

Planning Statement

Erection of a two-storey dwelling and associated annexe 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 two-storey dwelling on the site which encompasses some of the former light industrial workshop buildings at Healings Farm, Waddington.

This application relates to the location of the concrete existing workshop building and some of Nissan huts which form part of the associated site. Part of this site already benefits from residential use under a Class ZA application which was initially refused by the LPA under application (3/2023/0687) but allowed on appeal¹ for a two-storey dwelling. Subsequent to this appeal decision, planning permission (3/2024/0255) was granted for the demolition of four existing buildings and erection of one new single storey dwelling on the site with associated parking and landscaping.

The proposed scheme is to redesign the permitted dwelling and to incorporate an annexe to be used in association with the main dwelling on the site.

Site Description

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). It comprises a residential dwelling, detached garage and numerous former agricultural and light industrial buildings, several Nissan huts used for light industrial purposes and a mono pitched building which has now been granted to be demolished and replaced with a dwelling via numerous planning approvals, as detailed in the above paragraphs.

Access to the proposal site is from West Bradford Road. Two Public Rights of Way flank 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 site with the wider area comprising a mixture of woodland, agricultural land, and open countryside.

¹ Appeal decision reference: APP/T2350/W/23/3334523

The Forest of Bowland National Landscape (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.

History

Relevant planning history comprises the following:

3/2023/0687 – Prior notification (Class ZA) for the demolition of building and construction of a two-storey dwelling house at Healings Farm which was granted on appeal. Initially the application was refused on the 24th October 2023 by the LPA 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.

On appeal, the appointed Inspector² in granting approval for the proposed two storey dwelling considered at paragraphs 21 and 22 of his decision that:

The appeal site already has built development back on this side of West Bradford Road ...their siting back from West Bradford Road is not harmful to the character and appearance of the area. As such, the two-storey scale and volume of the proposed dwelling, set back from the road is acceptable.

The proposed dwelling, with its pitched roof design and use of traditional materials, including random coursed stone with a slate roof, would be in keeping with the rural character of the surrounding landscape...Overall, the design and external appearance of the proposed dwelling would not be incongruous, unsympathetic or harmful to the character of the area.

The appeal Inspector further considered at paragraphs 26 and 27 of his decision that:

The existing building on the appeal site, and these other adjacent buildings, do not currently make a positive contribution to the experience of users of this PROW, or the character and appearance of the area in general. Thus, given the visual enhancement on the site, the appeal proposal would not negatively affect users of this PROW.

In addition, users of this PROW already experience large build development associated with the nearby farm and the appeal proposal includes new landscaping features within the appeal site which would partially screen the proposed dwelling from this PROW and provide a more attractive view towards the appeal site than that currently experienced.

² Appeal decision reference: APP/T2350/W/23/3334523

Overall, the appeal assessment confirms that the proposed two storey dwelling and associated curtilage conforms:

With paragraph 135 of the Framework where it seeks to ensure that development is sympathetic to location character, including the surrounding built environment and landscape setting. Furthermore, I (the Inspector) find that CS policy DMG1 supports the appeal scheme, where it states that development should be sympathetic to existing and proposed land uses in terms in terms of size, scale, massing, features and building materials.

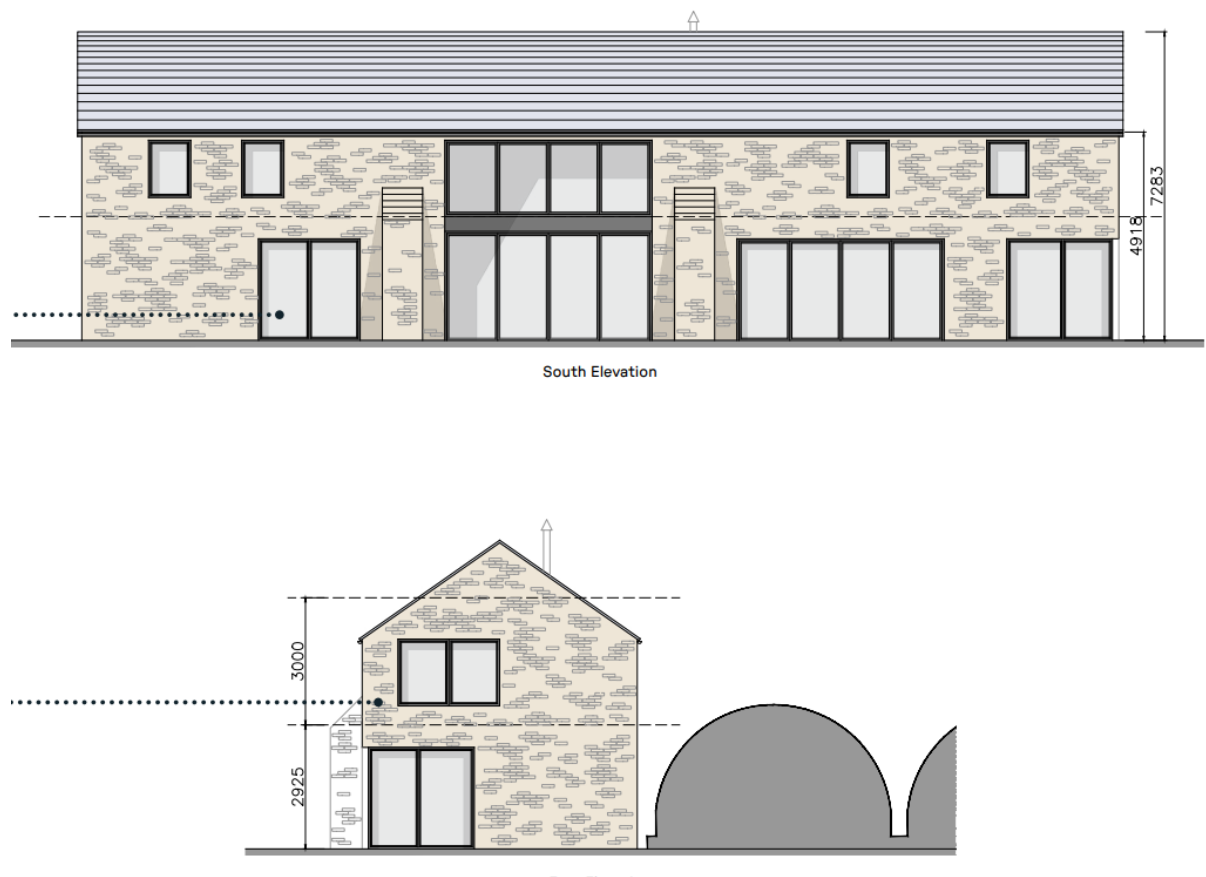


Figure 1: The two-storey dwelling southern and flank elevations approved on appeal.³

3/2023/0992 - Prior notification (Class ZA) for the demolition of existing workshop building and replacement with one new single-storey dwelling with basement. The scheme was approved subject to conditions. Figure 2 overleaf shows the approved site plan of the dwelling.

³ Appeal decision reference: APP/T2350/W/23/3334523

Approved Class ZA site plan 1:500 @ A3

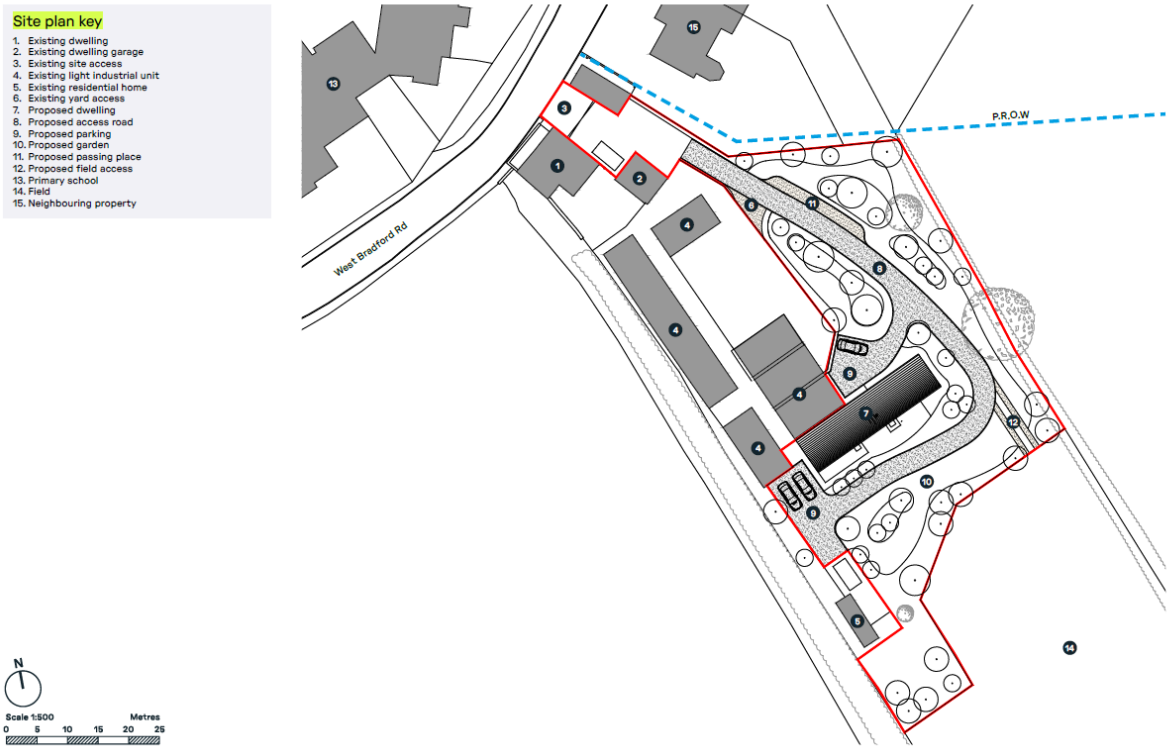


Figure 2: Approved site plan

3/2024/0255 – Planning permission granted for demolition of buildings and creation of new dwelling on 16th July 2024.

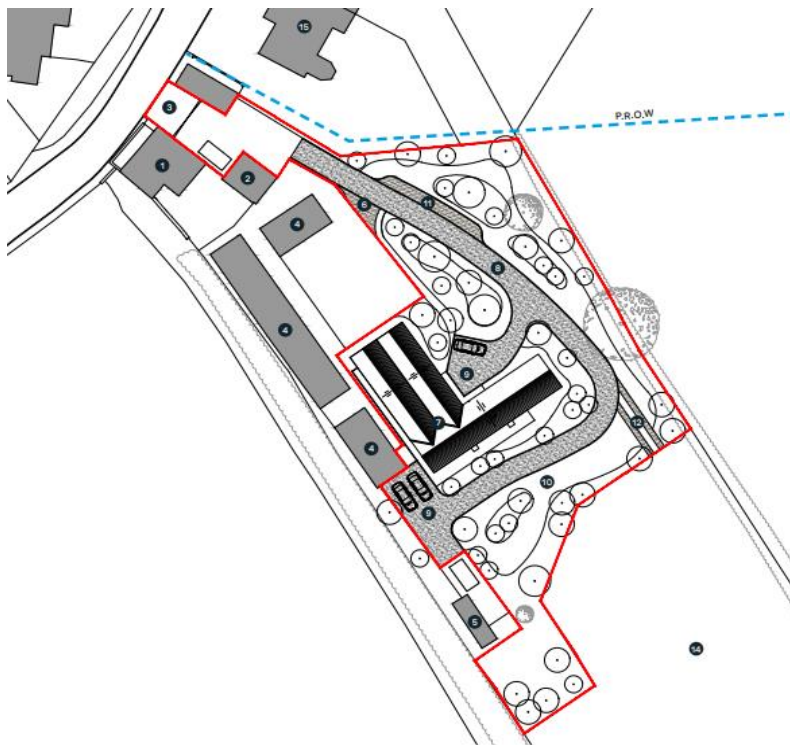


Figure 3: Approved site plan

Proposed Development

This updated planning submission seeks to provide a part single storey, part two storey dwelling and one bedroom annexe development on the site following demolition of existing buildings. The scheme closely follows the principles for the new house which have already been established on the site via the Class ZA approval and the separate planning consent (3/2024/0255) detailed earlier in this report.

Similarly, the access and parking arrangements are the same as those which have been established under the earlier approvals for development at the site. The associated small annexe building benefits from the same access route.

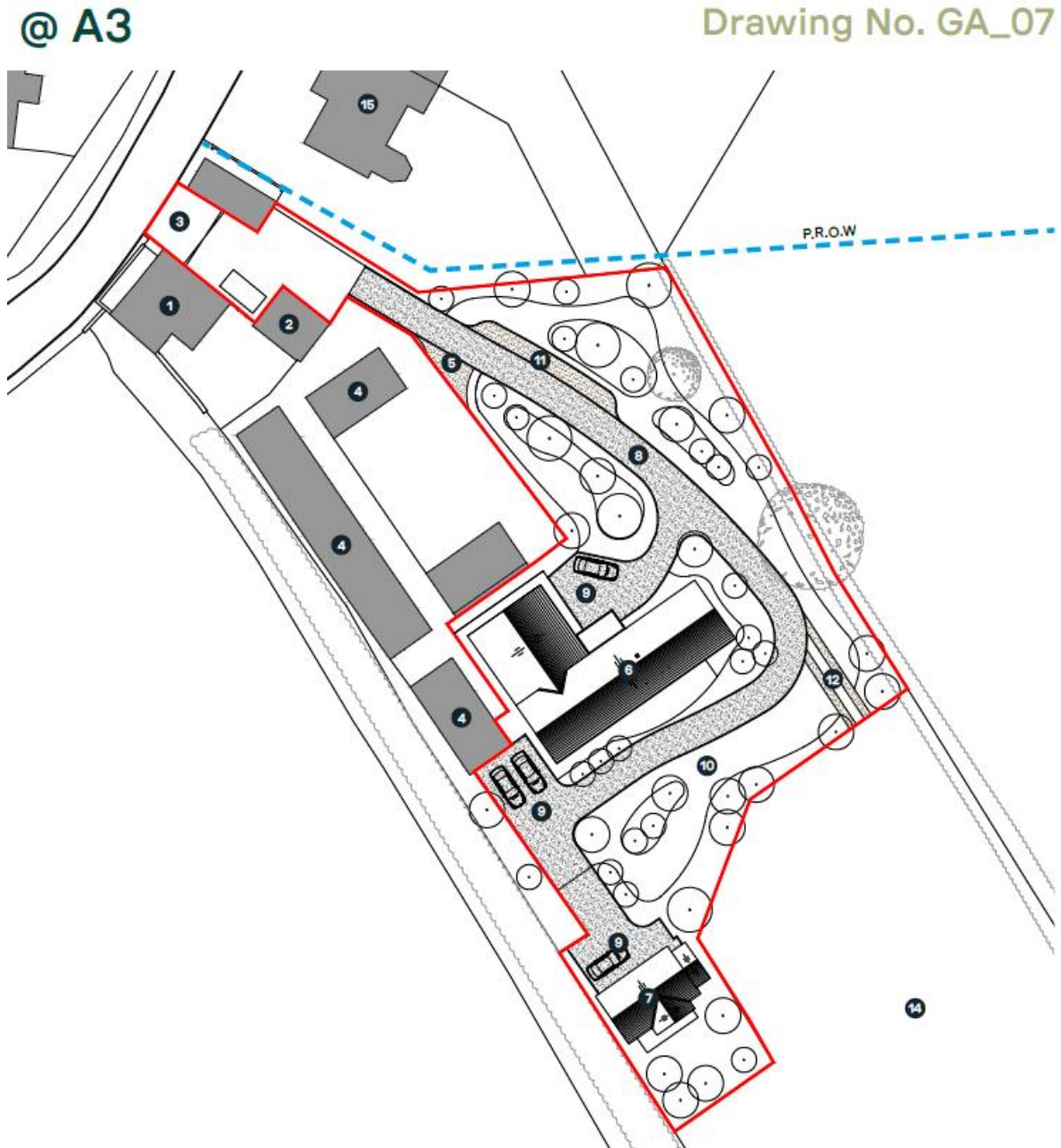


Figure 4: Proposed Site Plan



Figure 5: Proposed elevations (south and East)



Figure 6: Proposed elevations (north and west)

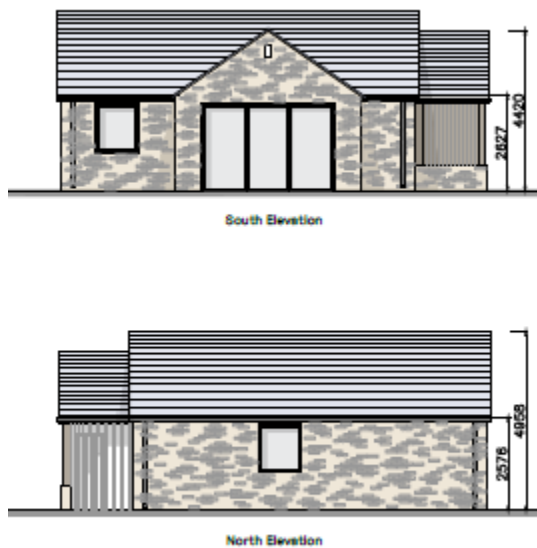


Figure 7: Proposed elevations of the annexe

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 (December 2024, as corrected) 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 both a Class ZA consent which provides a residential dwelling / footprint across the site as well as a full planning permission for a dwelling at the site (in lieu of the Class ZA scheme).

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 Graham 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.

In terms of this current application, 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 two-storey house⁴ 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 applications 3/2023/0687 (two storey house) and 3/2023/0992 (single storey house). This application respects the granted approval for a two-storey house and the approved location of development within the site.

⁴ Appeal decision reference: APP/T2350/W/23/3334523

Following the Class ZA decisions and the grant of a subsequent planning permission, this updated scheme continues to take on board the above-mentioned fall-back position which is a significant material consideration in the determination of the application.

The proposed amendments to the recent ZA approval relate primarily to the demolition of the adjacent light industrial buildings 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 a satisfactory access already exists at the site. The design of the new house takes into account the approved design of the two-storey dwelling under Class ZA⁵. Indeed, the scheme does not create any undue impact on the surrounding landscape as already established by the Inspector who opined that ‘the two-storey scale and volume of the proposed dwelling, set back from the road is acceptable’ and that:

The proposed dwelling, with its pitched roof design and use of traditional materials, including random coursed stone with a slate roof, would be in keeping with the rural character of the surrounding landscape...Overall, the design and external appearance of the proposed dwelling would not be incongruous, unsympathetic or harmful to the character of the area.

The proposed annexe building associated with the new house will provide a single bedroom for an elderly relative to live in close proximity to her family. The annexe is located within the existing residential curtilage and is designed to be small scale (under 4.5 metres in height). It is considered that this ancillary building accords with policy DMH5 of the development plan.

Overall, the annexe is of a suitable scale and visual appearance, has a safe highway access and parking and will not affect the amenities of the surrounding locality. As such, it accords with the relevant criteria of policy DMG1 of the development plan. A condition can be attached to any planning permission to ensure that the annexe remains ancillary to the main house at the site.

⁵ Appeal decision reference: APP/T2350/W/23/3334523

In summary, the whole scheme as designed, takes account of the existing character of the area, and ensures that the surrounding landscape will not be negatively impacted. The application relates to the removal of three disused workshop units, which would not have a detrimental impact on the rural economy. The demolition of these buildings and construction of a dwelling and associated facilities as proposed within this application will improve the aesthetics of the area and will not have any impact local nature conservation.

As referred to above, 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 house (and various changes to the proposed house) under application references 3/2023/0687, 3/2023/0992 and 3/2024/0255 applications. Therefore, the proposed application has been deemed acceptable in this regard and accords with policies EN2, DMG1 and DMG3 of the Ribble Valley Core Strategy 2014.

The proposed development primarily relates to the extension of the approved two-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. Details of the small-scale annexe have been addressed separately above.

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 essentially seeking an 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.