well as residential amenity considerations (separation /privacy and access as considered further below).

Design and Heritage

- 7.20 The conversion of the dairy has been sensitively designed to have regard to the requirements of policy DMH4 via the scope and form of the proposal including:
- the key front elevation form and openings would be maintained and the existing structure and materials retained and repaired wherever possible
 - the rear changes to the southern element of the building would be minimal with the use of glazing minimising the visual impact of changes
 - the building could be converted without direct extension to it; the proposed extension would be essentially divorced from the existing structure and only be linked by a minor physical change via the glazed link
 - the extension would be of high quality design quality, subservient to the existing building by orientation, scale and height and materials and therefore would not harm the character of appearance of the dairy building from main views of it from the front, or from the farmhouse
- 7.21 Similarly the conversion and minor extension of the dutch barn to form a garage and ancillary accommodation would also reflect the key criteria for being in the settlement and a group of buildings and the changes would retain the overall character, scale (height) and materials of the existing building.
- 7.22 Both structures have been subject to structural inspection identifying various issues to the form and fabric of the buildings, but confirming that remediation and refurbishment works could be undertaken to convert the existing structures without significant rebuilding and to make good the issues.
- 7.23 The scheme plans therefore enable the buildings to be maintained at the site and reused for viable purpose rather than being left for further disrepair and, in time, likely collapse.
- 7.24 Fuller details of the conversion and repairs including method statements could be conditioned for further approval prior to works on the phase commencing.
- 7.25 The HS has identified that the dairy and barn have a positive contribution to the setting of the listed farmhouse building and character and appearance of the conservation area. The works to adapt and convert them to residential use and with the carefully designed and high quality extensions have been assessed to be appropriate and have neutral effect, and therefore to maintain this positive contribution to setting in line with the 1990 Act and the NPPF.
- 7.26 It is also considered the setting out of the domestic curtilage to the dwelling which would marginally extend beyond the edge of the settlement boundary would be appropriate as it would follow existing features and not result in visual or landscape issues.

7.27 It is therefore considered that this element of the proposals would have due regard to policies DMH4 and DMH5 for conversion of barns in settlements and to the heritage/setting requirements of the Act, national policy and local policies EN5/ DME4.

7.28 It is also to be noted that residential conversion of a barn on the farm site has previously been accepted via Crow Trees Barn to the immediate north; a high quality scheme should again be acceptable to the site and it's setting, having regard to national and local policy.

Land to The Rear

7.29 The proposal would deliver high quality family dwellings on a highly accessible edge of settlement site.

Principle

7.30 The spatial strategy of the CS outlines that tier 1 settlements such as Chatburn are to be the focus of new housing development after the Standen Strategic site (to the south of Clitheroe) and the three principal settlements of the Borough, given the greater sustainability of such larger villages; Chatburn has a range of facilities and amenities and is accessible by a range of means and therefore is an appropriate location for further residential development in principle.

7.31 Having regard to current assessment of housing policies in the Borough, as the land lies outside the settlement boundary and is designated as open countryside, the potential for appropriate rounding off or sustainable extensions to villages is not currently considered by RVBC to align with policy DMG2 (1)⁸. However, Part (2) of the policy outlines criteria to enable development on such land, specifically for local needs housing which meets an identified need or where essential to the local economy and social well being. Similarly, policy DMH3 for development in the open countryside, also enables residential development where it meets an identified local need.

7.32 This element of the proposal would deliver all units as affordable housing in a range of tenures.

7.33 This delivery has full regard to a high level of local housing need in the Chatburn area and the Borough for affordable housing. Figures from the current RVBC Borough Waiting List have been provided to the development team in Spring and Summer 2022. From this, it has been confirmed to the applicant that the level of need comprises:

Chatburn

- 1 bed - 82 applicants,
- 2 bed – 43 applicants,
- 3 bed – 28 applicants,
- 4 bed - 9 applicants.

General waiting list

- 1 bed – 435 applicants,
- 2 bed - 287 applicants,
- 3 bed - 151 applicants
- 4 bed - 32 applicants.

- Total - 955

Figures from RVBC - July 2022

⁸ Following the High Court decision relating to land at Clitheroe

- 7.34 It is also clearly demonstrated in the RVBC current Housing Study (Turley (2020)) that there is a need to deliver at least 88 affordable units per annum to meet housing and affordability needs in the Borough.
- 7.35 The applicant has been in dialogue with and secured interest from a local RP to progress the delivery of the housing units given their knowledge of the need and requirement for such housing in the Borough, and their experiences in how the existing housing stock they operate have a high occupancy level and are quickly taken up. The RP have recently met with the Housing Officer at RV to discuss the site and its delivery and will continue to maintain relevant dialogue through the course of the application and thereafter if planning permission is granted to ensure relevant occupation of the units. A supporting statement from the RP is provided at Appendix 2.
- 7.36 The pre-application feedback to the site obtained in early 2022 identified that affordable housing on the land may be appropriate should the level of need be determined and demonstrated.
- 7.37 The support for delivery of affordable housing as seen in the local public consultation further demonstrates a local need for this type of housing in the Chatburn area.
- 7.38 Given the significant level of need identified and in line with the national aim to boost the supply of housing and meet wide ranging housing needs, it is clear that the local need is demonstrated and the criteria of policies DMG2 and DMH3 met.
- 7.39 The further criteria of DMG2(2) in relation to contribution to the economic and social wellbeing of the Borough would also be met by the proposal. During the construction phase, there would be strong local employment opportunities and benefit to local suppliers; as Pringle are a local company, a larger proportion of their contractors are local to the Borough and Lancashire. The new residents would also add to the local economy to support the local shops and services in the village and wider settlements in the Borough.
- 7.40 Similarly in relation to social wellbeing, providing for identified local housing need in the area and enabling additional residents to maintain support to local facilities and services would be of key importance.
- 7.41 It is therefore considered this element of the proposal would be policy compliant with relevant housing and strategy policies of the CS and housing policies of the NPPF.

Design and Landscaping Considerations

- 7.42 Following on from the clear local need for the delivery of affordable housing in the area, the scheme has been designed as a high quality, low density proposal that provides a range of house types and sizes that would meet the local need identified in the Council's waiting list information.
- 7.43 The scheme has also been fully considered in the context of the development plan and NPPF design and townscape aims for the creation of high quality buildings and places and for sustainable development that provides better and accessible places to live, and to maintaining landscape and visual context.
- 7.44 The land lies on the immediate edge of Chatburn village centre and is directly accessible from a main vehicular and pedestrian route into and through the village centre. It is suitable for development in terms of topography, form and conditions and would form a logical extension to the village form by way of its physical relationship to the existing settlement and its containment by the railway and landscaped boundaries and other residential properties.
- 7.45 The land is also highly visually contained by its boundary features and topography and there are very limited views of it from outside the land. Due to the presence of the dwellings to the south of the railway this also prevents open views of the land from the wider countryside to the south.
- 7.46 Any views within or of the land from its immediate surroundings are in the context of the settlement edge and residential development rather than a fully open or isolated countryside context. As such,

the proposal would not result in encroachment into a wider open landscape or to undeveloped long range views.

- 7.47 Whilst the access track at the north western corner is identified as a key view on the Conservation Area Appraisal map, the minor improvements to the access point proposed would not materially alter the existing immediate view from Crow Tree Brow pavement. In addition, the layout sets units back from the access point and access road to limit immediate views of the development whilst the initial open space area and parking court in the north west corner of the site would also soften the initial views and still enable open views along the western edge of the site/ access road.
- 7.48 The development of the whole of the land is therefore appropriate for the high quality development given the physical and visual context of the land and the level of housing need present in the area and Borough.
- 7.49 The layout acknowledges the site location, immediate surroundings and key site features, maintaining and improving the existing access, ensuring appropriate relationships to existing buildings, particularly the farmhouse, and retaining the majority of trees and key hedgerows on and around the site.
- 7.50 The units are arranged to maintain views through the site either along roads, landscape/ open space areas or via garden runs, and visual separation to the edge of the conservation area and listed farmhouse via the northern landscape areas and gardens.
- 7.51 The layout also enables all units to have private gardens, parking and relevant separation distances for amenity whilst all units face out onto roads, driveways or parking courts for surveillance and security.
- 7.52 The scale of development is of an appropriate density for the site and village context at 23dph⁹ and reflects the grain and typology of other areas of the village e.g. Crow Trees Garden and recent development at Sawley Bridge Road/ Ribblesdale View and Old Road.
- 7.53 Ensuring efficient use of land whilst providing high quality development is a key aim of national guidance and use of all of the fields for development is therefore appropriate given its containment by the railway line and boundary features.
- 7.54 The scale and height of units at one and two storey also fully considers the site context and surroundings to enable a sensitive visual appearance and vernacular whilst also providing key focal points in the site, for example the mews in the north west corner and the corner turning units. Additionally, the stepping down to one storey form in proximity to the listed farmhouse and the linear orientation of the closest units immediately to the rear of the house would enable views from the farmhouse to be largely maintained looking outwards 'over' the land.
- 7.55 As previously outlined, the form and mix of units including one bed apartments, albeit in a semi-detached house form, two, three and four bed houses alongside bungalows would provide a housing mix to meet local needs and for good community making as encouraged in local and national guidance. Reflecting the housing mix policy and for over 55s accommodation, the scheme would allow 15% of units to be reserved for such age occupation (bungalow and apartment forms) and would be fully accessible in line with building regulation requirements.
- 7.56 The design and materials of the units have also taken clear cues from the local townscape and surrounding properties as referenced in the DAS, including the simple elevations, use of gables, pitches and porches. The use of stone or render with slate roofing as the materials palette would fully align with the predominate vernacular of the village and result in a high quality appearance to the site.
- 7.57 It is relevant that Pringle Homes have developed an element of affordable housing at the Northcote Park site, Langho; these units have been delivered to a very high standard including larger room sizes

⁹ Dwellings per hectare

to other affordable housing providers, attractive designs and use of materials and quality fit out and appealing surroundings including public realm and open spaces.

- 7.58 The layout would also deliver a significant amount of public and private open space on the site; three main areas of landscaped open space for amenity and biodiversity would be provided at the site entrance and along the access road, the central corridor retaining the hedgerow and trees, and to the immediate south of the farmhouse. Supplemented by private garden areas as additional greenspace, this would further assist in ensuring a quality and low density extension to the settlement. Whilst there are no specific guidelines for open space levels on development proposals in the Borough, the open space provision on the site is significant and the site is highly accessibility to the wider village facilities including the playing field and children’s play area at Sawley Road.
- 7.59 The site landscaping via new and replacement hedgerows and trees would enable a green setting for the site development and retain ‘soft’ views of the site from the surroundings.
- 7.60 From the above information and relevant information in the DAS, it is considered the development of the land for residential units as proposed is in accordance with the design and townscape and landscape policies of the CS including policies H2, H3, and criteria or DMG1 and DME2 and the NPPF.

Heritage Considerations

- 7.61 Following on from the design and landscape considerations above, the layout and design of the proposals have been highly influenced by the heritage context of the site and its proximity to the setting of the listed building and conservation area; full assessment of the heritage considerations of the proposal have been undertaken (within the HS as submitted).
- 7.62 In the HS, the fields are considered to have a functional linkage to the listed building and positive impact on it’s setting and to the conservation area.
- 7.63 From assessment of the scheme plans it is evident and concluded that the development would result in change within the wider setting of the farmhouse and area albeit it is considered the immediate setting of the farmhouse would be preserved via the immediate presence of the garden and the retention of the boundary wall to which there would be no effects or changes from this element of the proposals.
- 7.64 The impact on the wider setting of the building visually would also be limited primarily to the eastern most field area only as the central hedge and trees that would mostly be retained would filter views to and from the western field.
- 7.65 As such, the development of the fields in principle in respect of heritage is considered to represent a less than substantial level of harm on the setting and significance of the listed building, thus the lowest level (of harm) referenced in national guidance.
- 7.66 In then considering the provisions of the Act, case law has determined that whilst a presumption to preserve (rather than harm) is strong and desirable, it is not irrebuttable, whilst the NPPF (para 202) also outlines that other interests and related benefits can be weighed to any limited harm to listed buildings or conservations areas.
- 7.67 As such, the other elements of the application proposals which are assessed as having beneficial direct and indirect impacts from improving the condition of the farmhouse for relevant modern re-occupation and maintaining the dairy/ barn building that contribute to the setting of the farmhouse from likely dereliction etc, when applied with the less than substantial harm arising from the wider field development, the overall impact on the farmhouse is considered neutral (as could also be inferred for the conservation areas asset).
- 7.68 It should therefore follow that the provisions of the Act and NPPF and CS policy EN5 (as up to date to the NPPF) are addressed.

- 7.69 Should officers consider this conclusion is not fully achieved, the HS outlines that a balance against other public benefits of a proposal can be relevant to consider and where other benefits are present, this can enable support that planning permission be granted.
- 7.70 This reflects para 196 of the NPPF which outlines that if the less than substantial harm is considered by officers, this is to be weighed against public benefits including heritage and other benefits.
- 7.71 Reflecting this, the Planning Practice Guidance recognises the following guidance on public benefits *'public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in NPPF. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at larger and should not just be a private benefit. However benefits do not always have to be visible or accessible to the public in order to be genuine public benefits'*
- 7.72 It is therefore contended that other public benefits do arise in respect of:
- Delivery of a range of affordable housing types and tenures that meet a clear and evidenced local need for such housing
 - High quality development in terms of design and materials to accord with the local townscape and vernacular
 - Biodiversity net gain on the site – as set out below, the proposals will (currently) result in biodiversity net gain of over 20%, this being significantly above the level that is referenced in the legislation to be introduced in 2023; recent appeal decisions have held that any uplift in biodiversity is a clear material benefit to a scheme (in advance of the statutory level being confirmed)
 - An accessible development by a choice of means that clearly allows movements by other means to the car
 - A highly landscaped and contained extension to the village that does not harm the wider views of the village and surrounding countryside and indeed would not result in sprawl into open or more undeveloped areas of countryside around the village
 - Economic benefits associated with construction jobs and resident spending within the local area.
- 7.73 As such, there are a number of benefits arising from the development which would clearly and demonstrably outweigh any low level of harm to the heritage assets should the neutral conclusion not be concurred with, such that there would still remain no conflict with the heritage policies of the CS or NPPF.

Amenity Generally

- 7.74 The full scope of the application proposals would not result in any significant impact on the amenity of neighbouring residents. This reflects the location and separation of the proposed units from surrounding properties and the retention of existing and provision of additional boundary landscaping and visual screening that would be provided (e.g. to The Rookery and Crow Trees Barn being the closest properties).
- 7.75 The dairy conversion and extension has been designed to minimise any potential views from Crow Tree Barn (via height and positioning behind the existing boundary buildings of that property) and by setting windows and doors to the extension and the one story section of the rear elevation away from the rear views from Crow Trees Barn.

- 7.76 The layout also enables relevant offset distances between all proposed new units for privacy and amenity.
- 7.77 The lighting of the site could be appropriately designed to prevent light spill beyond site boundaries for visual amenity (as well as for ecology considerations).
- 7.78 Technical noise and vibration considerations for the development of the land due to the proximity to the railway line are referenced below and confirmed to be acceptable.
- 7.79 As such, the proposals accord with the relevant amenity criteria of policies of the CS and the aims for high quality design in NPPF.

8.0 Environmental and Technical Considerations

Flood Risk Assessment & Drainage Strategy

- 8.1 The development plan and NPPF include policies on flood risk and drainage. These policies state that proposals should be directed away from areas which are at the greatest risk of flooding and should not increase flood risk elsewhere.
- 8.2 The FRA and Drainage Strategy prepared by Re:Ford confirms that the site lies in Flood Zone 1 which has the lowest probability of flooding and that the flood risk from all sources is low. As such, there are no undue flooding constraints to the site development and layout/ form of development as proposed.
- 8.3 The FRA has also assessed the surface water run-off potential from the site development.
- 8.4 A proposed drainage strategy has been prepared that illustrates the site can be drained towards the north east corner and join into the existing sewer infrastructure in the roadway of Crow Trees Brow. Necessary easement widths to enable connection to this system have been reflected in the layout. The submitted drainage strategy design can therefore be fully detailed and agreed pursuant to a suitably worded planning condition.
- 8.5 Foul discharge would also be dealt with in similar direction towards Crow Trees Brow sewer utilising the landform and slope. A suitably worded planning condition could also be utilised to cover this requirement.
- 8.6 The FRA and DS considers relevant matters and confirms that the development of the site can be appropriately designed and managed to not result in flood risk in line with policy DM6 of the CS and climate change and flooding policies of the NPPF and can utilize and build upon the existing drainage regime in the area for an efficient use of infrastructure.

Trees

- 8.7 The development plan and NPPF outline that trees should be maintained wherever possible, or replacement provision made if losses were to occur.
- 8.8 The site has been surveyed for the presence and health and standard of trees by Bowland Tree Consultancy. This assesses trees within and on the perimeter of the site and concludes that there are only a small number of trees around the boundary and within the central hedge line that are of medium/higher quality, most of which being off site, and all of these will be retained.
- 8.9 To account for the development proposals and given the current poor health of some trees on site in any case, 15 trees that are all of lower quality (C or U category) are recommended for removal. The lower quality hedge along the western boundary would also be removed to enable the replacement access road to be implemented and small sections of the central and northern hedge would also be removed for the access and garden areas. (These losses have also been assessed for ecological considerations as below).
- 8.10 An Arboricultural Impact Assessment has also been prepared which makes recommendations for erecting tree protection fences to retained trees and hedges to ensure there is no undue harm during the construction process. An Arboricultural Method Statement is also recommended if construction works are proposed in close proximity to retained trees which could be secured and provided via a suitably worded planning condition.

- 8.11 Replacement trees are indicated on the site layout plan (currently to c13 trees) along with replacement and new hedges, however a full landscaping scheme would be prepared for the site which would confirm the final levels of new planting at the site, with predominance to native species as recommended by the ecological consultants. A landscaping scheme could be ensured via a suitably worded planning condition.
- 8.12 Provision for trees and landscaping would therefore be in line with policies DMG and DME1 of the CS and the NPPF.

Ecology and Biodiversity

- 8.13 The development plan and the NPPF make it clear that proposals must aim to conserve and enhance biodiversity by seeking to avoid harm (if possible), by providing mitigation and by encouraging opportunities for biodiversity in and around developments. Whilst statutory levels for biodiversity gain are not yet enacted in legislation, the key aim for uplift in site biodiversity gain has been considered by the development team.
- 8.14 Envirotech have assessed the site and prepared a Preliminary Ecological Appraisal assessing the sites habitats and potential to support wildlife. Following the site walk over and building surveys, species surveys for bats, birds and owls were also undertaken.
- 8.15 In summary the Ecological Assessment reports found that:
- the site is not covered by or adjacent to any sites that are the subject of statutory or non-statutory protection and no such sites would be affected by the development
 - habitats on the site are of limited ecological significance and not unusual; the hedgerows are not considered to be classified as important under the Hedgerow Regulations (1997) as none have the required number of woody species per 30m length, but are a BAP habitat and should be retained where at all possible
 - the land has some potential for foraging bats and the retention of most trees and hedgerows will maintain this role; there was considered limited potential for other species on the land (amphibians, badger, hare, reptiles, birds), with only hedgerows potentially offering species usage and as such features are largely to be retained or re-provided, no further mitigation was recommended
 - the buildings on the site were also assessed and bat inspection and emergence surveys were undertaken in line with guidance. The farmhouse including the cheese room element and the dairy barn were confirmed to be used by bats for roosting with soprano and common pipistrelles seen emerging
 - there was also potential for barn owls to the vacant buildings however no evidence of use was found and no mitigation recommended. Potential for nesting birds was found and one active nest was observed in the open barn
 - no invasive species were found
- 8.16 Recommendations have been made in respect of the landscaping scheme to maintain and enhance biodiversity at the site. This includes the utilisation of plants which are native and wildlife friendly. In particular, night flowering species would be beneficial to bats along with wildflower seed to maintained open space areas and plant verges to enhance the ecological value of the site and continuity between the site and the wider area.
- 8.17 Recommendations have also been made in respect of the presence of bats on the site. This includes obtaining a Protected Species Mitigation Licence (PSML) before works take place at the site in relation to works on the existing farmhouse and dairy buildings. Specific mitigation

measures are also outlined that would be furthered in the relevant licence application(s) which would include the provision of replacement roosting features and bat access to the buildings as well as the specification of roofing materials. As such, it is considered that the proposals could be progressed with due regard to existing bat presence on the site.

- 8.18 In respect of nesting birds, mitigation is again possible in terms of the timing of works and re-checking of areas for nests prior to works. Further nesting provisions were also recommended to be incorporated in the development of new houses which could be in the form of bird bricks or artificial nest boxes for swallows and other species, as is common practice.
- 8.19 Such measures could be delivered via the development being undertaken in accordance with the Ecology Report pursuant to a suitably worded planning condition.
- 8.20 To supplement the normal habitat and species surveys, the site has also been subject to review against the recently introduced Defra Biodiversity Metric 3.1 calculator. This assessment has identified existing site area biodiversity units and terrestrial linear units on the site.
- 8.21 The site layout plan has been used to identify that there would be two retained habitats, two enhanced habitats and one created habitat, which when put into the Biodiversity Metric 3.1 would comprise a total of 4.61 biodiversity area units and 2.37 terrestrial linear biodiversity units.
- 8.22 From the layout plan, the enhanced habitat area would consist of 0.243 ha of modified grassland enhanced to neutral grassland in moderate condition. This would be planted with wildflower seed and managed by extensive cutting and removal of risings in order to improve condition. Other provisions from the layout include that the garden area of the dairy conversion including orchard trees could receive supplemental planting of new orchard trees with a similar management regime and over sowing of grassland. The inclusion of 13 urban trees to be planted as heavy standards and the retention of the majority of the existing central hedgerow with trees and further new native hedge planting to the railway is also referenced.
- 8.23 From this assessment, under the current proposals on the layout, there would be a GAIN of 0.78 (+20.39%) biodiversity area units, and a GAIN of 0.10 (+4.53%) terrestrial linear biodiversity units. This level of gain is significantly above the 10% target that is currently being indicated as the likely forthcoming national 'guidance aim' and therefore represents a significant benefit and improvement on the site conditions.
- 8.24 In light of the above, the proposed development is therefore in accordance with criteria of policies DME1 and DMG1 of the CS and Paragraphs 174 and 180d of the NPPF.

Transport Statement

- 8.25 The development plan outlines that new development should be located in accessible locations that are adequately served by existing highways, public transport and with safe and secure access for all. NPPF also encourages accessibility by a choice of means and that development should only be prevented or refused on transport grounds where residual cumulative impacts are severe.
- 8.26 Mode Transport has prepared a Transport Statement (TS) to support the planning application. In summary, the TS concludes that:
- the proposed development accords with relevant national and local policy aims with regards to transport and highways matters
 - the site is accessible by a range of sustainable modes of transport including on foot, cycle, and bus and also by train via linked trips either using bus or cycle as well as by car. Bus

stops are close by, within a c140m walk, enabling opportunity for access by bus to surrounding centres of Clitheroe, Whalley and other surrounding villages

- the development has been assessed in terms of traffic generation and capacity of the adjacent network and to recent safety records and there is no evidence to show the proposed development would have a detrimental impact on highway safety
- the vehicular access to the main housing site would be provided from the site's north western boundary via improvement of an existing access point that can provide appropriate visibility splays and opportunity for a footpath access also; this route would also maintain access to existing dwellings to the south of the site and railway
- footpaths along the access road through the site would enable permeability and safe access into/ through the site for residents
- swept path analysis shows that a 9.8m refuse vehicle can enter and exit in a forward gear via safely manoeuvring within the proposed internal road turning head layout; and
- appropriate parking levels to RVBC standards can be achieved to all units in the site and to the farmhouse and dairy conversion

8.27 Based on the above, it is concluded that the proposed development would have a negligible impact on the local highway network and is highly accessible to enable realistic alternatives to single occupancy car travel. It is therefore concluded that the proposed development would not have a severe impact on highway matters such that there should be no highways or transportation reasons to preclude the granting of planning permission.

8.28 It is therefore considered that the scheme accords with policies DMG3, DM12 and DMG1 of the CS and para 111 of the NPPF.

Ground Conditions

8.29 The site has been assessed via a Phase 1 Ground Conditions review by Betts Geo Environmental Consulting.

8.30 This has identified that the site has been in farm use since at least mid 19th century via the buildings and the land being open fields.

8.31 There are no records of made ground or contamination on the land and no coal mining activity in the area. Some information on radon potential is present and a specific review of this element would be recommended as part of a standard detailed site investigation. Buildings are also to be assessed in respect of potential asbestos (small shed).

8.32 There are limited records of contamination considerations in surrounding areas and as such the site is considered to be low-medium risk for contamination or ground gas.

8.33 Following review of the initial ground conditions information, a phase 2 site investigation is recommended and from which a remediation strategy could be formulated along with verification proposals if necessary. This could be secured pursuant to a standard planning condition for submission of such information prior to development commencing.

8.34 Given the minerals safeguarding designation, LCC Guidance Note M2: Minerals Safeguarding Areas (2014) outlines that presence of a MSA does not preclude development being permitted and that assessment against the considerations of policy M2 should be appropriate to the scale and nature of the proposal.

- 8.35 A key consideration is whether the scale and size of the potential mineral deposit or its positioning relative to other uses and potential for transportation to market would influence the viability of the resource or make it economic to be worked such that sterilization may not be an issue (page 5 of the Note).
- 8.36 Having regard to considerations in the policy, the criteria of the need for the development and issues of prior extraction would be highly relevant in this case. The high need for affordable is of clear relevance whilst the small scale area of the site and its surrounding residential and railway/ transport infrastructure context would severely impact on the potential for extraction. It is therefore considered that policy M2 can be met to negate prior extraction requirements and the permission be granted.
- 8.37 In light of the above, provisions in line with PoliciesDMG1 and EN3 of the CS can therefore also be met.

Noise and Vibration

- 8.38 The site is located adjacent to the Ribble Valley rail line which lies in a cutting to the south of the site. Whilst train movements are limited, the potential for noise and vibration has been assessed by Martec Environmental, along with considerations to potential for road noise from the highway of Crow Trees Brow.
- 8.39 From this assessment, it has been concluded that the site can be developed for housing as is proposed on the layout plan. Assessed noise levels result in a low risk category designation where the noise levels are 'likely to be acceptable' if a good acoustic design process is followed to address a small exceeded of relevant noise levels at night-time (from potential train movements).
- 8.40 It is concluded that the use of standard thermal glazing would be possible to the southern dwellings, but as windows would need to be closed to address train noise at night (should such movement occur), that inclusion of trickle vents with an indirect airpath would be relevant to enable appropriate ventilation to such units.
- 8.41 The assessment has also referenced that a low level of noise exceedance from traffic on Crow Trees Brow could occur to the garden area of plot 1, being closest to the road. Provision of an acoustic fence to this boundary is therefore recommended.
- 8.42 It is also concluded that vibration levels would be within the "adverse comment not expected" range contained in BS.6472-1:2008 for night-time vibration and be very unlikely that SOAEL levels would be approached let alone exceeded
- 8.43 Given the above, the proposed development is demonstrated to be acceptable in respect of noise and vibration considerations and to accord with the amenity criteria of policy DME1 of the CS and relevant amenity considerations of the NPPF.

Energy Efficiency and Reduction

- 8.44 The scheme would seek to encompass a range of energy efficiency and low carbon considerations within the fabric and fit out of units.
- 8.45 Within the dairy conversion the proposals would include solar panels to the rear (south) facing roof of the extension and to encompass glazing to enable significant natural lighting and heating. Local and sustainable sourced timber would also be sought.
- 8.46 In respect of the affordable units, insulation and energy efficient heating and service appliances would be incorporated as well as low energy lighting.

- 8.47 The detailed design and fit out phases would also seek to encompass additional provisions as possible.
- 8.48 As such, the proposal would align with the aims of policies EN3 and criteria of DMG1 and aims of NPPF for mitigation for climate change.

Summary

- 8.49 From the above and assessment of the submitted technical reports, there are no technical matters which would preclude the grant of planning permission for the proposed development.

9.0 The Planning Balance and Conclusions

- 9.1 The development has been assessed against relevant up to date policies of the development plan and found to be in accordance. Other material considerations weigh in favour of the proposals and do not indicate that the application should be determined otherwise than in accordance with the development plan. It has also been assessed against the relevant statutory provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 and is found to accord.
- 9.2 Given the site location, the proposal elements for improvement of the farmhouse dwelling and conversion of the dairy within the settlement boundary are acceptable and in line with relevant policies of the development plan. The affordable housing would meet a clear local need that is evident in RVBC Waiting List information and other studies to accord with criteria of the settlement strategy and open countryside policies of the adopted plan.
- 9.3 The supporting information to the application also demonstrates that the proposal is considered in accordance with design, landscape and technical policies of the CS.
- 9.4 The proposed development is in accordance with relevant policies of the NPPF when considered as a whole and contributes positively to sustainable and accessible development that will meet a range of housing needs.
- 9.5 In line with para 11c of the NPPF, and the presumption in favour of sustainable development, that is in accordance with the development plan and where material considerations weigh further, planning permission should be granted without delay.
- 9.6 In respect of the three elements of sustainable development of NPPF, the proposal provides significant relevant benefits as follows:

Social

- provision for local affordable housing need in the Borough to meet an identified and current need
- an experienced RP is in detailed discussions for delivery of the site quickly to address this need
- provision of usable open space on the site for the benefit of residents
- delivery of a high quality and secure living setting
- restoration and retention of a listed building that is historically associated with the village as well as retention and viable reuse of it's associated group buildings to maintain the local asset
- support to local facilities and services – via new population and consumer expenditure

Economic

- local jobs support for construction companies and related local suppliers
- consumer expenditure from future residents to support local businesses

Environmental

- accessibility by a range of means with cycle, foot and bus accessibility to the site and to nearby shops and services possible to minimize car journeys and emissions
- significant biodiversity gain and provision of landscaping and new tree and hedgerow planting to the site whilst maintaining key trees on and around the site
- no undue floodrisk to arise
- no harm to heritage assets and indeed specific improvement to the listed building via its refurbishment and bringing back into viable use
- no harm to ecological assets
- delivery of a high quality built environment that respects neighbouring uses and amenity
- development of a character and scale which is in keeping with the locality in terms of built and natural environments

- 9.7 in determining the application for full planning permission and listed building consent, the Council has statutory duties under the 1990 Act. The scheme has had due regard to the desirability of preserving listed buildings, the setting and features of special interest and the desirability of preserving or enhancing the setting of the conservation area via the detailed design process and assessment of the importance of the assets in the HS. The effects of the proposed development on the assets, including potential for harm has been evaluated and found to be at the lower end as 'less than substantial', and with the benefits arising from the restoration of the farmhouse, to be of neutral impact. Additionally, by reference to the Framework, the further public benefits of the development i.e. delivery of affordable housing and biodiversity gain, can also be positively weighed in the assessment of harm if further considered necessary.
- 9.8 It is therefore considered the proposals satisfy the requirement of s66(1) of the Planning (Listed Building and Conservation Areas) Act to enable planning permission to be granted.
- 9.9 The applicant therefore respectfully requested that RVBC grants planning permission without delay.

Appendix 1



PRINGLE
HOMES

Public Consultation for Crow Trees Farm Residential Development Proposal

This leaflet is being circulated throughout Chatburn in order to notify the local community of a forthcoming planning application by Pringle Homes.

Pringle Homes is a local family run business which specialises in the delivery of quality family homes throughout the North West, including their recent Ribble Valley site 'Northcote Park' near Langho.

The company also strives to save, restore and convert historical buildings with care and compassion.

The Proposal

The proposal comprises a sustainable extension to Chatburn on land to the rear of Crow Trees Farm, close to the village centre. It is proposed to deliver up to 37 new high quality affordable homes for local needs and local people, with a mix of ownership and rental properties.

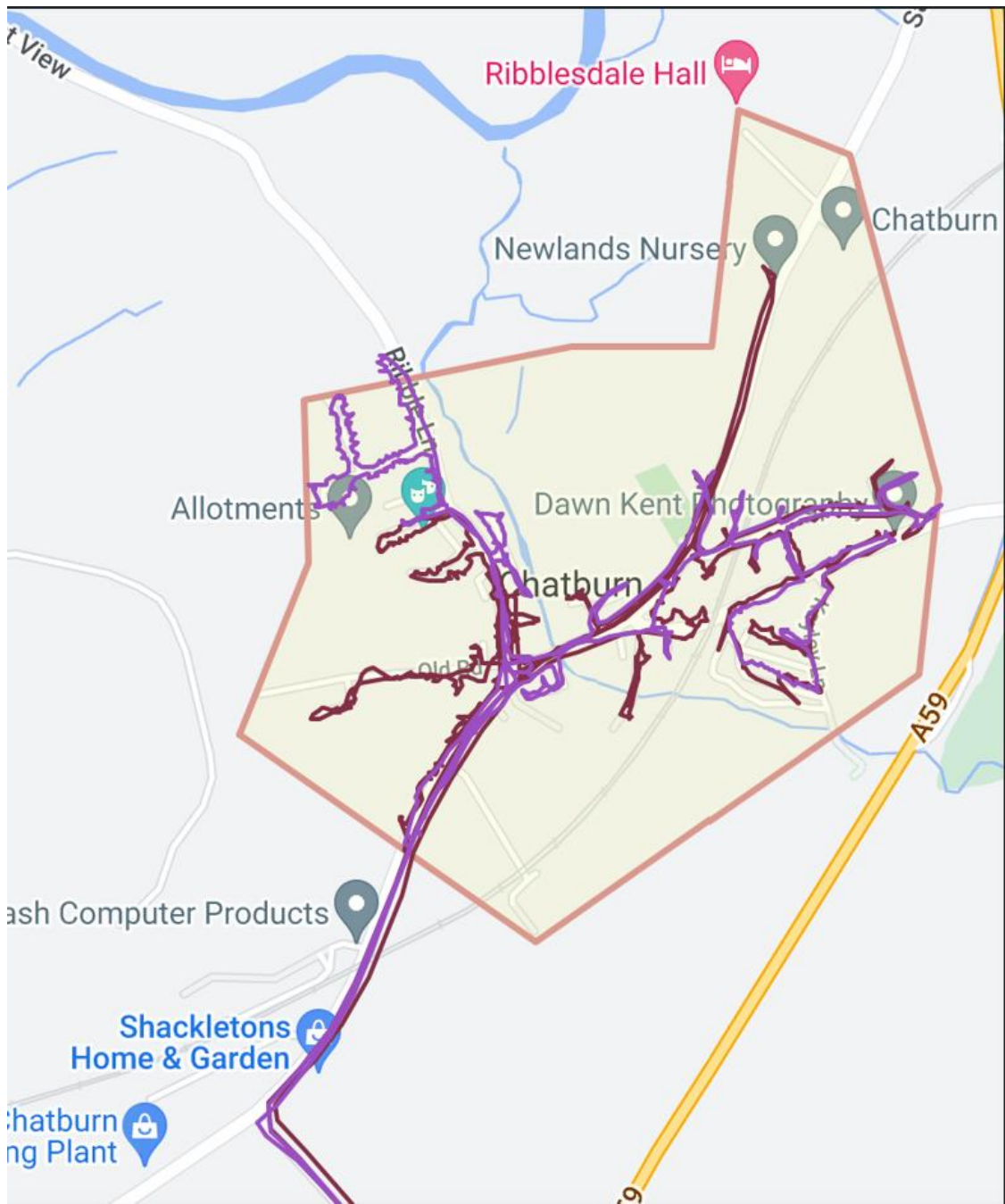
Vehicular and pedestrian access will be via the enhancement of an existing access from Crow Trees Brow. The development will include new public open space, habitat creation and landscaping.

The scheme also includes renovation works to the old Farmhouse and the redundant former dairy and outbuildings.



We are inviting views from the local community, you can provide these by email to [REDACTED]

We would be grateful to hear from you as soon as possible and before 8th August 2022



Appendix 2

24th August 2022

[REDACTED]
Pringle Homes

SUBJECT TO CONTRACT

Dear [REDACTED]

Development Opportunity at Crow Trees, Chatburn, Clitheroe

Further to our discussions regarding the provision of affordable housing at the above development, I would like to confirm that Mosscares St Vincent's Housing Limited would be interested to partner with you in this opportunity.

MSV is a longstanding registered housing provider, working in Greater Manchester, Cheshire & the Ribble Valley. We act as community anchor across a range of diverse neighbourhoods, working with stakeholders and development partners to meet housing needs with a genuine focus on people.

We have a strong record of investment and regeneration work across the North West with a total of £8,500 homes being managed and maintained by MSV Housing Ltd.

I am currently liaising with our Sales Manager and Lettings Manager regarding this 39 unit scheme and we envisage a mixed tenure scheme of shared ownership, rent to buy and affordable rent homes and have undertaken a feasibility study on a range of options.

The units all exceed the 85% of the NDSS standards and the proposed house type mix (1, 2, 3 & 4 bedroom homes) will ensure that 100% of all houses are delivered in accordance with Homes Quality Indicator standards. MSV are fully supportive of the design quality and size of units that have been proposed.

We have experience of providing affordable homes products in the Ribble Valley area and we believe there will be strong demand, especially in the current climate, for these homes.

If you require any further information, please let me know.

Yours sincerely

[REDACTED]

[REDACTED]
DEVELOPMENT MANAGER



Mosscares St Vincents Housing Group Head Office
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