

Planning Appeal Statement of Case

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This statement is made in support of a written planning appeal against the decision of Ribble Valley Borough Council to refuse detailed planning consent for the erection of a detached dwelling on land off Hammond Drive, Read. The appeal has been lodged by Peter Hitchen Architects Ltd [PHA].

1 Site Location

- 1.1 The application site comprises an open field situated at the rear of Read Hall. Whilst formally outside the settlement boundary of Read [as defined in the Core Strategy], it is very clearly within the wider dispersed settlement in this part of Read. Indeed the site would complement an existing group of established dwellings including one quite recently approved by the planning authority. It is clear from the planning history that whilst the application site may notionally lie outside the defined settlement, the planning authority have accepted that development for residential purposes in and around the application site is acceptable and meets Core Strategy policy. No other conclusion can be drawn.
- 1.2 The whole of the application site sits within the open countryside as defined in the Core Strategy.

2 Planning History

- 2.1 Under application 3/2023/0447, planning consent was refused for a proposed new dwelling on the site now the subject of this appeal. Four reasons for refusal were presented in the decision notice. Following a detailed assessment of that decision, a fresh application was submitted [3/2024/0076] the appeal application. The Inspector's attention is respectfully drawn to the very detailed assessment/appraisal that accompanied application 3/2024/0076 presented by Peter Hitchen Architects Ltd and which specifically addressed reasons 2, 3 and 4. Notwithstanding this, the Inspector will note that the same 4 reasons for refusal appear in application 3/2024/0076. The planning authority has clearly

failed to understand and appreciate the resubmitted application in the context of the reasons for refusal used in application 3/2023/0447. In the detailed brief prepared by PHA and submitted as part of application 3/2024/0076 it is clear and obvious exactly what changes have been made in the details of the submission that specifically address reasons 2, 3 and four of application 3/2023/0447.

2.2 The planning Inspector is again respectfully requested to make reference to the detailed assessment prepared by PHA that accompanies this appeal application. It will be noted, at section 1.1 [LOCATION] that PHA clearly demonstrate on the plan within section 1.1 that a number of planning applications for residential development have been approved by the planning authority that lie within open countryside and outside the settlement boundary. The annotated plan lists those applications and marks the site thereof as A, B, C. Further details of those decisions are contained in the statement from PHA and copies of the case officer reports in those application decisions are enclosed as part of this appeal.

3 The Proposal

3.1 The revised proposal [3/2024/0076] is a detailed planning application that seeks consent for a contemporary dwelling on the appeal site. PHA has produced a detailed design and access statement which addresses the reasoning for the resubmission and how the submission seeks to address the first decision to refuse consent. The Inspector will also note that the appeal proposal also includes a heritage assessment due to the listed status of Read Hall and sets the context within which the detailed plans have been prepared. It is not the purpose of this planning appeal statement to reiterate those details.

3.2 The full details of the proposal are set out in the application form, plans, graphics and project design and access statement prepared and submitted by PHA. This statement [from PHA] forms part of the application submission.

4 Planning Policy and Guidance

4.1 Section 38[6] of the Planning and Compulsory Purchase Act 2004 refers to the development plan as a whole and requires planning applications to be determined in accordance with the plan unless material considerations indicate otherwise. In this case the development plan comprises the adopted Ribble Valley Core Strategy.

Relevant Core Strategy policies

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy

Key Statement DS2 – Sustainable Development

Key Statement EN5 – Heritage Assets

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG3 – Transport and Mobility

Policy DME1 – Protecting Trees and Woodlands

Policy DME2 – Landscape and Townscape Protection

Policy DME3 – Site and Species Protection and Conservation

Policy DMH3 – Dwellings in the Open Countryside & the AONB

National Planning Policy Framework (NPPF)

Chapter 2 achieving sustainable development

Chapter 5 delivering a sufficient supply of homes

Chapter 8 promoting healthy communities

Chapter 9 promoting sustainable transport

Chapter 11 making effective use of land

<i>Chapter 12</i>	<i>achieving well designed places</i>
<i>Chapter 14</i>	<i>Meeting the challenge of climate change, flooding and coastal change</i>
<i>Chapter 15</i>	<i>Conserving and enhancing the natural environment</i>

The Case and the Planning Balance

5 Planning Policy Appraisal

A The Principle of development and the Precedent set; Key Statement DS1 – Development Strategy; Policy DMG1 – General Considerations

5.1 The appeal site is situated within an enclave of existing residential development of varying forms which includes conversions of existing buildings and, more recently, the creation of a very contemporary dwelling [see planning history in section 2]. Though deemed to be outside the settlement of Read in the Core Strategy, it is clear and obvious that the location of the proposed dwelling sits comfortably within an established pattern of residential development that has emerged over recent years. It is located behind Read Hall but not within its curtilage. The proposal does not compromise the integrity of Read Hall (The proposed dwelling will not be visible from the hall) and which the heritage appraisal extends upon in more detail.

5.2 The appeal site sits comfortably within an existing and long established residential enclave. The proposal does not extend the limits of development in this part of the Development Plan area. The development curtilage created, cannot be considered as an incursion into open countryside as defined. This is material, relevant and pertinent in that, if the planning authority again considers that the principle of the development is contrary to key statements within the core strategy then that must also have been the case for application 3/2018/0024 (conversion and extensions accepted) which was for a new

dwelling in open countryside outside the settlement and was approved! The application site is clearly established and capable of accommodating the development. The built form of the proposed dwelling is proportionate in terms of scale, size and footprint. This is complimented by the use of appropriate materials. Peter Hitchen Architects Ltd has produced a design brief which sets out clearly and precisely the application proposal in detail; this forms part of the re-submission.

- 5.3 Given the nature of the immediate area that surrounds the site, it is considered that the dwelling is appropriately located (infill) and will have no adverse effect upon the overall landscape character of this part of the designated open countryside. Whilst it is clearly evident that the site has, to a limited degree, an open frontage affording some views, appropriate mitigation measures in the form of landscaping respecting the topography of the site can be implemented and this will ensure that the dwelling will sit comfortably within the landscape without being prominent or intrusive. Indeed, it will be noted from the submitted plans and graphics prepared by PHA, that the dwelling sits as a low lying structure and comfortably between the other properties in the immediate vicinity. In terms of siting/massing/footprint, the dwelling is proportionate, will be inconspicuous and entirely appropriate in terms of its design, external appearance and site orientation.
- 5.4 Utility services are already located immediately adjacent to the site and in this regard, the development is wholly sustainable.
- 5.5 It is respectfully submitted that the Core Strategy supports the proposal in terms of its development strategy and sustainable development policies and objectives.

B	<i>Policy DME1</i>	<i>Protecting Trees & Woodland</i>
	<i>Policy DME2</i>	<i>Landscape and Townscape Protection</i>

5.6 The application proposal will sit comfortably within the existing and established residential enclave created over a period of time; in this regard, the application site could legitimately be considered as an infill plot of land. PHA has demonstrated in the design brief that no landscape features of any note are being removed or are adversely affected by the proposal. A tree constraints report has been produced and the design respects the root protection areas of the adjacent woodland. A landscaping scheme is included with the application and a condition that it should be implemented in the first planting season following completion and occupation of the development would be acceptable. It is respectfully submitted that the Core Strategy supports the proposal in terms of its development strategy insofar as it relates to landscape and townscape protection and the protection of trees and woodland.

C National Planning Policy Framework (NPPF)

<i>Chapter 2</i>	<i>achieving sustainable development</i>
<i>Chapter 11</i>	<i>Making effective use of land</i>
<i>Chapter 12</i>	<i>achieving well designed places</i>
<i>Chapter 15</i>	<i>Conserving and enhancing the natural environment</i>

5.7 The proposal is very clearly sustainable development and there is, therefore, a presumption that the planning application should be approved. The development is making effective use of land in that the proposal lies within an enclave of residential development enhanced further by a recent planning approval for a detached dwelling. The design and external appearance of the dwelling is entirely appropriate for the site and surrounding area and in line with the local vernacular. The proposal will not cause harm to the natural environment; existing landscaping is not adversely affected and areas of new planting are proposed.

5.8 In the context of the site being within the defined open countryside, both the NPPF and the Core Strategy are in harmony (section 5A above refers). In the context of this policy, it is respectfully submitted that the proposal meets the established test for appropriate development within such a designation. That this must be the case is fully supported by the decision of the planning authority to grant consent in 2018 for the creation of a new dwelling. The Core Strategy has not been changed or been amended since that previous approval nor has the NPPF changed. The dwelling, though contemporary, will not be prominent in the landscape; it will be constructed in modern but entirely appropriate materials that will complement the surrounding landscape. The built form of the dwelling is proportionate in terms of scale, size and footprint. It is submitted that the proposal meets the test set down in The Framework

6 Conclusions

6.1 This planning appeal seeks detailed consent for the erection of a detached dwelling of contemporary design on a site that clearly forms part of an established pattern of residential development on the outskirts of the settlement of Read. The site lies within the defined open countryside in the Core Strategy.

6.2 The project architects PHA, have been involved in this project from its inception. The detailed submission, together with the plans and graphics prepared by PHA together with their own project analysis statement, sets the whole context of the proposal particularly insofar as it relates to the issues raised. Further, and in this specific regard, the proposal does not compromise the integrity of the open countryside designation.

6.3 It is respectfully submitted that the appeal proposal is fully in compliance with the overall aims and objectives of the Ribble Valley Core Strategy and the National Planning Policy Framework. It is considered that this submission has

identified the issues raised in the Core Strategy and Framework and addressed them and that no technical or environmental constraints now exist which would weigh against the proposal. It is respectfully requested that the appeal is allowed and planning consent granted in accordance with the details submitted in application 3/2024/0076.

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