

Planning Statement

Erection of a single storey dwelling following demolition of existing workshop buildings on Healings Farm, Waddington

Introduction

Rural Solutions is instructed to submit a full planning application on behalf of Ashley Rostron (hereafter referred to as the 'applicant') to seek the erection of a single storey dwelling at the former light industrial site at Waddington. This application relates to the building and part of the same site which already benefits from residential use under an approved Class ZA approved application (3/2023/0992).

Fundamentally, this application proposal is to redesign the permitted dwelling and to incorporate a further addition to the approved dwelling space. This will be achieved by demolishing additional light industrial buildings which allow for the 'L' shaped single storey dwelling to be built.

Site Description and History

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 Nissan huts and a mono pitched building which has now been granted to be demolished and replaced with a dwelling via the approved Class ZA application 3/2023/0992.

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.

Relevant planning history listed on Ribble Valley Council's website is limited to the following:

- 3/2023/0687 – Prior notification (Class ZA) for the demolition of building and construction of a dwelling house at Healings Farm. Refused on the 24th October 2023 for the following reason:

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.

- The above-mentioned refusal is now the subject of an appeal.
- 3/2023/0992 - Prior notification (Class ZA) for the demolition of existing workshop building and replacement with one new single-storey dwelling with basement. Approved subject to conditions.

Approved Class ZA site plan 1:500 @ A3

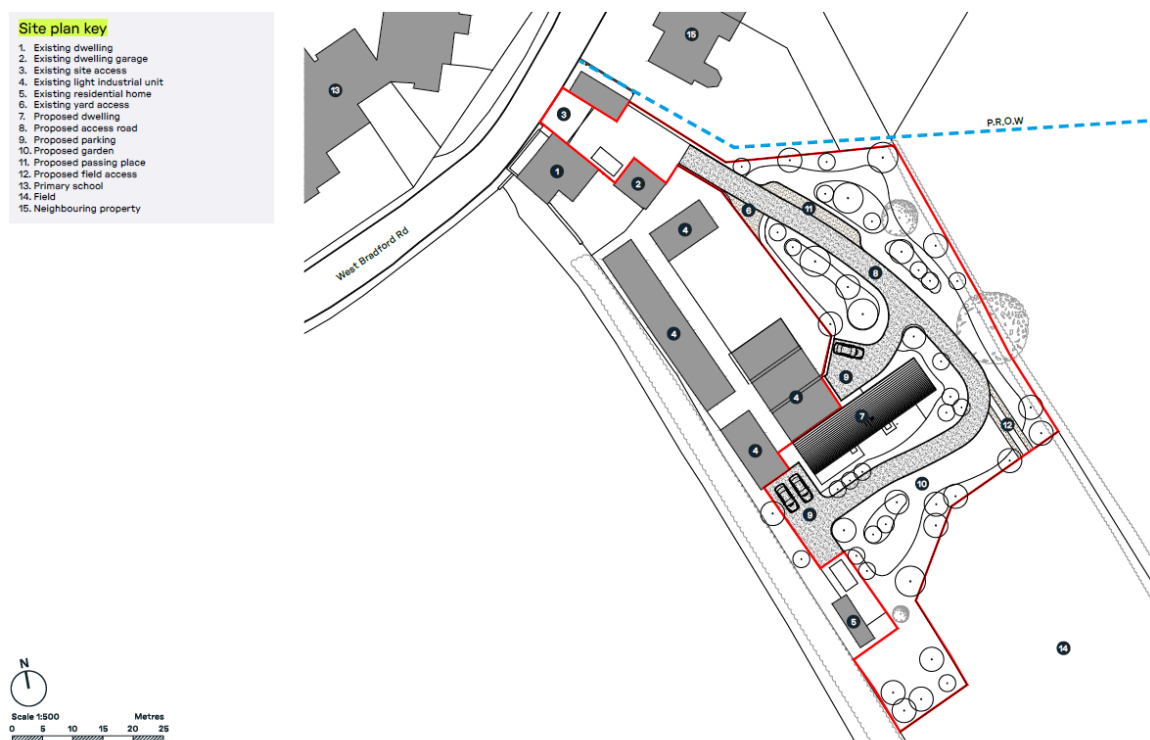


Figure 1: Approved site plan

Proposed Development

Whilst this submission is technically to create a new dwelling following demolition of the existing buildings, the proposed development can be summarised as follows:

- Amending the approved dwelling to include a dual-pitched roof.
- The demolition of the adjacent light industrial unit.
- Proposed single-storey extension to the approved dwelling in place of the demolished light industrial unit.
- Layout, access and parking arrangements matching 3/2023/0992 approval.

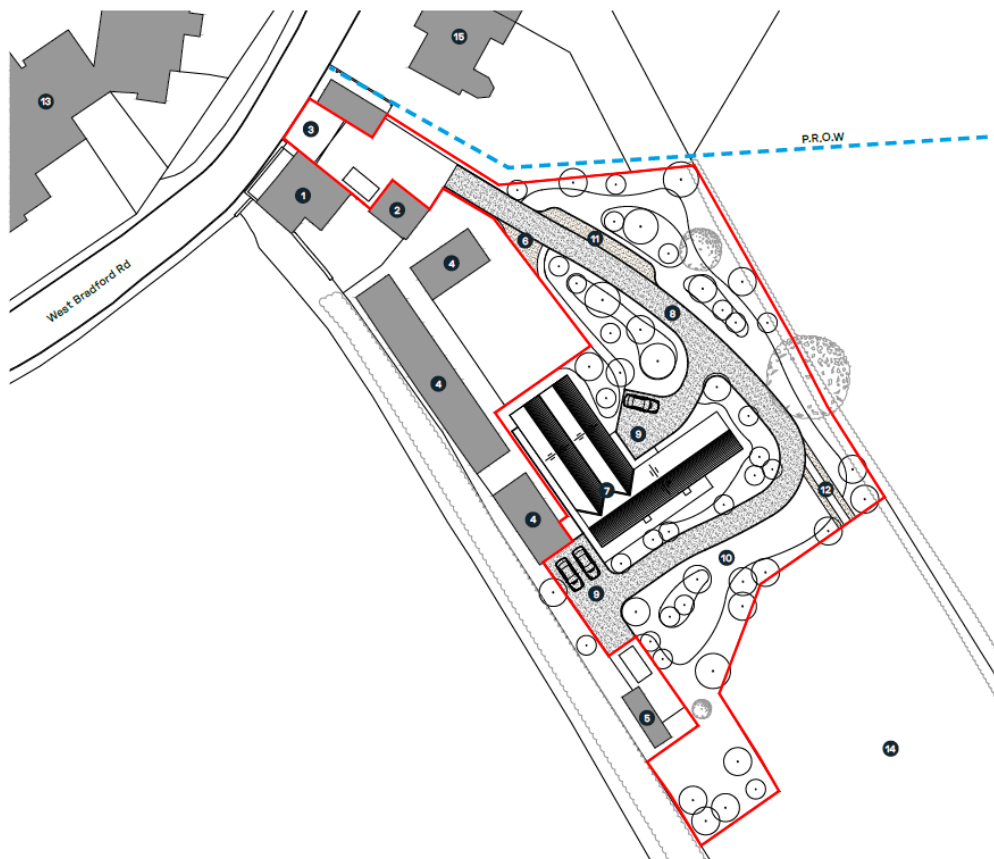
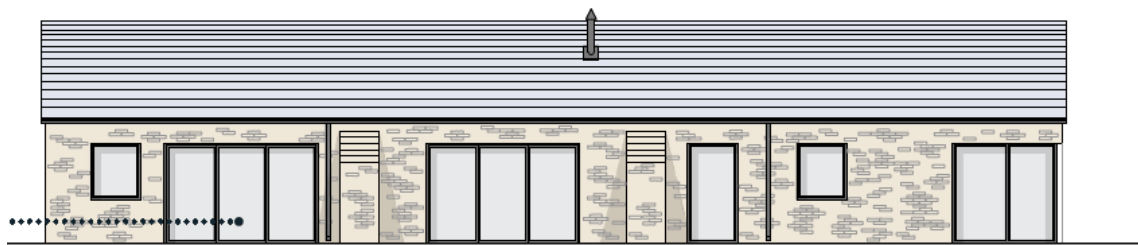
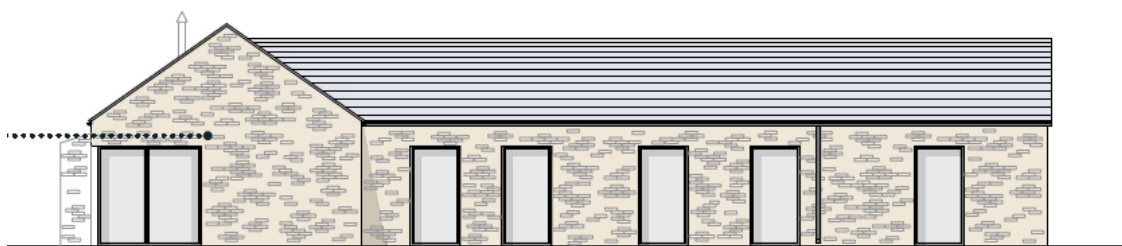


Figure 2: Proposed Site Plan



South Elevation



East Elevation

Figure 3: Proposed elevations (south and East)



Figure 4: Proposed elevations (north and west)

Planning Policy

Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act states that planning decisions should be undertaken in accordance with the development plan unless material considerations indicate otherwise.

Below is a summary of the Development Plan documents and more detailed commentary on the relevant planning policies likely to be applicable for development proposals at the subject site.

Ribble Valley Borough Council adopted their Core Strategy in December 2014 and it forms part of the borough's Development Plan. The previous 1998 Local Plan has now been fully superseded by the Core Strategy and no saved policies remain. The Council also adopted the Housing and Economic Development (Development Plan Document) in 2019, which forms part of the Development Plan.

The Council's Local Development Scheme states that a new Local Plan will be adopted in 2023, however, no progress on the Local Plan is evident from the Council's website. Therefore, the following documents comprise the area's development plan:

- Core Strategy 2008 – 2028 A Local Plan for Ribble Valley 2014
- Housing and Economic Development (Development Plan Document) 2019

Core Strategy 2008 – 2028 A Local Plan for Ribble Valley

Key policies pertaining to the proposed development include (no policies are relevant from the Housing and Economic Development (Development Plan Document) 2019):

- DS1: DEVELOPMENT STRATEGY
- DS2: SUSTAINABLE DEVELOPMENT
- EN2: LANDSCAPE
- EN3: SUSTAINABLE DEVELOPMENT AND CLIMATE CHANGE
- EN4: BIODIVERSITY AND GEODIVERSITY
- DMI2: TRANSPORT CONSIDERATIONS
- H1: HOUSING PROVISION
- DMG1: GENERAL CONSIDERATIONS
- DMG3: TRANSPORT AND MOBILITY
- DMH4: THE CONVERSION OF BARNs AND OTHER BUILDINGS TO DWELLINGS
- DMH5: RESIDENTIAL AND CURTILAGE EXTENSIONS

National Planning Policy

The National Planning Policy Framework (2023) sets out national planning policy for England. National Planning Practice Guidance provides further information on how policies should be interpreted.

National policy and guidance are material considerations in any planning decision.

The following key areas of national policy and guidance are of key relevance to this case:

- Section 2 – Achieving sustainable development.
- Section 4 – Decision-making.
- Section 11 – Making effective use of land.
- Section 12 – Achieving well-designed places.

The Fallback Position

The starting point for any decision maker is the development plan. If a proposal is contrary to the development plan, then the decision maker must determine whether there are any material considerations which outweigh that conflict. With regards to this application, the proposal for a replacement dwelling accords with the relevant policies of Ribble Valley Local Plan. There is also a Class ZA consent which provides a residential dwelling / footprint across the site.

The Court of Appeal in *Mansell v Tonbridge and Malling Borough Council* (2017) EWCA Civ1314 has clarified when a fallback development may be a material consideration for an alternative development scheme.

The case referenced above concerned an appeal of the first instance decision of Garnham J in dismissing a claim for judicial review of a planning permission granted by Tonbridge and Malling Borough Council. The development being the demolition of a barn and bungalow and the construction of four detached dwellings.

In the case, Class Q in the Town and Country Planning (General Permitted Development) Order 2015 (“GPDO”) authorised the barn to be converted into up to three residential units subject to a combined floorspace of up to 450sqm. The resultant effect being there could be four residential dwellings (i.e. the converted barn into three dwellings and an existing bungalow) on the site pursuant to this GPDO planning route. Such four dwellings being the same number of units for the proposed re-development of the site.

The challenge by the appellant concerned whether there was a ‘real prospect’ of development under the Class Q GPDO rights on the lack of contemporaneous evidence that the landowner had contemplated such development.

Lindblom LJ confirmed the legal considerations in determining the materiality of a fallback position as a planning judgement were:

The basic principle is that for a prospect to be a “real prospect,” it does not have to be probable or likely: a possibility will suffice.

There is no rule of law that, in every case, the "real prospect" will depend, for example, on the site having been allocated for the alternative development in the development plan or planning permission having been granted for that development, or on there being a firm design for the alternative scheme, or on the landowner or developer having said precisely how he would make use of any permitted development rights available to him under the GPDO. In some cases that degree of clarity and commitment may be necessary; in others, not. This will always be a matter for the decision maker's planning judgment in the particular circumstances of the case in hand.

He then concluded that the clear desire of the landowner to develop and maximise the value of the site was sufficient to demonstrate there was a real prospect to the Class Q GPDO fallback position in this case. Therefore, the council made no error in law in giving material weight to such a fallback position.

It is clear that the existing buildings at the site have an impact upon the landscape setting, both through their poor quality (visually) and potential lighting across the site, even as light industrial buildings.

There is the fallback position of the approved Class ZA redevelopment for a new house on the site which, when implemented, provides for a new dwelling on the site.

Key Planning Issues

Principle of development

The principle of residential development on this application site has already been accepted by the recent Class ZA application 3/2023/0992. This application respects the granted approval and the proposed layout is largely unchanged. This scheme takes on board the above-mentioned fall-back position.

The amendment to the recent approval relates primarily to the demolition of the adjacent light industrial building which provides space for a redesign / extension to the approved dwelling. Whilst the light industrial building is not being converted, Policy DMH4 guides

what the circumstances would be acceptable in order to convert a building into a dwelling, these are as follows:

1. The building is not isolated in the landscape, i.e. it is within a defined settlement or forms part of an already group of buildings, and;
2. There need be no unnecessary expenditure by public authorities and utilities on the provision of infrastructure, and;
3. There would be no materially damaging effect on the landscape qualities of the area or harm to nature conservations interests, and
4. There would be no detrimental effect on the rural economy, and
5. The proposals are consistent with the conservation of the natural beauty of the area.
6. That any existing nature conservation aspects of the existing structure are properly surveyed and where judged to be significant preserved or, if this is not possible, then any loss adequately mitigated.

The application site is located within a group of pre-existing buildings and access is already provided onto site, which would be utilised through this application. Due to the single-storey nature of the dwelling, matching the existing character of the area, the surrounding landscape will not be negatively impacted. The application relates to the removal of 3 relatively small disused industrial units, which would not have a detrimental impact on the rural economy. Furthermore, the application will improve the aesthetics of the area and will not have any impact local nature conservation. Therefore, the application accords with Policy DMH4 in this regard.

Although this submission is for a new house, in essence, the application relates to the provision of an extension. Policy DMH5 stresses the following: “proposals to extend or alter existing residential properties must accord with policy DMG1 and any relevant designations within which the site is located.”

Policy DMG1 sets out the council’s guidelines regarding Design, Access, Amenity, Environment and Infrastructure. These are standard policies requiring a high standard of design reflecting the existing character of the area in terms of scale, massing, style and materials. It also states the requirement to have suitable access, highway safety considerations and sufficient parking provision. The policy stresses the importance of not negatively impacting neighbouring amenities and protecting the local environment.

The proposed development has been carefully designed to ensure that this policy has been met, therefore, the proposed development would be acceptable in principle and accord with Policies DMH4, DMH5 and DMG1 of the Ribble Valley Core Strategy 2014.

Design, layout and Highways.

The proposed layout, regarding the access, parking arrangements and landscaping have not been altered since the approved 3/2023/0992 application. Therefore, the proposed application has been deemed acceptable in this regard and accords with policies EN2, DMI2, DMG1 and DMG3 of the Ribble Valley Core Strategy 2014.

The proposed development primarily relates to the extension of the approved single-storey house. The development would include the demolition of three single-storey industrial buildings, which have no heritage or architectural value. The extension would follow a

similar footprint to the existing industrial buildings; therefore, the proposal would not result in an increase of built form on site.

The form of the proposed building as a whole will match the existing buildings, forming an L-shaped single-storey structure. This will ensure that the proposed dwelling has no greater visual impact on the wider landscape compared with the existing buildings.

The dwelling will be constructed from high-quality materials, which respond to the local vernacular of the area. Walls will be constructed from local random coursed stone, with slate roof and grey PPC aluminium doors and windows. Furthermore, the building will be dual pitched, which responds to the typical character of dwellings in the area.

Therefore, the proposed development would be in-keeping with the character of the area, would be designed from high-quality materials and would not have a greater impact on the wider landscape. This would comply with policies EN2, DMI2, DMG1 and DMG3 of the Ribble Valley Core Strategy 2014.

Amenity

The nearest existing dwelling to the north of the development is more than 40 metres from the proposed dwelling. As the dwelling would be placed on flat topography, and would be single storey, the development would not result in a loss of light or overshadowing impact. Furthermore, due to the distance between properties, this would not result in an overlooking or overbearing impact. Therefore, the development would comply with policy DMG1 of the Ribble Valley Core Strategy 2014.

Conclusion

The applicant is seeking a modest extension to an approved dwelling form, where the principle of development has already been accepted.

There are no adverse impacts arising from the proposal that would significantly and demonstrably outweigh the overarching presumption in favour of sustainable development contained within the NPPF, and therefore planning permission should be approved.