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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | | | |
| **Signed:** | | **Officer:** | **SK** | | | | **Date:** | | **23.05.23** | | **Manager:** | | **LH** | **Date:** | **24.5.23** |
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| **Application Ref:** | | | | | 2023/0246 | | | | | | |  | | | |
| **Date Inspected:** | | | | | 26/04/23 | | | **Site Notice:** | | 26/04/23 | |
| **Officer:** | | | | | SK | | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | | | | **REFUSAL** | | | |
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| **Development Description:** | | | | | | Proposed demolition of four existing agricultural buildings and construction of two self-build family eco-homes. | | | | | | | | | |
| **Site Address/Location:** | | | | | | Land adjacent to Southport House Hollins Syke Sawley BB7 4LE | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | | **Parish/Town Council** | | | | | | | | | |
| No representations received in respect of the proposal. | | | | | | | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | | **Highways/Water Authority/Other Bodies** | | | | | | | | | |
| **LCC Archaeology** | | | | | |  | | | | | | | | | |
| LCC Archaeology have offered the following observations:  *The Archaeological Desk Based Assessment (DBA) submitted with the application indicates that the area of the application lies outside the outer precinct wall of the medieval abbey and lies in an area that has been extensively cultivated for many years, resulting in any upstanding earthworks that may have existed being "ploughed flat". Additionally, the construction of the former agricultural buildings is likely to have further disturbed the area. The DBA concludes that there is very low likelihood of there being any significant surviving archaeological deposits below the site (if indeed any such were ever present) and that an archaeological response in the form of further fieldwork is unnecessary.*  *We would agree with this assessment and consider no further archaeological work is required on the site.* | | | | | | | | | | | | | | | |
| **LCC Highways:** | | | | | |  | | | | | | | | | |
| The Local Highways Authority (LHA) have raised no objection to the proposal stating the following:  **Site Access:**  *The LHA are aware that the proposed site will continue to utilise a private, not publicly maintained access track located off Sawley Road which is a C classified road subject to a 30mph speed limit. The access track currently serves the site and one other dwelling. The LHA have reviewed ZMA drawing number P01.01 titled "Proposed Site Plan" and have no comments to make regarding the site access located off Sawley Road. This is because the access is already existing and has been used to serve the farm for numerous years. The LHA also had no objection to the use of the access following application references 3/2018/0061 and 3/2012/0797, which would have generated more trips to the site than the current proposal. Therefore, the LHA have no further comments to make.*  **Internal Layout:**  *The LHA have reviewed ZMA drawing number P01.02 titled "Proposed Site Plan-Ground Floor Plan" and are aware that a minimum of 3 car parking spaces can be provided for each dwelling. This complies with the LHAs parking standards as defined in the Joint Lancashire Structure Plan given the number of bedrooms each dwelling will occupy. The LHA will condition that a minimum of one car parking space per dwelling has access to an electric vehicle charging point and that the proposed garages for the dwellings provide cycle storage. The LHA have also reviewed ZMA drawing number P01.02 and have no objection to the creation of separate accesses for the 2 dwellings.*  The LHA have requested, that should consent be granted, that conditions be imposed relating to the following matters:   * Submission of a construction management plan * Parking and turning facilities to be provided prior to first occupation * EV charging point provision   It is further requested that the following informative be added to any decision notice should consent be granted:  *For development proposals where road construction will take place over a watercourse the applicant need be aware that under the Land Drainage Act 1991 consent is required from the Lead Local Flood Authority for work within the banks of any ordinary watercourse which may alter or impede the flow of water, regardless of whether the watercourse is culverted or not. Consent must be obtained before works are started on site as it cannot be issued retrospectively. For those private streets that are intended to be offered for highway adoption it should be noted that the Highway Authority will not adopt streets that have been subject to unconsented water course works. Developers should contact the Flood Risk Management Team at Lancashire County Council to obtain Ordinary Watercourse Consent.* | | | | | | | | | | | | | | | |
| **CONSULTATIONS:** | | | | | | **Additional Representations.** | | | | | | | | | |
| 26 letters of support have been received in respect of the proposal. | | | | | | | | | | | | | | | |
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** | | | | | | | | | | | | | | | |
| **Ribble Valley Core Strategy:**  **Ribble Valley Core Strategy:**  Key Statement DS1: Development Strategy  Key Statement DS2: Sustainable Development  Key Statement EN2: Landscape  Key Statement EN3: Sustainable Development and Climate Change  Key Statement EN4: Biodiversity and Geodiversity  Key Statement EN5: Heritage Assets  Key Statement DM12: Transport Considerations  Policy DMG1: General Considerations  Policy DMG2: Strategic Considerations  Policy DMG3: Transport & Mobility  Policy DME1: Protecting Trees & Woodland  Policy DME2: Landscape & Townscape Protection  Policy DME3: Site and Species Protection and Conservation  Policy DME4: Protecting Heritage Assets  Policy DME5: Renewable Energy  Policy DME6: Water Management  Policy DMH3: Dwellings in the Open Countryside and AONB  Planning (Listed Buildings and Conservation Areas) Act  National Planning Policy Framework (NPPF) | | | | | | | | | | | | | | | |
| **Relevant Planning History:**  **2018/0061:**  Conversion of existing poultry shed to three dwellings under Class Q (A and B). (Refused)  **3/2015/0509:**  Demolition of existing poultry sheds and construction of new detached dwelling. (Refused – Appeal Dismissed) | | | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  Th application relates to an area of land outside of and to the east of the southern extents of the defined settlement limits of Sawley, being located on land benefitting from an ‘Open countryside’ designation. The site is bounded to the north by the Designated Forest of Bowland AONB and the boundary of the designated Sawley Conservation Area. The site is also bounded, at its north-eastern extents, by a designated ‘Scheduled Monument Area’, Sawley Abbey. The standing structures of the Abbey are also Grade 1 Listed. To the north-west of the site is Southport House, a Grade II Designated Heritage Asset.  The site currently accommodates a number of significantly dilapidated poultry sheds that have fallen into a significant state of disrepair and have collapsed, with the site also still accommodating a number of associated feed silos that are also in a state of disrepair. | | | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  The submitted details seek consent for the clearance of the existing site and the erection of two detached ‘self-build’ dwellings, both of which are of a significant footprint benefitting from differing footprint configurations. The proposed site plan indicates that the site area will be subdivided to form two residential curtilages with each dwelling benefitting form a substantial ‘garden area’. Independent access points will be formed to share each of the dwellings from the ‘shared access lane’ to the northern extents of the site.  It is proposed that the dwellings will be of a contemporary architectural language, benefitting from both single storey flat-roofed elements and two-storey gabled elements. It is proposed that the dwellings will have a direct interface with a natural-stone ‘boundary wall’ that runs the extents of the site from east to west, with the wall varying in heights, ranging for the most part, between approximately 2.3m - 2.65m in height. | | | | | | | | | | | | | | | |
| **Principle of Residential Development:**  The application site is located outside any defined settlement limits, being within land that benefits from an open countryside designation, as such and given the application seeks consent for new residential development, Policies DMH3 and DMG2 of the Ribble Valley Core Strategy (RVCS) are fully engaged for the purposes of assessing the principle of development.  Policy DMG2 of the RVCS seeks to restrict residential development within the open countryside (or outside of defined settlement limits) and Tier 2 Village settlements to that which meets a number of explicit criteria, with Key Statement DS1 also reaffirming these criteria and setting out the overall spatial aspirations for development within the Borough.  Policy DMG2 is two-fold in its approach to guiding development. The primary part of the policy DMG2(1) is engaged where development proposals are located ‘in’ principal and tier 1 settlements with the second part of the policy DMG2(2) being engaged when a proposed development is located ‘outside’ defined settlement areas or within tier 2 villages, with each part of the policy therefore being engaged in isolation and independent of the other dependant on the locational aspects of a proposal.  The mechanics and engagement of the policy are clear in this respect insofar that it contains explicit triggers as to when the former or latter criterion are applied and the triggers are purely locational and clearly based on a proposals relationship to defined settlement boundaries and whether, in this case, such a proposal is ‘in’ or ‘outside’ a defined settlement.  The proposal is located outside of any defined settlement limits, in this respect, when assessing the locational aspects of development, Policy DMG2(2) remains engaged which states that:  *Within the tier 2 villages and outside the defined settlement areas development must meet at least one of the following considerations:*   1. *The development should be essential to the local economy or social wellbeing of the area.* 2. *The development is needed for the purposes of forestry or agriculture.* 3. *The development is for local needs housing which meets an identified need and is secured as such.* 4. *The development is for small scale tourism or recreational developments appropriate to a rural area.* 5. *The development is for small‐scale uses appropriate to a rural area where a local need or benefit can be demonstrated.*   It is clear from the submitted details that the proposal could not be argued as being ‘essential to the local economy or social wellbeing of the area’ nor could it be considered that the proposal ‘is needed for the purposes of forestry or agriculture’.  In respect of the matter of ‘local need’, no evidence has been provided to suggest that the proposal would align with the definition of ‘local needs housing’ as defined within the RVCS which states that *‘Local needs housing is the housing developed to meet the needs of existing and concealed households living within the parish and surrounding parishes which is evidenced by the Housing Needs Survey for the parish, the Housing Waiting List and the Strategic Housing Market Assessment’*.  In light of the above matters, it cannot be considered that the proposal meets any of the exception criterion contained within Policy DMG2 in relation to the creation of new dwellings outside of defined settlement limits.  Policy DMH3 is also applicable given the sites location outside of any defined settlement limits with the policy providing further context stating that:  Within areas defined as open countryside or AONB on the proposals map, residential development will be limited to:   1. *Development essential for the purposes of agriculture or residential development which meets an identified local need. In assessing any proposal for an agricultural, forestry or other essential workers dwellings a functional and financial test will be applied.* 2. *The appropriate conversion of buildings to dwellings providing they are suitably located and their form and general design are in keeping with their surroundings. buildings must be structurally sound and capable of conversion without the need for complete or substantial reconstruction.* 3. *The creation of a permanent dwelling by the removal of any condition that restricts the occupation of dwellings to tourism/visitor use or for holiday use will be refused on the basis of sustainability.*   In light of the above it cannot be considered that the proposal meets any of the exception criterion contained within either Policies DMG2 nor DMH3 of the RVCS in relation to the creation of new dwellings outside of defined settlement limits.  As such, taking account of the above, the proposal is considered to be in direct conflict with Key Statement DS1 and Policies DMG2 and DMH3 of the Adopted RVCS insofar that approval would lead to the creation of new residential dwellings, located outside of a defined settlement boundary, without sufficient justification - insofar that it has not been adequately demonstrated that the proposal would meet any of the exception criterion inherently contained within either of the policies.  In respect of the above, it is noted that a proposed residential development on the application site was subject to a previously dismissed appeal (APP/T2350/W/16/3152831) whereby the Inspector, in dismissing the appeal concluded that:   1. *From the evidence, it has not been demonstrated that the proposal, as a development in the countryside, would satisfy any of the considerations set out in CS Policy DMG2 or the criteria of CS Policy DMH3. These restrict new residential development in the countryside to that which is essential for agriculture or which meets an identified local need, or is an appropriate conversion of a building(s) or a rebuilding or replacement of an existing dwelling(s).* 2. *Neither has it been demonstrated that the proposal would be of an exceptional quality or an innovative nature of design. Accordingly, notwithstanding that the appeal site is previously developed land, I consider that the proposal would conflict with CS Key Statements DS1 and DS2, and Policies DMG2, DMG3 and DMH3.*   Given there have been no changes in adopted local-level planning policy subsequent to the above Inspectors decision, in that the appeal was determined under the remit of the still adopted development plan, there is not warranted reason to depart from the appropriate and proper engagement of local-level adopted planning policy nor any reason to deviate from the inspectors findings in respect of the acceptability of the principle of the creation of new residential dwellings in this location.  **Self-Build:**  The submitted details propose that the dwellings will be self-build in nature as defined within the Self-build and Custom Housebuilding Act 2015 (as amended by the housing and planning act 2016). However, notwithstanding this matter, as with any form of residential development, the proposal must be assessed against adopted development plan policies, particularly those relating to the spatial and locational aspirations for residential development within the borough.  In this respect Policies DMH3 and DMG2 of the Adopted Core Strategy remain fully engaged. As outlined above both policies seek to restrict residential development within the defined countryside to that which meets a number of criteria, one of which being that which satisfies an identified local need. The RVCS states that local needs housing is *‘the housing developed to meet the needs of existing and concealed households living within the parish and surrounding parishes which is evidenced by the Housing Needs Survey for the parish, the Housing Waiting List and the Strategic Housing Market Assessment.’* and that *‘the most recent SHMA and Housing Needs Survey and waiting list evidence would always be used in determining if the proposed development meets the identified need’.*  In this respect the authority does not consider that the current application for self-build housing can be considered as local needs housing for the purposes of assessment given it fails to fall within the remit of the definition above.  This matter has been clarified through recent inspectors’ decisions, the ‘Wiswell Decision’ (APP/T2350/W/18/31210850) and the ‘Stables decision’ (APP/T2350/W/19/3235162) whereby both Inspectors concurred with the Local Planning Authority approach in that self-building housing cannot be considered as ‘local-needs housing’ as defined within the adopted development plan.  As such and in respect of the matter of ‘self-build’ it is therefore considered that the proposal for self-build housing would not be considered as an ‘exception’ given it fails to fall within in the definition of any of the exception criterion of both Policies DMH3 and DMG2 in respect of new housing outside of a defined settlement.  At the time of writing this report, the number of individuals/groups registered on the self-build register held by the authority are as follows:  • Part 1 Register - 11 individuals including one association.  • Part 2 Register – 0 individuals    The Self-Build Act places a duty on authorities to comply with their duty to grant sufficient permissions to match demand as reflected on Part 1 of the self-build register, within a three-year period from the end of each base period. To date the authority has only granted consent for one self-build housing unit, with the unit having been considered in compliance with the requirements of DMG2 in that it was wholly located within the defined settlement limits of a principal settlement.  The authority does not consider that the ‘duty to grant sufficient consents’ releases such self-build housing proposals from the need to comply with the compliment of policies relating to the location of new residential development within the borough as contained within the adopted development plan, which in this case are primarily Policies DMG2 and DMH3.  As such, the authority does not consider that the ‘self-build’ nature of the proposal allows for ‘exceptional site release’ nor does it exempt such proposals from having to meet policy specific locational criterion, regardless of the outstanding demand on part one of the Self-build Register. To consider otherwise would result in a ‘carte blanche’ approach being adopted in respect of the location of residential development within the plan-area that would result in the significantly harmful perpetuation of potentially unsustainable patterns of development.  **Site Sustainability:**  The site to which the application relates is located outside of the defined settlement limits of Sawley which is defined as a Tier 2 Settlement, being deemed as being one of the least sustainable settlements of the 32 defined settlements (Key Statement DS1) within the overall settlement hierarchy. Largely due to the settlement failing to provide an adequate range of services or facilities, with the site therefore also being in an area that is considered to be significantly remote from an adequate wide range of services or facilities.  Taking this into account, it is considered that the proposal would result in the creation of new residential dwellings in a location that would lead to and perpetuate an already unsustainable pattern of development, without sufficient or adequate justification, insofar that occupants of the residential dwelling would fail to benefit from adequate walkable access to local services or facilities - placing further reliance on the private motor-vehicle contrary to the aims and objectives of Key Statement DMI2 and Policy DMG3 of the adopted Core Strategy and the National Planning Policy Framework presumption in favour of sustainable development. | | | | | | | | | | | | | | | |
| **Impact upon Heritage Assets**  The application site relates to an area of land adjacent and within the setting of a Grade II Designated Heritage Asset (‘DHA’) with the site also being located adjacent the boundary of the designated Sawley Conservation Area. As such due consideration must be given in respect of the statutory duties imposed under the Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 in relation to the preservation of the special character of heritage assets, including their setting. In this respect the act states that:  *In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*  Further to the above, due consideration must also be given in respect of the requirements of the National Planning Policy Framework (‘The Framework’) insofar that in the determination of planning applications Local planning Authorities should take account of:   1. *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;* 2. *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and* 3. *the desirability of new development making a positive contribution to local character and distinctiveness.*   Paragraphs 200 and 202 of the Framework are also relevant insofar that they state that:  Paragraph 200:  *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*   1. *grade II listed buildings, or grade II registered parks or gardens, should be exceptional;* 2. *assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*   Paragraph 202:  *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*  In parallel with the above primary and national-level legislation/policy, Key Statement EN5 and Policy DME4 of the RVCS are primarily, but not solely, engaged for the purposes of assessing the proposal. In this respect Key Statement EN5 states that:  *There will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits.*  *This will be achieved through:*   * *Recognising that the best way of ensuring the long term protection of heritage assets is to ensure a viable use that optimises opportunities for sustaining and enhancing its significance.* * *Keeping Conservation Area Appraisals under review to ensure that any development proposals respect and safeguard the character, appearance and significance of the area.* * *Considering any development proposals which may impact on a heritage asset or their setting through seeking benefits that conserve and enhance their significance and avoids any substantial harm to the heritage asset.* * *Requiring all development proposals to make a positive contribution to local distinctiveness/sense of place.* * *The consideration of Article 4 Directions to restrict permitted development rights where the exercise of such rights would harm the historic environment.*   With Policy DME4 stating, in respect of development within conservation areas or those affecting the listed buildings or their setting, that development will be assessed on the following basis:  *1: CONSERVATION AREAS*  *Proposals within, or affecting views into and out of, or affecting the setting of a conservation area will be required to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance. This should include considerations as to whether it conserves and enhances the special architectural and historic character of the area as set out in the relevant conservation area appraisal. development which makes a positive contribution and conserves and enhances the character, appearance and significance of the area in terms of its location, scale, size, design and materials and existing buildings, structures, trees and open spaces will be supported.*  *In the conservation areas there will be a presumption in favour of the conservation and enhancement of elements that make a positive contribution to the character or appearance of the conservation area.*  *2: LISTED BUILDINGS AND OTHER BUILDINGS OF SIGNIFICANT HERITAGE INTEREST*  *Alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported. Any proposals involving the demolition or loss of important historic fabric from listed buildings will be refused unless it can be demonstrated that exceptional circumstances exist.*  Policy DMG1 is also engaged in parallel with Key Statement EN5 and Policy DME4 insofar that the policy sets out general Development Management considerations, with the policy having a number of inherent criterion that are relevant to the assessment of the current proposal, which state:  *In determining planning applications, all development must:*  *DESIGN*   1. *Be of a high standard of building design which considers the 8 building in context principles (from the CABE/English Heritage building on context toolkit.* 2. *Be sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials.* 3. *Consider the density, layout and relationship between buildings, which is of major importance. particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character, as well as the effects of development on existing amenities.*   *AMENITY*   1. *Not adversely affect the amenities of the surrounding area.*   *ENVIRONMENT*   1. *All development must protect and enhance heritage assets and their settings.*   In respect of the above considerations, when taking account of the proposed level of built-form resultant from the proposal, including the extents and scale of the northern ‘boundary wall’ - which will appear as both a significantly visually imposing and incongruous feature, it is considered that the proposed development will result in significant harm to the setting of and views into and out of the designated Sawley Conservation Area. Particularly insofar that it will significantly erode the sense of visual openness associated with the immediate approach to the designated area, with the proposed development appearing as an incongruous, anomalous, and discordant introduction into the landscape, particularly when read in context with the nearby townscape.  As a result of the above factors and in respect of the external design, appearance and site configuration of the proposal, the proposed dwellings are of a largely linear form consisting of two-storey gabled archetypes/forms with intermediate single-storey flat-roofed elements. The dwellings are of an overall scale, in terms of footprint, that is significantly in excess of that of nearby built-form, particularly that of Southport House (Grade II).  In this respect, the unsympathetic visual intervention of the proposal within the setting of the Grade II Designated Heritage Asset, which will likely be significantly enhanced and exacerbated by the northern boundary wall that runs the full extents of the site running east to west, will result in measurable harm to the significance of Southport House and its associated setting.  Furthermore, in relation to impacts upon Designated Heritage Assets, in dismissing the previous appeal on the site (APP/T2350/W/16/3152831) the Inspector concluded that:   1. *With regard to the listed buildings at Sawley Abbey, Abbey Cottage, Ivy Cottage and the Reading Room, the fabric of these heritage assets would remain untouched by the proposal and from what I observed that is where the majority of their significance rests. In my judgement, given the intervening distance, buildings and mature vegetation, the inter-visibility between them and the proposal would be negligible. In which case, the peripheral location of the proposal in relation to these heritage assets would prevent it impinging on their significance. I find therefore that the proposal would be unlikely to adversely affect the significance of these heritage assets as a development within their settings and would not conflict with CS Policies EN5 and DME4.* 2. *As for the SAM and the Conservation Area, these heritage assets are centred on, and characterised by, the standing remains of Sawley Abbey. The proposed development would take place outwith their defined boundaries. In my judgement, the appeal site is not integral to the understanding or appreciation of these heritage assets and given the very minor part of their settings that would be affected, I consider that the proposal would not result in any harm to their significance. Accordingly, it would not conflict with CS Policy DME4.* 3. *Turning to consider Southport House, this listed building stands prominently at the junction of the former stretch of the A59 with the road that leads into the village. Its formal front (principal) elevation gives it a strong physical presence that is exerted over its immediate surroundings, including the appeal site. Consequently, its setting does, to some degree, contribute to its significance. The introduction of a development of the scale proposed within this context would have a harmful impact on the significance of this heritage asset as a development within its setting.* 4. *Accordingly, giving considerable weight to paying special regard to the desirability of preserving the setting of the listed building, I conclude that the proposal would harm the setting of this historic asset as a development within its setting, in conflict with CS Policies EN5 and DME4.*   In respect of the above, the submitted details propose a significant increase in the quantum and amount proposed built-form over and above that of the previously dismissed appeal. In this respect it is considered that the increased level of built-form associated with the development, which is also located closer to Southport House than that of the dismissed appeal building, can only arguably result in exacerbating the harm previously identified. Particularly insofar that the Inspector concluded that a single dwelling, of a lesser footprint than that of the cumulative footprint(s) of the currently proposed development, would result in *‘the introduction of a development of the scale proposed within this context would have a harmful impact on the significance of this heritage asset as a development within its setting’.*  The proposal would result in the introduction an anomalous, discordant and unsympathetic form of development that fails to positively respond to the inherent character of the area, the immediate and wider historic townscape or the inherent pattern of development of the designated Sawley Conservation Area. As a result, the proposal will result in significant harm to views into and out of the designated Conservation Area, also resulting in measurable harm to the significance and setting of a Grade II Designated Heritage Asset (Southport House).  Paragraph 202 of the Framework is engaged in so far that the harm arising to the significance of the aforementioned heritage assets is considered to be less than substantial. In which case the harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. It is recognised that are some benefits associated with the clearance of the site including the removal of the currently collapsed structures and associated silos. However the current visual condition of the site is a result of site custodianship and whilst the clearance of the site will result in some measurable visual benefit, the benefit of site clearance would not outweigh the harm identified.  As such, taking account of the above material matters, it is considered that approval of the proposal would result in significant direct conflict with Key Statement EN5 and Policies DMG1 and DME4 of the RVCS, Paragraphs 130, 134, 200 and 202 of the National Planning Policy Framework and the Planning (Listed Building and Conservation Areas) Act 1990. | | | | | | | | | | | | | | | |
| **Impact Upon Residential Amenity:**  Given the sites lack of direct interface or inter-relationship with existing residential receptors, save that for Southport House, and taking account of the separation distances between the proposed dwellings and Southport House, it is not considered that the proposal will result in any significant measurable detrimental impacts upon existing residential amenities. | | | | | | | | | | | | | | | |
| **Visual Amenity/External Appearance:**  The settlement of Sawley is largely typified by a linear pattern of residential built-form that is predominantly located on the western-side of Sawley Road save that for Southport House (adjacent the application site) and Sawley Community Hall and Abbey Cottage that are located a significant distance from the northern extents of the application site. Policy DMG1 places great emphasis on development proposals being *‘sympathetic to existing and proposed land uses in terms of its size, intensity and nature as well as scale, massing, style, features and building materials’* additionally requiring that proposals *‘consider the density, layout and relationship between buildings, which is of major importance. particular emphasis will be placed on visual appearance and the relationship to surroundings, including impact on landscape character’.*  In this respect, when taking account of the inherent pattern of development and defining characteristics of the area, the introduction of a level of built-form, commensurate with that which is proposed, particularly the western side of Sawley Road, will result in a largely discordant pattern of development and built from that would be read as significant departure from that of the inherent westerly linear pattern of development associated with the settlement.  Taking into account the discordant pattern of development in parallel with the cumulative level of built-form resultant from the proposal, including the extents and scale of the northern ‘boundary wall’ which will appear as both a significantly visually imposing and incongruous feature. It is considered that the proposed development will also result in the significant undermining of the sense of visual openness associated with the immediate landscape character of the area, with the proposed development appearing as an incongruous, anomalous and discordant introduction into the landscape, being of detriment to the character and visual amenities of the immediate and wider area.  In respect of the external design, appearance and site configuration of the proposal, the proposed dwellings are of a largely linear form consisting of two-storey gabled archetypes/forms with intermediate single-storey flat-roofed elements. The dwellings are of an overall scale, in terms of footprint, that is significantly in excess of that of nearby built-form, resulting in the dwellings failing to positively respond to scale of development within the immediate area.  The unsympathetic visual intervention of the proposal into the landscape is likely to be significantly enhanced and exacerbated by the northern boundary wall that runs the full extents of the site running east to west, which would introduce a man-made linear feature of a scale, height an appearance that fails to visually relate successfully to any defining features within the area.  Taking account of the above it is considered that the proposed development would be in direct conflict with Policies DMG1 and DMG2 of the Ribble Valley Core Strategy and Paragraphs 130 and 134 of the National Planning Policy Framework. Particularly insofar that approval of the proposal would result in the introduction of an anomalous and discordant pattern and form of development, that by virtue of their siting (east of Sawley Road), the scale of the proposed dwellings, their inherent footprints, the northern boundary wall and site configuration, would fail to respond positively to the inherent pattern of development within the area or the scale of nearby or adjacent built-form, being of significant detriment to the character and visual amenities of the immediate area the defined open countryside. | | | | | | | | | | | | | | | |
| **Highways and Parking:**  The Local Highways authority have raised no objection to the proposal subject to the imposition of a number of planning conditions. | | | | | | | | | | | | | | | |
| **Landscape/Ecology:**  The application has been accompanied by an Ecologic Survey and Assessment - the report concludes the following:  *The approximately 0.86 hectare site is located to the east of Sawley Road and comprises a former, now derelict, cluster of poultry sheds bordered by hard-standing with sparse ruderal herbs and tall-herb vegetation. The western and southern site boundaries are demarcated by a hedgerow (Hedgerow 1). The northern site boundary extends along the northern margin of an existing access track, beyond which lies a narrow (less than 1 metre wide) stream (Hollins Syke) lined with tall-herb vegetation and scattered trees and shrubs. Improved grassland is present beyond the south-western, southern and eastern site boundaries.*  *With the implementation of the protective measures described in Section 5.3 it is advised that the proposals can be achieved with no adverse effect on statutory or non-statutory designated sites for nature conservation.*  *The native hedgerow (Hedgerow 1) with scattered trees at the western and southern site boundaries is Priority Habitat; these habitats will be retained by the proposals. None of the other habitats are representative of Priority Habitat.*  *The areas of tall-herb vegetation and neutral grassland are of value at the ‘site’ level. The removal of these habitats will be compensated for by the accommodation of areas of wildflower grassland and other landscape planting to be secured as part of the proposals to achieve enhancements for biodiversity (refer to Section 5.2).*  *Wall Cotoneaster, an invasive plant species listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) was detected to the north of the site boundary; further guidance is presented at Section 5.3.*  *Evidence to indicate previous use of Buildings 1 and 3 (burned down) as a bat feeding roost was detected in August 2021. A feeding roost is a roost of low conservation significance. The roosting features / positions are no longer present owing to the dilapidation and damage that has occurred. Based on the current poor condition of the buildings and the absence of any recent / additional evidence (December 2022) to indicate use of the buildings by roosting bats it is advised that relevant survey guidance has been complied with and further survey for roosting bats is not required to inform the planning application. In addition, it is also advised that a Natural England licence is not required to proceed with the demolition and site clearance works. Actions to be applied during the demolition are described in Section 5.3.*  *The hedgerow, scattered shrubs and tall-herb vegetation are suitable for use by nesting birds; all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). Sections 5.2 and 5.3 provide best practice guidance to be adhered to in relation to nesting birds and other wildlife such as hedgehog (a Priority Species).*  *Appropriate and proportionate survey effort and / or assessment, in accordance with standard survey guidelines has been applied to discount adverse effects on other relevant protected species. No further surveys for other protected species are necessary to support a planning application.*  An Arboricultural Impact Assessment has also been submitted in support of the application which recommends the removal of part of an overgrown grouping (G2) (Mixed Species) to facilitate demolition and site clearance with the remainder of the grouping being maintained to provide visual mitigation. It is further proposed that a category ‘C’ Ash be crown-lifted and to reduce lateral spread to facilitate site clearance.  Subject to conditions no issues regarding landscape or ecology are identified. | | | | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  It is recognised that are some benefits associated with the clearance of the site including the removal of the currently collapsed structures and associated silos. However the current visual condition of the site is a result of site custodianship and whilst the clearance of the site will result in some measurable visual benefit which is a material consideration, the weight this carries in the overall planning balance is considered to be limited. The benefit of site clearance would not outweigh the harm identified in respect of the harm to views into and out of the Designated Sawley Conservation Area, the harm to the significance of a Grade II Designated Heritage Asset and the harm to the wider visual amenities and character of the area. Nor is it considered that the benefits would outweigh the harm resultant from the direct conflicts with Policy DMG2 or DMH3 or the perpetuation of an already unsustainable pattern of development.  As such, for the above reasons and having regard to all material considerations and matters raised that the application is recommended for refusal. | | | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | | |  | | | | | | | | | | | |
| That planning consent be refused for the following reason(s). | | | | | | | | | | | | | | | |
| **01:** | The proposal is considered to be in direct conflict with Policies DMG2 and DMH3 of the Adopted Ribble Valley Core Strategy insofar that approval would lead to the creation of new residential dwellings, located outside of a defined settlement boundary, without sufficient justification - insofar that it has not been adequately demonstrated that the proposal is for that of local needs housing that meets a current identified and evidenced outstanding need or that the proposal would meet any of the exception criterion inherently contained within either of the policies. | | | | | | | | | | | | | | |
| **02:** | The proposal would result in the introduction an anomalous, discordant and unsympathetic form of development that fails to positively respond to the inherent character of the area, the immediate and wider historic townscape or the inherent pattern of development of the designated Sawley Conservation Area. As a result, the proposal will result in significant harm to views into and out of the designated Conservation Area, also resulting in measurable harm to the significance and setting of a Grade II Designated Heritage Asset (Southport House).  As such the proposal is considered to be in significant direct conflict with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy, Paragraphs 130, 134, 200 and 202 of the National Planning Policy Framework and the Planning (Listed Building and Conservation Areas) Act 1990. | | | | | | | | | | | | | | |
| **03:** | The proposal is considered contrary to Policies DMG1 and DMG2 of the Ribble Valley Core Strategy and Paragraphs 130 and 134 of the National Planning Policy Framework. Particularly insofar that approval of the proposal would result in the introduction of an anomalous and discordant pattern and form of development, that by virtue of their siting (east of Sawley Road), the scale of the proposed dwellings, their inherent footprints, the northern boundary wall and site configuration, would result in a form of development that would fail to respond positively to the inherent pattern of development within the area or the scale of nearby or adjacent built-form, being of significant detriment to the character and visual amenities of the immediate area and that of the defined open countryside. | | | | | | | | | | | | | | |
| **04:** | The creation of new residential dwellings in this location would lead to the perpetuation of an already unsustainable pattern of development, without sufficient or adequate justification, insofar that occupants of the residential dwelling would fail to benefit from adequate walkable access to a wide range of local services or facilities - placing further reliance on the private motor-vehicle contrary to the aims and objectives of Key Statement DMI2 and Policy DMG3 of the adopted Core Strategy and the National Planning Policy Framework presumption in favour of sustainable development. | | | | | | | | | | | | | | |