

PLANNING STATEMENT

**AVENUE
FARMHOUSE,
AVENUE ROAD,
HURST GREEN, BB7
9QB**

Stonyhurst Estate

November 2023

Carter Jonas

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Client: Stonyhurst Estate

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1.0 INTRODUCTION

1.1 Carter Jonas LLP is instructed by Stonyhurst Estate (the “Applicant”) to act as planning agent in relation to a proposed development at Avenue Farmhouse, Avenue Road, Hurst Green, BB7 9QB (hereafter referred to as the “Site”).

1.2 This Planning Statement has been prepared in support of a full planning application for the following proposed development:

Change of use of a building from a bunk house (HMO) to a residential dwelling (C3).

1.3 In addition to this Planning Statement, the following documents support the application:

- Completed Application Form & Ownership Certificates (PP-12595645)
- Covering Letter
- Location Plan
- Existing Plans Drawing ref. 40
- Proposed Plans Drawing ref. 20
- Existing & Proposed Elevation Drawing ref. 50

1.4 This Planning Statement seeks to assess the proposal in the context of relevant material planning considerations and is structured as follows:

- Section 2: Describes the site and its surrounding context;
- Section 3: Describes the proposal;
- Section 4: Identifies the Development Plan and other material planning considerations relevant to the determination of this application;
- Section 5: Assesses the proposal in the context of the identified relevant Development Plan policies and other material considerations;
- Section 6: Summarises the planning case in support of the scheme

2.0 CONTEXT

- 2.1 This section will set out the context in which the proposal is situated by considering the application site and its surroundings, the proposal and other relevant background information.

Site and Surroundings

- 2.2 The site is located directly north of the village of Hurst Green. Woodland extends around the site, whilst down the hillside to the west is Dean Brook (watercourse). The property is located to the east of Avenue Road, with vehicular access available off Avenue Road by virtue of an existing track to the east of the site and an additional less formal track to the southwest.
- 2.3 The site's location plan can be seen in **Figure 1** below.



Figure 1: Site Location Plan

- 2.4 The village, Hurst Green, has a café, two public houses, a village hall and a church. It is also on a bus route with regular buses running to Longridge, Clitheroe and the surrounding villages. There is a train

station in Clitheroe which is part of Northern Rail Network which serves Lancashire and Manchester with access to good links to London. In addition to the public transport the Village has good road networks with the B6243 connecting to the A59 which links to Yorkshire or Preston with access points to the M6 North, the M61, M55 and M57.

- 2.5 The Environment Agency Flood Risk Map (**Figure 2**) shows the site falls within Flood Zone 1, the lowest risk of flooding. The definition of Flood Zone 1 is set out in National Planning Policy Guidance and is defined as land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%).

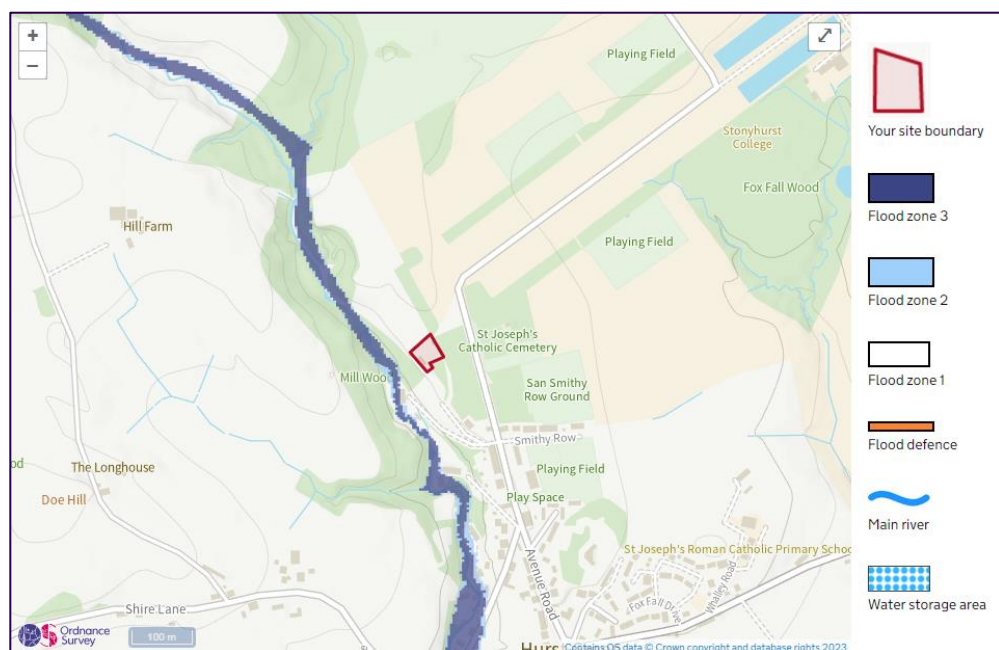


Figure 2: Extract from Environment Agency's online flood map

- 2.6 According to the National Heritage List for England, as available on Historic England's website, and as illustrated at **Figure 3**, the property is located adjacent to the Grade II* Registered Park and Garden of Stonyhurst College, although the private driveway providing access to the site extends into the Park and Garden to the east, where it adjoins Avenue Road opposite St Joseph's Catholic Cemetery, within which there is a Grade II listed Mausoleum. There are other listed buildings located within the Park and Garden, including the various buildings and garden features associated with Stonyhurst College. There are also other listed buildings located to the south in the village of Hurst Green.

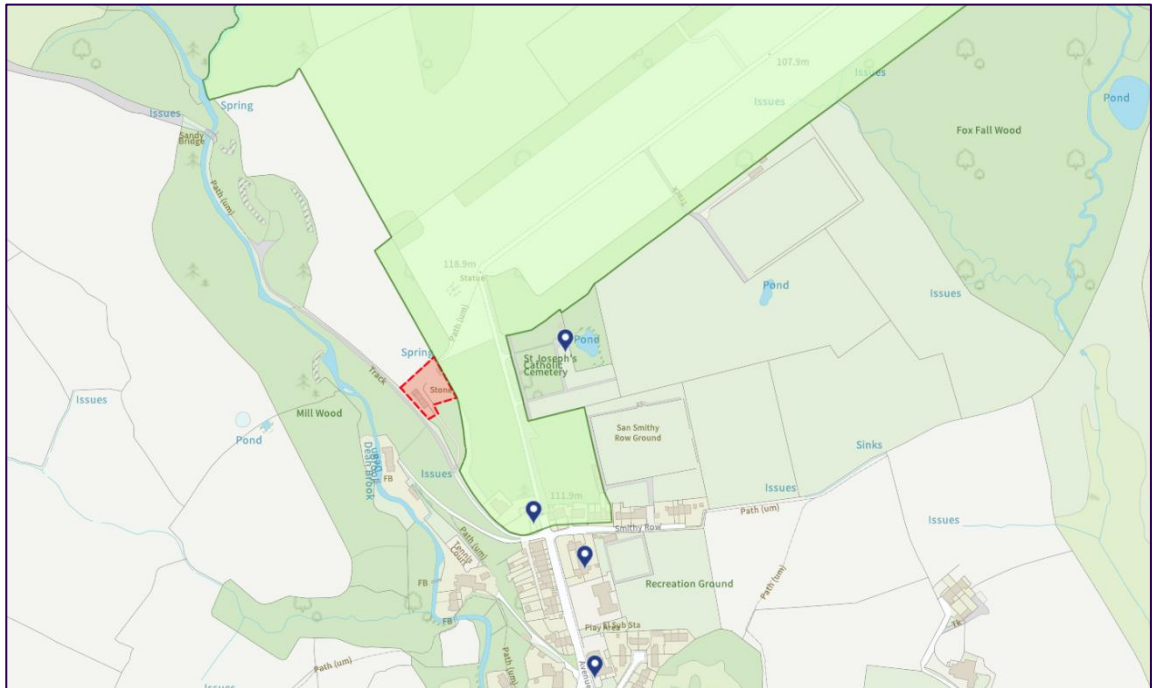


Figure 3: Extract from the National Heritage List for England (available on Historic England's website)

Planning History

2.7 According to Ribble Valley Council online public access, the planning history for the site is shown in **Table 1** below.

Table 1: Planning Application history relating to the site.

| Application Ref: | Description | Decision | Decision Date |
|------------------|--|----------|-----------------------------|
| 3/2014/0083 | Change of Use from dwelling (C3) to house in multiple occupation for visiting students (sui generis) | Approved | 18 th March 2014 |

3.0 THE PROPOSAL

- 3.1 This section provides a summary of the proposed development and should be read alongside the submitted drawings for a full understanding of the proposed development.
- 3.2 The site in question currently accommodates a two storey, three-bedroom property which is currently in use as a bunk house (house in multiple occupation) set across two storeys, with three bedrooms, living room, kitchen, utility, shower rooms, and storage rooms. The property is currently owned and used solely by Stonyhurst College for the accommodation of visiting teaching staff and students.
- 3.3 The property was the subject of a planning application in 2014, which granted planning permission for the change of use from a dwelling (use class C3) to its current use as a house in multiple occupation for visiting staff and students (sui generis) under planning application reference: 3/2014/0083.
- 3.4 The use as a bunk house for visiting students and staff is no longer necessary or viable for the College due to the distance and accessibility of the property from the college building and the need to carry out general refurbishment and redecoration of the interior of the property. In light of the costs associated with refurbishing the property and its unsuitability for use as intended (as a bunk house), the property has therefore been marketed with the intention to dispose of the building.
- 3.5 The property is currently on the market and a sale has been agreed; however, the prospective purchaser wishes to occupy the property as a single residential dwelling (use class C3) and therefore wishes to secure planning permission for changing the use of the building to a single residential dwelling, essentially seeking to revert to the previous – original – use of the property, prior to completion of the property transaction.
- 3.6 We are aware that where an HMO accommodates between 3-6 people, it would fall within the C4 Use Class, wherein Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015 allows for a change of use of a building from a use falling within Class C4 to a use falling within Class C3. However, the approved planning application referenced above granted a change of use from a C3 dwelling to a sui generis HMO.
- 3.7 As such, this application seeks permission for the change of use to revert to its original use as a dwellinghouse. The application does not include any alterations to the external structure or fabric of the building and its scale and appearance will therefore remain as existing.

4.0 PLANNING POLICY CONTEXT

- 4.1 Under Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the consideration of this application is the Development Plan for the area.
- 4.2 The Development Plan for Ribble Valley currently comprises the Ribble Valley Borough Council Core Strategy 2008 – 2028, which was adopted in December 2014. A Local Plan Review is underway and a Regulation 18 consultation undertaken between 26th May and 7th July 2022.
- 4.3 The National Planning Policy Framework (NPPF) and associated Guidance (NPG) must also be considered. These documents provide the policy context against which any future proposals will need to be assessed.

National Planning Policy

National Planning Policy Framework (2021)

- 4.4 The revised National Planning Policy Framework ('The Framework') published in September 2023 replaces the Framework published on 19 February 2019. Achieving sustainable development remains a key part of the revised Framework with the presumption in favour of sustainable development (**paragraph 11**) remaining at the heart of the document.
- 4.5 The NPPF refers to the planning system as having 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). These consist of:
- an economic role;
 - a social role;
 - and an environmental role.
- 4.6 The weight and importance attributed to each is a matter of judgement but must be considered in the whole, not independently – the objective is that to achieve sustainable development; economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
- 4.7 Emphasis on the importance of the social element of sustainable development is clearly identified at paragraph 8 of the NPPF, it states that the planning system should support:

“...strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed, beautiful and safe built environment places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being...”

- 4.8 Development which accords with the development plan should be approved without delay; or where the development plan is absent (not adopted) or has no relevant policy or such are out of date, permission again should be granted unless *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits”* or specific policies in the Framework indicate development should be restricted. In accordance with the approach (**Paragraph 11**), development which accords with the up-to-date development plan should be approved without delay.
- 4.9 The NPPF also considers matters of design. **Paragraph 126** states that good design is a key aspect of sustainable development. **Paragraph 130** states:

“Planning policies and 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 the appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) Create places that safe, inclusive and accessible and which promote health and wellbeing, 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”.

- 4.10 **Paragraph 134** states “*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.”

- 4.11 Overall, in their decision-taking, the NPPF encourages a proactive approach by Local Planning Authorities (LPAs). LPAs should support applications where they support the local community and should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

- 4.12 **Paragraph 197** provides advice when determining planning applications, noting that local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

- 4.13 **Paragraph 199** advises that “*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”*

- 4.14 **Paragraph 200** states that “*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.”*
- 4.15 **Paragraph 202** advises 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 including, where appropriate, securing its optimum viable use.”*

Local Planning Policy

Ribble Valley Borough Council Core Strategy 2008 – 2028

- 4.16 **Policy EN2 – Landscape:** This policy advises that the landscape and character of the AONB will be protected, conserved and enhanced, with development expected to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.
- 4.17 **Policy EN4 – Biodiversity and Geodiversity:** The Council will seek to conserve and enhance the area’s biodiversity and geodiversity and avoid the fragmentation and isolation of natural habitats and help develop green corridors. There should, as a principle, be a net enhancement of biodiversity.
- 4.18 **Policy EN5 – Heritage Assets:** This policy seeks to conserve and enhance the significance of heritage assets and their settings, ensuring their contribution to local character, distinctiveness and sense of place and the wider social, cultural and environmental benefits.
- 4.19 **Policy DME2 – Landscape and Townscape Protection:** Development proposals will be refused where they significantly harm important landscape or landscape features, such as traditional stone walls, woodlands, hedgerows and trees, townscape elements.
- 4.20 **Policy DME4 – Protecting Heritage Assets:** This policy advises that the council will make a presumption in favour of the conservation and enhancement of heritage assets and their settings. Proposals should preserve and enhance the character and appearance of conservation areas, listed

buildings, Registered Historic Parks and Gardens, Scheduled Monuments and other archaeological remains, and their settings.

- 4.21 **Policy DMG1 – General Considerations:** This policy sets a series of development guidelines relating to matters of design, access, amenity, environment, infrastructure, and other matters to be taken into consideration.
- 4.22 **Policy DMG2 – Strategic Considerations:** This requires that development should support the spatial vision of the core strategy, including directing development to the appropriate place.
- 4.23 **Policy DMH3 – Dwellings in the Open Countryside and the AONB:** This policy advises that residential development will be limited to “*The appropriate conversion of buildings to dwellings providing they are suitably located and their form and general design are in keeping with their surroundings. Buildings must be structurally sound and capable of conversion without the need for complete or substantial reconstruction.*”

Emerging Local Policy

- 4.24 A Local Plan Review is underway, and a Regulation 18 consultation undertaken between 26th May and 7th July 2022.

5.0 ASSESSMENT

5.1 This section will address the compliance of the proposed development with regard to the adopted Development Plan and other material considerations highlighted in the earlier sections. In terms of the proposal, it is considered that the principal issues relate to:

- Principle of Development
- Heritage
- Design and Landscape
- Impact on Amenity
- Access

5.2 These considerations are addressed in turn below.

Principle of Development

5.3 The application site comprises an existing building, in use as a sui generis HMO (providing 8 bed spaces) owned and used solely by Stonyhurst College for the accommodation of visiting teaching staff and students. The use as an HMO benefits from planning permission granted in 2014 under application ref: 3/2014/0083. Prior to the building's change of use to an HMO, the property was a residential dwelling (use class C3), which was the original, long-standing use of the property.

5.4 Core Strategy Policy DMH3 details how planning applications will be considered where they proposed dwellings in open countryside and an AONB. The policy advises that residential development will be limited to the "*appropriate conversion of buildings to dwellings providing they are suitably located and their form and general design are in keeping with their surroundings. Buildings must be structurally sound and capable of conversion without the need for complete or substantial reconstruction*".

5.5 The building is currently used as an HMO and is clearly structurally sound and capable of conversion without requiring substantial reconstruction. The change of use to C3 residential would not require any physical works to or reconstruction of the building. Nevertheless, it is acknowledged that cosmetic upgrades such as redecorating and replacing kitchen and bathrooms would be desirable and likely, however, this is not considered to constitute '*complete or substantial reconstruction*'.

- 5.6 The location, form and general design is clearly in keeping with the surroundings, considering that the building and site was historically a residential dwelling until relatively recently and that no changes are proposed to the building.
- 5.7 More recently, the property has been used by the college to accommodate schoolteachers and visiting students and sports teams, in line with its approval as a bunk house. This type of use generated more frequent movements and activities than would be the case as a single dwellinghouse, including visits by cleaners and maintenance staff, and it is therefore considered that the proposed use would result in a decrease in activity levels and general comings and goings at the property.
- 5.8 The proposed change of use would restore the building to its previous, historic, use as a C3 residential dwelling, which would be less intensive than the existing approved use. Therefore, it is considered that the proposal would not conflict with relevant national and local planning policies and would not result in any adverse implications and that, in principle, the proposed development should be considered acceptable.

Heritage

- 5.9 As noted above, the site is located adjacent to the Grade II* Registered Park and Garden of Stonyhurst College, although the private driveway providing access to the site extends into the Park and Garden to the east, where it adjoins Avenue Road opposite St Joseph's Catholic Cemetery, within which there is a Grade II listed Mausoleum.
- 5.10 The listed Mausoleum is located approximately 150m to the east and the Grade II listed 51 and 53 Avenue Road are approximately 150m to the south of the application site. The site is separated from these listed buildings by areas of dense woodland which wrap around the application site, and the college estate road separates the Mausoleum from the application site. The application site also sits on ground which slopes down towards the brook to the west.
- 5.11 The NPPF requires that applicants describe the significance of any heritage assets affected and that the level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 5.12 NPPF paragraph 199 requires that:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important

the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

5.13 The grounds of Stonyhurst College are a Grade II* Registered Park and Garden, with the National Heritage List for England (NHLE) advising that the gardens and parkland originate from the late 17th century and includes a well-preserved formal garden, avenue and water features. The Park and Garden extends around the eastern edge of the site covering the woodland area and access track to the property, and the cemetery is not within the Registered Park and Garden.

5.14 Within the Grade II* Registered Park and Garden is Stonyhurst College and various other listed buildings and features including the following, among others:

- Stonyhurst College, Church of St Peter (RC) (Grade I)
- Stonyhurst College, Old Quadrangle (Grade I)
- Stonyhurst College, South Front, Boys' Chapel and Shirk (Grade II*)
- Stonyhurst College, Old Infirmary and attached passage (Grade II)
- Stonyhurst College, Shireburn Quadrangle, Ambulacrum and former Laboratories (Grade II)

5.15 The nearest designated heritage assets to the site include the Mausoleum within the cemetery and 51 & 53 Avenue Road. The NHLE identifies that the Mausoleum is Grade II listed and is described as follows:

"Mausoleum, just after 1825. Facade of punched sandstone ashlar has 2 Ionic columns in antis, with pediment. Above is a gabled wooden louvre. The inner doorway has an architrave with cornice, and 'Blessed are the Dead who Die in the Lord' incised on the lintel. The door is panelled with wooden studs and a glazed fanlight. The return walls each have one window with plain stone surround."

5.16 The NHLE details 51 and 53 Avenue Road as follows:

"Pair of cottages, 1821. Slobbered sandstone rubble with roof of modern imitation stone slates. 2 storeys, 2 bays. Quoins project with diagonal tooling. Windows sashed in plain stone surrounds with diagonal tooling. The windows of the right-hand bay are not aligned with each other, the ground floor window having '1821' incised on its lintel. Door (to No. 51) has plain stone surround. Square stone gutter at eaves. End stacks. The entrance to No. 53 is in the left-hand gable."

- 5.17 Approximately 200m to the south of the site is Shireburn Cottages (1-6 Avenue Road), which are Grade II* and identified as Almhouses dating from 1706, rebuilt in 1946 with alterations and extensions. Also to the south of the site is the Hurst Green Conservation Area, which includes and extends south from 51 and 53 Avenue Road.
- 5.18 As detailed above, the application site is separated from these heritage assets by existing mature, dense woodland surrounding the property (particularly to the south and east) which provides a visual buffer and effective screening, thereby limiting and preventing intervisibility between heritage assets and the application site.
- 5.19 The proposed change of use does not include or require any external alterations to the building or its grounds. The character of the building and its setting will remain as existing. Nevertheless, it is considered that restoring the original residential use (C3 use) will reduce the intensity of the use and activity levels at the site and property, which will bring improvements to the overall character and setting of the area and for nearby heritage assets, including listed buildings and conservation area.
- 5.20 Overall therefore, it is considered that the proposals will bring a modest reduction in activity and restore the original use of the building, and that the proposal would not have a detrimental impact upon the immediate or wider context of the heritage assets and that overall, it will result in no harm to, and indeed bring a modest benefit to nearby heritage assets and will comply with the requirements of the NPPF and local policies EN5 and DME4.

Design and Landscape

- 5.21 The proposed change of use does not involve any external changes to the structure of the building or to its surrounding gardens. Internal alterations are likely to take place (for example, replacement of kitchen and bathrooms and redecoration of internal rooms) however these would not require planning permission and would not be visible externally or change the character or appearance of the building.
- 5.22 The proposals will not require the felling or pruning of trees, which allows existing trees and woodland to continue to provide effective visual screening from surrounding public vantage points and a pleasant, woodland setting for the property.
- 5.23 As such, it is considered that the proposed development will not alter or affect visual amenity or landscape character, thereby complying with relevant local and national policies.

Impact on Amenity

- 5.24 There are no residential properties within close proximity that would likely be affected by the use of the property.
- 5.25 It is also noted that the proposed use is very similar to the existing use and, of course, identical to its original, historic use as a single residential dwelling. The residential occupation and associated use and activities at the site are therefore well-established and the proposals would not therefore be likely to affect residential amenity. Again, no extensions or alterations to the building are proposed which might otherwise need to be considered for their potential effect on amenity.
- 5.26 The internal layout and facilities are clearly appropriate and suitable for residential use, such that the building can provide appropriate living conditions for future occupants.
- 5.27 As such, the proposal is considered to present an acceptable proposal which accords with relevant planning policies and poses no harm to residential amenity.

Access

- 5.28 The site benefits from a well-established vehicular access from Avenue Road to the east and a secondary access to the south which again leads to Avenue Road opposite the junction with Smithy Row.
- 5.29 The proposed residential dwelling will retain the existing access arrangements and the property will continue to take access via the two existing access tracks to the east and south of the site, onto Avenue Road, which are well-established and have served the property throughout its history.
- 5.30 The proposed use will be less intensive and likely generate fewer vehicle movements to and from the property by virtue of its occupation as a single dwellinghouse, rather than having movements associated with the visiting teaching staff, students, cleaners, and maintenance staff. As such, the general traffic is expected to reduce as a result of the development and, in any event, the use as a residential property will restore its historic use and is therefore considered to be an appropriate development which will not cause undue access or highway safety issues.

6.0 CONCLUSION

- 6.1 This Planning Statement has been prepared on behalf of Stonyhurst Estate to support a planning application for the change of use of a building from a bunk house (HMO) to a residential dwelling (C3) at Avenue Farmhouse, Avenue Road, Hurst Green, BB7 9QB.
- 6.2 The property was originally a residential dwelling before being granted planning permission in 2014 to be used as an HMO (application ref: 3/2014/0083). The proposed change of use therefore seeks to reinstate the former, original, use of the building as a single residential dwelling.
- 6.3 It is considered the proposal raises no issues in terms of the principle of development or in terms of the impact on heritage, residential amenity, visual amenity, highway safety, or in the context of any other material planning considerations.
- 6.4 As such, we consider that the proposal is acceptable when measured against local and national planning policies, and there are no material planning considerations that would support refusal of the application. Therefore, we consider that the application can be supported, and we respectfully request that planning permission be granted.

