

15th November 2023

Ribble Valley Borough Council,
Council Offices
Church Walk
Clitheroe
Lancashire
BB7 2RA

Dear Sir/Madam,

APPLICATION FOR PRIOR APPROVAL FOR THE DEMOLITION OF BUILDING AND CONSTRUCTION OF A NEW DWELLINGHOUSE IN ITS PLACE (CLASS ZA) AT HEALINGS FARM, WADDINGTON, BB7 3JE

We write on behalf of our client Mr Ashley Rostron, the applicant, to submit a prior notification application relating to the erection of a new residential dwelling at Healings, Bradford Road, Waddington.

This application comprises permitted development under Class ZA, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) which allows the demolition of buildings and construction of new dwellinghouses in their place.

The following documents and fee are submitted in support of this application:

- Completed Prior Notification Form.
- Site location plan, layout plan and elevations as proposed.
- Biodiversity Appraisal and Bat Survey.
- Heritage Statement.
- Landscape Masterplan.

APPLICATION SITE AND PROPOSAL

The application relates to a cluster of former agricultural and light industrial buildings situated on the North-eastern outskirts of Waddington. The farmstead previously operated as a poultry rearing site (with a use later granted for the construction of light aircraft parts) and comprises a residential dwelling, detached garage and numerous former agricultural and light industrial buildings comprised of a pitched roof building, five Nissen huts and a mono pitched building which is to be demolished as part of this Class ZA proposal.

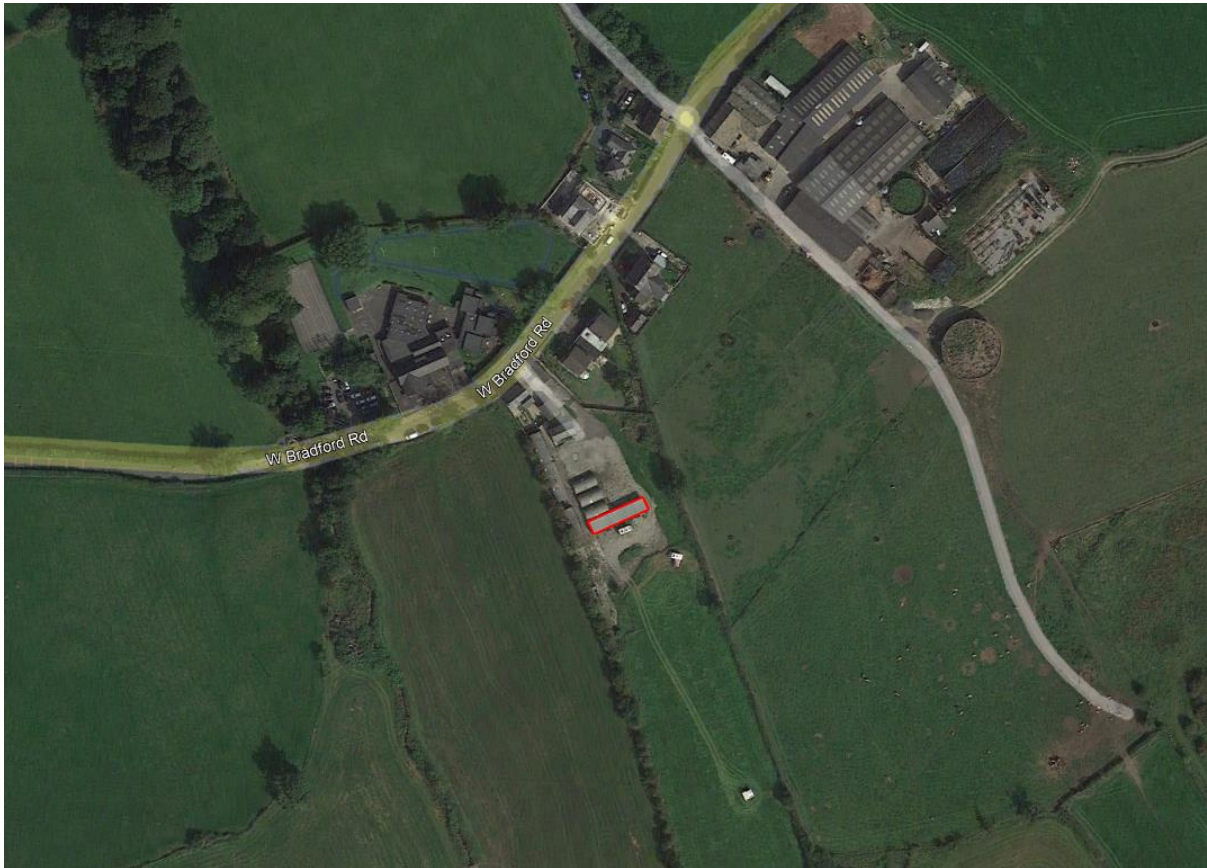


Figure 1: Building proposed for demolition outlined in red.

Access to the proposal site is from West Bradford Road with two Public Rights of Way flanking the Northern and Western sides of the site.

A small cluster of residential properties and a primary school lie just to the North of the farmstead with the wider area comprising a mixture of woodland, agricultural land and open countryside.

The Forest of Bowland AONB lies directly to the North of the proposal site on the Northern side of West Bradford Road. The site is therefore outside the Forest of Bowland AONB.

A previous application for the erection of a dwelling under Class ZA (ref: 3/2023/0687) was refused by Ribble Valley Council on 24th October 2023. The reason or refusal cited:

1. *The proposed dwelling would be two-storeys and visible from various public vantage points. It would result in an incongruous, unsympathetic and conspicuous addition to the application site and wider open countryside that would be harmful to the visual amenities of the area. The proposal would be in conflict with Paragraph 130 of the NPPF and Policy DMG1 of the Ribble Valley Core Strategy. As such, the proposed development has been considered against the provisions of Class ZA.2 paragraphs (d) and (e) relating to matters of design and external appearance of the building and prior approval is refused.*

This prior notification application seeks to respond to the previous reason for refusal by proposing the erection of a single storey dwelling, on the footprint of the existing building and of the same scale and massing, to ensure the scheme has no greater impact on the landscape setting than the existing building on site.

LEGISLATION

Schedule 2, Part 20, Class ZA of the Town and Country Planning (General Permitted Development) (England) Order 2015 is applicable to the determination of whether the prior approval of the Local Planning Authority is required for the proposed development.

Part 20 Class ZA (General Permitted Development) (England) Order permits:

ZA. — (1) Development consisting of works for the demolition of one or other of—

- a) any building comprising a single purpose-built detached block of flats, and*
- b) any other single detached building, comprising premises established—*
 - (i) for office use falling within Class B1(a) of the Schedule to the 1987 Order,*
 - (ii) for research and development falling within Class B1(b) of the Schedule to the 1987 Order, or*
 - (iii) for an industrial process falling within Class B1(c) of the Schedule to the 1987 Order, or for any combination of them,*

existing on 12 March 2020, together with its replacement by a single building covered by sub-paragraph (2), involving operations listed in sub-paragraph (3).

(2) The building in question is to comprise one or other of—

- a) a purpose-built detached block of flats, or*
- b) a purpose-built detached dwellinghouse.*

(3) The operations in question are—

- a) operations reasonably necessary for the demolition and construction, which may include the installation of a basement or cellar in the new building, whether or not there is one in the old building;*
- b) works for the removal of plant servicing the old building;*
- c) works for the disconnection of services from the old building;*
- d) works for the removal of any means of access to and egress from the old building;*
- e) works for the removal of storage and waste from the old building;*
- f) works for the installation of plant to service the new building;*
- g) works for the installation of services to be connected to the new building;*
- h) works to enable access to and egress from the new building, including means of escape from fire;*
- i) works for the construction, within the new building, of storage, waste or other ancillary facilities to support the new building;*
- j) the use of scaffolding and other temporary structures to support the operations listed in paragraphs (a) to (i) over a period—*

- (i) *starting with their installation no earlier than one month before the beginning of those operations, and*
- (ii) *ending with their removal no later than one month after the completion of those operations.*

For ease the relevant criteria of Class ZA have been set out below in a tabular format, with commentary on how the proposal meets these criteria; thus, resulting in a permitted form of development.

| Criteria of ZA1. Development is not permitted by Class ZA— | Response |
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| <p>(a) if land covered by, or within the curtilage of, the old building—</p> <p>(i) is occupied in any part under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;</p> <p>(ii) is or forms part of article 2(3) land;</p> <p>(iii) is or forms part of a site of special scientific interest;</p> <p>(iv) is or forms part of a listed building or land within its curtilage;</p> <p>(v) is or forms part of a scheduled monument or land within its curtilage;</p> <p>(vi) is or forms part of a safety hazard area;</p> <p>(vii) is or forms part of a military explosives storage area; or</p> <p>(viii) is within 3 kilometres of the perimeter of an aerodrome;</p> | <p>The land covered by and within the curtilage of the old building does not form any of the above and is not occupied in any part under an agricultural tenancy or sited within 3 kilometres of the perimeter of an aerodrome.</p> |
| <p>(b) if the old building was constructed after 31 December 1989;</p> | <p>Construction of the old building pre-dates 31 December 1989.</p> |
| <p>(c) if the footprint of the old building exceeds 1,000 square metres;</p> | <p>The footprint of the old building measures 161 m².</p> |
| <p>(d) if the height of the highest part of the roof of the old building above ground level (not including plant, radio masts and antennae) is greater than 18 metres at any point;</p> | <p>The height of the highest part of the roof of the old building above ground level measures 4.2 metres.</p> |

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| <p>(e) unless the old building has been vacant for a period of at least 6 months immediately prior to the date of the application for prior approval;</p> | <p>The old building has been vacant for at least six months prior to the submission of this application</p> |
| <p>(f) if the old building has been rendered unsafe or otherwise uninhabitable by the action or inaction of any person having an interest in the land on which the old building stands and it is practicable to secure safety or health by works of repair or works for affording temporary support (and for this purpose keeping the old building vacant does not of itself count as action or inaction);</p> | <p>The building to be demolished has not been rendered unsafe or otherwise uninhabitable by the action or inaction of any person having an interest in the land on which the old building stands.</p> |
| <p>(g) if the demolition is “relevant demolition” for the purposes of section 196D of the Act (demolition of an unlisted etc building in a conservation area);</p> | <p>The building to be demolished is not sited within a Conservation Area therefore the proposed demolition is not “relevant demolition” for the purposes of section 196D of the Act.</p> |
| <p>(h) if any of the footprint of the new building falls outside the footprint of the old building;</p> | <p>The footprint of the new building would not fall outside the footprint of the old building.</p> |
| <p>(i) if any part of the exterior wall of the new building nearest to a highway is nearer to the highway than the part nearest the highway of the exterior wall nearest the highway of the old building;</p> | <p>None of the exterior walls within the new building would be nearer to the highway relative to the exterior walls within the existing building.</p> |
| <p>(j) if the height (not including plant, radio masts and antennae) of the new building would at any point exceed the lower of—</p> <p>(i) 7 metres above the height (not including plant) of the old building; or</p> <p>(ii) 18 metres, above ground level;</p> | <p>The height of the new building would be 4.6 metres which would be less than 7 metres above the height of the old building.</p> |

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| <p>(k) if the new building has more than X + 2 storeys, where “X” is the number of storeys in the old building;</p> | <p>The new building does not propose any additional storeys with respect to “X” in the old building and therefore satisfies this criterion.</p> |
| <p>(l) if the new building has more storeys than the old building and the floor to ceiling height of any additional storey in the new building, measured internally, would at any point be greater than the lower of—</p> <p>(i) the floor to ceiling height, measured internally, of any storey in the old building; or</p> <p>(ii) 3 metres; or</p> | <p>The new building does not propose any additional storeys and therefore satisfies this criterion.</p> |
| <p>(m) if the height of any plant on the roof of the new building as measured from the lowest surface of that roof would be greater than the height of any existing plant as measured from the lowest surface of the existing roof on the principal part of the old building.</p> | <p>The roof of the existing building does not compromise any plant.</p> |

In response to the above requirements plans have been prepared and accompany this submission.

COMPLIANCE WITH CONDITIONS

In addition to meeting the above criteria of Class ZA, it is also a requirement to address matters (a) – (f) below which are included as conditions of the legislation. Again, for ease, each matter has been addressed in a tabular format below:

- a) transport and highways impacts of the development;
- b) contamination risks in relation to the new building;
- c) flooding risks in relation to the new building;
- d) the design of the new building;
- e) the external appearance of the new building;
- f) the provision of adequate natural light in all habitable rooms of each new dwellinghouse in or comprising the new building;
- g) the impact of the development on the amenity of the new building and of neighbouring premises, including overlooking, privacy and light;
- h) impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses;
- i) the impact on business and new residents of the development’s introduction of, or increase in, residential use in the area in which the development is to take place;
- j) the impact of the development on heritage and archaeology;
- k) the method of demolition of the old building;
- l) the plans for landscaping of the development, including the planting and maintenance of shrubs and trees; and

m) any—

- (i) air traffic and defence asset impacts of the development, and
- (ii) impact that, because of the siting of the new building, the development will have on a protected vista identified in the Directions Relating to Protected Vistas dated 15 March 2012 by the Secretary of State,

unless no part of the new building (including plant, radio masts and antennae) occupies airspace not occupied by the old building (including plant, radio masts and antennae).

| Conditions ZA.2.(2) | Response |
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| <p>(a) transport and highways impacts of the development;</p> | <p>The site benefits from an existing access on/off the public highway to the north of the site.</p> <p>The addition of one additional residential unit will not create an unacceptable level of intensification of the use of the site access or the road.</p> <p>A safe means of access can be achieved.</p> |
| <p>(b) contamination risks in relation to the new building;</p> | <p>There are no known contamination risks on site and that relevant actions will be undertaken in the event of uncovering any previously unknown contamination at the site as part of the building regulations process for construction of the new building.</p> |
| <p>(c) flooding risks in relation to the new building;</p> | <p>The subject site is located within Flood Zone 1 and there are no known local flooding issues</p> |
| <p>(d) the design of the new building;</p> | <p>The proposal seeks the erection of a single storey dwelling, no higher than the existing building on site and will, as such, have no greater impact on the landscape setting than the existing building. This along with the proposed landscaping plan will ensure that the development will enhance the setting of the site to the betterment of the wider landscape.</p> <p>The development seeks to utilise materials consistent with the surrounding residential properties, most notably using local coursed stone wall and a slate roof.</p> |

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| <p>(e) the external appearance of the new building;</p> | <p>See above</p> |
| <p>(f) the provision of adequate natural light in all habitable rooms of each new dwellinghouse in or comprising the new building;</p> | <p>All habitable rooms within the proposed dwelling would be served by windows and glazed openings which would ensure an adequate provision of natural light to support residential use</p> |
| <p>(g) the impact of the development on the amenity of the new building and of neighbouring premises, including overlooking, privacy and light;</p> | <p>The proposed dwelling would be sited approximately 60 metres away from the nearest residential receptors of Healings Farm and The Hawthorns. As such, an acceptable relationship would be in place between the proposed dwelling and surrounding residential properties to circumvent any potential issues of overlooking and loss of privacy and natural light.</p> |
| <p>(h) impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses;</p> | <p>The proposed dwelling would not be located within the vicinity of any commercial premises. Waddington & West Bradford C Of E Primary School lies within reasonably close to the site for the proposed dwelling. Notwithstanding this, the proposed dwelling would be sited approximately 90 metres away from the aforementioned school premises. Therefore, given the separation distance in place between the proposed dwelling and school, it is not considered that residents of the proposed dwelling would be subjected to acute levels of noise disturbance from the school premises.</p> |
| <p>(i) the impact on business and new residents of the development's introduction of, or increase in, residential use in the area in which the development is to take place;</p> | <p>It is not anticipated that the introduction of one new residential dwelling would have any adverse impacts upon businesses within the locality.</p> |
| <p>(j) the impact of the development on heritage and archaeology;</p> | <p>The proposed site is not located within any Conservation Area, World Heritage Site or curtilage of any Listed Building and does not affect the setting of any Conservation Area, World Heritage Site, Listed Building or Scheduled Monument. Furthermore, the</p> |

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| | <p>building to be demolished to facilitate the proposed development is an unremarkable modern farm building with no documented heritage value. Moreover, no archaeological constraints are known to exist within or around the proposal site.</p> |
| <p>(k) the method of demolition of the old building;</p> | <p>The existing building is to be demolished by accredited professionals using machinery to crush the concrete blocks of the building. The building’s metal profiled roof is to be repurposed by the applicant with all materials within the existing building to be reused where possible to reduce the carbon footprint of the new construction. Existing services to the building are to be disconnected and made safe until reused as part of the new structure. Part of the site’s existing hardstanding area is to be removed to allow for the landscaping plan to be implemented, with the remnant hardstanding to be crushed and reused on site where needed or disposed of appropriately via an accredited professional.</p> |
| <p>(l) the plans for landscaping of the development, including the planting and maintenance of shrubs and trees; and</p> | <p>A landscaping plan has been submitted in support of the proposed development which indicates that the proposal site would comprise a range of tree, hedge, shrub and grass planting to support the proposed residential use of the site.</p> |
| <p>(m) any—</p> <p>(i) air traffic and defence asset impacts of the development, and</p> <p>(ii) impact that, because of the siting of the new building, the development will have on a protected vista identified in the Directions Relating to Protected Vistas dated 15 March 2012 by the Secretary of State (3),</p> <p>unless no part of the new building (including plant, radio masts and antennae) occupies airspace not</p> | <p>The proposal is not considered to impact upon any air traffic and defence assets.</p> <p>The proposed development will not impact upon any of the protected vista identified in the Directions Relating to Protected Vistas dated 15 March 2012 by the Secretary of State</p> |

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| occupied by the old building (including plant, radio masts and antennae). | |
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CONCLUSION

In conclusion, it has been demonstrated above and within the submitted plans, that the proposed erection of a new dwelling at Healings Farm, accords with Schedule 2, Part 20, Class ZA of the Town and Country Planning (General Permitted Development) (England) Order 2015.

It is therefore our considered view that the proposal meets the legislative criteria and its conditions; and as such there is no requirement for planning permission of the council to erect the dwelling.

We trust that you have everything you require to ensure a swift validation of this application. However, if you have any questions or would like to discuss any of the above further, please do not hesitate to contact me.

Yours faithfully,

