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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | | | |
| **Signed:** | | **Officer:** | **KH** | | | **Date:** | | | **12/07/23** | | **Manager:** | | **LH** | **Date:** | **31/8/23** |
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| **Application Ref:** | | | | | 2022/0988 | | | | | | |  | | | |
| **Date Inspected:** | | | | | 17/01/23 | | | **Site Notice:** | | 21/12/22 | |
| **Officer:** | | | | | KH | | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | | | | **REFUSAL** | | | |
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| **Development Description:** | | | | | | | Proposed erection of one private dwelling with landscaping and demolition of equestrian development. | | | | | | | | |
| **Site Address/Location:** | | | | | | | Land adjacent to Further Lane and Woodfold Park Mellor BB2 7QA | | | | | | | | |
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| **CONSULTATIONS:** | | | | | | | **Parish/Town Council** | | | | | | | | |
| **Mellor Parish Council** – Strongly objects and requests refusal for the following reasons:  Green Belt – The proposed development lies within a designated Green Belt protected area and would therefore appear to be in contravention of the principles of such controls along with the National Policy Planning Framework (Paragraph 149c) and Ribble Valley Core Strategy 2008-2028  Policy EN1. The applicant seeks to secure exemption from such restrictions by using NPPF paragraph 80, based on 2 key differentiators, namely ‘isolation’ and being of ‘exceptional design’, neither of which are consistent with the facts, nor with the setting of the historic park & associated Listed Buildings.    The description as “isolated” when it is in such close proximity (less than 100 yards) from Woodfold Park Farm and the Huntsman’s Cottages and the drive to the other residences within Woodfold Park is considered disingenuous. Surely, the extraordinary number of neighbouring residences (39 at least) in receipt of the consultation letter is testament to it not being isolated. Mellor Parish Council regards the design to be completely incongruous in its scale and totally out of character with the other buildings in the area and merely an expensive proposed but completely unsuitable new development, which could create a dangerous precedent that would be only the start of further similar applications across the parish. There would appear to be no demonstrated need for such a development, which would usually be essential with a fully costed Business Plan for a new build in a Green Belt area, should a particular exemption be appropriate for due consideration.    This application follows from earlier, separate applications within the vicinity of the Woodfold Park  Registered Park and Garden (RPG) – A Grade 11 RPG which sits on Historic England’s At Risk Register  and has been classified as “high vulnerability with a need to address the declining trend”. The flaws in the character study undermine the applicant’s case for enhancement of the RPG. The view of the Parish Council is that this proposal is instead harmful to the setting and significance of the RPG Woodfold Park and is totally out of keeping with the clear design and style that Woodfold Park was based upon. This would appear to follow the similar view put forward in refusing Application 3/2022/0322 at The Deer House, Woodfold Park, such reasons given in the Refusal Notice being “…detrimental to the character of the existing building and the visual amenity of the area contrary to Policies DMG1 and DMH5 of the Ribble Valley Core Strategy 2008 – 2028….”    The Character Study contained in the application contains inaccuracies and suppositions. There is no map evidence or other references for Shorrock Green Hall to suggest it ever existed let alone was the forerunner to Woodfold Hall, yet this supposed background lies at the heart of the applicant’s justification. It fails to recognise that Henry Sudell re-routed Further Lane north to its current line as a deliberate move to take it away from Woodfold Park and therefore to site this proposed dwelling in this field is totally at odds with the design of screening the parkland from the road.    Representation of Community – It is understood that a high number of individual objections have been submitted to date which reflects the strength of feeling within the community, again this community has raised strong opposition by contacting the Parish Council & attending recent Council meetings. Mellor Parish Council therefore seeks to represent its residents in supporting an objection to this application.    In conclusion therefore, Mellor Parish Council strongly objects to this totally incongruous & inappropriate application & requests complete refusal. | | | | | | | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | | | **Highways/Water Authority/Other Bodies** | | | | | | | | |
| **LCC Highways:** | | | | | | |  | | | | | | | | |
| Further information required relating to visibility splays for the proposed site access (which involved re-opening an existing access which is not currently in use). Alternatively this access should be stopped up and the existing access which currently serves the equestrian development should be used instead. | | | | | | | | | | | | | | | |
| **Lancashire Gardens Trust:** | | | | | | |  | | | | | | | | |
| First Response: 4th January 2023  The Lancashire Gardens Trust (LGT) is a Member of the Gardens Trust a statutory consultee with regard to proposed development affecting a site listed by Historic England (HE) on their Register of Parks and Gardens and works in partnership in respect of the protection and conservation of registered sites and is authorised by the GT to respond on their behalf in respect of such consultations.  Woodfold Park is a Registered Park and Garden (RPG) Grade II, an extensive park laid out in the late C18 for Henry Sudell, now subdivided into multiple ownerships relating to the conversion of the various estate buildings into residential dwellings. The Park includes numerous listed buildings, all Grade II: Woodfold Hall c1790, three lodges, Orangery, two bridges and an Icehouse. The Park extends to approximately 175Ha and is enclosed to a greater extent by a perimeter wall of approximately 6.5km, although deteriorating, notably part of which forms part of the south boundary of the current application site and is in very poor condition. The Park extends over the wooded valley of Arley Brook and includes a number of lakes and ponds. Although the listing description gives no indication of the designer, there is a remarkable likeness to other sites laid out by John Webb (1754-1828). However, further research is required to substantiate this. The listing description for the RPG attributes design of the mansion to Charles McNiven, and the Character Study which supports the current application suggests the parkland also by this designer. We are not aware of any evidence for the suggestion.   Woodfold Park At Risk The Park is on Historic England’s At Risk Register, which notes the impact of the changes in ownership and subdivision over the last twenty years: *‘the progressive redevelopment has impacted significantly on the historic character of the designed landscape in the immediate vicinity of the principal buildings’* and that agricultural land use of the parkland *‘is further diminishing the character of the landscape’*. The assessment concludes that there are significant localised problems, and that the Park has high vulnerability and is on a declining trend. There is a need to address the decline of the RPG. The recent series of planning applications within the RPG, prior to the current one provides a continuing negative trajectory for the significance of the RPG as a whole.    We have fundamental concerns about the current application and its supporting documentation. Some confusion arises from an enlargement of the application site boundary, such that there are two versions of the site boundary interchangeably used throughout the various documents.   Assumptions in the Character Study This application includes a Character Study which is intended to address heritage matters. However, this long document makes selective use of facts and descriptions and contains erroneous and unproven historic conclusions. For example, reference is made to Shorrock ‘Hall’ previously occupying the position of Huntsman’s Cottages. There is no map evidence of any named Hall or principal building in this location which is more likely that of a hamlet or cluster of agricultural buildings. As a result of discussions with local residents we understand there is evidence that Further Lane was diverted northwards to its present line at a date following Yates Map of 1786, and our review of map evidence suggests that this is a tenable premise. The suggestion of an axial ‘avenue’ described in the Character Study crossing the application site towards Shorrocks is most likely the former line of Further Lane, relict features of which are indicated on the 1840s OS map. Therefore, this route is rather the earlier alignment prior to its diversion as part of the 1790s emparkment. The narrative in the Character Study places much weight on these features in order to support the concept and placing of a new dwelling on the proposed site, however these arguments are questionable and should not be relied upon.   Impact on the Significance of Woodfold Park We concur that harm will arise to the setting of the RPG Woodfold Park, an C18th Palladian mansion in a park in the English Landscape style together with complimentary estate buildings. It is largely unaltered and surrounded by an agricultural landscape beyond its stone boundary wall. The proposed building is adjacent to the northern entrance drive and to Huntsman’s Cottages, an estate building in Regency style which accommodated employees. The application dwelling is therefore an intrusive incursion in terms of style, size and use. The application has not satisfied NPPF paragraph 200 that clear and convincing justification is required, if there is any harm to heritage assets. Past and present harm should not be compounded by more harm to the park, its estate buildings and their setting.    The significance of the RPG is not fully covered in the RPG HE listing description which is very brief and does not address the categories Rarity/Aesthetic Value/Historic Value/Group Value. These should be explained and developed in a supporting thorough heritage assessment. This site has high rarity value, as it is a remarkable survivor in an industrialised area. The conservation of the park and its constituents as a whole is a necessary public benefit, both as a heritage asset and as an educational asset since it demonstrates a period of history in a very graphic way. The English Landscape Park is a recognised art form, valued in the civilised world. Public benefit does not necessarily mean free access to the general public; and can include the conservation of artistic or industrial heritage. There is an interesting collection of industrial heritage in the park’s woodlands. The standards of design embodied in the RPG are impeccable, in that the Palladian mansion is complemented by estate buildings which fulfil the role of usefulness with beauty, a Georgian principle, because they are in harmony with the design of the house and are subservient to it in size, mass and distribution. They act as focal points in views to and from the house.    In summary, the immediate setting of the park is completely as intended, that is to say pastoral. Therefore, there is no justification for the introduction at close proximity of the visually significant element which is proposed in the current application.   Green Belt and Countryside Policies The construction or extension of a large residence on Green Belt is against RVBC’s policies. NPPF paragraph 80e is employed to support this application, but this requires a development which ‘would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area’. Whilst the dwelling proposed may have merit in its own right, the current context is problematic.    We consider that the current application will be harmful to the significance of the RPG and should be refused.  We have drawn attention in relation to two recent applications for the Deer House and Stud Farm that the RPG has no Conservation Management Plan (CMP), although we understand that this was intended as a s106 requirement from the original 2001 planning permission, no Plan has emerged or can be located. Subsequent sales and subdivision of the estate including the Hall, Orangery and Farm and other properties have made this matter complex and difficult to address, as well as the involvement of three separate local authorities. Hopefully, now that Historic England have recorded the historic asset as At Risk, there may be a way forward. In the meantime all three local authorities should decline to consider any further development within the Park and immediately adjacent applications until a CMP is in place.  Second Response: 31st January 2023  At Risk Register – ‘repair’ to the setting of the heritage asset is limited to removal of recent buildings on the application site. Wider benefits of repair to the heritage asset are unproven.  Shorrock Green Hall – Remain unconvinced of the aspiration to raise the historic status of Shorrock Green  Shorrock Green Avenue – Continue to propose that this feature is the historic line of Further Lane.  Harm to the Setting of Woodfold Park – The impacts of the proposal are evident (inappropriate scale, mass or style of an adjacent building). The setting is pastoral and most of the original designers intentions survive. The lesser importance of the Further Lane entrance in comparison to other entrance driveways and the fact that this lies outside the RPG are fundamental to the layout and appreciation of the Park. The applicant’s speculation on the possible evolution of the estate are not relevant. The development proposal would be a major addition to the landscape in a very localised rural area, such that it would be in the immediate landscape setting of the RPG i.e. the surroundings in which this heritage asset is experienced.  Conservation of the Park - A small part of the application site is within the RPG. In addition the crumbling park wall forms a long south boundary of the enlarged application site. Reluctant to propose public gain obligations whilst the justification for the development is unproven.  In conclusion the comments and judgement made in the previous response (4th January) remain. | | | | | | | | | | | | | | | |
| **Natural England**  Standard response in respect of surface water and foul water details. | | | | | | | | | | | | | | | |
| **Public Reponses:**  A total of thirty one responses have been received objecting to the proposal on the following grounds:   * There is further encroachment of green belt land – this is new development and replacing an existing site; * There are historical inaccuracies regarding paragraph 80e; * The new building would be overpowering from the roadside – Woodfold Hall is set back on a lower position, this would ruin the aesthetics of the surrounding landscape; * The site was used as stable for Woodfold Hall – this historical use of the site will be changed which is not acceptable; * The quarry at Mellor is not functioning this the exterior will not be the same as the rest of the building; * The Triangular development sire now bounded to the north by Further Lane did not exist pre-imparkment as Further Lane did not exist. The whole basis of the Shorrock Green character study is undermined by the post-Yates rerouting of the approach to Whitehalgh; * Isolation – Counsel advice makes reference to case law concerning the term “isolated” notwithstanding it’s proximity to Woodfold Park Farm and Huntsman’s Cottages. There are 10 properties at the farm and 3 at the cottages. There are approximately 45 residential properties within 0.5km of the proposed house all of which use the access of Further Lane and 36 properties use the dame drive into Woodfold Park. The linear settlement associated with Sharrock Green, from Nabs Head to Rose Cottage with more properties including those within Woodfold; * Inappropriate development is de facto harmful to the environment. Counsel contends that the exception of “very special circumstances” applies here because of the TAG concluding the house is exceptional under para 80(e). This would be negated if TAG had relied on false information, and because in terms of para 134 it does not fit in the rural location. As it harms the setting of the heritage asset, does not lie within a settlement boundary, is green belt and does not fit in with the rural surroundings, the fall back would be that it is inappropriate; * There are many errors, omissions and contradictions in the submitted documents with properties mis-described with factual errors undermining the proposition that this development enhances the Heritage Asset including the reference to Sharrock Green Hall, rerouting of Further Lane, incorrect siting of Sharrock Green, situation of the Villa outside of the parkland; * The Park was not intended to be visible outside its walls and views within are focused on the designed landscape with the site carefully chosen to create a masterpiece, carefully crafted using the topography, tree planting and walling to limit views and keep the deer inside the Park. It was designed as a hidden gem. * TAG, it would seem, would endorse this development in any isolated location; * The case for enhancement seems to rely on placing the Villas between Further Lane and the Huntsman’s Cottages and Stable Block to conceal it thus replacing the natural screening by the ridge and tree lined drive with an elaborate Villa and associated garden ornaments. This is damaging to a key design principle of the Park and has a detrimental impact on the rural feel of the settlement. To obscure the open views of the tree lined drive from the gates, the stable block roof and Huntsman’s Cottages would be harmful to the setting and detract from the deliberate simplicity of the designed approach in anticipation of the magnificent descent to the mansion house and parkland from the gatehouse at the park wall. To obscure those views by erecting a faux, principal building, set within its own parklands would cause significant change and cause considerable harm to the setting of the Park; * Construction issues; * Incomplete information for the larger plot i.e. including “The Forge”; * Authority of the third landowner i.e. water reservoir; * Damage to habitat and support for wildlife including wild birds, amphibians, bats, owls, badgers, deer, hares, hedgehogs amongst others; * Impact on private water supply and any underground streams or other sources; * Drainage issues as there are no public sewers, specifically the swimming pool & location of septic tank and proposed sunken car parking areas; * Privacy issues – location proximity to existing properties and dimensions of the building; * Planting issues – tree types, height, overhang, root spread; * Lack of sustainability in design; * The dominant and incongruous development in terms of roadside location and installation of garden structures; * Access issues via Further Lane which is unsuitable for the current volume of traffic; * A full examination against NPPF & Core Strategy policies including safeguarding against future change of use applications; * Further Lane is a narrow lane with several blind bens that is also designated as a national cycle way. The lane is becoming busier with traffic to Stanley House and is used as a short cut when Preston new Road is busy. At points the lane is not wide enough for 2 vehicles and reversing is necessary with construction traffic cause inconvenience, damage pollution and danger to walkers and cyclists for years; * The Villa’s south elevation would be 11.7m high which is likely to result in impacts and loss of value with excessive noise during construction; * There are no apartments in Woodfold Park Farm; * Has consideration been given to a water upgrade for such a large multi bathroom property with swimming pool? * The light pollution from such a large house will impact on wildlife; * We enjoy the evening sunsets which will be totally blocked by the development; * The location of the property and height at 10m would dominant the horizon and block light from adjacent properties; * Woodfold Park has a natural but fragile water table. There is a dew pond close the to Park gate and much of the land is very boggy most of the year. The erection of a substantial property close to said pond and out own properties will upset the natural balance. Little mention is made about how the planned pool and lake will be managed and how sewage will be handled; * Large windows in the property and lighting for the garden structures would create a level of light pollution that would be a serious risk to the natural habitat particularly owls, bats etc.; * Deer were introduced to the Park over 200 years ago and this proposal could make them extinct through noise and activity; * There is no mention of the type/nature of the boundaries to the proposed property. Woodfold Park has natural boundaries and Victorian steel hasp and latch open estate fencing unique to Lancashire which provides wildlife with safe natural corridors and hedgerows to feed within the park and across adjoining farmland; * Little mention of sustainability to cover construction and ongoing management of this substantial property; * This proposal could lead to further speculative applications for residential newbuilds on what is Green Belt land. This will inevitably lead to “dot to dot” development across what is the ‘green lung’ between Preston and Blackburn and across the Ribble Valley; and * The history provided with the application is irrelevant since in the time period referenced grand houses were permitted by wealthy people on large swathes of land. Planning laws at that time did not exist or were ignored. | | | | | | | | | | | | | | | |
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** | | | | | | | | | | | | | | | |
| **Ribble Valley Core Strategy:**  Key Statement DS1 – Development Strategy  Key Statement DS2 – Presumption in Favour of Sustainable Development  Key Statement EN1 – Green Belt  Key Statement EN3 – Sustainable Development and Climate Change  Key Statement EN4 – Biodiversity and Geodiversity  Key Statement EN5 – Heritage Assets  Key Statement H1 – Housing Provision  Policy DMG1 – General Considerations  Policy DMG2 – Strategic Considerations  Policy DMG3 – Transport and Mobility  Policy DME1 – Protecting Trees and Woodlands  Policy DME2 – Landscape & Townscape Protection  Policy DME3 – Site and Species Protection and Conservation  Policy DME4 – Protecting Heritage Assets  Policy DME6 – Water Management  **Planning (Listed Buildings and Conservation Areas) Act**  **National Planning Policy Framework (NPPF)** | | | | | | | | | | | | | | | |
| **Relevant Planning History:**  Woodfold Stables and Forge (Application Site)  3/2020/0011 – Erection of a 6.19m x 30.48m steel portal frame equestrian building and one temporary equine workers dwelling for three years – Approved with conditions. Permission expired June, 2023.  3/2019/0483 – Temporary equine workers dwelling – Refused.  3/2019/0482 – Extension to steel portal frame building for the stabling and work area for existing business – Refused.  3/2019/0229- Temporary equine workers dwelling – Withdrawn.  3/2019/0222- Application for a steel portal framed building for the stabling and work area for existing business – Refused.  3/2015/0360- For the retention of the existing stable building, access track and manage to be used as a remedial farrier business – Approved with Conditions.  3/2012/0359- Proposed construction of agricultural building for stables and a 40m x 20m ménage. Close off the existing field gate and construct a new field access, gravel track and 6no. Parking spaces –  Approved with Conditions.  Development within the adjacent Woodfold Park:  3/2023/0163 – 2 The Walled Garden – Proposed alterations to existing roof lights – Refused.  3/2023/0106 – The Deer House – Prior approval of a proposed enlargement of a dwellinghouse by construction of additional storeys: Prior approval for an additional storey to the existing single storey main building of the dwelling to create a two storey dwelling with additional windows at first floor level on the front and rear elevations – Refused. Appeal Lodged.  3/2022/0623 – Woodfold Park Stud – Conversion of former stud farm stables to form part of residential dwelling and extensions to existing property– Refused – Appeal Lodged and Dismissed.  3/2022/0322 – The Deer House – Extensions and alterations to existing dwelling, including roof uplift, replacement of link structure and reconfiguration of existing garage to provide additional living accommodation – Refused.  3/2022/0267 – Woodfold Park Stud – Removal of condition 5 (Occupancy) and 6 (Residency) of planning permission 3/2007/0252 – Approved with conditions.  3/2021/1086 – Woodfold Park Stud –Removal of condition 5 (Occupancy) and 6 (Residency) of planning permission 3/2007/0252 – Refused.  3/2020/1100 – The Orangery – LBC for the retention for the works undertaken to the building to create a dwelling and the replacement of the 12 rooflights – Approved with conditions.  3/2019/0172 – The Deer House – Erection of utility room attached to the west gable of the Deer House – Approved with conditions.  3/2017/0428 – The Deer House – Demolition of existing greenhouse structure and erection of single storey extension- Approved with conditions.  3/2013/0230 – The Deer House – Extension to existing dwelling – Approved with conditions.  3/2001/0672 – Woodfold Hall – Conversion of Woodfold Hall to residential apartments and dwellings, erect dwellings on former boiler house/walled garden area, develop race horse training facility and associated buildings, gallops, highway works and landscaping, conversion of Deer House to one dwelling, conversion and extensions at Woodfold Hall Farm to create 10 units and garaging – Approved with conditions.  3/2001/0672 – Woodfold Hall – LBC Restoration and conversion of Woodfold Hall, reinstatement of wings to rear to residential apartments and dwellings, erect dwellings on former stable block, erect garages, restore and convert Orangery and Deer House to single dwellings, conversion and extensions at Woodfold Hall Farm to create 10 units and garaging – Approved with conditions. | | | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The site is an area of 5.68 hectares of land used for horse grazing with two existing buildings used for equestrian purposes sited on it. The site is located outside of any defined settlement boundary within land designated as Green Belt.  The site lies immediately adjacent to the Grade II Listed Woodfold Park and Garden to the east and south of the site. A small element of the site lies within the boundary of the Park itself, adjacent to the garage block which serves Woodfold Park Farm to the south east.  The Park includes a number of residential properties of which Woodfold Hall, three lodges, an Orangery, two bridges and an Icehouse are all Grade II listed buildings.  Woodfold Park has been placed on Historic England’s At Risk Register.  Public Footpath 3-25-FP 69 runs to the north of the site alongside the boundary wall to the park.  There are trees and hedges within the site which also provide habitat for protected species. | | | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  This application seeks consent for the demolition of two buildings used for equestrian purposes and the erection of a one detached dwellinghouse.  The proposed dwellinghouse would be substantial at approximately 25m x 38m x 12.3m plus basement at 18.6m x 38m x 4m high constructed in local stone with slate roof.  **In terms of its design, the proposed house aims to reflect the classical Greek and Roman elements with porticoes, columns, pediments and arches.**  The dwelling would accommodate a basement comprising a cinema, games room, kitchen, gym, plant room, bin store, cycle provision and 5 undercover car parking spaces. The ground floor would accommodate an entrance hall, library, drawing room, dining room, staircase, kitchen with larder and scullery, kitchen dinning, orangery, changing rooms with steam, spa and pool areas. The first floor would comprise a master bedroom suite with bathroom, dressing room and terrace and a further five ensuite bedrooms and a roof terrace.  The development also proposes re-opening an existing access and new driveway with new entrance gates measuring 5.1m wide (including posts) at a height of 2.15m and landscaped gardens and associated features including a Lake Bridge, Mausoleum, Obelisk and a Temple. Parking for five motor vehicles, 1 motorcycle and 2 cycles spaces will be provided within the site.  The scheme is proposed as a development which fulfils the criteria of NPPF para 80e which supports isolated homes in the countryside where the design is of exceptional quality. | | | | | | | | | | | | | | | |
| **Principle of Development:**  Key Statement DS1 of the RVCS outlines the Development Strategy for the Borough. This sets out that the majority of new housing will be located at a strategic site in Clitheroe and the principal settlements of Clitheroe, Longridge and Whalley. Next in the hierarchy are the Tier 1 settlements. The nearest Tier 1 settlements to the site are Mellor and Mellor Brook. The site does not fall within one of these nor indeed any defined settlement boundary. Policy DMG2 outlines the type of development that would be acceptable in such locations. This does not include open market dwellings. The development proposal therefore does not accord with the development strategy for the Borough.  Policy DMG3 of the RVCS requires decision taking to consider the availability and adequacy of public transport and associated infrastructure to serve those moving to and from new developments. This is consistent with the NPPF which requires development proposals to promote sustainable transport.  Due to the location of the site future occupants of the dwelling would likely be reliant on the use of private motor vehicles and this weighs against the proposal.  Impact upon the Green Belt  The site lies within land designation as Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.  Key Statement EN1 of the RVCS states ‘*The overall extent of the green belt will be maintained to safeguard the surrounding countryside from inappropriate encroachment. The development of new buildings will be limited to the purposes of agriculture, forestry, essential outdoor sport and recreation, cemeteries and for other uses of land which preserve the openness of the green belt and which do not conflict with the purposes of the designation’.* This is consistent with the NPPF.  Section 13 of the NPPF states when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt unless they meet one of the exception criteria listed in paragraph 149 of the NPPF; none of which apply here.  The development proposal is inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Local Planning Authorities should ensure than substantial weight is given to any harm to the Green Belt.  The last development implemented on this site was the construction of agricultural building for stables and a 40m x 20m ménage, construction of a new field access, gravel track and 6no. Parking spaces (planning application ref 3/2012/0359 relates). The building measures 12m x 16m x 3.5m to eaves (4.98m to ridge) which equates to approximately 814 cu.m.  The smaller stable block on site (approved in 2018) measures 3.66m x 8.5m x 2.9m high equating to 90.2 cu.m. This results in a total amount of 904.2 cu.m. of built form on the overall site.  The proposed dwellinghouse itself would measure a maximum of 25m x 38m x 12.3m with the basement resulting in an additional volume of around 2,800 cu.m.  The Temple would measure approximately 5.3m x 5.65m x 4m (5.5m overall height) resulting in a cubic volume of 148.23 cu.m.  The Mausoleum would measure approximately 4.95m x 4.95m x 4.4m (5.95m to pitch) resulting in a cubic volume of 126.80 cu.m.  The Lake Bridge would measure approximately 8.6m long with the width unknown at a maximum height of 2m resulting in a solid garden structure.  The Obelisk would measure 2.35m x 2.35m x 10m high resulting in another solid garden structure/folly.  This proposal would therefore result in a total amount of new built form of approximately 3,075cu.m. With the demolition of existing buildings on the site ( 904.2 cu.m) this would result in an increase of over 240% above that of the existing buildings. This is clearly a disproportionate increase.  In addition to a simple volume increase comparison, the proposal would replace existing lower lying buildings of a scale, design and appearance that are more typically found within a rural setting with a large residential dwelling house, associated structures and hard and soft landscaped features that would intensify, urbanise and domesticate the 5.68ha site. The scale of development would result in encroachment of the Green Belt, the design of development would result in a fundamental change in its character, and even the new planting would have the effect of enclosing a currently open and largely undeveloped site that positively contributes to the openness of the Green Belt.  As well as changing the immediate site character and reducing its openness, there are prominent views into and from the site which would mean that this loss of openness would be apparent from the site surroundings and undermine the openness of the Green Belt generally in this area.  Substantial weight is given to the harm by virtue of being inappropriate development in the Green Belt, and the harm by virtue of this loss of openness.  The application relies upon the proposal satisfying Paragraph 80(e) of the National Planning Policy Framework and contends that this would allow for ‘very special circumstances’ to outweigh any harm identified. If the proposal fails on this point then there can be no material considerations and the proposal automatically fails to satisfy the Green Belt Policy.  Other Material Considerations   1. *Whether the dwelling would be isolated in the terms of Paragraph 80 of the NPPF?*   The approach to the meaning of the term ‘isolated’ was considered by Court of Appeal in **Braintree District Council v Secretary of State for Communities and Local Government and Others** [2018] EWCA Civ 610.  The approach set out in **Braintree** was usefully summarised more recently by the Court of Appeal in **City and Country Bramshill Ltd v Secretary of State for Housing, Communities and Local Government** [2021] EWCA Civ 320 (at 32 and 33):  *“There is, therefore, no need for any further discussion of what is meant by the concept of "isolated homes in the countryside" in this policy. The essential conclusion of this court in Braintree District Council , in paragraph 42 of the judgment, is that in determining whether a particular proposal is for "isolated homes in the countryside", the decision-maker must consider "whether [the development] would be physically isolated, in the sense of being isolated from a settlement". What is a "settlement" and whether the development would be "isolated" from a settlement are both matters of planning judgment for the decision-maker on the facts of the particular case……*  *To adopt remoteness from other dwellings, instead of remoteness from a settlement, as the test for "isolated homes in the countryside" would seem inconsistent with the Government's evident intention in producing the policy in paragraph 79. It would mean, presumably, that the policy would not apply to a development of housing in the countryside – large or small – on land next to an individual dwelling remote from the nearest settlement, because although the new homes might be "isolated" from the settlement, they would not be "isolated" from existing development. It would prevent the policy from applying to the development of additional dwellings, one or two at a time, on sites next to other sporadic rural housing, again on the basis that they would not then be "isolated".*  In relation to this matter it is also useful to have regard to Lindbolm LJ judgment in **Braintree** in relation to the meaning of settlement (at 32):    *What constitutes a settlement for these purposes is also left undefined in the NPPF. The NPPF contains no definition of a "community", a "settlement", or a "village". There is no specified minimum number of dwellings, or population. It is not said that a settlement or development boundary must have been fixed in an adopted or emerging local plan, or that only the land and buildings within that settlement or development boundary will constitute the settlement. In my view a settlement would not necessarily exclude a hamlet or a cluster of dwellings, without, for example, a shop or post office of its own, or a school or community hall or a public house nearby, or public transport within easy reach. Whether, in a particular case, a group of dwellings constitutes a settlement or a "village" for the purposes of the policy will again be a matter of fact and planning judgment for the decision-maker. …*  As such there is no statutory definition of an isolated home, and therefore, each case will be considered individually and will be a matter of fact and degree planning judgement for the decision-maker to decide whether a dwelling is ‘isolated’. The requirement is that the home is isolated from a settlement rather than simply from other dwellings. Therefore, the presence of nearby other dwellings alone will not mean that the home is not isolated. But if the characteristics of the area could considered a settlement, for the purposes of assessing whether the development is isolated, (which is a question of fact and degree rather than of policy) then the home will not be isolated.  Whilst it is evident that the site is not located within a defined settlement boundary whether the site is isolated from a settlement is the test in respect of para 80. The key points in assessing whether this development would fall to be considered ‘isolated’ for the purposes of para 80 are as follows:   * The site lies in an area of open countryside designated as Green Belt. * The density of development in the area is common of rural hamlets. * There are other dwellings/buildings in the vicinity including farmhouses, lodges, cottages and converted outbuildings associated with the Listed Park and other farmhouses and dwellings in close proximity to the site.   The planning statement asserts that the applicant considers that the site is isolated being remote or separate from a settlement. As noted in the **Braintree** judgement there is no definition of settlement, village or community or required number of dwellings that would constitute this.  In this case the characteristics of the immediate surrounding area now and historically is similar to that of a small hamlet. As such whilst the application site is outside of any defined settlements it is considered that the characteristics of the area reflect a hamlet for the purposes of assessing whether the site is isolated in para 80 terms.  As such it is not considered that the proposed development complies with the key component of Paragraph 80 of the NPPF in terms of being isolated. Therefore Paragraph 80 e) is not engaged and the proposal would be in direct conflict with the council’s overarching development plan policies (DS1, EN5, DMG2 and DMG3) and the NPPF Green Belt Policy.  Notwithstanding the Council’s position on isolation above, for completeness the assessment will go on to consider whether the proposal would meet the policy exception for new dwellings in the countryside as set out in paragraph 80 e) of the NPPF.   1. *Whether the design is of exceptional quality*   Paragraph 80 e) states a design is of exceptional quality where it –  - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and  - would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.  *Truly outstanding, reflecting the highest standards in architecture*  The dwelling presented is a house which takes reference from Georgian classical architecture. The design philosophy is based on the notion that Woodfold Park was never completed and had Henry Sudell (former merchant of Woodfold) not gone bankrupt in the early part of the 19th century his notoriously lavish parties would have eventually necessitated the creation of an entertainment venue on the Woodfold Hall Estate in the form of a Villa in a parkland setting. The proposed building has been informed by a study of country houses including Woodfold Hall.  The proposal has been subject to an independent design review panel -The Traditional Architecture Group (TAG).  TAG concludes that: *“The overall is an exceptionally competent new neo-classical villa. The design stays true to the Roman and Renaissance architecture of its inspiration while accommodating the needs to modern life in what will be a visually comfortable and elegant home.”*  *“It expands the repertoire of the neo classical in the combination of elements, through a long process that achieves a whole, seemingly, without effort.”*  *“This is a design that reflect the highest standards of architecture and will fulfil the goals stated in NPPF paragraph 80(e) for a project of exceptional quality.”*  **In terms of its design, the proposed building is a statement neoclassical design which reflects the classical Greek and Roman elements with porticoes, columns, pediments, and arches. However, there are some design elements which are considered to detract from the neoclassical style including the use of** floor to ceiling glazed doors/openings on two of the elevations and decorative balconies which would have a modern feel that would appear incongruous against the rest of the building. Furthermore, details of rainwater pipes including their location and spacing are not included in the elevations and have the potential to significantly alter the character of the building.  The proposed building would be attractive and of high quality. However, as well as their architectural quality Georgian country houses in the area, such as Woodfold Hall, achieve the high bar of truly outstanding because of their historic interest and relationship to surrounding land uses, such as estates and parks and gardens. These houses developed due to a unique set of social, economic and political circumstances at the time. This reflected the status of the occupants and the clear social hierarchy of the time. Their influence on the landscape remains far reaching. A design philosophy which is based on a suggestion that Woodfold Park ‘could’ have been developed in this way does not have the same historic interest or relationship particularly as the site has never featured within the Park Estate and is located within such close proximity to historic buildings (Woodfold Park Farm and Huntsmans Cottages).  **Moreover, the proposed building would not be commensurate to its surroundings and wo**uld result in a competing form of development to Woodfold Hall (Grade II Listed) by virtue of its scale, siting and architecture. The building scale appears to have evolved around the applicant’s requirements as opposed to an appropriate response to the site. The architectural detailing, together with the prominent scale and siting, would not result in a truly outstanding design in this setting.  *Would help to raise standards of design more generally in rural areas*  As discussed above the proposed building is a statement neoclassical country house design on a site that is agricultural in character and is more closely associated with the adjacent farmland to the west. The historic estate of Woodfold Park grew from a specific set of circumstances. This cannot replicate that. Given that the building would not meet the test of being truly outstanding it would not help to raise standards of design more generally in rural areas.  *Significantly enhance its immediate setting*  This site has changed very little and has been used for agricultural and equestrian uses with buildings and landscaping being kept to a minimum to retain the openness of the Green Belt. The characteristics of the site mean it is more closely associated with the adjacent farmland to the west which is clearly visible from the site, as opposed to the historic Park to the east and south which has woodland around its boundary.  The immediate setting of the site therefore has an attractive open rural feel characterised by open views across the site consisting of predominantly grassland and a number of trees around the site edges.  There would be views into part of the site where the dwelling would be located and the proposed development would result in an urbanising impact on the landscape. Even the introduction of tree planting to create a parkland setting would have the effect of enclosing the site and result in a loss of openness.  The proposed development is in a visually sensitive area due to its close proximity to the designed landscape of Woodfold Park. The dwellinghouse would be sited to the south east of the site in the most prominent position in relation to the northern entrance to the Park and closest to the existing historic built form which includes Huntsman’s Cottages, The Deer House, Woodfold Park Farm, The Orangery and Woodfold Hall.  The change of use of the land from equestrian use to domestic use would also change the nature of this large area of land (over 5ha) from pasture and grazing/equestrian to a large detached dwellinghouse with formal driveway access, landscaped gardens and associated paraphernalia including pond, bridge, obelisk, temple etc all of which add to and detract from this open landscape setting.  The land levels within Woodfold Park fall away to the south, both this and the partial screening created by the existing trees would result in the development being partially visible form Woodfold Park. The Park also extends to the east of the site with the view from the north eastern corner of Woodfold Park broken up by other structures including Huntsman’s Cottages and The Deer House resulting in partial views of the proposed development which will also appear in the distance when viewed from the north east corner.  The proposed house would be seen directly in these views from residential properties within the Historic Park especially 1 and 2 The Walled Garden, and from differing angles and distances 1 – 10 Woodfold Park Farm as well as limited views from 1- 3 Huntsman Cottages therefore its interaction with these buildings is important. It would also be clearly visible from various viewpoints within the Park and from viewpoints along the public highway and from public right of way 3-25-FP 69 which connects with Further Lane to the north of the entrance to Woodfold Park.  Whilst the views from the residential setting of the Listed Woodfold Hall and the Orangery would be limited, taking into account the private nature of the Park and it’s historic setting the views out from anywhere within the Park are important to its significance as referenced in The Landscape History of Woodfold Park August 2002.  The proposed development will remove the majority of the field as pasture land due to the amount of built form and formal landscaped gardens. The most important visual impact is from Woodfold Park, however, views of the development from Further Lane are also a concern as this would introduce the built form into the foreground within view of the entrance to Woodfold Park, due to its overall height, siting and visual prominence.  Therefore, the proposal would have an incongruous effect on the immediate setting rather than significantly enhance it which is the NPPF requirement.  *Sensitive to the defining characteristics of the local area*  The application site lies with National Character Area 35 “Lancashire Valleys”. This is a high level document straddling many of the Lancashire local authority areas.  The site lies within Landscape Character Type 5: “Undulating Lowland Farmland” as set out in A Landscape Strategy for Lancashire dated December 2000. Specifically the site lies within Type 5d, Samlesbury – Withnell Fold. The description of this area is:-  *“An area between Ribble Valley to the north and the Industrial Foothills to the south. It is underlain by millstone grit and sandstone, but the landscape is influenced by the mantle of glacial till which cover the surface, producing a gently undulating landscape of large lush green pastures divided by low cut hedgerows and hedgerow trees. Dramatic steep sided wooded valleys wind their way through the landscape carrying the River Darwen and its tributaries. Designed landscapes and parkland associated with Samlesbury Hall, Woodfold Hall, Pleasington Old Hall and Hoghton Tower add to the overall woodland cover in this lowland landscape and Witton Country Park provides a countryside resource on the edge of Blackburn. It is also influenced by infrastructure (major road and rail routes), industrial works, the airfield at Samlesbury and built development on the edges of Preston.”*  The area local to the site is characterised by green pastures to the north and west and designed landscapes and parkland associated with Woodfold Hall to the south and east.  The proposed neoclassical design would compete with the existing Grade II listed Woodfold Hall in terms of its scale, siting and Georgian style architecture. The site is not maintained as part of the setting to Woodfold Hall and has a different character to the historic Park. The development could not easily be assimilated into the landscape and it is not accepted that the introduction of a large country house in this particular location would be a visual enhancement or be sensitive to the defining characteristics of the local area adjacent to Historic Parkland.  Conclusion on Principle  It is not considered that the site is isolated. Moreover, it would not meet the tests at para 80e of the NPPF for the reasons set out above.  Therefore, whilst a dwellinghouse which meets the criteria of para 80 could be an exception to the spatial policies for the borough and to national Green Belt policy this is not applicable in this case. | | | | | | | | | | | | | | | |
| **Impact upon Listed Building(s) and Setting:**  Paragraph 129 of the NPPF states that “Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.”  Paragraph 133 of the NPPF states 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. The more important the asset, the greater the weight should be.”  This is supported further by Policy DME4 of the Ribble Valley Core Strategy which states that ‘*proposals which cause harm to or loss of significant to registered parks, gardens or landscapes of special historic interest or other gardens of significant local heritage interest, including their setting, will not be supported’*.  The site occupies an elevated position to the north of Woodfold Park and associated listed buildings. The Park was designed with predominately south-easterly orientated which benefited Woodfold Hall with views along the downward sloping land in that direction. From Further Lane, the Park is largely obscured by the existing stone boundary wall, dense tree cover and buildings. However, there are views into the site from public vantage points along Further Lane and the public right of way 3-25-FP 69 which connects with Further Lane to the north of the entrance to Woodfold Park.  The proposal would significantly affect the character the Grade II Listed Parkland setting. A Heritage Assessment and Landscape Character Assessment have been submitted with the application.  The Grade II listed Woodfold Park was laid out in the 1790’s providing the setting for Woodfold Hall. The park is currently on English Heritage Registered Park and Garden at Risk list, and English Heritage have recognised that the progressive development of the site has impacted significantly upon the historic character of the designed landscape.  Throughout the early 2000’s Woodfold Hall underwent re-development in order to restore the hall and estate buildings.  The natural screening to the site ensures that the proposed development will only be visible from a few locations within Woodfold Park itself however, due to its position and roadside prominence the proposed dwellinghouse and associated manicured gardens would be clearly visible from the approach to the northern entrance to Woodfold Park at various points along Further Lane.  The application site is located approximately 165m north of The Orangery and 125m north of Woodfold Hall both of which are Grade II listed buildings. The site is screened to some degree by the existing trees and shrubbery within the site. Whilst the proposed site would not be readily visible from the setting of The Orangery or Woodfold Hall and therefore the development would have little direct visual impact, however, the setting of the listed Park includes its curtilage and ancillary structures and how this would relate to its significance throughout the park resulting in emerging views of the imposing dwellinghouse and its structures from the Hall and associated buildings including 1- 10 Woodfold Park Farm and 1 – 3 Huntsman’s Cottages which are sited much closer to the site.  The site is located immediately adjacent to, but in the main outside of, Woodfold Park which is Grade II Historic Park and Gardens. A small section of the site to the south is within the Park boundary and immediately adjacent to the eastern wall of the garage block which serves Woodfold Park Farm.  The proposed dwelling would be significant in this setting and would be out of keeping, and compete with, the surrounding area, and more importantly Woodfold Hall, in terms of its size, scale and design. The materials proposed are stone elevations and slate roof, although no further details have been submitted. Whilst these could reflect those on the existing dwelling the introduction of a significant, large scale dwelling in this location with its emphasis on an renaissance design would then compete and conflict with the existing Woodfold Hall and associated building within an historic landscaped setting, this would be unacceptable for the historic location and introduce an inappropriate form of development together with its formal, landscaped gardens and associated structures within the historic setting of the park and the its associated buildings. The proposal would therefore result in direct harm to the setting of the Historic Park itself, and its associated listed buildings.  When the enabling works for the Hall, Orangery and Deer House were approved in 2001 it followed a detailed and extensive report into the history of the site and the historic significance of Woodfold Park. It is this historic fabric that informs the relationship of these buildings and their setting. This report sets out the history of the park and Hall which were undertaken in 1797 and completed by 1800. The park has a strong natural topography and was designed to give vistas and perspectives with slopes woodland and water with a sharply defined ridge in front and behind to frame the view of and from the Hall.  It is important to understand how the Parkland and Woodfold Hall was established and much of this has been carefully documented by Alan G Crosby in August 2002 in The Landscape History of Woodfold Park. This document sets out the background to the estate, how it was acquired and then planned by Henry Suddell and the subsequent changes from 1852 until 1910. This document was used as part of the enabling development to restore the Hall and its historic features as part of the 2001 planning application.  This document sets out the scene as follows “The earliest plan which survives dates from 1828 and draws attention to the prominent front of the building and indicates the basis from of the park which still survives today albeit in a lesser condition – grassland, edged by woodland and dotted with carefully placed individual trees with a lake in the foreground which is identical with that of the original design. Therefore there is still a remarkable degree of similarity between the view of 1825, the plans of 1828 and 1831, and the present landscape. The design was extremely simple yet sophisticated: a great house, set against a backdrop of woodland on a steep slope, forming the dominant element in a massive sweep of grassland dotted with fine individual trees.”  This documents then explains that “Originally there was no house on the site of Woodfold Hall. Henry Suddall purchased several hundred acres of farmland mainly given over to pasture with a limited amount of arable. There were also patches of woodland, although their previse boundaries are not known. There was a significant amount of older woodland in the valley of Arley Brook. The conversion of pasture and measure to grassed parkland was a relatively easy process, while the topography of the area (with prominent ridges to the north and south offering long views down to a deep valley) gave a strong underlying basis for the new landscape. Nonetheless, a substantial amount of civil engineering work was undertaken in order to reshape the landscape in certain key area.”  It goes on to list a description of the Hall from 1807 as “a very magnificent house (which has) lately been erected, of a bluish-grey stone, having in the centre a flight of steps with portico supported by four massy columns of the Corinthian Order”.  “The front elevation is the feature that attracts enthusiastic comment and today, now that the rear of the building has been demolished, it remains its outstanding feature. The house was precisely positioned to take the fullest advantage of the magnificent design from the front elevation, with a view extending across the valley towards Billinge Scar and also along the valley to the north-east and south. The house also lies on a slight forward projection of the ridge, which makes a low natural platform slightly raised above the surrounding parkland but also clear of the woodland behind, so that the façade pushes forward into the park and its prominence is emphasised. The views of the house, from the valley, the park and the opposite slope, are the basis of the landscaping and the design of the park was very carefully structured to avoid detracting from that dramatic and stark architectural centrepiece.”  This proposal under consideration here would be too similar to the existing Hall to ensure that this development would not conflict with the existing Hall and subsequently result in competing dwellings to the detriment of the Hall, its associated hierarchy of buildings and the parkland setting itself.  Whilst this would be less than substantial harm, it would be towards the moderate end of the scale and therefore has to be weighed against the public benefits of the scheme.  The application claims to repair the historic park but as assessed above the development is not considered to result in enhancement to its setting or sensitive to the characteristics of the area. Furthermore there is no wider enhancement or enabling scheme for the Park. It is accepted that there would be some public benefits in supporting employment for builders and craftsmen during the construction phase of the development, but this would not outweigh the harm to this historic park and its association with the Listed Buildings within it. Therefore this proposal would be contrary to policy EN5 and DME1 as well as para 202 of the National Planning Policy Framework. | | | | | | | | | | | | | | | |
| **Impact Upon Residential Amenity:**  Within the Park are the following residential properties: 1 and 2 Walled Garden, Woodfold Park Farm, 1 – 3 Huntsman Cottages, The Deerhouse, Woodfold Park Stud, The Orangery, 1 – 5 The Coach House, 1 – 14 Woodfold Hall, Middle Lodge and Mellor Lodge.  Outside of the Park lies Cook’s Farm to the north of the site approximately 10m from the application site northern boundary. Ravenwing Farm, Higher Channels and Half Acre are all sited to the west approximately 110m, 180m and 220m from the western side boundary.  Wards Farm, Chestnut Cottage and Bolton Fold are all sited over 200m to the north of the site across Further Lane.  School Lands is to the far east of the site outside the Park boundary and would not be affected by this proposal.  1 & 2 The Walled Garden are sited to the south of the site with their rear elevations approximately 30m from the southern site boundary.  Woodfold Park Farm is divided into 10 units and lies to the south of the proposed development with the proposed dwellinghouse sited over 50m from the nearest boundary of the former farm complex. A small element of the application site extends into the Park at this point adjacent to the garage block and within 10m of side elevation of No.1 Woodfold Park, whilst no built form is proposed here this land would form part of the curtilage for the proposed dwelling.  1 – 3 Huntsman’s Cottages are sited to the east of the site approximately 27m from the front boundary of these three properties and will be the closest properties to the proposed dwelling.  The Deer House is sited over 100m away to the east, with Woodfold Park Stud sited over 200m to the north east with a separate vehicular access from outside of the Park and would not be directly affected by the proposal.  The Orangery is sited to the south of the site with the rear elevation of the building approximately 125m from the nearest southern boundary of the site. This property is Grade II Listed.  The Coach House is divided into 5 units and is sited to the south of the site approximately 120m from the southern boundary.  Woodfold Hall is Grade II Listed and contains 14 apartments. The Hall is sited to the south approximately 160m from the southern boundary.  Middle Lodge is sited over 600m away from the site to the east and would not be directly affected by this proposal.  Mellor Lodge is sited to the extreme west of the Park and would not be directly affected by this proposal.  Although many of adjacent and nearby properties would be able to view the proposal dwelling given its raised setting and prominent height, it would be screened to some degree by the proposed landscaping and its siting within the site towards the south east edge with the existing tree belt along the eastern side providing a buffer along the vehicular access into the site and 1-3 Huntsman’s Cottages would ensure no unacceptable residential amenity impacts.  Given the extensive curtilage of the proposed dwelling, none of the existing properties listed above would be directly affected in terms of overlooking or loss of privacy and despite its size the proposed dwelling would not result in an unacceptable loss of light or overbearing impact. | | | | | | | | | | | | | | | |
| **Design/ Visual Amenity/ Landscape Character:**  These matters are included above in the consideration of the proposal against Para 80 (e). For the reasons indicated the design, scale and siting of the proposal would be incongruous and unsympathetic with the character of the area including the Historic Parkland setting contrary to Policy DMG1 of the Ribble Valley Core Strategy and the NPPF section on design principles. | | | | | | | | | | | | | | | |
| **Highways and Parking:**  The site would be accessed off Further Lane which is a C classified road subject to a 60mph speed limit. There are two existing accesses to this site; one of which will serve the proposed dwelling and the other which serves the equestrian development will no longer be used. Given that the proposed access is currently not in use a plan has been requested by LCC Highways demonstrating that the access can achieve visibility splays of 2m x 214m in both directions. If the access cannot achieve the required visibility splays, then a speed survey should be undertaken and submitted.  Alternatively, LCC Highways have requested that the proposed access should be fully stopped up and the existing access to the equestrian development used to serve the dwelling instead as this access is established and currently operational.  The agent has confirmed that no further information will be forthcoming in this regard nor is a change in access provision proposed. On this basis insufficient information has been submitted to order to demonstrate that a suitable and safe access can be provided to serve the proposed dwelling.  Five spaces for motor cars would be provided within the basement as well cycle storage provision. This is acceptable. Reference has also been made to a further 5 parking spaces although no details of these appear to have been provided.  The application as submitted has therefore failed to demonstrate that a suitable and safe access into the site can be achieved as required by policy DMG1 of the Ribble Valley Core Strategy.  In addition, the plans demonstrate that the development would be dependent on use of private motor vehicles. This is reaffirmed by the site’s location whereby nearby services and facilities are not readily accessible on foot or by bicycle. The site is not considered to be a sustainable location to support a new dwelling contrary to policy DMG3 of the Ribble Valley Core Strategy. This weighs against the proposal. | | | | | | | | | | | | | | | |
| **Landscape/Trees/Ecology:**  It is understood from the agent that the whole of the site would be curtilage for the proposed dwelling which equates to over 5ha.  A proposed landscaping plan has been submitted with the application which sets out the existing tree constraints and proposed landscaping for the site.  The proposed landscaping plan does not take into account the recommendations set out in the preliminary Ecological Appraisal Report in terms of wildlife corridor buffers and dark corridors. In fact, the formal gardens extend upto and into the woodland boundaries at the northern and eastern sides of the site with some of the garden features placed along these boundaries with inappropriate lighting to highlight these features which will intrude onto the wildlife corridors and foraging routes around the site. The treelines form an extend almost continuous wooded corridor to Woodfold and Jeffery Wood Biological Heritage Site protected woodland located to the south of the application site and Woodfold Park.  The proposed landscaping plan and philosophy submitted does not reflect the proposals set out in the ecology report which would be necessary to reduce/mitigate potential impacts on protected species in particular bats habitats/foraging routes by providing dark corridors and a 30m buffer from the edge of the woodland in order to protect the wildlife/foraging corridors along the north and east boundaries and leading to the nearby BHS site. Instead, the formalised garden would extend up to the eastern boundary, together with the proposed Temple and Obelisk which are to be sited along these boundaries and would therefore result in an intrusion in terms of activity and resulting light pollution into the proposed buffer/dark corridor.  Trees:  Tree Preservation Order 1988 no. 5 is extant on the site. There are 23 trees and 11 groups of trees and one hedge recorded on the site. No trees are required to be removed in order to facilitate the development. This is acceptable.  Ecology:  A preliminary Ecological Appraisal Report has been submitted which concluded Barn Owl was using a building on the site but the proximity of the nesting site was unknown. Badger evidence had previously been found and the agricultural buildings has potential for bat roosting as did trees on and bounding the site with a small bat roost located nearby. Great crested newts were using points within 2km of the site but there are no ponds are on the site itself. The terrestrial habitat on the site could host a range of amphibians as well as hedgehogs.  Himilayan Balsam was found to be present on the site as well as Rhododendron ponticum; this would require a contamination report to be submitted together with an appropriate strategy for its removal.  Further surveys for Great Crested Newts, bats and nesting birds/barn owls would also be required.  The line of trees/woodland that bound the western and northern sides of the site form an almost continuous link to Jeffrey Wood and to over 90ha of protected woodland therefore any activities should not disturb or damage the woodland corridor or diminish this connectivity.  The hedgerow along Further Lane is a Priority Habitat as the western end of the site this has been assessed as poor condition. Any removal of hedge would require mitigation to ensure unlit habitat continuity. The lines of trees along the southern and eastern boundaries from unlit corridors of native habitat that could be used by bats.  The site could provide foraging and hibernating opportunities as well as commuting routes between sites.  A nesting bird method statement would be required to ensure a buffer around the site boundaries. Any site clearance during the nesting season (mid Feb to end Aug) would require checks by a competent authority. All the fields provide habitat for ground nesting birds with skylark and lapwing recorded locally. The small stable block has potential for nesting birds. A breeding bird survey with a minimum of three visits should be undertaken across the site.  Prior to demolition the two agricultural buildings would need to be assessed for bat roosts requiring two emergence/re-entry surveys. A repeat survey for badgers would also be required.  Lighting both external and potential light spready from internal fixtures should not project into a dark buffer a minimum of 20m from the internal edge of the northern and eastern boundaries. Appropriate bollard lighting away from the property with no vertical or horizontal light spill. An appropriate lighting scheme would need to be submitted as part of any approval to ensure light spillage is kept to a minimum, however, some of the built form and formal gardens expands upto the boundaries and therefore is likely to be unacceptable in this regard.  Work to mature trees would require pre-inspection by a licenced bat ecologist with a lighting buffer around mature trees.  The report states that a Biodiversity Net Gain of more than 10% can be achieved on the site, however, the proposed enhancement can only be fully considered once all the survey work has been completed and the full impact of the prosed development understood.  For the reasons outlined above the proposal fails to accord with Key Statement EN4 and Policy DME3 of the Ribble Valley Core Strategy. | | | | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  As such, for the above reasons and having regard to all material considerations and matters raised the application is recommended for refusal. | | | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | | |  | | | | | | | | | | | |
| That planning consent be refused for the following reasons: | | | | | | | | | | | | | | | |
| **01:** | The proposal would result in a new dwellinghouse outside of a defined settlement which fails to meet any of the exception criteria for allowing development in such locations and which would be dependent on the use of private motor vehicles. The harm that would arise from this development would be contrary to Key Statement DS1 and policies DMG1, DMG2 and DMG3 of the Ribble Valley Core Strategy 2008 – 2028 as well as the National Planning Policy Framework which supports sustainable patterns of development. There are no material considerations which justify deviating from the Development Plan in this case. | | | | | | | | | | | | | | |
| **02:** | The proposal would result in inappropriate development within the Green Belt which would be harmful to the Green Belt character and would result in a loss of openness by virtue of the scale and siting of the built development and the enclosing landscape. There are no very special circumstances that exist to justify allowing this inappropriate development and loss of openness. Therefore the proposal would be contrary to Key Statement EN1 of the Ribble Valley Core Strategy 2008 – 2028 and the National Planning Policy Framework. | | | | | | | | | | | | | | |
| **03:** | The proposal would result in harm to the setting of the adjacent Grade II Listed Historic Park and due to its siting, scale and design would be contrary to Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy 2008 – 2028 as well as the National Planning Policy Framework. | | | | | | | | | | | | | | |
| **04:** | The proposal would result in an incongruous form of development which would be harmful to the visual amenity of the local area by virtue of the scale and design of the proposed dwellinghouse and the urbanising impact of the totality of built development proposed. This would be contrary to Policies DMG1 and DMG2 of the Ribble Valley Core Strategy 2008 – 2028 as well as the design principles outlined in the National Planning Policy Framework. | | | | | | | | | | | | | | |
| **05:** | The proposal fails to demonstrate that it has provided the necessary mitigation outlined in the submitted Ecology Report. In particular there are concerns about the landscape proposals which fail to provide and protect wildlife corridors and enhance their connectivity with the nearby Woodfold and Jeffery Woods Biological Heritage Site.  The submitted Ecology report states Biodiversity Net Gain of more than 10% can be achieved. However, as this would be dependent on the outstanding survey work for Great Crested Newts, bats and nesting birds/barn owls this can not be substantiated.  The proposal fails to adequately protect and enhance the range protected species and habitat contrary to Key Statement EN4 and policy DME3 of the Ribble Valley Core Strategy 2008 -2028 as well as the National Planning Policy Framework. | | | | | | | | | | | | | | |
| **06:** | The proposal fails to demonstrate that the proposed site access arrangements are safe and suitable to serve the development as such there are highway safety concerns contrary to Policy DMG1 of the Ribble Valley Core Strategy 2008 – 2028 as well as the National Planning Policy Framework. | | | | | | | | | | | | | | |