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# PLANNING STATEMENT

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GROUNDS OF PRIMROSE HOUSE, PRIMROSE ROAD, CLITHEROE BB7 1DR

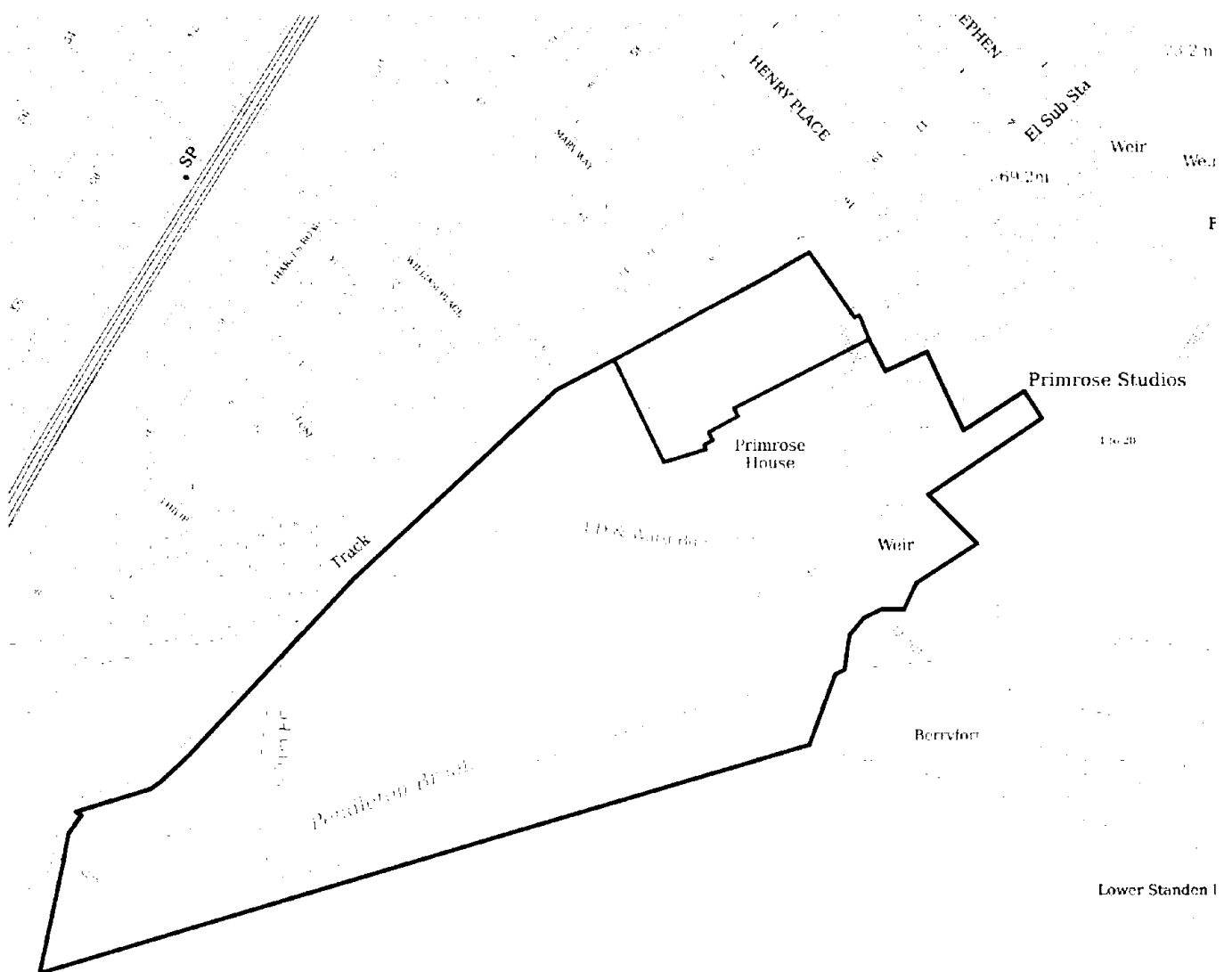
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AUGUST 2023

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*Appendix 1 – LPA's Pre-Application Response for a proposal for 2 dwellings*

## 1.0 Introduction

- 1.1 This Planning Statement supports a full planning application submitted by *Mr. Richard Stephenson* that seeks full planning permission and listed building consent on land within the grounds of Primrose House, Clitheroe for the erection of a single storey self-build Passivhaus dwelling with associated car port, parking and manoeuvring space, refuse storage, garden area, hard and soft landscaping, to be accessed (by vehicles and pedestrians) from Woone Lane via the existing access road that serves the 'Old Cotton Mill' development following the removal of a section of boundary wall (application site boundary marked red below).



- 1.2 While planning permission is clearly required for the proposal, we do not consider that listed building consent (LBC) is required because the construction of the proposed dwelling would not have a direct impact on the listed building (Primrose House). However, we have submitted a LBC application as a 'belt and braces' approach in the event that the LPA considers that LBC is required to form an opening in the boundary wall to the north of Primrose House in order to achieve access. That wall forms part of the enclosure of the listed building and was in common ownership at the time of listing (1976), albeit it is physically separated from the listed building by the topography of the application site. The LPA did not raise the status of the wall as a potential curtilage listed structure during pre-application consultations, but notwithstanding that the applicant has elected to submit an application for LBC for those discrete works in the interests of caution in the event that the LPA identifies the wall as a curtilage listed structure, to run concurrently with the planning application.
- 1.3 The application site comprises a discrete parcel of elevated land within the very extensive private garden of the Applicant's home, Primrose House, a grade II listed building. The intent of the new home is to cater for the Applicant's future needs as he and his wife progress their lives. It has been designed to be a low height, low key, largely hidden dwelling in a lush 'secret garden', of high sustainability credentials, excellent design quality and an adaptable 'lifetime home'.
- 1.4 We explain in this Planning Statement why we consider the proposal to be policy-compliant and sustainable, delivering economic, social and environmental benefits. Those benefits are inevitably limited as a consequence of the small scale nature of the proposal, but they are real and positive.
- 1.5 This Planning Statement summarises the content of the planning application and the proposals in a clear and informative way. It assesses the merits of the planning application against prevailing planning policies at both the national and local level, and sets out other material considerations that call to be factored into the planning balance. It brings together the supporting information that accompanies the planning application.

## **Application Content**

1.6 A comprehensive set of drawings and documents are submitted to support the application, reflecting the helpful pre-application advice provided by the LPA. These should be considered alongside one another to provide a rounded, informed and comprehensive assessment of the proposal. The application as a whole comprises:

- Application form (completed by Roman Summer Associates Ltd);
- This Planning Statement (Roman Summer Associates Ltd);
- Heritage Assessment (Graeme Ives Heritage Planning);
- Design & Access Statement (Studio Perfectus Architects);
- Arboricultural Impact Assessment (Pennine Ecology);
- Preliminary Ecological Appraisal (Pennine Ecology) – to be read alongside:
  - Map 1 ‘UK Habs Baseline Plan’ (Pennine Ecology); and
  - Map 2 ‘Baseline Map’ (Pennine Ecology);
- Drainage Strategy Report (RCD);
- Architectural and landscaping drawings / details as listed in the submitted Document Issue Register (Studio Perfectus).

1.7 The remainder of this Planning Statement is structured as below :

- Section 2.0 describes the site, surroundings, background and proposed development, and summarises the LPA’s pre-application feedback letter that related to a proposal for 2 dwellings (reproduced in full at Appendix 1);
- Section 3.0 summarises national and local planning policies relevant to the application;

- Section 4.0 assesses the proposed development against planning policy and addresses other material considerations and the planning balance;
- Section 5.0 sets out our conclusions.

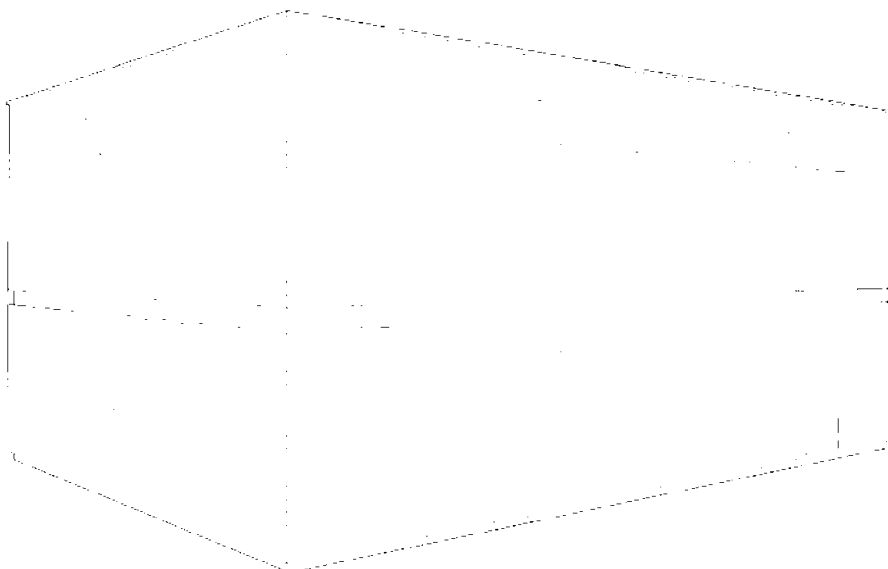
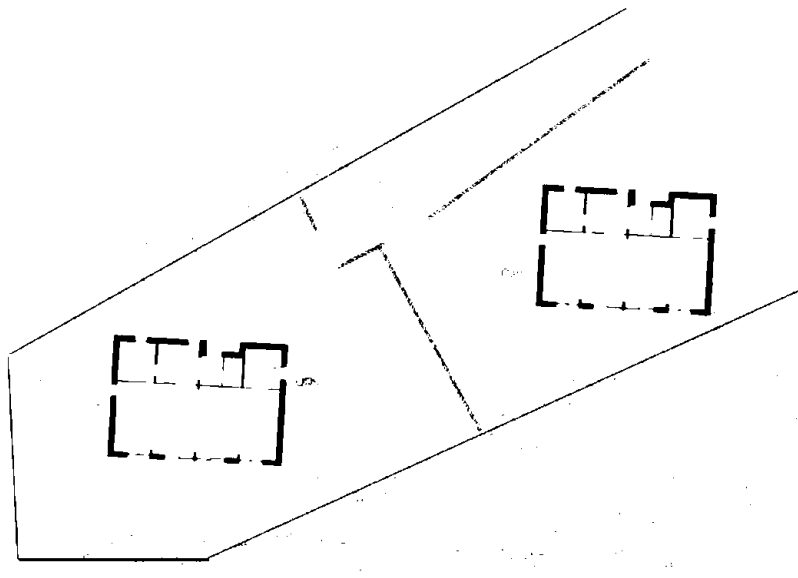
## 2.0 Description of the Site and Proposal

### The Site and Surroundings

- 2.1 The application site is 0.18 hectares.
- 2.2 It occupies an unused, isolated, elevated part of the very large garden of Primrose House (the Applicant's current home).
- 2.3 The site is currently undeveloped and somewhat overgrown.
- 2.4 Hidden behind boundary walls and mature trees / vegetation, views into / towards the site from surrounding roads and public areas are practically non-existent.
- 2.5 There are no specific ecological designations that affect the site.
- 2.6 The site is not a "valued landscape" in NPPF terms and it is not designated as part of any particularly important or valuable landscape designation.
- 2.7 The site is not located in a Conservation Area. However, Primrose House is a Grade II listed building and it accepted that the site forms part of its curtilage. However, the site is in an elevated position at the top of a steep bank of land, and – when viewed from the lower level to the rear of Primrose House - views of the proposal will be very limited and softened by both existing and new trees and landscaping.
- 2.8 The application site is located within Flood Zone 1, and as such is not at serious risk of flooding.

### **Pre-Application Feedback (for 2 dwellings)**

- 2.9 In early 2023, our client approached the LPA to seek pre-application feedback on a proposal to erect two 2 storey dwellings on the application site. Whilst those had not been designed in full detail, the following conceptual details were presented. It will be noted that, not only were the proposed houses indicated to be 2 storey, but an overtly bold (and arguably brutalist) design vision was presented.





- 2.10 The LPA set out its feedback in its letter dated 27<sup>th</sup> March 2023 (Ref: RV/2022/ENQ/00062) (see *Appendix 1*). Perhaps unsurprisingly, given the somewhat crude concept design that had been presented (as above), the LPA's feedback about that specific scheme was negative, but the letter ends by setting out a far more positive stance on a possible alternative form of development.
- 2.11 The letter starts by discussing the principle of development. It notes that the site is located wholly within the defined settlement limits of Clitheroe as a Principal Settlement. As such, it suggested that the principle of residential development (notwithstanding other development management considerations) would be considered to be in broad alignment with the spatial and locational aspirations for new residential development within the plan area, as embodied within Policy DMG2 of the Ribble Valley Core Strategy.
- 2.12 The letter also noted that the site is located within the curtilage (and setting) of a Grade II Listed Designated Heritage Asset (Primrose House), and as such Key Statement EN5 and Policy DME4 are also primarily, but not solely, engaged for the purposes of assessing the proposal.
- 2.13 Having regard to those policies and the specifics of the pre-application details that had been presented, the letter concluded that, by virtue of the scale of the proposed dwellings and their direct intervisibility with Primrose House, the proposal would:

*'significantly undermine the significance of the Grade II designated heritage asset. Particularly insofar that the dwellings would undermine the visual importance of the Primrose House by virtue of not only their elevated position and resultant visual prominence/dominance, but also by virtue of their external appearance which would significantly conflict with the visual importance of Primrose House.'*

2.14 The letter then comments more positively, stating that:

*'I consider there may be scope to accommodate a dwelling or two dwellings on the site subject to there being no direct intervisibility between the Grade II designated heritage asset and any new buildings. I also considered that any measures to mitigate such intervisibility should be wholly natural in nature and should not rely on artificial structures or boundary treatments that would appear incongruous or anomalous. I also consider that for such a proposal to be successfully visually assimilated into the area and setting of the Grade II Listed building, whilst minimising harm, that any such structures should be single storey in nature and be of a very modest scale that would limit their visibility.'*

2.15 On the basis of that helpful pre-application commentary, our client determined to reduce the scheme to a single dwelling and instructed Studio Perfectus Architects to design a scheme that reflects the comments set out in the pre-application letter.

### **The Proposal**

2.16 The application is submitted in full detail. It seeks full planning permission, and also – submitted on a 'belt and braces' basis (as explained in paragraph 1.2) – listed building consent solely and specifically for the creation of an opening in the boundary wall to provide access.

2.17 It promotes the erection of a single storey 3-bedroom 'Passivhaus' with associated car port, hardstanding, refuse storage, garden areas, hard and soft landscaping.

2.18 The proposal (if approved) will be a self build project for the applicant and his family, achieving their life-long ambition to build their own home.

2.19 The Applicant's brief has been to deliver a home of charm, beauty and sensitivity, set neatly and respectfully within the context, anchored and softened by verdant, landscaped grounds. It will be a house of high sustainability rating designed to achieve Passivhaus

accreditation. It will be a house of exemplary design quality, in keeping with the rural / urban fringe context.



- 2.20 The evolution, design and layout of the proposed house is described in detail in the accompanying Design and Access Statement.
- 2.21 The home achieves and surpasses the National Space Standards. The internal access arrangements are designed to meet Pt.M (i) (Accessibility) and Pt.B (Fire for escape distances).
- 2.22 The proposed single storey dwelling will sit back, on elevated land, from Primrose House, from where it will be barely visible.

- 2.23 The car port will be able to accommodate 3 cars, largely concealing those from view. Secure cycle store and accessible bin stores are also accommodated. These too are hidden from public view.
- 2.24 In terms of scale, we suggest that the proposal is discrete and proportionate, and entirely appropriate to its largely 'hidden' context.
- 2.25 The site access will be from Woone Lane via the existing access road that serves the 'Old Cotton Mill' development following the removal of a section of boundary wall.
- 2.26 In terms of trees, the proposed development directly impacts upon several trees. These trees require removal due to their close proximity to construction activity. All the trees proposed for removal are considered to be low quality ('C' category) specimens, as per the table below.

	Category 'A'	Category 'B'	Category 'C'
Trees to be removed to enable the construction of the proposed development	None	None	T11, T13, G14, G15, G16, G17, T18, G21, T24, T25 & T26

- 2.27 In terms of new landscaping, these details are presented in full detail by Studio Perfectus. 13 new trees will be planted, 199 individual shrubs, 430 sqm of mixed native shrub areas, plus Herbaceous Perennials, ferns and wildflower grasses (all itemised in the submitted Planting Schedule and shown on the landscaping drawings).
- 2.28 Finally, we anticipate that the LPA will welcome the contribution this scheme will deliver to biodiversity. The submitted Preliminary Ecological Appraisal (PEA) confirms that the proposals is affecting habitats of very low to medium distinctiveness. As the house is being constructed to a Passivhaus specification, the scheme design will ensure that there is an overall increase in biodiversity value. The biodiversity enhancement proposals are provided in Table 2 of the PEA below, to be cross referenced to its Appendix A (Map 2 –

'Biodiversity Enhancement Plan'), which provides locations of all the measures being undertaken to achieve an overall increase in habitat/fauna value on site. Those enhancement measures include:

- The project design has aimed to retain as many trees as possible. 19 trees have been retained. Removal of 6 native trees and two groups of non-native Leyland Cypress of poor quality. Replacement with 13 trees, of which 5 are of native species (apple, silver birch and oak).
- An area of existing scrub along the south bank which currently has a high proportion of introduced shrubs and non-native species. Unfavourable non-native shrubs will be removed and replaced with a native scrub mix comprising hazel, dogwood, holly, and hawthorn.
- English yew (native species) hedges to be used throughout the site instead of artificial barriers. The hedges will form dense foliage and be of value for breeding birds.
- The current site comprises poor condition modified (amenity) grassland). The west and east extents of the site will be seeded with a species rich wildflower lawn mix comprising 20% slow-growing grasses and 80% native wildflower mix.
- The lawn will be subject to infrequent mowing (approx. 2 to 3 cuts per annum) to allow wildflowers to establish and encourage pollinating insects to the site.
- A very small (2m x 3m) ornamental pond which was almost dry will be removed. This is unsuitable for amphibians and has no ecological value in its current state.
- The proposals include a linear water feature along the full front extent of the new dwelling. Along the southern extent of the pond there will be a row of herbaceous perennials and grasses planted along which will provide partial shading and refuge for invertebrates.
- Water features are considered to be a valuable ecological resource on site and will encourage invertebrates to the site, consequently increasing the suitability of an area for birds, mammals (bats) and amphibians.

2.29 We anticipate (hope) that the LPA will attach considerable weight to those biodiversity benefit in the overall planning balance.

### **3.0 Overview of Planning Policy**

3.1 This section summarises the planning policy context against which the application falls to be considered. These policy strands will then be considered further in Section 4.0 of this Statement. Before consideration of Development Plan policies, we first summarise the strategic policies set out at national level.

3.2 The NPPF was first published in 2012. It was revised in 2019, and again in July 2021.

#### ***Achieving Sustainable Development***

3.3 Paragraph 8 explains that achieving ‘sustainable development’ means that the planning system has three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

3.4 Paragraph 10 reinforces this by confirming that, at the heart of the Framework, is a presumption in favour of sustainable development, while paragraph 11 states that LPAs should apply this presumption. For decision-taking this means:

‘approving development proposals that accord with an up-to-date development plan without delay’

#### ***Decision Making***

3.5 Paragraph 38 states that local planning authorities should approach decisions on proposed development ‘in a positive and creative way’.

***Delivering a Sufficient Supply of Homes***

3.6 Chapter 5 is dedicated to ‘delivering a sufficient supply of homes’. Paragraph 60 states that :

‘To support the Government’s objective of **significantly boosting** the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed ...’

3.7 One such ‘group with specific housing requirements’ are those wishing to build their own homes. The NPPF defines such housing (‘self-build and custom-build housing’) as:

‘Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.’

3.8 The above is important because this application is proposing a self-build home for an individual who wishes to build his own home, and whose ‘housing requirements’ have not yet been met.

3.9 §69 states that small and medium sized sites (such as the one subject of this application) can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should, *inter alia* support the development of windfall sites through their policies and decisions – giving ‘great weight’ to the benefits of using suitable sites within existing settlements for homes.

***Promoting Sustainable Transport***

- 3.10 §110 states that, in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
  - b) safe and suitable access to the site can be achieved for all users;
  - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
  - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 3.11 §111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be “severe”.
- 3.12 §112 states that applications for development should:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
  - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
  - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;



- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

***Making Efficient Use of Land and Achieving Appropriate Densities***

- 3.13 §119 states that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 3.14 §120 states that planning decisions should, *inter alia*, encourage multiple benefits from both urban and rural land, including through taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation.
- 3.15 §124 states that planning decisions should support development that makes efficient use of land, taking into account:
  - a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
  - b) local market conditions and viability;
  - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
  - d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
  - e) the importance of securing well-designed, attractive and healthy places.

***Achieving Well Designed Places***

- 3.16 §126 states 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.
- 3.17 §130 states that planning decisions should 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.
- 3.18 §131 states that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning decisions should ensure that new streets are tree-lined, and that opportunities are taken to incorporate trees elsewhere in developments.

- 3.19 §132 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests.
- 3.20 §134 states 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 government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; 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.**

***Meeting the Challenge of Climate Change, Flooding and Coastal Change***

- 3.21 §152 states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. 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.
- 3.22 §159 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).

***Conserving and Enhancing the Natural Environment***

3.23 §174 states that planning decisions should contribute to and enhance the natural and local environment by, *inter alia* :

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); and
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land.
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures

3.24 §180 states that, when determining planning applications, local planning authorities should apply, *inter alia*, the following principles:

- if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

3.25 §180(d) requires opportunities to incorporate biodiversity improvements in and around development.

### ***Ground Conditions and Pollution***

- 3.26 §183 states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.
- 3.27 §185 states that decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

### ***Conserving and Enhancing the Historic Environment***

- 3.28 Part 16 of the NPPF seeks to conserve and enhance the historic environment. Paragraph 194 requires :

“an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting”.

- 3.29 §201 states that, 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.
- 3.30 §202 states that, 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.

### **National Design Guide**

- 3.31 The National Design Guide was published in October 2019, and revised in January 2021.
- 3.32 It explains (at §8) that the underlying purpose for design quality and the quality of new development at all scales is to create well-designed and well-built places that benefit people and communities.
- 3.33 §21 suggests that a well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:
- the layout;
  - the form and scale of buildings;
  - their appearance;
  - landscape;
  - materials; and
  - their detailing.
- 3.34 §39 states that well-designed places are based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design; integrated into their surroundings so they relate well to them; influenced by and influence their context positively; and responsive to local history, culture and heritage.
- 3.35 §42 reiterates that well-designed development proposals are shaped by an understanding of the context that identifies opportunities for design, as well as constraints upon it. It suggests that this should be proportionate to the nature, size and sensitivity of the site and proposal.

3.36 §44 states that :

‘... well-designed places do not need to copy their surroundings in every way. It is appropriate to introduce elements that reflect how we live today, to include innovation or change such as increased densities, and to incorporate new sustainable features or systems.’

### **The Development Plan**

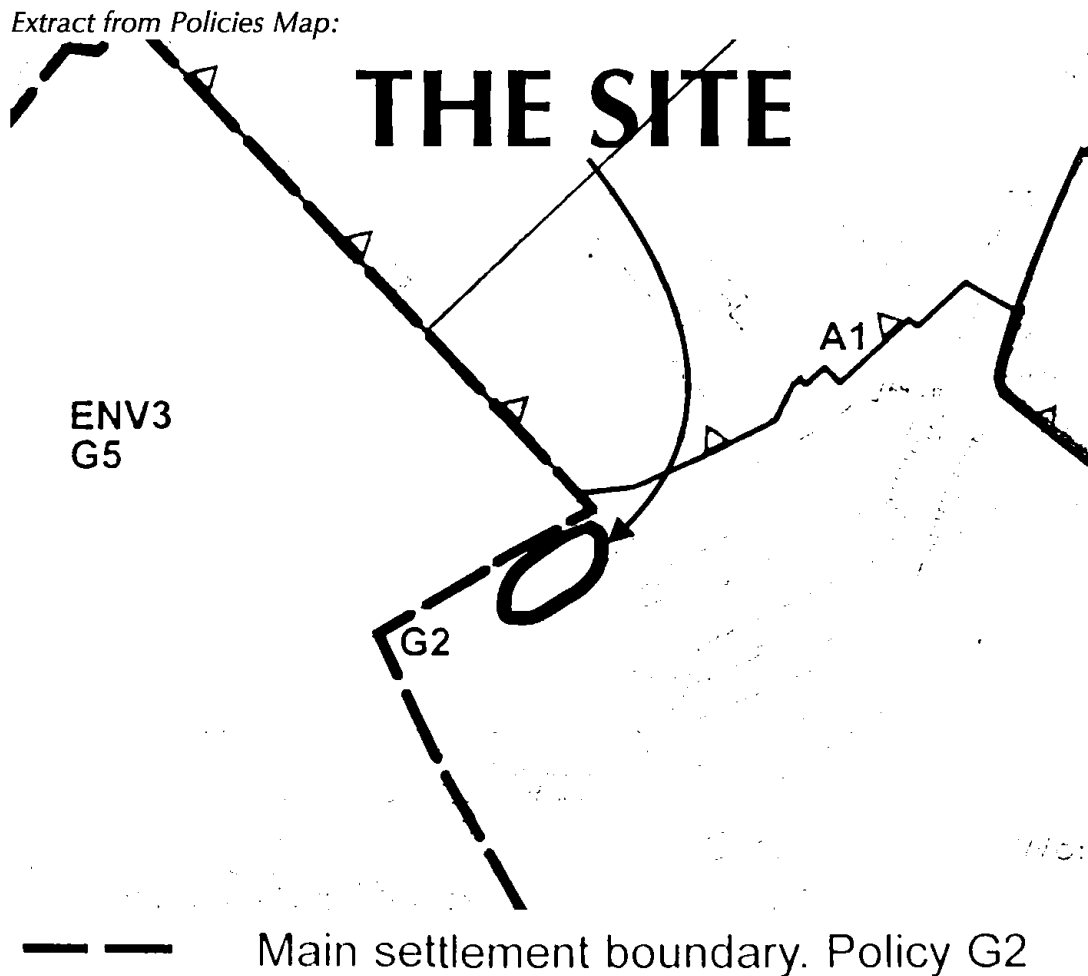
3.37 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the statutory development plan, unless material considerations indicate otherwise.

3.38 For the purposes of this planning application, the adopted development plan comprises the Ribble Valley Core Strategy (adopted December 2014).

3.39 The extract from the Policies Map on the following page shows the site’s location inside the Main Settlement Boundary. It is not allocated or designated for any particular use or development, or afforded any special protection beyond its location within the curtilage of a grade II listed building.

3.40 **Key Statement DS1: Development Strategy** confirms that the majority of new housing development will be:

- concentrated within an identified strategic site located to the south of Clitheroe towards the A59; and
- **the principal settlements of Clitheroe, Longridge and Whalley.**



- 3.41 **Key Statement DS2: Presumption in Favour of Sustainable Development** states 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. Planning applications that accord with the policies in this Local Plan will be approved without delay, unless material considerations indicate otherwise.
- 3.42 **Key Statement EN4: Biodiversity and Geodiversity** states that the Council will seek wherever possible to conserve and enhance the area's biodiversity and geodiversity and to avoid the fragmentation and isolation of natural habitats.



3.43 **Key Statement EN5: Heritage Assets** states that there will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits. This will be achieved through, *inter alia*:

- Considering any development proposals which may impact on a heritage asset or their setting through seeking benefits that conserve and enhance their significance and avoids any substantial harm to the heritage asset; and
- Requiring all development proposals to make a positive contribution to local distinctiveness/sense of place.

3.44 **Key Statement DM12: Transport Considerations** states that new development should be located to minimise the need to travel, and should incorporate good access by foot and cycle and have convenient links to public transport to reduce the need for travel by private car.

3.45 **Policy DMG1: General Considerations** states that, In Determining Planning Applications, all development must:

- Be of a high standard of building design
- Be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.
- Consider the density, layout and relationship between buildings. Particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.
- Use sustainable construction techniques where possible and provide evidence that energy efficiency has been incorporated into schemes where possible.

- The code for sustainable homes and lifetime homes, or any subsequent nationally recognised equivalent standards, should be incorporated into schemes.
  - Consider the potential traffic and car parking implications.
  - Ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated.
  - Not adversely affect the amenities of the surrounding area.
  - Provide adequate day lighting and privacy distances.
  - All development must protect and enhance heritage assets and their settings.
- 3.46 **Policy DMG2: Strategic Considerations** states that development proposals in the principal settlements of Clitheroe, Longridge and Whalley and the Tier 1 villages should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.
- 3.47 **Policy DME1: Protecting Trees and Woodlands** states that there will be a presumption against the clearance of broad-leaved woodland.
- 3.48 **Policy DME4: Protecting Heritage Assets** states that, in considering development proposals the Council will make a presumption in favour of the conservation and enhancement of heritage assets and their settings. Development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported.
- 3.49 **Policy DME6: Water Management** states that development will not be permitted where the proposal would be at an unacceptable risk of flooding or exacerbate flooding elsewhere. Applications should include appropriate measures for the conservation, protection and management of water such that development contributes to reducing the risk of surface water flooding (for example, the use of Sustainable Drainage Systems (SUDS)).

## 4.0 Planning Assessment

4.1 The key planning policy issues arising in this case are summarised in Section 3.0. The purpose of this section is to consider these further and to present the level of compliance with those policies and the benefits likely to accrue from the development. Each of the key issues will be addressed in turn, namely:

- Housing Land Supply
- Compliance with the Development Plan;
- Sustainable Development;
- Compliance with the NPPF;
- Design and Landscaping Quality.

### HOUSING LAND SUPPLY

4.2 In February 2017, the Government published its Housing White Paper titled '*Fixing Our Broken Housing Market*'. This made it clear that more houses need to be built to help drive towards a more affordable housing market. The Paper emphasised that the pace of development is too slow, and there is a need "to build homes faster" and to "help people now". The White Paper also put important emphasis on housebuilding as a mechanism to achieve wider economic growth.

'Britain's broken housing market hurts all of us. Sky high property prices stop people moving to where the jobs are. That's bad news for people who can't find work, and bad news for successful companies that can't attract the skilled workforce they need to grow, which is bad news for the whole economy.

Low levels of house building means less work for everyone involved in the construction industry – architects, builders, decorators and manufacturers of everything from bricks to kitchen sinks. If people must spend more and more to keep a roof over their head they'll inevitably cut back elsewhere – meaning less money gets spent in the wider economy. High rents are bad news for all taxpayers including those who own their own

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home. If rents are too high, then private renters struggle to pay - and the taxpayer has to foot the bill with more Housing Benefit. That's money that could be spent on schools, hospitals and other frontline services.

If we fail to build more homes, it will get harder for ordinary working people to afford a roof over their head, and the damage to the wider economy will get worse.'

4.3 On 6th August 2020, the Government published its Planning White Paper, which set out radical reforms to the planning system, with the aim of creating a 'significantly simpler, faster and more predictable system.'

4.4 The reforms are being brought forward in the context of the Government's aspiration to build 300,000 homes per year - a target which has yet to be delivered. Just 241,000 new homes were built in 2019, and in its '*Housing supply: Indicators of new supply, England Statistical Release*' (published 30 September 2020), the MHCLG unsurprisingly (due to Covid) predicted a downturn in the rate of delivery in 2020 (as below).

'The number of dwellings where - according to building control figures - building work has started on site was 15,930 in April to June 2020. This is a 52 per cent decrease when compared to last quarter and this steep fall in activity reflects UK government COVID-19 lockdown measures. It follows a recent trend of a slowdown in growth with six of the last six quarters showing a decrease.

There has been a sustained decrease in starts and more recently a steep fall in starts and completions reflecting UK government COVID-19 lockdown measures.'

4.5 The White Paper acknowledges that the result of long-term and persisting undersupply is that housing is becoming increasingly expensive, and that through overhauling the planning system there is an opportunity to better streamline the planning process, accelerate the delivery of new homes, and address the issue of affordability.

- 4.6 The White Paper makes clear however that ‘we are cutting red tape, but not standards’, highlighting that as important as it is to boost housing, it is equally vital that good design and high quality of development in the right place is secured.
- 4.7 This premise reflects the interim report prepared by the *Building Better, Building Beautiful Commission*, which strongly advocates that the housing industry achieves beautiful design and good place-making.
- 4.8 We acknowledge that the Council can demonstrate that it has in place a sufficient supply of housing land, but that is a minimum requirement and the Council is charged with ‘*boosting significantly*’ its supply. This proposal will make a small, but positive contribution to that supply, and should be afforded weight accordingly.

#### COMPLIANCE WITH THE DEVELOPMENT PLAN

- 4.9 In determining this application, regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires that proposals be determined in accordance with the development plan.
- 4.10 As explained in Section 3.0 that – for the purposes of this application - the adopted development plan comprises the Ribble Valley Core Strategy.
- 4.11 We have noted that the site is located inside the defined Main Settlement Boundary. It is not allocated or designated for any particular use or development, or afforded any special protection beyond its location within the curtilage of a grade II listed building.
- 4.12 The application is consistent with **Key Statement DS1: Development Strategy** which confirms that the majority of new housing development will be, *inter alia*, located in ‘the principal settlement of Clitheroe’.

- 4.13 Likewise, there is consistency with **Policy DMG2: Strategic Considerations** which states that development proposals in the principal settlements (including Clitheroe) should consolidate, **expand** or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement. The proposal is very closely related to adjacent housing and is entirely in scale.
- 4.14 We suggest that the proposal is consistent with **Policy DMG1: General Considerations**. This sets out a range of criteria which we consider to be satisfied, namely:
- It is of a high standard of building design
  - It 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.
  - Sustainable construction and energy efficiency has been incorporated into the scheme.
  - The proposed house has been design as both sustainable and ‘lifetime’.
  - There are no serious traffic or car parking implications.
  - There will be no adverse affects on the amenities of the surrounding area.
  - The scheme provides for adequate day lighting and privacy distances.
  - The proposal will protect and preserve the curtilage/setting of Primrose House as a grade II heritage asset.
- 4.15 The latter point aligns with **Key Statement EN5: Heritage Assets**, which states that there will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. Heritage assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits.
- 4.16 The above is echoed in **Policy DME4: Protecting Heritage Assets**, which states that development on sites within the setting of such assets which cause harm to the significance of the heritage asset will not be supported.
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- 4.17 In response to the above heritage policies, we defer to the comments and conclusions set out in the separate Heritage Assessment prepared by Graeme Ives Heritage Planning. That acknowledges that the proposed development would have potential to cause an indirect impact on the significance of Primrose House by virtue of the change proposed within the setting of the listed building.
- 4.18 However, it notes that the proposed house has been carefully designed and sited to avoid imposing itself on the status of Primrose House. The low profile of the house will follow the topography of the site, to create a series of low steps in the roof line. In this way it 'works with' the profile of the site rather than taking the alternative approach of raising the floor level, and overall height, of the western end of the building to remove the change in levels internally. The proposed approach creates interest with a more articulated profile, but also minimises the height of the proposed building.
- 4.19 It is also noted that the house would be positioned as close to the northern boundary of the application site as possible, thus pulling it away from the edge of the steep slope that separates the site from the wider grounds of Primrose House. A considerable screen of trees and shrubs occupies the embankment along the southern boundary of the application site, and further planting would be added to help create an effective screen between the proposed house and the grounds of Primrose House. The proposed house would be almost entirely screened from the western elevation of Primrose House, with only part of the eaves line likely to be visible, albeit filtered by the tree cover.
- 4.20 The Heritage Assessment notes that the association between the house, Primrose Works and James Thomson is a matter of record, and would not be affected by the proposals. Neither would the physical relationship between the house and adjoining works, the key element of its setting.
- 4.21 The report notes that an opening is proposed within the tall, stone, boundary wall to create the access from Woone Lane. However, the wall has a vertical joint, suggesting a degree of previous adaptation, and is largely clad in timber boarding as part of the car

parking scheme for the 'Old Cotton Mill' development. The proposed opening would not harm the significance of the listed building.

- 4.22 Having regard to the above, the Heritage Assessment suggests that, while the proposed development would cause change within the setting of the listed building, such change is considered to preserve its special interest. The proposed development is therefore in accordance with the 'statutory duty' of S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 4.23 Likewise, the proposed development would not cause harm to the visual setting of the listed building, with reference to Local Plan Development Management Policy DME4. The proposals would conserve the significance of the heritage asset and would be consistent with Core Strategy Statement EN5.
- 4.24 The application is also consistent with **Key Statement EN4: Biodiversity and Geodiversity**, which states that the Council will seek wherever possible to conserve and enhance the area's biodiversity and geodiversity and to avoid the fragmentation and isolation of natural habitats.
- 4.25 Related to that is **Policy DME1: Protecting Trees and Woodlands**, which sets out that there will be a presumption against the clearance of broad-leaved woodland.
- 4.26 The application is supported by the following related reports :
- Arboricultural Impact Assessment (Pennine Ecology);
  - Preliminary Ecological Appraisal (Pennine Ecology) – to be read alongside:
    - Map 1 'UK Habs Baseline Plan' (Pennine Ecology); and
    - Map 2 'Baseline Map' (Pennine Ecology);



- 4.27 The above combined confirm that, while the proposed development directly impacts upon several trees, all of those trees are considered to be low quality ('C' category) specimens.
- 4.28 In terms of new landscaping, these details are presented in full detail by Studio Perfectus. 13 new trees will be planted, 199 individual shrubs, 430 sqm of mixed native shrub areas, plus Herbaceous Perennials, ferns and wildflower grasses (all itemised in the submitted Planting Schedule and shown on the landscaping drawings).
- 4.29 The submitted Preliminary Ecological Appraisal (PEA) confirms that the proposals is affecting habitats of very low to medium distinctiveness. The biodiversity enhancement proposals are provided in Table 2 of the PEA below, to be cross referenced to its Appendix A (Map 2 – 'Biodiversity Enhancement Plan'), which provides locations of all the measures being undertaken to achieve an overall increase in habitat/fauna value on site. Those enhancement measures include:
- The project design has aimed to retain as many trees as possible. 19 trees have been retained. Removal of 6 native trees and two groups of non-native Leyland Cypress of poor quality. Replacement with 13 trees, of which 5 are of native species (apple, silver birch and oak).
  - An area of existing scrub along the south bank which currently has a high proportion of introduced shrubs and non-native species. Unfavourable non-native shrubs will be removed and replaced with a native scrub mix comprising hazel, dogwood, holly, and hawthorn.
  - English yew (native species) hedges to be used throughout the site instead of artificial barriers. The hedges will form dense foliage and be of value for breeding birds.
  - The current site comprises poor condition modified (amenity) grassland. The west and east extents of the site will be seeded with a species rich wildflower lawn mix comprising 20% slow-growing grasses and 80% native wildflower mix.
  - The lawn will be subject to infrequent mowing (approx. 2 to 3 cuts per annum) to allow wildflowers to establish and encourage pollinating insects to the site.

- A very small (2m x 3m) ornamental pond which was almost dry will be removed. This is unsuitable for amphibians and has no ecological value in its current state.
  - The proposals include a linear water feature along the full front extent of the new dwelling. Along the southern extent of the pond there will be a row of herbaceous perennials and grasses planted along which will provide partial shading and refuge for invertebrates.
  - Water features are considered to be a valuable ecological resource on site and will encourage invertebrates to the site, consequently increasing the suitability of an area for birds, mammals (bats) and amphibians.
- 4.30 The application is also compliant with **Key Statement DM12: Transport Considerations**, which seeks to minimise the need to travel, and requires development to incorporate good access by foot and cycle and have convenient links to public transport to reduce the need for travel by private car.
- 4.31 In the above regard, the site is located within the settlement limit of one of the Borough's largest and most sustainable settlements, immediately adjacent to established housing and within quite close walking distance to local shops, schools, public transport and other core services and facilities.
- 4.32 Finally, there is no conflict with **Policy DME6: Water Management**, which states that development will not be permitted where the proposal would be at an unacceptable risk of flooding or exacerbate flooding elsewhere. It states that applications should include appropriate measures for the conservation, protection and management of water such that development contributes to reducing the risk of surface water flooding (for example, the use of Sustainable Drainage Systems (SUDS)).
- 4.33 The application is supported by a comprehensive Drainage Strategy. That designs the surface water and foul water drainage aspects of the proposed development. The report outlines the strategy for the surface water drainage for the proposed development with reference to Ciria 753, the SUDS manual, the NPPF, the National Planning Policy Framework and the Local Flood Risk Management Strategy for Lancashire 2021-2027.
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- 4.34 The report highlights that the site is covered with vegetation and is 100% permeable. Infiltration testing was completed in May 2023 and confirmed 'worst case infiltration rates' of 1.67x10<sup>-5</sup>m/s.
- 4.35 It notes that the proposed development consists of the construction of a single storey dwelling with a roof area of 520m<sup>2</sup> and a permeable drive area with an area of 147m<sup>2</sup>. It is proposed that surface water from the roof will discharge to a cellular storage tank soakaway.
- 4.36 Foul drainage will discharge under gravity to the public foul sewer running through the site.
- 4.37 The report notes that the flood warning information services website confirms that the site is in Flood Zone 1 and that there is no risk of surface water flooding. The mapping shows that the garden of Primrose House itself is in flood zone 3 and that there is a risk of flooding, but the application site is in an elevated position 7.0m higher than the main garden.
- 4.38 The report concludes that there ought to be no drainage-related concerns about the development, and as such we contend that it is consistent with Policy DME6.
- 4.39 Having regard to the above assessment, we conclude that the proposal is fully compliant with all relevant development plan policies and should be approved accordingly.

#### **SUSTAINABLE DEVELOPMENT**

- 4.40 The promotion and encouragement of sustainable development goes to the heart of the NPPF.
- 4.41 In this case, a viable, bespoke, high quality, small scale development scheme is being promoted on a windfall site, at time of ongoing economic uncertainties arising from the aftermath of Covid and Brexit, the ongoing conflict in Ukraine, rising inflation, rising
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construction costs, a cost of living crisis, a national housing crisis, and what many economic forecasters see as a very gloomy outlook.

4.42 The NPPF explains that achieving ‘sustainable development’ means that the planning system has three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

4.43 Paragraph 10 states that, at the heart of the Framework, is a presumption in favour of sustainable development, while (as noted earlier) paragraph 11 states that LPAs should apply this presumption. For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay (which we contend is applicable in this case)

4.44 We explained above the extent to which we consider the proposal complies with the adopted development plan, but it is also important to demonstrate that the proposal is sustainable.

4.45 As noted above, the NPPF confirms that there are three core strands / roles relating to sustainable development : **economic, social and environmental**. We consider each in turn below.

#### **Economic Benefits**

4.46 In terms of its **economic** role, the proposal will assist in supporting sustainable economic growth, through the provision of a quality new self-build home and contributing in a small way to the sustainable, balanced growth and evolution of this part of Clitheroe.

4.47 The proposed development presents an opportunity to provide small scale growth in an appropriate location. The scheme will also bring various economic benefits, including a boost to the local economy, and sustained local jobs through the construction phase.

4.48 The proposal will therefore contribute to the growth objectives for Clitheroe as a sustainable settlement, and its overall vitality and viability.

4.49 The economic context is set out (in part) in the Government's '*Housing supply: Indicators of new supply, England Statistical Release*' (published 30 September 2020), in which the MHCLG unsurprisingly (due to Covid) predicted a downturn in the rate of delivery in 2020 (as below).

'The number of dwellings where - according to building control figures - building work has started on site was 15,930 in April to June 2020. This is a 52 per cent decrease when compared to last quarter and this steep fall in activity reflects UK government COVID-19 lockdown measures. It follows a recent trend of a slowdown in growth with six of the last six quarters showing a decrease.

There has been a sustained decrease in starts and more recently a steep fall in starts and completions reflecting UK government COVID-19 lockdown measures.'

4.50 It is against that economic context that this planning application calls to be considered. It is a given that, to match and accommodate Ribble Valley's growth aspirations and unlock the economic potential of the borough, workers, business leaders, entrepreneurs and employees generally need homes to live in.

4.51 The application scheme will draw upon local labour for the construction of the new home. Some of those jobs will be located on the site itself, whilst others will be based in the wider area, with some further afield within the construction supply chain. The jobs will vary in type, from elementary occupations (e.g. site labourers) to professional and higher skilled technical occupations (e.g. project managers and site surveyors).

4.52 Furthermore, it is reasonable to assume that there would be benefits to the suppliers and fitters of fixtures and fittings for the new home.

4.53 On the above basis, there can be no question that this scheme will deliver positive economic benefits to the borough. Those may be very small (reflecting the small scale

of the proposal), but are nonetheless real and positive economic benefits to factor into the overall balance.

### **Social Benefits**

4.54 ***Socially***, the proposal will address the need for deliver or more housing in the borough and assist (again in a small way) in ‘boosting significantly’ its supply.

4.55 The development will make a contribution towards the social objectives of sustainable development. Primarily, the proposal will deliver a house to contribute towards the need and desire for self-build housing. The provision of sufficient good quality housing – to serve the needs and aspirations of everybody, and in the right place - goes to the heart of a good and strong society, and is undoubtedly an important social benefit.

4.56 The NPPF makes it clear that planning should be a proactive process to deliver the homes the country needs. Paragraph 38 states that local planning authorities should approach decisions on proposed development ‘in a positive and creative way’, while paragraph 60 states that :

‘To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward **where it is needed**, that **the needs of groups with specific housing requirements are addressed ...**’

4.57 Of relevance to this application, paragraph 69 highlights that **small** (and medium) sized sites (such as this) can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.

4.58 To promote the development of a good mix of sites local planning authorities, §69 advises that LPAs should, *inter alia* :

‘support the development of windfall sites through their policies and decisions – giving **great weight** to the benefits of using suitable sites within existing settlements for homes.’

- 4.59 This site is of course a windfall site. We trust that the LPA will give it 'great weight'.
- 4.60 The social dimension (and associated benefits) of striving to deliver the right type and mix of homes, in the right locations where people wish to live, is self evident. This is an obvious opportunity for the LPA to exercise commitment by supporting the Applicant to build his own home, in turn addressing what is a clear social need for such housing.
- 4.61 It is therefore evident that, not only does the borough need to build more houses generally and 'boost significantly' its housing supply at a time of economic uncertainty, but there is an imperative to provide homes of the correct type, in the right places, where people wish to live.
- 4.62 There are further social benefits that link with our commentary on environmental benefits below. There is a social dimension in delivering a excellently designed, sensitive, highly sustainable building, introducing high quality landscaping, and delivering net biodiversity benefits.

#### **Environmental Benefits**

- 4.63 In considering **environmental** benefits, the NPPF confirms that, to achieve sustainable development, economic, social and environmental "*objectives*" should be sought :
- 'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).'
- 4.64 This requires '*net gains*' across each objective, and as such it is important to explain the '*net gain*' in environmental terms.

- 4.65 During the formulation of the scheme design and layout, due regard has been paid to the site's context and appearance, and the policies in place that emphasise the need to deliver good quality urban design and architecture.
- 4.66 Such issues, together with an explanation of the rationale behind the layout is contained in the Design and Access Statement.
- 4.67 The site calls to be sustainably and efficiently used, given its in- settlement location and the need to provide more homes (specifically self-build homes for which there is a clear and demonstrable need in this case) in the Borough.
- 4.68 There will be environmental benefits delivered by this proposal. A home of excellent and sensitive design quality will be created, adding to the mix of architectural styles and house types in the locality. New trees and other planting will be introduced, selected not only for its visual 'softening' appearance, but also to enhance its contribution to biodiversity (based on ecological advice).
- 4.69 The intention is that the new home (whilst it will be overwhelmingly imperceptible from anywhere in the public realm) will contribute to local character, adding visual interest and evolving local distinctiveness. In these regards, the proposal has been designed to reflect and respond to well to the townscape, and will present an appropriate, thoughtful and respectful design solution in terms of its composition, low height, scale, siting, massing, and its relationship with the existing settlement.
- 4.70 The 'hard' elements of the scheme (house, hardstanding and car port) will also reflect ecological advice (see separate report), including provision for bat and bird boxes, while trees and other species will be selected to maximise their contribution towards biodiversity and greening the environment.
- 4.71 In terms of the 'soft' elements, the submitted Landscape Masterplan include a considerable amount of new planting, including trees, new mixed native hedgerow and shrub mixes and ground cover plants.



- 4.72 In biodiversity terms, the July 2021 NPPF revision introduced the requirement to demonstrate net gains. Whilst the Government's secondary legislation on the topic of biodiversity net gain (BNG) is awaited, the matter has been investigated by the applicant's ecological team, and the submitted Assessment demonstrates that no material harm will arise and a series of biodiversity enhancement measures are to be provided that will, in combination, achieve a net gain in biodiversity.
- 4.73 Furthermore, one of the principal drivers for the new home is our client's desire to deliver a highly sustainable 'home for life'. The house has been designed to respond to Passivhaus standards, providing a high level of occupant comfort while using very little energy for heating and cooling. Passivhaus buildings are built with meticulous attention to detail, and rigorous construction according to principles developed by the Passivhaus Institute in Germany.
- 4.74 Ultimately, this will be a very efficient, low energy dwelling, employing good solar orientation for maximum passive solar gain, highly insulated walls and windows to minimise energy loss, and carefully detailed construction junctions to minimise cold bridging and associated air loss. We anticipate that the LPA will welcome a project that will assist in raising the bar in terms of its sustainability credentials.
- 4.75 Overall, therefore, we contend that the proposal represents sustainable development, which will contribute ***economically, socially and environmentally***.
- 4.76 We therefore hope that this application will be welcomed by the Council in respect of its deliverance of sustainable development and an excellently designed single story self-build home with quality landscaping and biodiversity net gain. It is accessible, edge of settlement windfall sites such as this, capable of building the community in a small scale, balanced, cohesive and sustainable manner, that the Council should be embracing at a time that all councils (bearing in mind economic conditions and the widely accepted national housing crisis) urgently needs new housing to keep pace with demand.

#### COMPLIANCE WITH NPPF

- 4.77 The NPPF is an important material consideration.
- 4.78 Fundamentally, the NPPF promotes sustainable development. As previously noted, it seeks to 'significantly boost' housing supply, and recognises how important small and medium sized windfall sites (such as this) are in delivering this.
- 4.79 We addressed the sustainability credentials of the scheme above, and concluded that the proposal represents sustainable development in economic, social and environmental terms. We will therefore say nothing further in respect of the sustainability support provided for this application by the NPPF.
- 4.80 The application is also consistent with the remainder of the NPPF. It will create an excellent quality house on an accessible, sustainably located site. The proposal reflects policies designed to build communities, delivering a self-build home and high quality, landscaped areas. This will have positive implications for the social, cultural and economic well-being of the area.
- 4.81 The proposed development will help to deliver the housing objectives set out in the NPPF, which confirms that a key aim of the Government is to ensure that everybody has the opportunity of living in a decent home, which they can afford, in a community where they want to live. This of course includes those wishing to build their own homes.
- 4.82 The NPPF also promotes good design and beautiful environments, and suggests this is fundamental to the creation of sustainable, mixed communities. It encourages developers to make effective and efficient use of land and existing infrastructure.
- 4.83 As noted earlier, Paragraph 69 notes that small sized sites – such as this - can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites, NPPF encourages local planning authorities to :

**‘support the development of windfall sites** through their policies and decisions – giving **great weight** to the benefits of using suitable sites within existing settlements for homes.’

4.84 The application site is of course a windfall site, and such sites are an important contributor to the borough’s housing supply.

4.85 §174 of the Framework states that planning decisions should contribute to and enhance the natural and local environment by, *inter alia* :

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; and
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

4.86 The application site does not form part of a ‘valued landscape’ in NPPF terms.

4.87 There is no conflict with §104. Transport issues have been carefully considered, including opportunities to in an accessible, sustainable location which offers a genuine choice of transport modes. The site access point (for vehicles and pedestrians / cyclists (including those reliant on wheelchairs and pushing prams) will provide safe and convenient access to all users, reflecting §110.

4.88 §111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be ‘severe’. The impacts in this case will clearly not be ‘severe’.

- 4.89 For the reasons stated above, there is no conflict with §112. The scheme has been designed insofar as possible to give priority first to pedestrian and cycle movements, and the open space provision has been formulated to address the needs of people with disabilities and reduced mobility. The scheme will create a safe, secure and attractive environment, which looks to minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character. It will allow for the efficient delivery of goods, and access by service and emergency vehicles, and will enable charging of plug-in and other ultra-low emission vehicles.
- 4.90 In respect of 'Making Efficient Use of Land and Achieving Appropriate Densities', the scheme has been formulated having regard to the requirement of §119, which states that promotes the effective use of land in meeting the need for homes, while balanced against the safeguarding of the environment.
- 4.91 The application is consistent with §120 in that it responds to the opportunity to achieve net environmental gains, including new habitat creation.
- 4.92 The application responds to §124 by taking into account the need for different types of housing, the desirability of maintaining an area's prevailing character and setting, and the importance of securing a well-designed, attractive and healthy place.
- 4.93 Under the heading 'Achieving Well Designed Places', §126 seeks the creation of high quality, beautiful and sustainable buildings and places, and suggests that this is fundamental to what the planning and development process should achieve. It states that 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.
- 4.94 The application seeks to respond to this. The Design and Access Statement explains the design philosophy and rationale, and we have been mindful of Framework §132, which states that design quality should be considered throughout the evolution and assessment of individual proposals. It responds positively to §130, which looks to ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective
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landscaping; and are sympathetic to local character and history, including the surrounding built environment and landscape setting. In this regard, we note that the NPPF does not seek to prevent or discourage 'appropriate innovation or change' and that the National Design Guide states:

'... well-designed places do not need to copy their surroundings in every way. It is appropriate to introduce elements that reflect how we live today, to include innovation or change such as increased densities, and to incorporate new sustainable features or systems.'

- 4.95 The scheme is also consistent with §131. The Appellant recognises the landscape sensitivity. All valuable trees will be retained, and a considerable extent of new trees and other native planting will be introduced.
- 4.96 There is consistency with §159, which states that development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). The application site falls within Flood Zone 1 and is not susceptible to flooding.
- 4.97 In respect of 'Conserving and Enhancing the Natural Environment', the application is consistent with §174, which requires proposals to contribute to and enhance the natural and local environment. As noted previously, the site is not a 'valued landscape' in NPPF terms. Nor is it a site of particular biodiversity or geological value.
- 4.98 We have also noted that the July 2021 version of the Framework introduced changes to what is now §180. This states that, if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. It also states that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

4.99 The application promotes a considerable amount of new planting, including trees, new mixed native hedgerow and shrub mixes and ground cover plants. This will include 13 new trees, 199 individual shrubs, 430 sqm of mixed native shrub areas, plus Herbaceous Perennials, ferns and wildflower grasses (all itemised in the submitted Planting Schedule and shown on the landscaping drawings).

4.100 There is therefore no inconsistency with §180 of the Framework.

4.101 Having regard to the above assessment, this application is consistent with all of the Framework's key policy aims and objectives. That level of compliance should carry considerable weight, and lends further support to approval of the application.

#### DESIGN AND LANDSCAPING QUALITY

4.102 The Design & Access Statement (produced Studio Perfectus) reinforces the extent of attention that has been paid to design and layout.

4.103 The scheme details have been formulated to reflect local character and distinctiveness, but at the same time introduce new layering and add to diversity and overall quality. The **National Design Guide**. This explains that the underlying purpose for design quality and the quality of new development at all scales is to create well-designed and well-built places that benefit people and communities. It suggests that a well-designed place is unlikely to be achieved by focusing only on the appearance, materials and detailing of buildings. It comes about through making the right choices at all levels, including:

- the layout;
- the form and scale of buildings;
- their appearance;
- landscape;
- materials; and
- their detailing.

4.104 It states that well-designed places are:

- based on a sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- integrated into their surroundings so they relate well to them;
- influenced by and influence their context positively; and
- responsive to local history, culture and heritage.

4.97 It reiterates that well-designed development proposals are shaped by an understanding of the context that identifies opportunities for design, as well as constraints upon it, and states that:

‘... well-designed places do not need to copy their surroundings in every way. It is appropriate to introduce elements that reflect how we live today, to include innovation or change such as increased densities, and to incorporate new sustainable features or systems.’

4.98 We see no conflict with any of the above policy objectives of the design guide. The local area contains a variety of house types, sizes, styles, ages, heights and materials, and an array of boundary treatments. The design details have been influenced by that mixed context and design-related guidance at both national and local levels. As evidenced by this Planning Statement, the DAS and application drawings, the scheme is based on a sound understanding of the features of the site and the surrounding context, including a proportionate baseline assessment that formed the design starting point and has helped to influence the indicative design and layout.

4.99 However, the National Design Guide also makes it clear that applicants and their architects do not need to copy their surroundings in every way, and that it is perfectly appropriate to introduce elements that reflect how we live today, innovation and change.

4.100 We suggest that weight ought to be attached to the scheme’s excellent design quality in the assessment and determination of this application.

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## **5.0 Overall Planning Balance and Conclusions**

- 5.1 Section 38(6) of the Planning and Compensation Act requires planning decisions to be in accordance with the development plan, unless material considerations indicate otherwise.
- 5.2 In this Planning Statement, we have explained how and why we consider that the proposal complies with the most important policies of the development plan and the NPPF.
- 5.3 Aside from forming part of the curtilage of the grade II listed Primrose House, the site is not afforded any particular status, recognition, allocation or designation in the development plan. It is located inside the designed urban boundary of one of the borough's largest and most sustainable settlements, where the principle of housing development is deemed acceptable (and is indeed encouraged) subject to compliance with other policies.
- 5.4 The proposal has been amended materially to reflect the helpful comments of the LPA at pre-application stage. Not only has the scale of the proposal reduced (from 2 houses to 1 house), but so too has its height (from 2 storeys to single storey). Likewise, the somewhat crude and brutalist design concept that had been presented at pre-application stage (prior to the appointment of an architect) has been set aside, and the new architect has adopted a far more sensitive and superior design approach, such that we consider the proposed house to represent design excellence, low key and low in height, sympathetic to its surrounding context, nestled against existing and new vegetation, and largely 'hidden' at the top an elevated bank, barely perceptible to any party / public view. Furthermore, the house is designed to excellent sustainability 'Passishaus' standard and as an adaptable 'lifetime home' to serve the Applicant's needs as he and his wife move through life.





5.5 While Ribble Valley does not appear to be struggling to achieve its housing targets, it is nevertheless charged with *'boosting significantly'* housing supply, and especially at a time of economic downturn and gloomy outlook, and in the midst of what most see as a national housing crisis. This beautiful bespoke 'self build' house will contribute to that supply in a small way.

5.6 In terms of the heritage implications of the proposal, we consider that no harm will arise. The house is to be located in a small part of the very extensive grounds of Primrose House, but set back discretely and at a much elevated position, shrouded by existing and new native trees, shrubs and other vegetation. The direct intervisibility (views) between Primrose House and the proposed house will be close to imperceptible, and as such we contend that no heritage harm will arise.

- 5.7 We have set out in this Statement why we consider the proposal to be sustainable in economic, social and environmental terms. Those 'benefits' may be very small, reflecting the very small scale of the project, but they are real and positive benefits nonetheless. It is consistent with the expectation in the NPPF that Local Planning Authorities should take a positive approach in fostering the delivery of sustainable development (para 10) and "should seek to approve applications for sustainable development where possible" (para 38).
- 5.8 The application addresses all of the Framework's key policy aims and objectives: excellent quality and sensitive / respectful design; respect for heritage; making efficient / optimum use of accessible land located with an identified sustainable settlement; respect for context, local distinctiveness and landscape; respect for biodiversity; and assisting (in its small way) in building the community in a sustainable, balanced cohesive fashion, the ambition being to create a beautifully designed self build home of exemplary sustainability (Passivhaus) standard.
- 5.9 Accordingly, we commend the application to the LPA and respectfully encourage it to determine the application - in accordance with NPPF paragraph 38 - 'in a positive and creative way'.

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## Appendix 1

### LPA's Pre-Application Feedback (for two 2 storey houses)



Ribble Valley  
Borough Council

[www.ribblevalley.gov.uk](http://www.ribblevalley.gov.uk)

RIBBLE VALLEY BOROUGH COUNCIL

**Officer:** [REDACTED] **Direct Tel:** 01200 414555 **Council Offices**  
**Email:** [REDACTED] **Church Walk**  
**Our Ref:** RV/2022/ENQ/00062 **Clitheroe**  
**Location:** Primrose House, Clitheroe **Lancashire BB7 2RA**  
**Date:** 27.03.23 **Tel:** 01200 425111 **Fax:** 01200 414487  
**Proposal:** Proposed building of 2 Passivhaus on land within the grounds of Primrose House

#### Pre-Application Enquiry Response

Dear Richard,

I write further to your submission of a request for pre-application advice at land at Primrose house, Primrose Road, Clitheroe. The enquiry seeks the Council's views on the potential to erect two two-storey 'Passivhaus' residential dwellings on land within the curtilage of Primrose House, Clitheroe (Grade II Listed).

As you will be aware the site area as indicated in the submitted information is located within the defined settlement limits of Clitheroe. As such, taking account of the nature of the proposal, the policies that are engaged and relevant to the determination of the proposed development are considered to be as follows:

#### Relevant Core Strategy Policies:

Key Statement DS1 – Development Strategy  
Key Statement DS2 – Sustainable Development  
Key Statement DM12 – Transport Considerations  
Key Statement EN3 – Sustainable Development  
Key Statement EN4 – Biodiversity and Geodiversity  
Key Statement EN5 – Heritage Assets

Policy DMB5 – Footpaths and Bridleways  
Policy DME1 – Protecting Trees and Woodlands  
Policy DME2 – Landscape and Townscape Protection  
Policy DME3 – Site and Species Protection and Conservation  
Policy DME4 – Protecting Heritage Assets  
Policy DME5 – Renewable Energy  
Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport & Mobility

National Planning Policy Framework (NPPF)  
Planning (Listed Buildings and Conservation Areas) Act

#### Principle of Development:

The proposed site-plan indicates that the extents of the site subject to the enquiry is located wholly within the defined settlement limits of Clitheroe (Principal Settlement). As such the principle of the development of the

site for residential purposes, notwithstanding other development management considerations, would be considered to be in broad alignment with the spatial and locational aspirations for new residential development within the plan area, as embodied within Policy DMG2 of the Ribble Valley Core Strategy.

The enquiry site is also located within the curtilage (and setting) of a Grade II Listed Designated Heritage Asset (Primrose House), as such Key Statement EN5 and Policy DME4 are also primarily, but not solely, engaged for the purposes of assessing the proposal.

**Key Statement EN5:**

In this respect Key Statement EN5 states that:

*There will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits.*

*This will be achieved through:*

- *Recognising that the best way of ensuring the long term protection of heritage assets is to ensure a viable use that optimises opportunities for sustaining and enhancing its significance.*
- *Keeping Conservation Area Appraisals under review to ensure that any development proposals respect and safeguard the character, appearance and significance of the area.*
- *Considering any development proposals which may impact on a heritage asset or their setting through seeking benefits that conserve and enhance their significance and avoids any substantial harm to the heritage asset.*
- *Requiring all development proposals to make a positive contribution to local distinctiveness/sense of place.*
- *The consideration of Article 4 Directions to restrict permitted development rights where the exercise of such rights would harm the historic environment.*

**Policy DME4:**

Policy DME4 states, in respect of development within conservation areas or those affecting the listed buildings or their setting, that development will be assessed on the following basis:

**1: CONSERVATION AREAS**

*Proposals within, or affecting views into and out of, or affecting the setting of a conservation area will be required to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance. This should include considerations as to whether it conserves and enhances the special architectural and historic character of the area as set out in the relevant conservation area appraisal. development which makes a positive contribution and conserves and enhances the character, appearance and significance of the area in terms of its location, scale, size, design and materials and existing buildings, structures, trees and open spaces will be supported.*

*In the conservation areas there will be a presumption in favour of the conservation and enhancement of elements that make a positive contribution to the character or appearance of the conservation area.*

**2: LISTED BUILDINGS AND OTHER BUILDINGS OF SIGNIFICANT HERITAGE INTEREST**

*Alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported.*

*Any proposals involving the demolition or loss of important historic fabric from listed buildings will be refused unless it can be demonstrated that exceptional circumstances exist.*

Policy DMG1 is also engaged in concert with Key Statement EN5 and Policy DME4 insofar that the policy sets out general Development Management considerations, with the policy having a number of inherent criterion that are relevant to the assessment of the current proposal, which state:

*In determining planning applications, all development must:*

#### DESIGN

- 1. Be of a high standard of building design which considers the 8 building in context principles (from the CABE/English Heritage building on context toolkit).*
- 2. Be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.*
- 3. Consider the density, layout and relationship between buildings, which is of major importance. particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.*

#### AMENITY

- 1. Not adversely affect the amenities of the surrounding area.*

#### ENVIRONMENT

- 3. All development must protect and enhance heritage assets and their settings.*

In respect of the above matters, I consider that the proposal as submitted, by virtue of the scale of the proposed dwellings and their direct intervisibility with Primrose House, that the proposal would significantly undermine the significance of the Grade II designated heritage asset. Particularly insofar that the dwellings would undermine the visual importance of the Primrose House by virtue of not only their elevated position and resultant visual prominence/dominance, but also by virtue of their external appearance which would significantly conflict with the visual importance of Primrose House.

#### **Impact upon Listed Building(s) and Setting (National Policy Context):**

The principle statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting. Local Planning Authority's should when coming to decisions consider the principal Act, which states the following:

#### *Listed Buildings - Section 66(1)*

*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority 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.*

*In determining planning applications LPA's 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.*

*Under the Act, the test to be applied is whether the works preserve the listed building and would cause no harm.*

It is proposed that the dwellings will be located on an elevated piece of land to the north of Primrose House. In this respect the dwellings, when read in context with the existing 'house' would be afforded a high level of visual significance and prominence which would result in significant harm to the setting of a Grade II designated heritage asset being contrary to the requirements of Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Para 200 of the NPPF states:

*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.*

Para 201 of the NPPF states:

*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.*

Given the proposals already identified conflict with adopted Local Planning Policy and that of Section 66(1) of 'the act' the proposal would also result in direct conflict(s) with Paragraphs 130, 134, 200 and 201 of the National Planning Policy Framework.

#### **Other Matters:**

Following from our recent site meeting, and further to the above matters. As you will recall, I consider there may be scope to accommodate a dwelling or two dwellings on the site subject to there being no direct intervisibility between the Grade II designated heritage asset and any new buildings. I also considered that any measures to mitigate such intervisibility should be wholly natural in nature and should not rely on artificial structures or boundary treatments that would appear incongruous or anomalous.

I also consider that for such a proposal to be successfully visually assimilated into the area and setting of the Grade II Listed building, whilst minimising harm, that any such structures should be single storey in nature and be of a very modest scale that would limit their visibility.

At our meeting I also raised concerns in relation to the ability for an appropriate point of access for vehicles and pedestrians to be established. Given the level of detail submitted in support of the application, unfortunately I am unable to offer a detailed assessment of such matters or likely impacts resultant.

**Conclusion:**

Taking account of the above matters, the proposal in its current form, would be considered to be in significant direct conflict with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy and Paragraphs 130, 134, 200 and 201 of the National Planning Policy Framework.

As such and in light of the above considerations, it is my opinion that the proposal in its current form could not be supported at this stage.

**Submission Requirements:**

Should you proceed to submission of a formal full application, based on the nature of the proposal/site constraints identified above, it is my opinion that the Local Planning Authority would require the following information to accompany such an application to allow for an accurate assessment:

- Application forms
- Location plan
- Existing and Proposed Site Plan
- Proposed floor plans (dimensioned)
- Proposed elevations (dimensioned)
- Existing and proposed land levels including cross sections (existing and proposed)
- Surface water drainage details
- Heritage Statement
- Ecological Appraisal
- Proposed landscaping details
- Arboricultural Impact Assessment

Please note this aforementioned required information may not be exhaustive and is provided on the basis of the level of information submitted. Failure to provide required information is likely to result in an application being made invalid until such information is received or potentially refused on the basis of insufficient information.

Please also be advised that Lancashire County Council provide a separate, chargeable pre-application service for highway related matters. You should contact the County Council directly to discuss any such issues - <https://www.lancashire.gov.uk/business/business-services/pre-planning-application-advice-service/pre-planning-application-highways-advice-service>

The above observations have been provided on the basis of the level of information submitted and the comments contained within this response represent officer opinion only, at the time of writing, without prejudice to the final determination of any application submitted.

Should you wish to discuss any of these matters further please do not hesitate to contact me.

Yours Sincerely

  
Principal Planning and Urban Design Officer  
