



John Francis Planning

**Adam Turner & Simon Dawson**

**Planning Application for Detailed Planning Permission  
to Demolish Four Existing Former Agricultural  
Buildings to Allow the Construction of Two Self-build  
Eco-dwellings.**

**Land adjacent to Southport House off Hollins Syke,  
Sawley, Lancashire, BB7 4LE**

**Planning Statement in Support of Planning  
Application to Ribble Valley Council**

January 2023

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## 1. INTRODUCTION

- 1.1 This planning statement (“statement”) has been prepared by JFP on behalf of Adam Turner and Simon Dawson (“applicants”) in support of their planning application (“planning application”) to Ribble Valley Borough Council (“council”) for detailed planning permission to demolish four existing former agricultural buildings to allow the construction of two self-build eco-homes of exceptional architectural quality (“proposed development/scheme”) on land east of Southport House off Hollins Syke, Sawley, Lancashire, BB7 4LE (“application site/site”).
- 1.2 The application agent and scheme architect is Zara Moon Architects (“ZMA”). JFP is the planning adviser.
- 1.3 The statement supports the planning application and the development for which it seeks planning permission. It specifically provides background and supporting information on the site and proposed scheme including the case in its support.
- 1.4 The scope of the statement is as follows:
- Section 2 sets out background on the planning application.
  - Section 3 describes pre-application feedback provided by the council.
  - Section 4 describes the application site and its surroundings.
  - Section 5 describes the proposed development.
  - Section 6 considers nearby heritage assets.
  - Section 7 considers the visual profile of the site.
  - Section 8 considers local development precedents.
  - Section 9 sets out the planning framework applying to the application site.
  - Section 10 sets out our assessment of the proposed development and the case in support of the planning application.
  - Section 11 sets out conclusions on the matters covered by the statement.
- 1.5 The statement complements, and is to be read in conjunction with, the detailed design and access statement prepared by ZMA in support of the application (“ZMADAS”).

## 2. BACKGROUND ON THE PROPOSALS

### About the Applicants

- 2.1 Adam and Cheryl Turner (“the Turners”) and Simon and Sarah Dawson (“the Dawsons”) currently live next door to each other on Browgate in Sawley village. They share a desire to self-build their own sustainable lifelong homes. The Dawsons were both born in Clitheroe and have lived in the village for 9 years. The Turners, both from the Ribble Valley, have lived in the village for 6 years. All their family live locally.
- 2.2 The Dawsons have two children and run a number of businesses in Ribble Valley. Simon is the Managing Director of R E Dawsons Ltd and holds other positions. He is the 4th generation of his family to run this important business which has been located in Clitheroe for over 80 years and currently employs close to 100 employees. Sarah is the Director of Maxwell’s Cafe Bar in Clitheroe which currently employs 30 staff. Sarah is a recipient of a Town Council Improvement Award.
- 2.3 The Turners have 3 children and are both from the local area. Cheryl is a member of the Sawley Village Committee and assists with the management of the Sawley Village Hall. Both families have strong links with the village and are key members of the community. Cheryl has recently been diagnosed with MS and requires a future-proofed property to assist her live with this condition. The Dawsons require a house that can offer multigenerational living accommodation as they plan to look after their elderly parents in their new home.

### Liaison With Local Community

- 2.4 The Dawsons and Turners have been transparent about their aspirations for the site and discussed their development goals with the Parish Council initially in November 2019. Consequently, the Parish Council provided the families with a written letter of support for the two eco-dwellings. This is provided as a separate support document. Following the pre-application consultation with the council in 2022, the families re-presented the scheme to the Parish Council and received a second letter of support (dated March 2023). Recently, the applicants have further engaged with the local community through a public consultation exercise which allowed local residents to comment on the proposals. 19 letters of support have been received as a result and all attendees provided positive comments with unanimous support.

### Brief to ZMA

- 2.5 ZMA was engaged in August 2021 to design two bespoke eco-dwellings capable of meeting the specific needs of each family. Each dwelling was to be a representation of what each family requires accommodation wise whilst maintaining a consistent concept across the site, following

local vernacular, materiality and have low visual impact. The brief would deliver two 4-bedroom, high quality, architect designed houses, each designed to respond to local heritage, topography, landscaping and village contexts applying to the site.

## **Desire to Identify and Secure Self-build Plots**

- 2.6 Related to the brief to ZMA, it should be noted there are no identified/defined self-build plots available within the village and local area including by reference to the development plan (see section 9). The closest site that fits this brief, albeit the applicant's brief, is the application site, a former chicken farm, which the applicants had the unique opportunity to acquire in 2018.

## **Former Chicken Farm/Application Site**

- 2.7 The farm operated successfully up to the 1990s but by the 2000s it was struggling. This was mainly because of its small size which made it less viable than much larger and more mechanised operations located elsewhere in the UK. From 2000 production was gradually wound down and the use ceased in 2003. From then until 2018 the site/existing buildings lay derelict and gradually started to despoil and degenerate to the position they are in today.
- 2.8 The farm, when operating, was very unpopular with villagers living in Sawley. This was due to odour and at times dust related impacts common to such operations. It was also regarded as being visually impactful due to its industrial/factory-esque design, layout, and scale.
- 2.9 After the chicken farm business closed, the then owners secured planning approval for 11 static caravan/holiday lodges (ref no. 3/2012/0797). This planning application was opposed by the local community and Parish Council. The general consensus was that the development would detract from the character, visual qualities and rural profile of the village and introduce a use that would attract/generate a large number of people and related vehicle movements. The permission was implemented through the carrying out of early-stage ground works. The planning permission remains extant and valid. Further details on the planning application/permission are set out in section 4.

## **Current Contexts for Site**

- 2.10 The former chicken farm has been an eyesore for many years. The large buildings and structures are regarded by many members of the local community as having a negative visual impact on the village generally, but particularly the adjacent Sawley Abbey grounds, Southport House, both of which are listed (see section 6) and adjacent sections of the Conservation Area. It must be noted that the site/area is within the wider Forest of Bowland Area of Outstanding Natural Beauty ("FOBAONB") designation. Hollins Syke, which serves the site access wise, is used by local walkers, who have to walk alongside the site in its current unattractive form.

### 3. PRE-APPLICATION ADVICE

3.1 The then proposed scheme for the site was submitted for pre-application advice in May 2022. This was supported by a pre-app DAS by ZMA and pre-app planning statement by JFP. A meeting with the case officer, Stephen Kilmartin, took place in June 2022 via an online video platform. Comments provided by the case officer/council, in summary form, are set out below:

- An initial point made was that the site was the subject to a refused application planning ref no. 3/2015/0509 for residential use, was refused then appealed and the appeal was then dismissed (ref no. APP/T2350/W/16/3152831). The council regard the decision as very relevant to the current proposals.
- Policy DMG2 of the Ribble Valley Core Strategy seeks to restrict residential development within the open countryside and Tier 2 Village Settlements to that which satisfies listed criteria. Key Statement Policy DS1 reaffirms these criteria. None are satisfied.
- Policy DMH3 is also applicable, given the site's location outside of any defined settlement limits, but this policy is also not satisfied.
- It cannot be considered that the proposal meets any of the exception criterion contained within Policies DMG2 nor DMH3 in relation to the creation of new dwellings outside of defined settlement limits.
- The overall conclusion was that, taking account of the above, the proposal is considered to be in direct conflict with Policies DMG2 and DMH3 of the Adopted Ribble Valley Core Strategy insofar that approval would lead to the creation of new residential dwellings that would be located outside of a defined settlement boundary, without sufficient justification. This is that it has not been adequately demonstrated that the proposal is for housing that meets a current identified and evidenced outstanding need or that the proposal would meet any of the exception criterion inherently contained within either of the policies.
- Validation needs were also confirmed which was useful.

3.2 A number of other points were raised during the pre-app meeting by ZMA and JFP, including Parish Council and local community support, and the extant static caravan/lodge consent which could be finished, and introduce a highly impacting use. The scheme represents a self-build initiative which NPPF supports and for which the development plan makes no provision. The scheme is of a very high architectural quality, encouraged and supported by NPPF. These matters were not commented on.

3.3 Regarding the appeal decision referred to earlier, this scheme was for the construction of a single, contemporary-styled, modern detached dwelling which we regard as not being of a high architectural quality nor sympathetic to its site and hinterland contexts. It is our and ZMA's view that the proposed scheme addresses most of the concerns raised by the Inspector, including the following:

- As the appeal was in 2016 (7 years ago) the condition of the site and the existing structures has further deteriorated, in part due to a fire and as such has a much greater negative impact on the village.
- The original scheme was not context-specific and did not relate to the existing character of the village.
- At the time of the appeal, Southport House was a vacant property in need of restoration. Southport House has now been restored to a high-level and the heritage asset has been safeguarded.
- The scale of the development would no longer negatively impact Southport House, based on the reduced height, the sensitive siting and massing, and the overall high-quality design response which references key characteristics of Southport House and Sawley Abbey within the proposal.
- The new landscaping proposal along Hollins Syke will improve the context and setting of Southport House.

## 4. APPLICATION SITE

### Address and Location

- 4.1 The address of the site is Southport House, Hollins Syke, Sawley, Lancashire, BB7 4LE. The location is shown on the plan at Figure 1 below:



*Figure 1: plan showing location and extent of site (please refer to ZMADAS and application drawings for definitive red and blue application boundary lines)*

### General Profile

#### Hectarage

- 4.2 The application site extends to approximately 0.85 ha (2.1 acres).

#### Use Profile

- 4.3 The site is a former chicken farm which has stood derelict for over 15 years.

#### Condition of Site

- 4.4 The existing structures on site are unattractive, incongruous, visually impacting and in a serious state of disrepair. The Sawley Village Conservation Area Assessment describes them as *'Large existing redundant chicken sheds which impact negatively on the village.'*

#### Access

- 4.5 The site is accessed off Hollins Syke which runs eastwards off Sawley Lane. This is not designated as a PROW but is used informally by dog walkers. It runs eastwards to Laneside which then extends to the A59 further to the east, although it is gated at the Laneside end.

#### Boundaries

- 4.6 Hollins Syke forms the northern boundary of the site and beyond this is pasture that forms part of the grounds of Sawley Abbey. To the West is a short narrow spur of pasture that forms part



## Topography

- ## Flood Risk Profile

- ## Heritage Contexts

- ## Public Rights of Way

- 
- The map displays a rural area with several buildings and roads. A purple dashed line indicates the proposed route for the 3-39-FP 9 project. Key locations labeled include Abbey Cottage, War Memorial, Lining Building, Pecky House, Mavis Lodge, Old Barn, Old Drive, Southport House, Southport Farm Cottages, Willowcroft, and Hollins Syke. A scale bar shows distances from 0 to 75.2m.

## Planning History

- 9

Application Ref No. 3/2012/0797

- Date: 15/11/2012
- Proposal: Proposed Static Caravan / Lodge Park
- Decision: Approved (15/02/2013)

Application Ref No. 3/2015/0509

- Date: 14/07/2015
- Proposal: Demolition of existing poultry sheds and construction of new detached dwelling.
- Decision: Refused (24/12/2015)

Application Ref No. 3/2018/0061

- Date: 25/01/2018
- Conversion of existing poultry shed to three dwellings under Class Q (A and B)
- Decision: Refused (21/03/2021)

## Photographs of Site

4.12 The following photographs illustrate key aspects of the site and its contexts.



*Photograph 1 – Aerial view over site from southeast looking north westwards*





*Photograph 2: aerial view of site. Buildings 1, 2, 3 and Collapsed Building can clearly be seen and defined.*



*Photograph 3: further aerial and ground views of the site*

Planning Application No. 3/2015/0509/Appeal Ref No.  
APP/T2350/W/16/3152831

- 4.13 We cover this as it was referred to in the council's pre-application advice covered in section 3. The scheme is as depicted below:

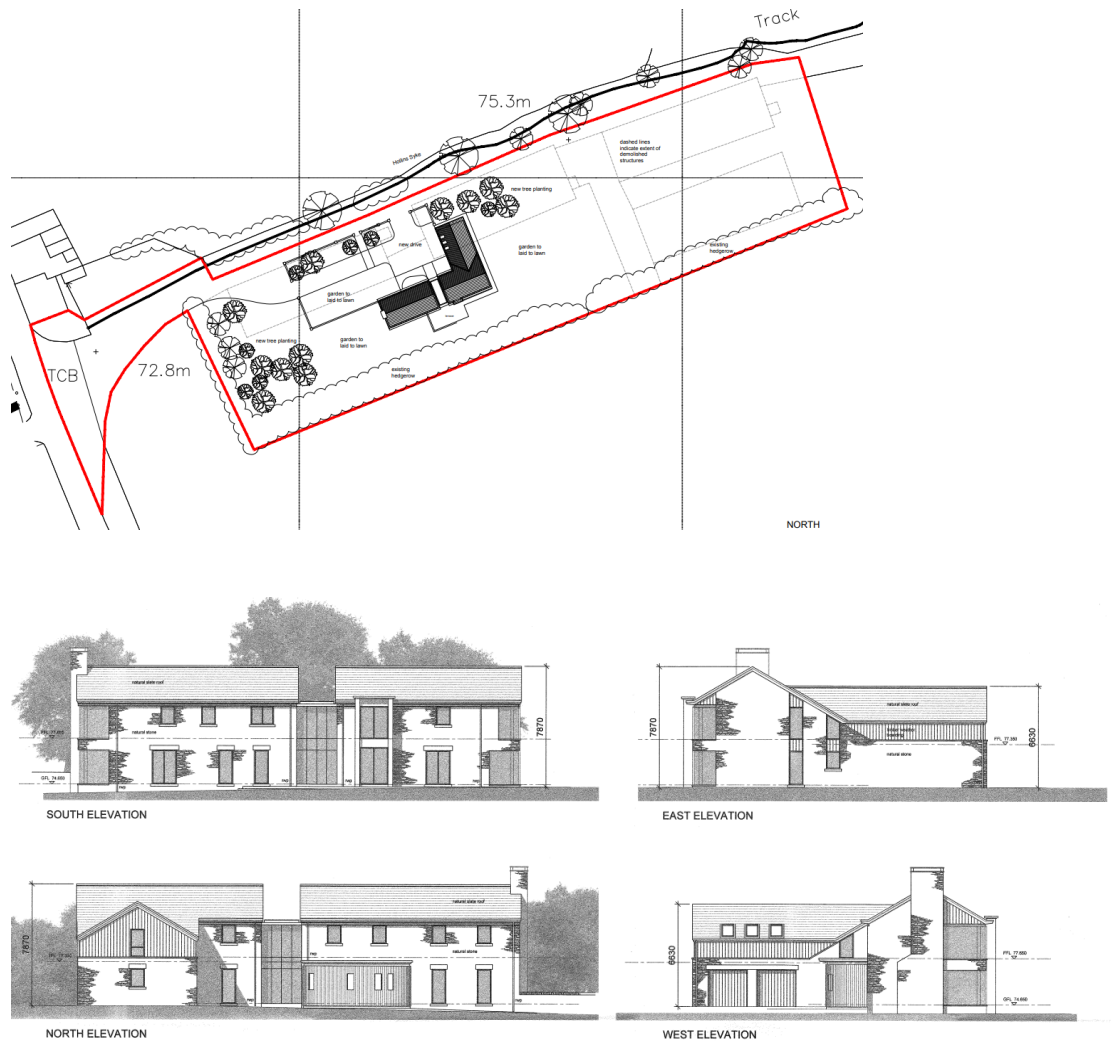


Figure 3: layout and elevations of proposed dwelling under Planning Application No. 3/2015/0509/Appeal Ref No. APP/T2350/W/16/3152831

4.14 The application was refused in December 2015 by reference to the following reasons for refusal:

*'The proposal's location, size, height, materials and landscaping results in a prominent and incongruous development which undermines Sawley Conservation Area's distinct linear village morphology, its visual hierarchy of buildings ('Focal Buildings') and the significance of its open spaces surrounding Sawley Abbey. This is harmful to the character and appearance of Sawley Conservation Area, the setting of listed buildings (principally Southport House) and the cultural heritage of the Forest of Bowland Area of Outstanding Natural Beauty. This is contrary to Key Statement EN5 and Policies DMG1, DME4 and DMG2 of the Ribble Valley Core Strategy and the National Planning Policy Framework Paragraph 17 (conserve heritage assets in a manner appropriate to their significance), Paragraph 60 (reinforce local distinctiveness), Paragraph 115 (conserve cultural heritage), Paragraph 131 (development sustaining and enhancing the*

*significance of heritage assets and positively contributing to local character and distinctiveness) and Paragraph 132 (great weight to conservation).*

*The proposal is considered contrary to Key Statements DS1, DS2 and Policies DMG2, DMG3 and DMH3 of the Ribble Valley Core Strategy Adopted Version in that the approval would lead to the creation of a new dwelling in the defined open countryside without sufficient justification which would cause harm to the development strategy for the borough. It is further considered that the approval of this application would lead to an unsustainable form of development in a location that does not benefit from adequate access to local services or facilities placing further reliance on the private motor-vehicle contrary to the NPPF presumption in favour of sustainable development.'*

- 4.15 An appeal into the refusal was dismissed in September 2016. In summary, by reference to the Inspector's conclusions, this was because: '26. *I have identified that the proposal would conflict with the development strategy for the Borough, as set out in CS Key Statements DS1 and DS2, and Policies DMG2, DMG3 and DMH3, and would cause less than substantial harm to a designated historic asset as a development within its setting, in conflict with CS Policies EN5 and DME4. Against this, the proposal would result in the removal of existing poultry sheds from the appeal site and would result in no greater harm than an approved static caravan/holiday lodge development on the site.*

*27. However, I consider that these matters attract limited weight and would not be sufficient to outweigh the harm, giving considerable weight to paying special regard to the desirability of preserving the setting of the listed building, as reflected in paragraph 132 of the NPPF.'*

- 4.16 We consider this scheme and the reasons used to refuse the application/dismiss appeal in section 10.



## 5. PROPOSED DEVELOPMENT

5.1 What follows is a planning-biased summary of the proposed development which draws from material forming part of overall planning application drawings pack by ZMA.

### Scheme Composition

5.2 To assist consideration of scheme composition, the proposed site layout is reproduced below:



*Figure 4: layout of proposed development showing Dwelling One (western dwelling) and Dwelling Two (eastern dwelling)*

5.3 Key components of the overall scheme are as follows:

- Two independent eco-dwellings
- Private natural grounds/garden area for the two dwellings
- Separate accesses off Hollins Syke to the two dwellings
- Creation of traditional cottage walled gardens and courtyards
- Significant high-quality landscaping
- High quality architectural solution to site
- Styling and architectural influences reflecting local vernacular and contextual heritage
- Layout, form, scale and materials which respects and enhances local heritage assets

## Massing Considerations and Influences

- 5.4 The overall massing strategy has been designed to subdivide each dwelling into smaller elements. The areas of the site which are the most visible, i.e., garden/landscaped areas, will contain no structures. Each property is predominantly single-storey with a two storey element on each property. Some single-storey elements will have a flat roof and are hidden from the access lane being screened behind the site wall. The 2-storey elements are located central to each dwelling with the single-storey elements to each side, which effectively screen the 2-storey elements from view.

## Design Drivers and Influences

- 5.5 These are as follows:
- Each dwelling has been designed to be bespoke and individual in appearance but with distinctive characteristics which are consistent across the two properties.
  - Both include a vehicle and pedestrian gate access from Hollins Syke.
  - Openings have been minimised to the North elevation with only small modest openings which frame key views of the Abbey.
  - Both properties have been designed with an extended H-shape layout.
  - The overall site-wide strategy has been designed to not require external garden structures/outbuildings so each property incorporates garaging, plant and storage within the overall design of each property.
  - The stone front boundary wall will run the length of the site, to reference the Sawley Abbey boundary wall and will blend into the building at key moments, with small vistas through the garden and the building.
  - Other boundaries will be natural landscaping, planting and hedgerows.
  - Both properties will be constructed using a local natural stonework of grey-tones to match the neighbouring property Southport House.

## Proposed Accommodation

### Dwelling One – Turner House (Western Property)

- 5.6 The Turner family require a 4-bedroom house with master bedroom for Adam and Cheryl and 3 children's bedrooms.
- 5.7 Ground floor and first floor layouts of dwelling one are depicted below:

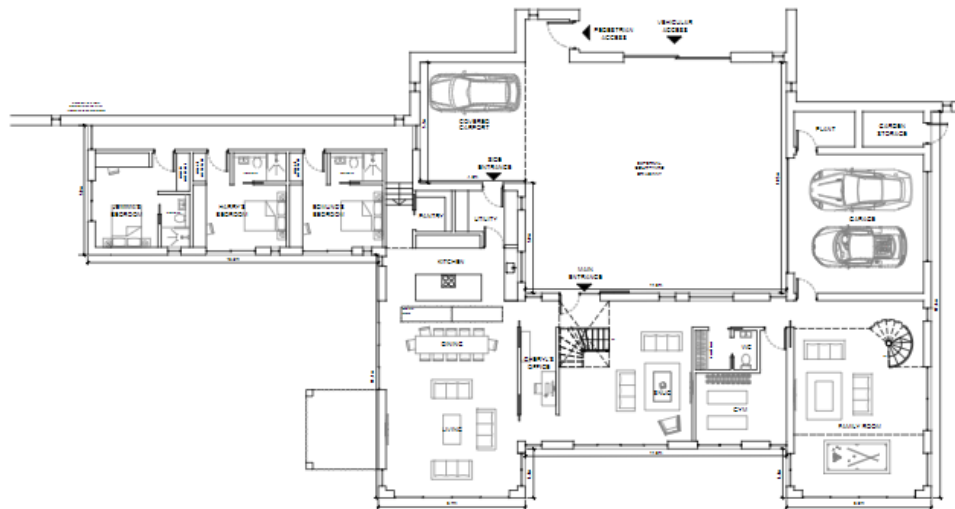


Figure 5: dwelling one ground floor accommodation/layout

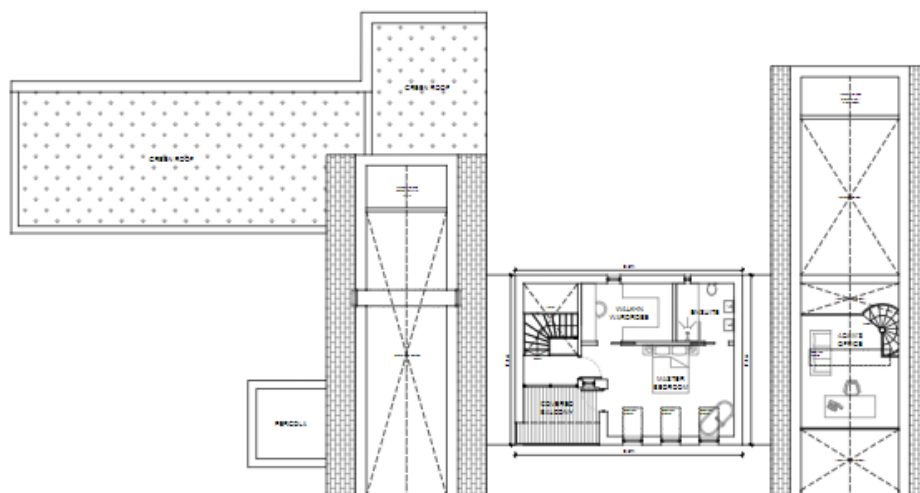


Figure 6: dwelling one first floor accommodation/layout

### Dwelling Two – Dawson House (Eastern Dwelling)

- 5.8 The Dawson family require a 4-bedroom house comprising a master bedroom for Simon and Sarah, 2 children's bedrooms, and a further bedroom for Sarah's elderly parents. They therefore require an accessible ground floor bedroom with direct access to the garden.
- 5.9 Ground floor and first floor layouts are depicted below:



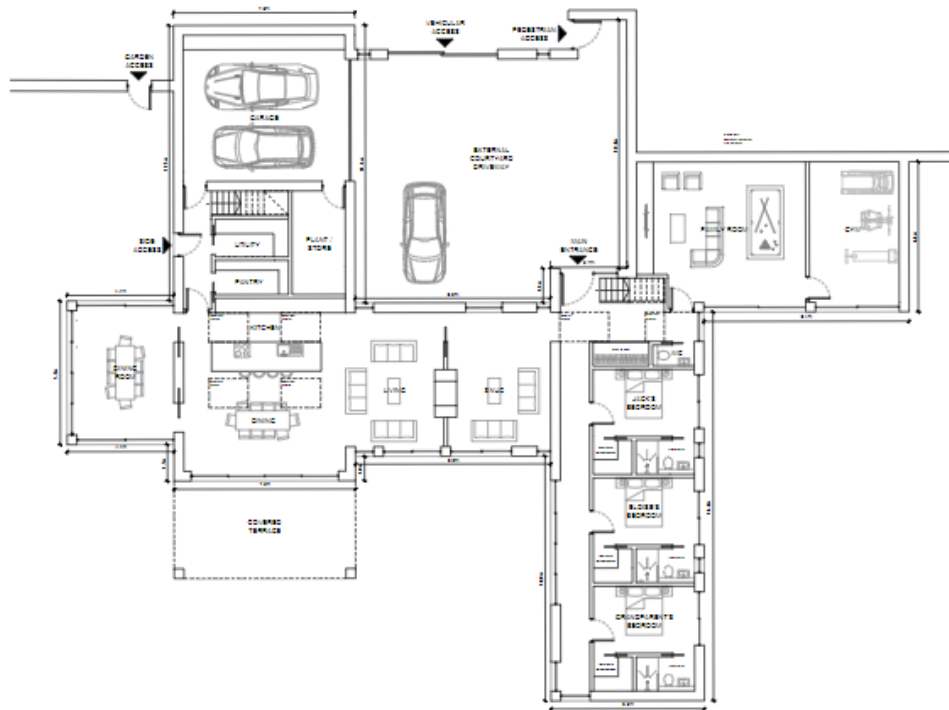


Figure 7: dwelling two ground floor accommodation/layout

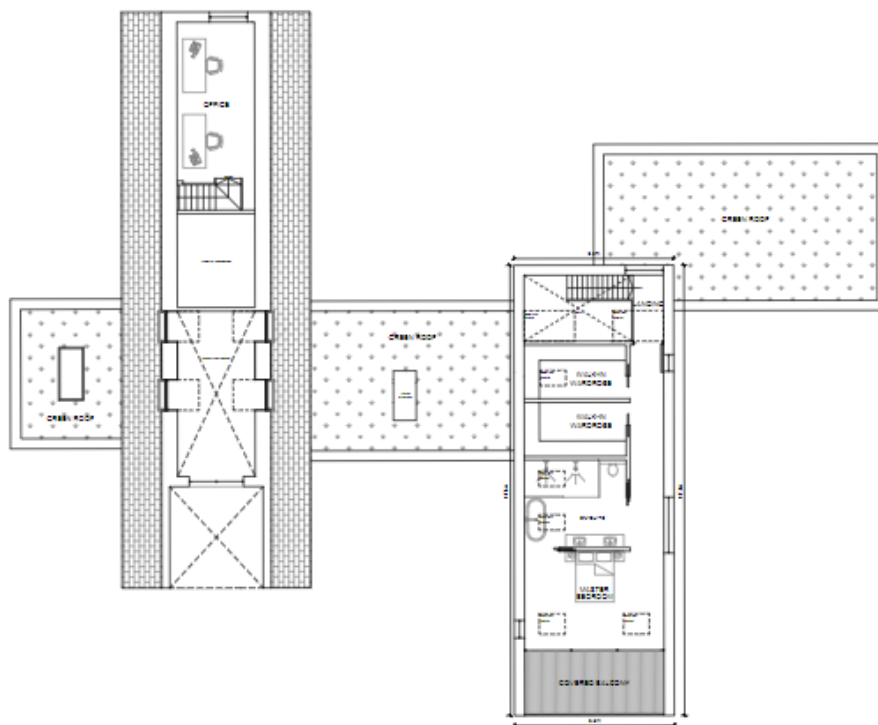


Figure 8: dwelling two first floor accommodation/layout

## Elevational Designs

5.10 Elevations designs for both dwellings are depicted below:



Figure 9: dwelling one elevations.

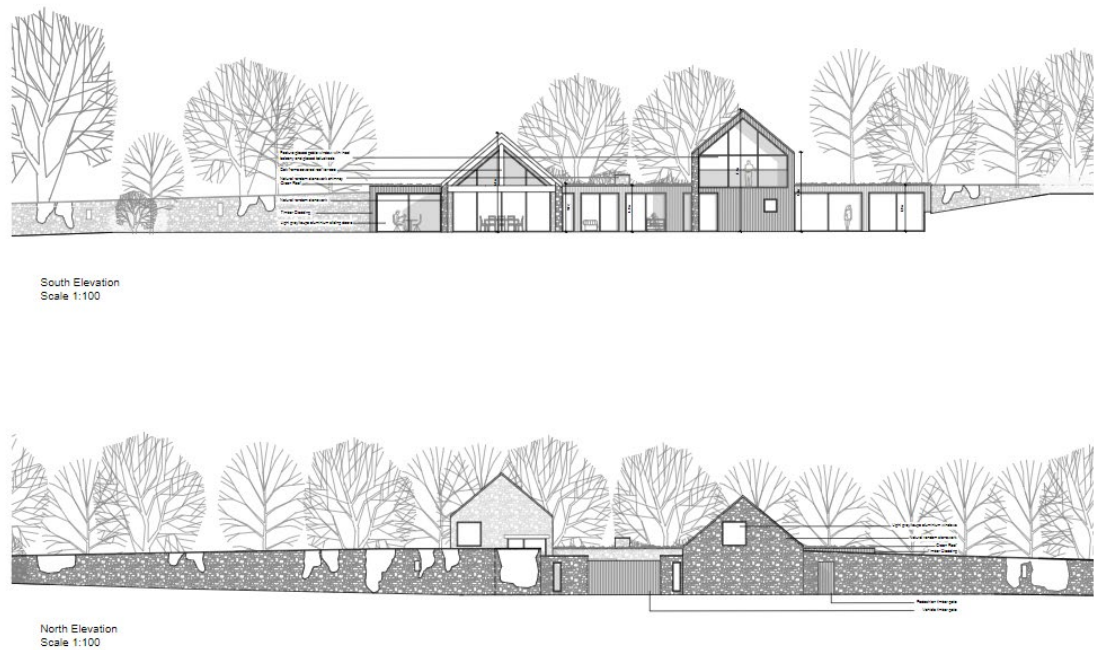


Figure 10: dwelling two elevations.

- 5.11 The following CGIs visualise the how the proposed dwellings will be seen and perceived from Hollins Syke; they illustrate how the designs can be assimilated into the local landscape and will appear as established, historic properties.



*Figure 11: CGI of dwelling one*



*Figure 12: CGI of dwelling two*

## Scale and Massing Considerations

- 5.12 The proposed development, compared to the old existing developments, will have a much-reduced density, and focus of built form. This will improve the visual profile of the site, by reducing its profile and apparency, thus reducing the impact on the site's open countryside status. We consider this in more detail in section 10.

## Sustainability

- 5.13 This is covered in the ZMADAS but we noted that the two dwelling are of eco-design and can be regarded as sustainable.

## Landscaping and Biodiversity

- 5.14 A detailed landscaping proposal is included to support the planning application which specifies the hard and soft landscaping of the overall scheme. Proposed planting has been shown across the site, including plant species, specifically selected to match local flora and based on their biodiversity properties. The proposed landscaping scheme includes improvements to Hollins Syke and the perimeter of the wider site. The garden land between the two dwellings will contain a wildflower meadow and will be included as part of the overall landscaping and drainage scheme. Existing mature and semi-mature trees and hedgerows will be retained with a number of bird and bat boxes included throughout the site. These aspects of the overall proposals are shown in greater detail on the landscaping scheme and related proposed site plan drawings.



## 6. NEARBY HERITAGE ASSETS

- 6.1 This topic is considered in detail in the heritage statement by ZMA, so we only briefly profile the main assets in question. These lie to the north, northwest and immediate west of the site. The assets in question are identified on the following plan:



Figure 13: heritage assets in the vicinity of the site (boundaries approximate)

### Sawley Abbey

- 6.2 Sawley Abbey is a Scheduled Monument and Grade I Listed building (Ref Nos. 015492 and 1072099 on Statutory Register).
- 6.3 The application site is just under 100m from the closest part of the Grade I Listed Building and less than 5m from the closest part of the Scheduled Ancient Monument, but it must be noted that this is an extensive area of pasture which is farmed.

### Sawley Conservation Area

- 6.4 The boundary of Sawley Conservation Area envelops the heart and some peripheral areas of the wider village of Sawley with its heart being close to Sawley Abbey. The conservation area comprises four distinct areas: (1) the abbey and associated standing buildings (all listed); (2) the Western side of Sawley Lane, characterised largely by twentieth-century development; (3) the north-western part of the village with the eighteenth-century bridge, former farm-buildings

and the Spread Eagle pub and (4) the north-eastern side of the village, characterised by twentieth-century dwellings, converted farm buildings and the road loop back past Noddle Hill quarries to the A59.

- 6.5 The council's Conservation Area Appraisal highlights the principal negative features of the Sawley Conservation Area which includes: *'The group of 4 large and redundant silos and battery hen units at the Southern end of the conservation area, the East of Southport House, and the use of the track called Hollins Syke for storing unused agricultural plant and old cars.'* *"Modern encroachments to the West of the village are not in keeping with the architectural character of the village and compete with the abbey for dominance, detracting from the setting of these important medieval remains.'*

## Southport House

- 6.6 Southport House is Grade II Listed (Ref No. 1165453). It is a residence with outbuildings. It was constructed in the 17th & 18th Century and lies 50m to the West of the site. It is rendered rubble with roof of tiles imitating stone slates and was constructed as a farmhouse and the abbey's Southern gatehouse.

## Other Listed Buildings

- 6.7 We can confirm that there are other listed buildings and structures in Sawley village/Sawley Conservation Area, including on Sawley Lane, but none are closer than Southport House, and all, by reference to their siting and setting, are fully separate and some distance from the application site. As such we do not cover them.

## Implications of Heritage Assets

- 6.8 Section 9 sets out relevant planning policy on heritage assets. We can confirm that the assets have been fully considered and taken into account in the layout and design of the proposed development. We set out below how and to what degree.

## How the Heritage Assets Have Influenced the Layout and Design of the Proposed Development

- 6.9 The location, setting and profile of the heritage assets described above have influenced the layout and design of the proposed development, including the landscaping scheme for the site, as follows:
- One of the key characteristics of the original Sawley Abbey, and the adjacent Southport House is the external courtyard. The proposed design includes a series of buildings wrapping round external spaces, creating private external courtyards.
  - The development follows traditional protocols/designs reflecting the classic English Walled Garden. The site will sit behind a walled boundary that will stretch the length of the site and conceal smaller single storey elements and create privacy. The wall will

have the appearance of a traditional English stone-walled garden and will reference the stone boundary wall of the abbey.

- Development across the site is broken down into a combination of different elements rather than a single large mass of development.
- The building elements vary in height and scale creating a hierarchy of space and allowing much of the proposed development to remain relatively innocuous and hidden from view.
- The courtyard and projecting elements create a variety of interesting internal, external and connection spaces.
- The development includes pitched feature gables.
- There are first floor terraces.
- There is also opportunity to create a water channel in response to the water channels dug by the abbey, and to mimic the water channel on the North of Hollins Syke which runs down to Southport House.
- The appearance of scale and massing has been carefully designed to ensure that viewpoints of the site are controlled.
- Materials will be traditional including stone and slate, with the stone boundary wall along the access lane, and traditional features re-imagined in a contemporary way.

## 7. VISUAL CONSIDERATIONS

- 7.1 We now consider the contexts of the site and its immediate and wider hinterland to allow an assessment of whether it can be regarded as visually prominent. We also profile how the site will appear once developed through the scheme. This is relevant as there are heritage assets nearby and the site lies adjacent to the Forest of Bowland Area of Outstanding Natural Beauty (“FOBAONB”).

### Views from PROW

- 7.2 The ZMADAS provides photographs confirming views of the site in its current form from the PROW. For the sake of brevity, we do not reproduce these in our statement, but we note and agree with ZMA’s conclusions that the site in its current form is visually prominent when viewed from a number of viewpoints within the village. The prominence increases the closer to the site one gets when walking southwards.
- 7.3 Once developed and landscaped, the result will be a new visual profile for the site. The new profile will considerably reduce the site’s visual prominence due to the effects of the layout, design, use of materials, and proposed landscaping of the scheme. It is our view that the development will only become readily apparent when walking immediately adjacent, along Hollins Syke.

### Consideration of Visually Prominence of Site and Proposed Development

- 7.4 Our conclusions on this are as follows:
- Views of the site are available from the nearby PROW.
  - The site in its current form is visually intrusive but only by reference to the existing unattractive former agricultural buildings and silos.
  - There are obvious views of the site from Hollins Syke, east and west of, and when walking alongside the site. In its current form the site appears unattractive and visually intrusive.
  - There are views of the site from Sawley Lane and the existing buildings can be seen the closer you get towards the junction of Hollins Syke with Sawley lane.
  - The effects of the proposed development, specifically by reference to the layout, design, natural materials and general low level of development proposed (including the fact the proposed properties are predominantly single-storey) means the proposal will reduce the visual apparency of the site.
  - The proposed development will improve the visual relationship with the nearby heritage assets set out in the previous section. This relationship will be a significant improvement on the relationship associated with the site in its current form. This proposal also offers an improved visual relationship than that of the permitted



caravan/lodge development, which would be visually intrusive and have a negative effect on the adjacent heritage assets.

## 8. LOCAL DEVELOPMENT PRECEDENTS

- 8.1 We cover this topic, albeit in brief and by reference to the ZMADAS, because of the importance of setting in context the layout and design of the proposed development. In essence, for reasons we set out in the following section of the statement, the proposed development can be regarded as appropriate, in terms of layout and design, when the scheme is considered in the context of the mix, types and age of development in and around the village of Sawley.
- 8.2 Rather than repeat the relevant sections of the ZMADAS which considers this matter in some detail (pages 36-51), we summarise what we regard as relevant local development precedents below:
- Sawley is predominantly comprised of properties and buildings in use for residential.
  - There are some complementary other uses like the Spread Eagle Inn and the Village Hall.
  - Buildings range from historic buildings of traditional designs and natural materials to more modern/contemporary buildings.
  - There are a number of high-quality heritage buildings which include barn conversions, and the mill conversion.
  - Many buildings use local materials and complement the setting of the heart of the village focused on the Abbey/grounds.
  - Buildings are small, medium and large in terms of scale/floorspace. Properties range from small traditional cottages, including short terraces, to the likes of the more recent Sawley Lodge with the scale of a traditional manor house.
  - Sawley Lodge is grand, yet traditional in style using stonework and historic features and is set within its own grounds.
  - There is some modern/twentieth-century development and it is worth noting that this includes infilling between the historic properties (west of the village and between the village and the A59).
  - Modern properties vary in style, character, age and quality. Materials include stone, render, uPVC windows, and even a contemporary flat-roof dwelling at the entrance of the village. None, however, we would argue, have a negative impact on the historic or visual quality of the village.

## 9. PLANNING FRAMEWORK

- 9.1 Planning legislation (section 38 (6) of the Planning and Compulsory Purchase Act 2004) requires that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 9.2 We set out in this section development plan policy applying to the site and proposed development. National planning policy is a material consideration, so we also cover this.
- 9.3 For ease of presentation we consider national planning policy first then move onto development plan policy.

### National Planning Policy

- 9.4 National planning policy is set out in National Planning Policy Framework published in 2021 (“NPPF/Framework”).
- 9.5 At paragraph 7 of NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. For decision-taking this means (we only list relevant criteria):
- c) approving development proposals that accord with an up-to-date development plan without delay; or
  - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
    - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole (paragraphs 10 -11).
- 9.6 Local planning authorities should approach decisions on proposed development in a positive and creative way. Decision-makers at every level should seek to approve applications for sustainable development where possible (paragraph 38).
- 9.7 NPPF requires local planning authorities to deliver a sufficient supply of homes (paragraph 60), NPPF requires the needs of groups with specific housing requirements to be addressed. Local planning authorities should accommodate the needs of people with specific needs, including those who wish to build or commission their own homes, which is the case here (paragraph 65).
- 9.8 Regarding what NPPF terms rural housing, covered at paragraph 78, related policy confirms that, in rural areas, planning policies and decisions should be responsive to local circumstances

and support housing developments that reflect local needs. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities, which is the case here (paragraph 79).

- 9.9 NPPF deals with and advises on making effective use of land (paragraph 119). Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land. This is the case here.
- 9.10 NPPF is keen to improve design of development through the planning system and at paragraph 126 it confirms that the creation of high quality, beautiful and sustainable 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.
- 9.11 At paragraph 130 NPPF requires planning policies and decisions to ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 9.12 NPPF confirms the importance of trees (paragraph 131). Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.
- 9.13 At paragraph 134 NPPF confirms that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to (a) development

which reflects local design policies; and/or (b) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

- 9.14 NPPF covers meeting the challenge of climate change, flooding and coastal change. At paragraph 152 NPPF confirms that the planning system should support the transition to a low carbon future in a changing climate. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure climate, taking full account of flood risk and coastal change.
- 9.15 NPPF places great importance on conserving and enhancing the historic environment (paragraph 189). Local planning authorities requiring applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance (paragraph 190).
- 9.16 Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset (paragraph 195).
- 9.17 In determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c) the desirability of new development making a positive contribution to local character and distinctiveness (paragraph 197).
- 9.18 NPPF considers and advises on how to consider potential impacts (at paragraph 199). When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance
- 9.19 Any harm to or loss of the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
  - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional (paragraph 200).

- 9.20 Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the benefit of bringing the site back into use (paragraph 201).
- 9.21 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (paragraph 202).

## Development Plan

- 9.22 The local development framework for Ribble Valley is formed by the Ribble Valley local Plan. This forms the statutory development plan for the borough. It comprises two key development plan documents as follows:
- Ribble Valley Core Strategy (Adopted December 2014).
  - Housing and Economic Development Plan (Adopted October 2019).
- 9.23 Pre-application advice from the council extended to confirm that the site is not allocated for development but is affected by other designations and policies as follows:
- Key Statement DS1 – Development Strategy
  - Key Statement DS2 – Sustainable Development
  - Key Statement DMI2 – Transport Considerations
  - Key Statement EN5 – Heritage Assets
  - Policy DME4 – Protecting Heritage Assets
  - Policy DMG1 – General Considerations
  - Policy DMG2 – Strategic Considerations
  - Policy DMG3 – Transport & Mobility
  - Policy DMH3 – Dwellings in the Open Countryside
  - Policy EN2 – FOBAONB
- 9.24 The proposals plan at Figure 14 to follow is the relevant extract for Sawley and is drawn from the Local Plan:

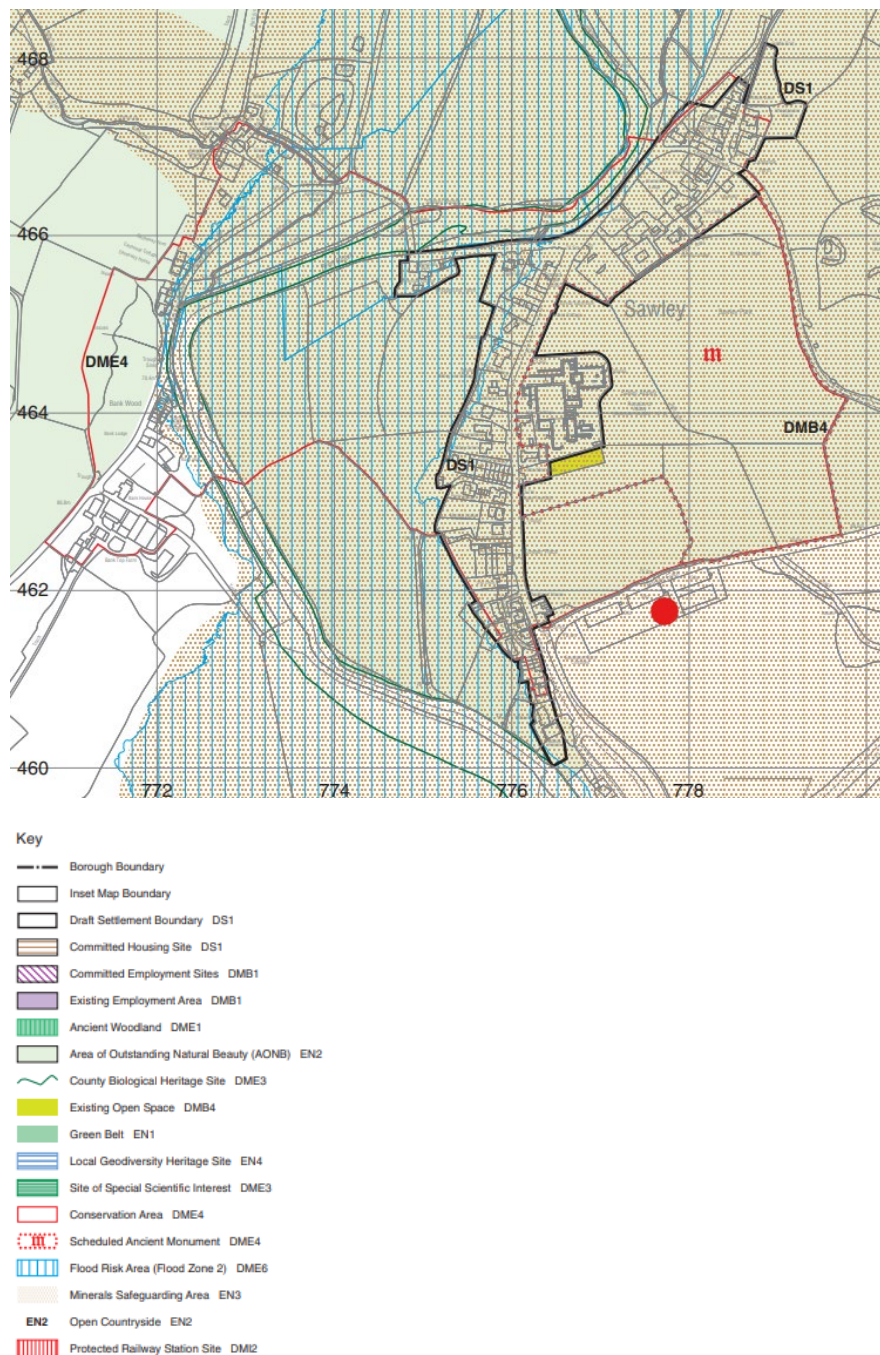


Figure 14: Sawley extract from proposals map of Ribble Valley Local Plan plus key. Site identified by red dot

The council is undertaking a review of the Local Plan which will replace the current plan once adopted, but this is some way off. Currently, the emerging plan carries no weight in planning decisions.

### Supplementary Planning Documents

9.25 We have not been able to identify any supplementary planning documents of relevance.



## 10. PLANNING ASSESSMENT

- 10.1 In this section of the statement we assess the proposed development and in so doing set out the case in support of the planning application.
- 10.2 This covers whether the planning application can be regarded as generally accordant with the provisions of the development plan, and, if not, whether there are material considerations that justify the planning application being granted.

### Role of and Interpreting Planning Policy

- 10.3 The importance and relevance of development plan policy is set out in section 9. A related point that arises from this is how should policy be interpreted.
- 10.4 A UK Supreme Court Decision (UK's highest court) is helpful in this regard. This is the UK Supreme Court decision concerning the Tesco Stores Ltd v Dundee City Council [2012] UKSC 13 case. Inter alia, the decision focused on the wording of planning policy, what it means and how it should be interpreted. Of relevance are paragraphs 18 and 19. These concluded that planning policy should be '*...interpreted objectively in accordance with the language used and read in its proper context.*'
- 10.5 The Dundee decision confirms that, although the application of a particular policy to a particular set of facts falls within the judgement of a local planning authority, it is a matter for the UK's Courts to interpret the meaning of policy not the local planning authority. Therefore, a local planning authority must interpret policy as it is written and not as they might want to interpret it.
- 10.6 We follow this approach when considering the implications of relevant planning policy.

### Principle of Development at the Site

- 10.7 The principle of development, large scale development at that, is already established at the site, although the old use has ceased. This is a crucial point.
- 10.8 The amount of development is industrial in both scale and profile. This resulted in several impacts in the past, although it is accepted that since the old use ceased impact is now only visual.
- 10.9 Agricultural buildings and previously developed land cannot be counted as brownfield land/previously developed land in the context of Green Belt development exceptions. We accept that the site is not in Green belt. However, the site has to be regarded as valuable brownfield/previously developed land where ideally new development should be directed to safeguard greenfield sites/land.
- 10.10 And in this regard, planning policy, at all levels, supports the use of such land over greenfield sites at all times, and in all circumstances.

- 10.11 In addition, relating to the site's current well established development status, the proposed development can be regarded as a significant improvement over the currently built profile of site.
- 10.12 The points made above also reflects the views of many local people and the Parish Council.

### **Effects of a Key Historic Planning Permission**

- 10.13 A related point to the fact the principle of development at the site is well established concerns the extant planning permission for 11 static caravans/lodges at the site (ref no. 3/201/0797) which was granted in 2013 and implemented that year.
- 10.14 Setting aside the obvious visual and noise impacts of tourism (and related activity) use, which would also cause a considerable increase in people and vehicle movements to the site, this use was granted and justified by reference to policy on tourism. This seems like something of a policy contradiction to us. Policy on tourism, in this instance, supported an unattractive and highly impacting scheme on what can be regarded as a sensitive site by reference to relationship to heritage assets. Yet policy on open countryside etc. would restrict a low level highly attractive development like that proposed under the planning application and which would deliver heritage and visual benefits.
- 10.15 The applicants have expressed that they, should this planning application be refused, intend to actively market the site with a view to bringing the site into use for the still extant 11 static caravan/lodges scheme. This would be to recoup the cost of purchasing the site. We would say this is not in the best interests of the area nor its proper planning.

### **Impact on Adjoining Uses**

- 10.16 We consider effects on nearby heritage assets separately.
- 10.17 The site is a sufficient distance from the closest part of the village and related residential properties (on Sawley Lane) to guarantee that the proposed development will not impact on them, or their residential amenity. Southport House is the closest property to the development, however, Southport House is a sufficient distance from the proposed scheme to not be impacted by it in amenity terms. The residents at Southport House have provided a letter of support for the proposal, please refer to separate supporting documentation.

### **Availability of Self Build Development Sites/Opportunities**

- 10.18 NPPF sets out policy and related guidance to be followed in development plans on this matter. The current version requires development plans to plan for the needs of families like the Dawsons and Turners that wish to develop their own properties through self-build initiatives. The development plan for Ribble Valley makes no such provision. As such both families have needed to pursue a different route, namely to secure a site like the subject site and pursue a speculative planning application for two dwellings. We would argue that the lack of available options for the applicants should be taken into account in terms of how much weight should



be given to open countryside policy, in so far as it applies to residential development, to compensate for the development plan making no provision for this form of development.

### **Accommodation Needs of the Dawson and Turner Families**

- 10.19 Both families are from and own or operate businesses in the local area, contributing to its cultural, communal, and economic success. The families wish to remain living in the area in future years. While this is perhaps not as important a material consideration as some of those already set out and to follow, we believe the families' plans to remain in Sawley and in the type, scale, and standard of accommodation they desire, should be given some weight in the determination of the planning application.

### **Views of the Parish Council and Local Community**

- 10.20 In our experience, given site contexts, it is rare to encounter a scheme that has received as much local support, including from a Parish Council, as this development initiative. This is perhaps not surprising when one considers the site in its current form, but nonetheless, this factor is relevant and should be given weight in the determination of the planning application. In this regard, it is relevant to note that the planning permission for the 11 static caravans/lodges was granted in the absence of support from the Parish Council and the local community. In fact, both opposed the planning application.
- 10.21 Accordingly, notwithstanding the general expectations of development plan policy, it is reasonable to expect the views of both to be given weight in the determination of the planning application, especially since planning is increasingly being geared towards taking full account of the views and expectations of local communities in the planning of their local areas.

### **Potential of the Site for Other Policy Supported Uses/Developments**

- 10.22 Pre-application advice from the council, confirms the lack of full development plan policy support for the development as proposed. In providing this advice, and despite our raising of these matters, the council chose not to explore and properly assess those factors that might balance the effects of policy and support the proposed development (material considerations). A related factor we wish to raise is that the proposed scheme could be potentially presented in exactly the same form and expect to receive support from the council if promoted purely for tourism use such as self-catering holiday accommodation (by reference to Policy DMB3: Recreation and Tourism Development). This is evidenced by the extant planning permission ref no. 3/2012/0797 for 11 static caravans/lodges described earlier. Yet this scheme will actually have a negative effect on why people might want to visit the area for tourism purposes as it impacts and erodes the very qualities that make the area an attractive destination to tourists.
- 10.23 To us this seems counter-productive. We feel a very high quality residential scheme for two local families must be regarded as a more appropriate way forward for the site, given its current condition and contexts and tourism objectives.

## Effect of Nearby Heritage Assets

- 10.24 The site is very close to a number of important heritage assets. The closest and most relevant are Sawley Abbey (175m away to outer wall and 5m to closest part of Scheduled Ancient Monument) and Southport House (30m away). Designations wise these are respectively a Grade I Scheduled Listed Monument and a Grade II Listed Building plus both feature in the adjacent Sawley Conservation Area.
- 10.25 The site must have regard to these designations should it be proposed for a new use or development, and we go on in the following sub-section to consider this including reference to acknowledged policy tests. The fact the site is close to these designations does not mean it cannot be used for a new use or promoted for a new form of development. As long as relevant policy tests are satisfied then the site can be used or redeveloped for a different form of development.
- 10.26 A particularly useful precedent in this regard is planning permission ref no. 3/2012/0797 for the 11 static caravans/lodges. Setting aside our position that these are unattractive and incongruous forms of development given the site's close relationship to important heritage assets, and the scheme made little effort to hide the proposed static caravans/lodges, the council saw it fit to grant permission for this development. This was despite opposition from the Parish Council and local community.
- 10.27 The council at the time argued that the development was a tourism use supported by other policies of the development plan, which we accept is the case as far as the general objectives of the respective policies go. However this development cannot be regarded as satisfying heritage related policy. Indeed, the scheme makes no effort to create an acceptable relationship to the heritage assets and, in the case of Southport House, it is our view that the development would have an adverse impact on its setting. Weighing the importance and relevance of policy, it is surprising the council gave more weight to tourism policy than it did to heritage policy.
- 10.28 As we have already confirmed, this aforementioned permission is implemented and the consented scheme can be completed any time in the future. Should this new planning application be refused, then an obvious option for the site's owners will be to market the site for sale to a caravan site operator to enable this permission to be completed and brought into use. One would have thought that the alternative, the proposed development covered under this planning application, would be a much better and desirable solution for the site and village. Local residents and the Parish Council certainly think so.

## Impact of Proposed Development on Nearby Heritage Assets

- 10.29 Planning policy on heritage assets places great importance on conserving and enhancing them. Local planning authorities are invited to require applicants to describe the significance of any

heritage assets affected, including any contribution made by their setting, which is done through the ZMA heritage statement.

- 10.30 When considering a proposal that might affect a heritage asset, the local planning authority should identify and assess the significance of the heritage assets that may be affected by a proposal, including by development affecting the setting of a heritage asset. In this case the assets can be regarded as important, evidenced by the fact Sawley Abbey is a Grade I Listed Building and a Scheduled Ancient Monument and Southport House is Grade II Listed and both are in a Conservation Area.
- 10.31 In determining applications, local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Southport House is already in use as a residence and has been successfully renovated to facilitate this use. Sawley Abbey obviously cannot be reused. However, a key consideration is the desire to enhance the significance of the assets. The site in its current form, and regarding the alternative long term future use for the site as outlined earlier, cannot be regarded as enhancing the significance of the heritage assets. In fact, the opposite is the case – the site in its current form and the alternative long-term future for it does/would adversely impact on the significance of the heritage assets. This would not be the case with the proposed development which would enhance their significance and heritage value.
- 10.32 In addition, policy encourages heritage assets to make a positive contribution to sustainable communities through successful conservation, including their economic vitality. The site in its current form and the alternative long-term future for the site does/would not make a positive contribution. However, the proposed development would have the alternative effect. This is also the case with regard to policy objective of the desirability of new development making a positive contribution to local character and distinctiveness, which only the proposed new development would achieve.
- 10.33 Policy considers and advises on how to consider potential impacts when assessing the impact of a proposed development on the significance of a designated heritage asset. And in this regard, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.
- 10.34 It is our position, supported by the effects of the current site form on the assets, and the concerning precedent set by planning permission 3/2012/0797, that the proposed development would enhance the setting and improve the significance of the heritage asset as opposed to causing harm or loss of significance. This is not just our view, it is also the view of the local community and the Parish Council, and we would also say the council, evidenced by the comments in its Conservation Area Appraisal which highlights the principal negative features of the Sawley Conservation Area: *'The group of 4 large and redundant silos and battery hen units at the Southern end of the conservation area, the East of Southport House, and the use of the track called Hollins Syke for storing unused agricultural plant and old cars.....are not*

*in keeping with the architectural character of the village and compete with the abbey for dominance, detracting from the setting of these important medieval remains.'*

- 10.35 Surely it follows that a proposed development, which addresses these issues, should be encouraged.
- 10.36 Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, policy requires local planning authorities to refuse consent. Clearly, this is not the case in this instance. It is the opposite. The development will deliver substantial benefits. In policy terms, this means that the proposed development can be regarded as fully satisfying relevant tests, i.e., it will lead to significantly less than substantial harm to the significance of the designated heritage assets, including when weighed against the significant public benefits of the proposal, and can be regarded as securing the optimum viable use for the site so as to benefit the nearby heritage assets.
- 10.37 This suggests that planning policy on impact of new development on important nearby heritage assets is accorded with.

### **Visual Impact of Proposed Development**

- 10.38 We considered the visual profile of the site in its current form and developed as proposed in section 7 and it is also considered in some detail in the ZMADAS.
- 10.39 The overall conclusions to come out of section 7 and ZMADAS are that the proposed development will not have an adverse visual impact on the immediate vicinity nor the wider hinterland of the site.
- 10.40 The visual impacts of the proposed development will be imperceptible to low, by which we mean the development will not be readily or obviously apparent unless viewed from a position directly adjacent or very close to it. This is due to the cumulative effect of the layout, amount of development proposed, proposed landscaping and vegetation which has a screening effect, and the fact the development will be set within high quality, planned landscaped grounds. This will appear as part of the wider and well established landscape of this area of the village.
- 10.41 These points need to be measured against the site in its current developed form, which can be regarded as unattractive, intrusive and generally visually impacting. The proposed scheme when compared to the site in its current developed form, and in the proposed form should planning permission ref no. 3/2012/0797 be completed, must be regarded as the best option for its future.

### **Quality of Architecture/Layout and Design**

- 10.42 As covered in section 9, NPPF confirms (at paragraph 134) that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design or take into account any local design guidance and

supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to development which reflects local design policies; and/or outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

- 10.43 In this case the proposed development reflects local design policies, i.e., the development is of a high quality, reflects local designs, styles, vernacular, traditional materials and features which reflect the heritage assets nearby. In addition, the proposed development, in architectural terms, can truly be regarded as being an outstanding and innovative design, and one that promotes high levels of sustainability. Undoubtedly it will help raise the standard of design more generally in the district and village. Importantly, the layout and design of the proposed development is bespoke to the site and its immediate and wider circumstances. Because of this, it fully and successfully fits in with the overall form and context of its surroundings.
- 10.44 Given current site related contexts, but as a general aspiration, we hope that the council encourages and embraces proposed developments of this quality in terms of their architecture. ZMA is to be congratulated on the quality of layout and design of the proposed development, which has also been able to meet the brief of the applicants.
- 10.45 Overall, the development can be regarded as one of high and innovative quality thus satisfying and matching NPPF paragraph 134 aspirations.

### **Planning Application Ref No. 3/20150509/Appeal Decision Ref No. APP/T2350/W/16/3152831**

- 10.46 We cover this because the council regard it as relevant given the appeal decision for the scheme was dismissed. While we regard it as having some relevance, as it applies to the site, each application should be treated on its merits. Although the failed scheme was residential, it was a large single dwelling and the layout and design of that scheme was of an average architectural quality. Its effects and impacts would have been far greater than would be the case with the current proposals. This is due to its unconsidered layout, average design, alien architectural features, and lack of quality landscaping. We comment further on the appeal decision to highlight differences between this failed scheme and the current proposals below.
- 10.47 Regarding the differences between the two schemes, the refused/dismissed development was a large 'L' shaped two-storey building with a high-pitched roof. Its design was contemporary, and although stone was the main building material, it also would have utilised many modern materials. Fundamentally, the design was very modern and urban. In its proposed siting, the height of the building was 770mm taller than the highest part of the current scheme. The building also retained the same height throughout the built form, and was therefore 2270mm taller than the majority of the current predominantly single storey proposal. In addition, the scheme involved the full site being used as 1 very large domestic garden.

- 10.48 Although the existing hedgerow around the site was to be retained, the proposed new landscaping was insubstantial and little thought was given to what its effects would be screening wise.
- 10.49 A significant difference is the fact the property was designed to mainly face out of the site, towards the west and Southport House. The property, through its orientation, scale and massing, would have been very apparent from the junction of Hollins Syke with Sawley Lane. Additionally, the property's elevation towards the north east was designed to face a very large open lawn, not screened nor landscaped and seemingly not separated from Hollins Syke, although we would have expected a fence to have been erected along this boundary.
- 10.50 Overall, the proposed development would have appeared large, modern and urban. It would not have been of low visibility/hidden (through landscaping and features like quality stone walling). Nor would it seem rural, historic and contextually satisfactory to its surroundings as is the case with the current development proposals.
- 10.51 Based on careful analysis of the appeal decision, we believe that an alternative form of residential development, of a much higher architectural quality, reduced scale, height and massing, more thoughtfully landscaped, and better reflective of the historic and visual contexts, could be developed without harming either the setting or significance of the nearby heritage asset of Southport House. Indeed, it is our case that its setting and significance could be enhanced. This can be achieved through the scheme that this statement supports.

### **Sustainability**

- 10.52 This is covered in greater detail in the ZMADAS, but we can confirm and acknowledge that the two dwellings would be of eco-design and fully sustainable which can be regarded as a key asset of the proposal.

### **Landscape, Trees, and Biodiversity**

- 10.53 The proposed development will not adversely impact any existing trees, woodlands, surrounding hedgerow nor other similar assets in the area. It will enhance the ecological profile of the site through introducing a number of biodiversity and sustainability benefits including additional tree planting, wildflower planting, new habitats, bird boxes and bat boxes.

### **Transport and Access**

- 10.54 The proposed development will not adversely impact on the local road network and traffic generated will be very light. The level of traffic impacts will be considerably less than would be case in the event the 11 static caravan/lodge scheme granted under planning permission 3/2012/0797 were to be completed.

### **Use of Brownfield land Resources**

- 10.55 As confirmed in section 9, where we cover the planning framework applicable to the site, NPPF places great emphasis on use of brownfield/previously developed land to promote or support

new developments. This is the case in this instance. Such developments reduce pressure on greenfield sites to be used/released for development.

## **Rural Development Site and Related Contexts**

- 10.56 The site is not isolated in the countryside/rural area. NPPF encourages local planning authorities to resist sites of this nature being promoted for residential use. Instead, the site is very close to the development curtilage of Sawley and development within it, including Southport House and other developments/properties along Sawley Lane. This point was accepted by the Inspector in his appeal decision on the previous failed residential scheme for the site as covered earlier in this section.

## **Impact on Tourism and PROWs**

- 10.57 The development will not adversely affect the tourism related potential of the village and wider area through, for example, diminishing the attractiveness of the village and area to visitors, walkers, cyclists, and others wanting to visit this part of Ribble Valley/FOBAONB for tourism uses.
- 10.58 In addition, the development will not adversely affect the use or experience of using the PROW to the north east of the site. Indeed, it is our position that the experience of using the PROW will be enhanced due to the quality and profile of the proposed development compared to the poor quality/visually impacting development that is currently found at the site.

## **Benefits of New Housing/Self Build Initiative**

- 10.59 Although the planning application would only deliver two units it must be remembered that this would place two units into the housing supply. These would be those that the two families would look to sell if the planning application is successful. NPPF confirms the Government's objective that the planning system should work towards supplying homes and it seems to us that the proposed scheme can contribute towards this. Planning policy requires the system to deliver the needs of groups with specific housing requirements, including self-build developments. While the Ribble Valley Local Plan does not make provision for such a development opportunity in the village, the proposed development site offers considerable potential to deliver on this, and this opportunity should be grasped and treated as such.

## **Accordance with Development Plan Policy**

- 10.60 We listed relevant development plan policy in the preceding section, which has been identified beforehand by the council through the pre-application initiative pursued on the development proposals last year (as covered in section 3). We now consider the degree of accordance against the policies.
- 10.61 Key Statement DS1 – Development Strategy. This sets out where most new housing development will take place. This is to be concentrated in an identified strategic site south of Clitheroe, the main settlements of Clitheroe, Longridge and Whalley. The policy also identifies

what are termed 23 Tier 2 Village settlements, which are regarded as the least sustainable of all of the 32 defined settlements, where development will need to meet proven local needs or deliver regeneration benefits. It is our view that focusing development on a clearly derelict, unused, gradually despoiling, brownfield/previously developed site, which impacts on heritage assets, has to be regarded as a bona fide regeneration benefit.

- 10.62 Key Statement DS2 – Presumption in Favour of Sustainable Development. The policy confirms that, when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The outcome of the pre-application exercise suggests that the council, to date, hasn't reflected this. It hasn't worked proactively with the applicants to find a sensible, sustainable, and acceptable solution to what has to be regarded as a problem site. Setting this aside, the application proposals will improve the economic, social and environmental conditions in the area. Not only are there no material considerations that suggest planning permission should be withheld, but there are also several material conditions, as set out in this section, which support planning permission being granted.
- 10.63 Key Statement DMI2 – Transport Considerations (and Policy DMG3 – Transport & Mobility). This requires that new development should be located to minimise the need to travel. It should incorporate good pedestrian and cycle access and have convenient links to public transport to reduce the need for travel by private car. The site is not the most accessible site in public transportation terms, but this has to be balanced against the fact the applicants already live in the village and are merely planning to move from one part of it to another. Tourism or agricultural uses could be introduced at the site, which could have a substantially greater traffic impact and increase general transportation needs than the current proposal. Indeed, the extant planning permission (ref no. 3/2012/0797) for 11 static caravans/lodges would result in far greater traffic impact transportation needs than the current planning application.
- 10.64 Key Statement EN5 – Heritage Assets. We have considered the contexts of policy relating to heritage assets in some detail in section 6 and earlier in this section so we are strongly of the view this policy can be accorded with. Specifically, the development proposals will not adversely affect the conservation or significance of nearby heritage assets nor their settings. In fact, the opposite will be the case – the development will continue to conserve and improve the significance and settings of the heritage assets, particularly the closest, Southport House. The approach to conservation and enhancement is appropriate to their significance and their heritage value. The development will also contribute to local character, distinctiveness, and sense of place; and to wider social, cultural and environmental benefit (for the village of Sawley). We regard this policy and 'Policy DME4 – Protecting Heritage Assets' as being accorded with, for similar reasons.
- 10.65 Policy DMG1 – General Considerations. This is a long, multifaceted policy which deals with a number of different topics. The policy requires development to be of a high standard of building design. The development is of an exceptional high architectural quality (it can be regarded as an NPPF paragraph 134 development). As required by the policy, the development is



sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as its scale, massing, style, features and building materials. This is also the case with regard to density, layout and relationship between buildings, as required by the policy. In this regard the visual appearance and the relationship of the development to its surroundings, including impact on landscape character, as well as the effects of development on existing amenities, is acceptable. Indeed, it will be an improvement over current site related contexts. The scheme is an eco-development and therefore sustainable. Safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated and the development has no impacts on PROWs. On amenity, the development improves rather than affects the amenities of the surrounding area. It provides adequate daylighting and privacy distances, has full regard to public safety and is secured by design principles. The development will not affect air quality, protects and respects heritage assets, is focused on a previously developed site. In general terms, all other aspects of the policy, which are of less relevance, can be accorded with.

- 10.66 Policy DMG2- Strategic Considerations. This is also a long and complex policy, confirming that development should be in accordance with the core strategy development strategy, which focuses on the Borough's principal settlements. In Tier 2 villages like Sawley and outside their defined settlement areas, which the site is, development must meet at least one of a number of identified considerations. We accept that none are met in full, but we regard the following criterion which reads *"the development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated."* The development would meet a local need in the sense the two families have a desire to live in the village and through a self-build initiative, for which the plan does not otherwise make provision. As required generally by the policy, within the open countryside, the proposed development is in keeping with the character of the landscape and acknowledges the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting. The development redevelops existing buildings.
- 10.67 Policy DMH3 – Dwellings in the Open Countryside. This key policy confirms that, within areas defined as open countryside or AONB, which is the case with the application site, residential development will be limited to a number of forms defined in the policy. The first form is development essential for the purposes of agriculture or residential development which meets an identified local need. This criterion is not satisfied. The second form of development is the appropriate conversion of buildings to dwellings. This criterion is not satisfied. The third form of development is the rebuilding or replacement of existing dwellings. This criterion is not satisfied. Overall, this policy is not accorded with. We consider the implications of this later in this section.
- 10.68 Policy EN2 – Landscape. This policy confirms that the landscape and character of the FOBAONB will be protected, conserved, and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area. The proposed development will replace a derelict, unattractive, despoiling development (which has a negative effect on FOBAONB and its landscape) with an attractive, visually pleasing and low impacting development, strongly suggesting this policy is accorded with.

- 10.69 The assessment set out above confirms that the proposed development can be regarded as generally according with some of the relevant development plan policies. It is our case that there is some development plan policy support for the scheme, sufficient for the council to support the development by reference to development plan policy should it so chose. However, it is consistently our position that it is virtually impossible for any development proposal, large or small, regardless of where it is located and its scope, to fully satisfy each and every aspect of a development plan policy such is their length, scope and complexity. As such, local planning authorities have to balance the benefits and disbenefits of a development proposal when carrying out its planning balance exercise to determine whether a planning application can be supported by reference to policy.
- 10.70 Related to this, and of importance, is the effect of material considerations. As per section 9 of the statement, this is confirmed through relevant planning legislation. The Planning and Compulsory Purchase Act 2004 requires (at section 38 (6)) that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. In essence, even if a planning application cannot be supported by reference to development plan policy, granting permission can be justified by reference to material considerations.
- 10.71 In our view there are several material considerations which support the proposed development and the planning application. We list these below and also comment on the appropriate weight that should be given to them.

## **Material Considerations**

- 10.72 To a great extent the material considerations that support the proposed development and planning application are encapsulated through the points and factors presented in its support in the first part of this section. In summary, they cover:
- The principle of development at the site is already established and the site can be regarded as a brownfield/previously developed site, acknowledged by all levels of policy as the best type of land for new development.
  - The site benefits from what we regard as a disliked, unpopular and visually impacting and damaging extant planning permission for 11 static caravans/lodges at the site (ref no. 3/201/0797). It is our view that the council should encourage and support a better, more appropriate and attractive development to ensure that this scheme does not come forward.
  - The proposal can be regarded as delivering a required Self-Build Development Site Opportunity, for which development plan policy currently makes no provision.
  - Although a minor material consideration, the proposed development can deliver the long term accommodation needs of the Dawson and Turner Families, allowing them to realise their hope and continue living in the community and area they are from.

- There is strong support for the development proposals from a large element of the local community and the Parish Council, which in our experience is very rare, but gratifying.
- The site offers potential for a range of highly impacting, unattractive and we would say inappropriate other uses/forms of development, which other development policies are likely to support (including tourism uses and agriculture). This is evidenced by the permission for 11 static caravan/lodges (ref no. 3/2012/0797).
- The development would assist in delivering the conservation of; the significance of; and the settings of a number of important heritage assets, including the closest, Southport House.
- The visual impact of the proposed development on the local area, including FOBAONB, is entirely satisfactory and represents a substantial improvement over the impacts of the site in its current form.
- The architectural quality of the scheme, which encompasses all aspects of the scheme (layout, design, materiality, landscape and other site related features) is very high, sufficient enough to be regarded as being of exceptional quality as encouraged and supported by NPPF (at paragraph 134).
- Planning Application Ref No. 3/20150509/Appeal Decision Ref No. APP/T2350/W/16/3152831 is relevant, but it's our view that the scheme that failed is nowhere near the quality or as considered as the current proposals for the site. As such the decision cannot and should not be applied or regarded as setting a no development blanket applying to the site. The current proposals for the site satisfactorily address all of the concerns expressed by the Inspector in reaching his decision notice.
- The proposals are for two high quality eco-dwellings which are fully sustainable and satisfy policy in this regard.
- The scheme delivers landscape, tree and biodiversity related benefits.
- The transportation and access related elements of the overall scheme are satisfactory.
- The development can be regarded as being very close to the development curtilage of Sawley and development within it, including Southport House and other developments/properties along Sawley lane. The site is not isolated. The development will contribute towards the future success and sustainability of the village.
- The development will not impact on a nearby PROW and will have a minor positive effect on tourism by improving the visual profile and attractiveness of this part of the village.
- The scheme will release two units into the local housing supply.
- Overall, the development satisfies a considerable number of NPPF policies, general policy guidance and policy expectations, particularly regarding need for self-build developments initiatives, encouragement of high quality and innovative architecture, and NPPF is a prescient and very important material consideration.

- 10.73 Some of the benefits and material considerations set out above are relatively minor in terms of weight to be attributed to them. However, others are significant and warrant considerable weight, particularly: the negative impact of the site in its current form; the development would deliver clear and tangible heritage related benefits; the development would stop a very unpopular, visually intrusive and potentially highly impacting development from succeeding; and the development would deliver a well-liked and supported development which would secure a long term and satisfactory future for the site.

### **Conclusions on Whether the Planning Application Can be Supported**

- 10.74 Through a combination of some development plan policy support and the addition of a number of important and weighty material considerations, it is our view that this proposal should be supported. When a sensible and appropriate planning balancing exercise is carried out, the planning application can be regarded as satisfying the decision-making framework as set out under section 38 (6) of the Planning and Compulsory Purchase Act 2004, which warrants and requires that it be granted.

## 11. CONCLUSIONS

- 11.1 The families live in and are from the area and wish remain part of and contributing to their community, namely Sawley.
- 11.2 Pre-application advice was negative but did not acknowledge or give weight to what we would term the material considerations case in support of the current proposals.
- 11.3 The site is brownfield/previously developed land in context and the existing development is large, unattractive, gradually despoiling and visually intrusive.
- 11.4 The site is close to heritage assets some of which are highly important and some of which are adversely affected by the site in its current form through the effects of the site on their significance and settings (of heritage assets).
- 11.5 The development is of a high and innovative architectural quality, thus satisfying Paragraph 134 of NPPF. The proposal will provide a positive impact and contribution to the setting of the village and heritage assets.
- 11.6 The proposals cannot be obviously or fully supported by reference to development plan policy, but there is some support. Importantly, the lack of development plan policy support is fully balanced by material considerations, meaning the decision-making framework relating to planning applications (section 38 (6) of The Planning and Compulsory Purchase Act 2004) and related planning balance can be satisfied.
- 11.7 If the planning application does not succeed the site could be brought forward for a consented and still extant permission for a highly impactful and unpopular static caravan/lodge scheme (under planning permission 3/2012/0797), which would be grievous.
- 11.8 Overall, the proposed development/planning application has much to merit it and, in our view, is the optimum use for the long-term future of the site. As such we would encourage the council to treat the planning application positively and grant approval.