



PLANNING APPEAL STATEMENT OF CASE

NEW PASSIVHAUS PLUS HOUSE OF EXCEPTIONAL QUALITY (NPPF PARAGRAPH 80E) AND ASSOCIATED LANDSCAPING AND BIODIVERSITY ENHANCEMENTS

LAND AT HODDER BRIDGE

MICHAEL AND LIZ BELL

 Rural Solutions





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LOCATION
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PROPOSAL
NEW PASSIVHAUS PLUS CERTIFIED HOUSE OF EXCEPTIONAL
QUALITY (NPPF PARAGRAPH 80E) AND ASSOCIATED
LANDSCAPING AND BIODIVERSITY ENHANCEMENTS

APPELLANT
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SUMMARY

An appeal is brought following the refusal of planning permission by Ribble Valley Borough Council for a new property known as Hodder Grange, described by the appellants and council as a:

"Proposed new house of exceptional quality (NPPF Paragraph 80e) of Passivhaus Plus and Zero Energy design with associated landscaping and biodiversity enhancements."

The appeal is submitted after a three-year process including site and area assessment; design development; pre-application enquiries and ongoing engagement with the Borough Council and Forest of Bowland AONB Management Team; and, presentation to the Traditional Architecture Group Design Review Panel, which has concluded that the requirements of Paragraph 80e are met.

The rigour of DRP assessment process cannot be overstated, with its final response on the Hodder Grange proposals, on the 29th November 2021 confirming that:

"This final review follows an engagement with the Applicants and the Design Team over a six-month period which started with the first formal review on 21st June 2021. Since the first review, there were additional on-line assessments of progress on the 12th August, 12th October and 23rd November. There were also a number of informal telephone discussions with the scheme architect."

There is no objection to the proposals from any consultee and the Forest of Bowland AONB Manager, who has been consulted throughout confirms that the proposals *"can be accommodated within the local and wider landscapes without significant impact on the character of the AONB"*; that *"The proposed wider landscaping could be beneficial in terms of landscape character with more trees/woodland along the river corridor"*; and, that *"I would suggest that the proposed woodland creation and riparian habitat creation would constitute a significant improvement on the intensively managed, improved grassland on the site at present; helping to link up fragmented woodland habitat along the River Hodder corridor."*

In sustainable design terms, the Hodder Grange proposals will represent:

- The first Passivhaus Plus of traditional design style anywhere in the world; and,
- The first Passivhaus Plus of any design style in the North West of England.

This self-build new home will also be petrochemical free in construction and a true zero energy / zero carbon house, as defined in the detailed sustainable design statement.

The definition of natural beauty, which contributes to the wording - Areas of Outstanding Natural Beauty - includes the 'rich history of human settlement'. It is the

rich local history of country houses to which the Hodder Grange proposals will contribute, together with a contribution to the biodiversity and environmental qualities of the area.

New landscaping as part of the proposals has been carefully considered based on a site and area assessment and includes 1.4ha of new woodland planting; 1,120m of new hedgerow planting; and 1.2ha of new species-rich grassland margins.

The new 1.4ha of tree planting will also deliver wider environmental benefits alongside biodiversity net gain, sequestering 490 tonnes of CO₂ over a 50-year period (and 630 tonnes over a 100-year period).

The Hodder Grange proposals represent a notable example of the highest standards of architecture and landscape design, linked to the highest standards of sustainable design. They represent a unique example of the way in which traditional design can respond to the challenges of climate change.

The proposals are considered to clearly meet the tests of Paragraph 80e of the NPPF. Whilst the Borough Council has considered the site not to be an 'isolated' one, a review of the local area and the council's assessments are considered to disprove this assertion.

The council's reasons for refusal regarding the impact of the proposals on heritage assets are vague and without precision. The proposals are not assessed to adversely affect any heritage assets and would enhance the setting of the listed Hodder Bridge. They would also provide a continuation of the local country house tradition on, therein positively responding to paragraph 197c of the Framework which states that new development can make *"a positive contribution to local character and distinctiveness."*

Further information on highway visibility and flood risk prepared following determination are considered to expedite these technical reasons for refusal.

The proposals would not conflict with the policies of the development plan with the exception of policies on the location of housing. It is accepted planning practice that conformity with NPPF Paragraph 80e is a material consideration which can outweigh a conflict with policies on the location of housing.

In conclusion, the proposals for Hodder Grange are brought forward on behalf of the appellants Michael and Liz Bell. As set out in their Personal Statement the applicants have lived near the site for 24 years, raising their family in this part of the Ribble Valley, whilst restoring a historic property and enhancing the land around it.

Mr and Mrs Bell's vision is set out in their Personal Statement:

"We laid out our priorities from the beginning. Understanding the local fine houses as precedent studies and drawing on our mutual passion for Georgian architecture, we wanted to create a Georgian family home of manageable

proportions. It was important that it blended seamlessly into the surrounding AONB. We have strived to achieve this through adding more sympathetic landscaping whilst simultaneously having the components of being environmentally sound with the use of sustainable materials and ultimately creating a Passivhaus. A house for the future."

The intentions of the appellants, to create a new house that could meet the policy test of Paragraph 80e, are confirmed to be met by the Traditional Architecture Group Design Review Panel which, following a rigorous review process, notes that:

"(To reiterate), the Panel feel that the resulting building design and integrated enhancements in landscape, ecology and energy efficiency that are part of the scheme represent a scheme that should be considered of a quality that will fulfil the requirements of NPPF paragraph 80(e)."

1. INTRODUCTION

1A QUALIFICATIONS AND EXPERIENCE

- 1.1: My name is James Ellis. I have a BA (Hons) degree in Geography from the University of Newcastle-upon-Tyne and an MA (Hons) degree in Town and Country Planning and Postgraduate Certificate in Urban Design from Leeds Beckett University.
- 1.2: I am a chartered Town Planner and have been a member of the Royal Town Planning Institute for over 10 years.
- 1.3: I have been employed by Rural Solutions for over ten years. Prior to this, I worked in Development Management and Planning Policy at Craven District Council, before then joining Pendle Borough Council where, as Principal Planning Officer for Housing Market Renewal, I was responsible for the production of an Area Action Plan Development Plan Document and Supplementary Planning Documents.
- 1.4: Outside of my employment, I am a member of the Bradleys Both Neighbourhood Plan Working Group, having joined the group in my home village some years after its inception, to assist it where possible.
- 1.5: I have been involved in the Hodder Grange¹ proposals, acting on behalf of the appellants, Michael and Liz Bell since. I provided advice to the appellants on the basis of my experience of working across the country on projects advanced under the 'new country house clause' that is now incorporated within paragraph 80e of the NPPF.
- 1.6: I led on the preparation of a pre-application enquiry to the local planning authority that was submitted on 12th May 2020 and subsequently on the planning application that was submitted on 29th September 2021. This involved leading the project team and also writing the Planning Statement in both cases.
- 1.7: I arranged and attended a virtual meeting with Officers, held on 3rd February 2022.
- 1.8: I also liaised with the Traditional Architecture Group Design Review Panel Manager on the arrangements for different iterations for the review panel. I attended the in-person meeting and site visit of the Design Review Panel on 21st June 2021.
- 1.9: I have no legal qualifications and my evidence does not represent legal submissions (which I will instruct Counsel to make as required).

¹ The name given to the proposed new house, which is referred to accordingly throughout this statement.

1B DOCUMENT STRUCTURE

1.10: The Statement of Case is structured in the following way:

- Section two describes the appeal site.
- Section three provides details of the application that is the subject of this appeal and its determination by the Local Planning Authority.
- Section four provides details of the development plan.
- Section five provides details of relevant national planning policy and guidance.
- Section six provides the appellants' grounds of appeal.
- Section seven provides conclusions.

2. SITE DESCRIPTION

INTRODUCTION

- 2.1: The appeal site was described in significant detail in the submitted Planning Statement, together with a number of other submitted application documents, including the Design and Access Statement, Landscape Design Statement, Landscape Visual Impact Assessment (LVIA) (all Rural Solutions) and the Country House Report, which included a Heritage Impact Assessment (Hincliffe Heritage).
- 2.2: This appeal statement does not replicate those detailed descriptions. However, it provides information from them that is relevant to the grounds of appeal.

SITE LOCATION

- 2.3: The land which is the subject of this planning application is three fields which sit to the north-east of the River Hodder, approximately 1.8 miles from the western edge of the town of Clitheroe, within Ribble Valley Borough.
- 2.4: The submitted Landscape Design Statement is the main application document that confirms how the site of the proposed new house on the three fields has been selected, following a detailed review process.
- 2.5: The site is not the subject of any site-specific designations however is within the Forest of Bowland Area of Outstanding Natural Beauty (AONB). The submitted planning application statement provided multiple examples of houses approved under Paragraph 80e or its antecedents, in AONBs. Neither the LPA which has raised concerns in relation to the proposal nor the AONB Manager, who has not, have identified the designation as an in-principle barrier to a proposal such as Hodder Grange.
- 2.6: The bridge over River Hodder, to the north-west of the three fields, is a listed structure. It is not in contention that the house would be invisible from the listed bridge.
- 2.7: It is the appellants' position that the site is isolated and the submitted Planning Statement included a detailed justification for this. The Local Planning Authority's (LPA) delegated report on the application confirms there is common ground on the case law test of isolation i.e. whether the site of a house is *'remote or separate from a settlement'*. However, there is disagreement on the outcome of the test.
- 2.8: The question of whether the site is isolated is considered further in the grounds of appeal section, where it is noted that there is no named settlement (on OS maps or described by the LPA) in or around the appeal site.

SITE USAGE AND OPPORTUNITIES FOR ENHANCEMENT

- 2.9: The AONB manager in their consultation response describes the application site for Hodder Grange as *"(the proposed site) is currently intensively managed, improved grassland for silage.*
- 2.10: This is an accurate description. There is also an anglers' hut in the northern section of the site which has been in position for many decades. There is a right

of access into the site that is enjoyed by anglers and an informal parking area. The support of the Bowland Game Fishing Association for the proposals, based on improved access and natural environment benefits, is confirmed in the grounds of appeal section.

- 2.11: Importantly, the consultation response of the AONB Manager and comments in the delegated report of the LPA confirm that there are opportunities for the site to be enhanced through new landscaping and habitat creation (biodiversity net gain). This is confirmed in the grounds of appeal.

Access Into Site

- 2.12: There is established highway access to the site off Chipping Road passing the site.
- 2.13: The highway access not only provides access to the field for agricultural purposes but also for fishermen who have a hut located just inside the site.
- 2.14: It has been agreed with the Local Highways Authority (LHA) that the visibility splays from this access are acceptable for the proposed use (see grounds of appeal section).
- 2.15: There is an existing secondary access into the site at the northern most section of the field in which Hodder Grange would be located. This access has been shown on the Landscape Masterplan and would provide a secondary / emergency access into the field.
- 2.16: Should the appeal be allowed, there will be a cessation of agricultural access into the field. Based on the landscape changes to the field, the only agricultural usage of it may be sheep grazing parkland.
- 2.17: The two fields to the south-east of the site where only natural environment changes are proposed have existing agricultural accesses onto the public highway. There are 'internal accesses' between the fields and the application site.

Flood Zone

- 2.18: The proposed site of Hodder Grange is not within a Flood Zone (2 or 3) designation.
- 2.19: The primary access into the site is partly within flood zone. On the basis that the site has two access points, the main issue for consideration is whether the construction of the new access within flood zone would exacerbate flood risk downstream. This is a matter considered further in the grounds of appeal statement section and a Flood Risk Assessment from Unda Consulting is attached to this statement as Appendix 2.

Local Country House Tradition

- 2.20: The submitted Planning Statement, Landscape Design Statement, Design and Access Statement (all Rural Solutions) and Country House Report (Hinchliffe Heritage) confirm that the local area includes a number of examples of country

houses. They make the case that these properties form part of the landscape of the area and the '*rich history of human settlement*'² in the AONB.

2.21: Comments of the LPA and AONB Manager validate the assessment that country houses are prevalent in the wider area.

² Part of the definition of 'natural beauty' in terms of AONBs.

3. THE APPLICATION THE SUBJECT OF THE APPEAL

INTRODUCTION

3.1: A planning application was submitted to Ribble Valley Borough Council last year (2021) for the proposals known as Hodder Grange. Further details are below.

PRE-APPLICATION ENGAGEMENT (LOCAL PLANNING AUTHORITY)

3.2: It is relevant (to the grounds of appeal) that the application was made following a pre-application enquiry to the Local Planning Authority (reference AD/CMS). A written response was issued on 17th June 2020, following a virtual meeting on 1st June 2020.

3.3: The pre-application enquiry response:

- i) Noted that the proposals were contrary to the development plan's housing policies but acknowledged that the proposals were advanced under Paragraph 79e (as was) of the NPPF.
- ii) Raised no concerns regarding the extent to which the site could be considered isolated (or that Paragraph 79e would not therefore apply), in contradiction to the determination of the appealed application. The author of the response noted that: *"I am mindful of the isolation of the site in response to the public transport network."* and also stated the benefits of the scheme did not *"outweigh the NPPF Paragraph 79 requirement to avoid the development of isolated homes in the countryside"*.
- iii) Raised concerns regarding inter-visibility between the proposed new house and Hodder Bridge. It has been accepted in determination of the appealed application that no intervisibility exists.
- iv) Referenced historic field boundaries on the site and the incidence of other historic country houses (Stonyhurst and Browsholme) in the local area which 'set the bar' for exceptional quality.
- v) Stated that the pre-application scheme had not demonstrated exceptional quality. NB. The pre-application design had not been asserted, at that stage to have reached the bar of exceptional quality, as the design was not close to being finalised.

3.4: Following the receipt of the formal pre-application advice, there was ongoing discussion with the then Head of Planning (John Macholc), who also attended the pre-application meeting but was not the author of the response.

3.5: The Head of Planning visited the site after the formal response had been issued. As agent of the application, I emailed the Head of Planning (on 23rd December

2020) to record the outcome of a conversation and in particular the intention to present a further iteration of the proposals to the Traditional Architecture Group (TAG) Design Review Panel (DRP).

3.6: The Head of Planning acknowledged (and validated) the proposal to proceed to the Design Review Panel stage³.

3.7: This ongoing feedback is considered to validate that:

- a) The site is one on which a Paragraph 80e house could be approved, subject to the specific policy tests being met;
- b) A house of traditional design style, as proposed from the outset, could be approved, subject to the specific policy test being met; and,
- c) That the use of TAG to review the DRP was not contended as an appropriate mechanism for design review and progression of the scheme.

3.8: Further conversations were held with the Head of Planning prior to the submission of the application, and the DRP response shared with him.

PRE-APPLICATION ENGAGEMENT (FOREST OF BOWLAND AONB TEAM)

3.9: In the process of advancing the pre-application design proposals for the site, Rural Solutions (architect, landscape architect and planner) met with Elliott Lorimer, Forest of Bowland AONB Manager in mid-February 2020 at the site. A follow-up note was sent after the meeting.

3.10: There was no in-principle objection to the proposals and advice received was considered as the proposals progressed.

3.11: A further meeting between Rural Solutions (architect, landscape architects (both landscape design and landscape visual assessment) and planner) was held with the Forest of Bowland AONB Manager on the 9th July 2021.

3.12: At the meeting developed design details of the proposed new house were presented and the feedback of the TAG DRP was shared. Landscape Visual Impact Assessment requirements were discussed and following meeting the methodology for the LVIA was issued.

3.13: A set of meeting minutes were issued to the AONB Manager on the 27th September 2021. The minutes confirmed, in terms of the AONB's position on the project that *"No objections to the proposals as emerging were received from the AONB Team."* and on the circulated LVIA methodology that:

³ Single sentence email from Head of Planning, dated 29th January 2021, stated: *"More complicated but I will respond. I would still suggest you proceed with design panel and I will respond in due course."*

"No objections to this methodology were received from the AONB Team."

- 3.14: The AONB Manager responded on the 20th October 2021 that: *"I can confirm that below is a true record of the meeting in July"* and queried when the planning application would be submitted to the LPA.

PLANNING APPLICATION DETERMINATION

- 3.15: The appealed planning application was received by the LPA on 29/09/2021 and registered on 09/11/2021 with application reference (3/2021/1008).

- 3.16: The LPA description of development on the application replicates the description on the application form, with the exception of the addition of the word 'proposed' at the start:

"Proposed new house of exceptional quality (NPPF Paragraph 80e) of Passivhaus Plus and Zero Energy design with associated landscaping and biodiversity enhancements."

- 3.17: A virtual meeting (on 3rd February 2022) was held during the determination process for the application. This meeting was attended by the appellants and their project team, as well as the manager of the design review panel, which had assessed the scheme. Three officers of the LPA attended, including the Case Officer, Conservation Officer and Director of Economic Development and Planning.

- 3.18: The planning application was refused under delegated powers on 12th May 2022, with six reasons for refusal.

- 3.19: The Planning Officer provided draft reasons for refusal on 5th May 2022, stating in relation to reasons 5 and 6 that these: *"can potentially be overcome through the submission of further information, agreed prior to / during any appeal, whilst the house itself would not be within the flood zones 2 and 3 the garden would be."*

- 3.20: The Planning Officer emailed on 13th May 2022 in relation to the determination of the application, stating that: *"The decision was made to issue this. As per my previous email, matters such as the access and flooding can potentially be agreed as part of any appeal."*

- 3.21: At the time of determination, two consultation responses (those of the Forest of Bowland AONB Manager and the Local Highways Authority) were not provided to me as agent, nor available online. These were provided by the planning authority on the 6th June 2022 following a request and subsequently made available online.

- 3.22: Consultation responses were received by the Case Officer from: the Countryside Officer at the LPA; the Forest of Bowland AONB Manager; the LHA; the Policy Team and the LPA; and, United Utilities. None of the responses constitutes an

objection to the grant of planning and relevant details of the responses are explored in the grounds of appeal section as required.

- 3.23: The delegated report states that four letters of support and four letters of objection were received and summarises the contents of the response. These numbers do not seem to correlate with the details of representations uploaded on the LPA's application portal. One objector to the application has had professional representation from a Planning Consultant; Landscape Architect; Ecologist and Counsel.
- 3.24: It is not clear from the report whether the four letters of support are based on resident comments or include the supportive comments of the Bowland Game Fishing Association.

PLANNING APPLICATION DETAILS

- 3.25: The planning application sets out in considerable detail the proposals for Hodder Grange. The submitted Planning Statement in particular sets out overarching details of the proposals.
- 3.26: This appeal statement does *not* replicate that description but provides a summary of relevant details, below, which are of relevance to the grounds of appeal.
- 3.27: The planning application site covers XX ha and forms part of one of three fields within the appellants' ownership. As originally submitted the application red line covered all of the three fields where the applicants are proposing wider landscape and biodiversity enhancements. The reduction of the red line to cover the access, house and its immediate curtilage (only) were at the request of the local planning authority, following submission.
- 3.28: It is implicit in the determination of the application that the LPA has no concerns regarding the use of a condition (or legal agreement) to control landscaping works outside of the red line. This is common in Paragraph 80e proposals.
- 3.29: It is important to note that the LPA has not contended any of the technical/factual information submitted by the appellants on sustainability credentials of the new property; biodiversity net gain; or landscape visual impact assessment or any other matter.
- 3.30: The LPA has taken an alternative view to the appellants on the matters of whether Hodder Grange would meet the (agreed) case law test of isolation, design quality, and heritage impact. It has also taken an alternative view on the importance / benefits of the sustainability credentials proposed (as well as on the extent to which these could be controlled via a planning restriction).

SUMMARY OF HODDER GRANGE PROPOSALS

3.31: In summary, on the proposals:

- a) The proposals for Hodder Grange have emerged from an extensive and iterative site and area review and design development process. This is confirmed in the timeline at Appendix I.
- b) The proposals for Hodder Grange have received the support of the Traditional Architecture Group Design Review Panel, which has assessed the proposals on multiple occasions and confirms (second feedback letter).

"The Panel feel that the resulting building design and integrated enhancements in landscape, ecology and energy efficiency that are part of the scheme represent a scheme that should be considered of a quality that will fulfil the requirements of NPPF paragraph 80(e) above."

- c) The Hodder Grange proposals will incorporate:
 - 1.4ha of new woodland planting⁴
 - 1,120m of new hedgerow planting
 - 1.2ha of new species rich grassland margins
 - 0.825ha of buffer planting landscape corridors
- d) The landscape proposals will deliver a biodiversity net gain of:
 - A gain of area units 11.65 biodiversity area units or 35.83%; and,
 - A gain of 8.76 linear units (hedgerow) which is a 100% gain as the baseline is zero.

NB. These calculations are based upon updated calculations from Envirotech in October 2022 based on the government's most recent net gain matrix (3.1). Reductions in net gain percentages from the application are based on a different approach to assessing changes between habitat types (e.g. grassland to woodland) in the most up to date matrix.

- e) There is no objection to the landscape or biodiversity net gain proposals from the LPA's Countryside Officer and they are considered a 'significant benefit' / 'significant improvement' by the LPA and AONB Manager respectively.
- f) Hodder Grange is proposed as a self-build (restricted) dwelling.
- g) Hodder Grange will be constructed to:

⁴This will sequester 490 tonnes of CO₂ over a 50-year period (and 630 tonnes over a 100-year period), based on the Woodland Carbon Code, with additional information as set out in the submitted Planning Statement.

- a) Achieve Passivhaus Plus certification and will be the first Passivhaus Plus house constructed in a traditional design style anywhere in the world.
- b) Become the first example of a Passivhaus Plus new build property (in any design style) in the North-West.
- c) Be a 'True Zero Energy' and Zero Carbon House⁵.
- d) Be petro-chemical free in construction.
- e) Hodder Grange will also be petro-chemical free in construction.

3.32: More detail on the Hodder Grange proposals is to be found in both the submitted planning application statement and in the grounds of appeal section of this statement.

4. DEVELOPMENT PLAN

- 4.1: The development plan for the area consists of the Ribble Valley Core Strategy adopted December 2014 and the Housing and Economic Development DPD adopted in October 2019.
- 4.2: The 2019 document includes housing (and employment) allocations and it is only the Core Strategy that is relevant to the determination of the appeal.
- 4.3: Sixteen policies of the development plan are quoted in the delegated report on the application. Some of these are of greater or lesser relevance to the proposals, however, the appellants consider that this list includes all relevant policies for determination of the appeal.
- 4.4: There is agreement between both parties that the proposed new house would be contrary to the policies of the plan on the location of new housing (and in particular Policy DMH3 – Dwellings in the Open Countryside and AONB). This is the case with almost all proposals advanced under NPPF Paragraph 80e, which is a material consideration that supports exceptional quality dwellings in the countryside, as very few local authorities have a development plan policy which replicates the provision of national policy.
- 4.5: Local policies which are cited in the reasons for refusal and that are not concerned with the distribution of development, location of new housing, and accessibility are:
- EN2 (Landscape) – It is the LPA's position that the proposal conflicts with this policy. It is the appellant's position that the proposal is in conformity with this policy, as considered in the grounds of appeal section of this statement (and the submitted planning application).
 - EN5 (Heritage Assets) and DME4 (Protecting Heritage Assets) – It is the LPA's position that the proposal conflicts with these heritage policies. It is the appellant's position that the proposal is in conformity with this policy.
 - DME6 (Water Management) – On the basis of the Flood Risk Assessment from Unda Consulting, submitted with this appeal, there is no conflict with the policy.
- 4.6: Whilst the delegated report on the application lists sixteen relevant policies, it unfortunately only quotes those policies in the assessment which it considers the proposals will conflict with. It is clear from the report⁶ that a number of policies are complied with.

⁶ For example, reference in the Ecology/Trees section to 'significant benefits'.

- 4.7: The proposal is clearly considered to comply with policies EN3 (Sustainable Development and Climate Change) and EN4 (Biodiversity and Geodiversity) as confirmed in the submitted planning statement.
- 4.8: More information regarding compliance with development plan policies, as well as consideration of the LPA's assessment on this matter, is provided in the grounds of appeal section.

5. NATIONAL PLANNING POLICY AND GUIDANCE

5.1: The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) are material considerations relevant to the determination of the application.

5.2: Paragraph 80e and the proposals' compliance with the policy are of central importance. A specific section in the submitted Planning Statement assessed compliance with this policy and this matter is considered in the grounds of appeal section.

5.3: Policies of the NPPF that are quoted by the LPA in the delegated Officer report include:

- Paragraph 80e – the LPA considers exceptional quality is not demonstrated; the appellants and design review panel disagree.
- Paragraph 167 – the sixth reason for refusal references this policy. A Flood Risk Assessment (appendix 2 to this statement) has been submitted in response to this reason for refusal (as confirmed in the grounds of appeal).
- Paragraph 176 – the policy is referenced in the report but not in a reason for refusal. It would appear implicit that the LPA considers that the proposals would not conform with this policy. The appellants consider the policy is complied with and the AONB Manager's comments raise no concerns in this regard.
- Paragraph 197 – the LPA is of the opinion that the policy considerations (there is no policy test as such) in the paragraph are not complied with. The appellant considers that the Hodder Grange proposals are in accordance with criterion c) as they will further the local country house tradition.
- Paragraph 202 – the LPA asserts less than substantial heritage harm to a heritage asset will result. The appellants consider that there will be no harm, with enhancement of the setting of the listed Hodder Bridge.

5.4: In addition to the policies quoted by the LPA, the following policies are considered relevant by the appellants:

- Paragraph 39 on the benefits of pre-application enquiries. The appellants have submitted a pre-application enquiry and positively responded to points raised in response.

- Paragraph 62 on self-build. Hodder Grange is proposed as and can be restricted to a self-build dwelling, which is a material consideration in favour of the scheme.
- Paragraphs 132 and 133. The appellant has approached the design in a consultative and iterative way. They have engaged with a specialist design review panel, with paragraph 133 confirming that regard should be had to such a panel's recommendations.
- Paragraph 134 supports outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. The proposal is considered to comply with this policy as it is based on a thorough study of country houses in the area. The AONB Manager and LPA consider that the proposals could be accommodated within the landscape.
- Paragraph 174. The proposals will deliver biodiversity net gain (criterion d) and are designed to respond to the intrinsic character and beauty of the countryside (criterion b).

6. GROUNDS OF APPEAL

INTRODUCTION

6.1: Following a review of the reasons for refusal by the project team, the appellants have six grounds of appeal, as follows:

- Grounds of Appeal 1 - The site is isolated in the context of Paragraph 80e of the NPPF.
- Grounds of Appeal 2 – The Hodder Grange proposals are of exceptional quality.
 - Grounds of Appeal 2a – The Hodder Grange proposals are truly outstanding and reflect the highest standards in architecture
 - Grounds of Appeal 2b – The Hodder Grange proposals will raise standards of design in rural areas
 - Grounds of Appeal 2c – The Hodder Grange proposals will significantly enhance their immediate setting
 - Grounds of Appeal 2d - The Hodder Grange proposals are sensitive to the defining characteristics of the local area
- Grounds of Appeal 3 – The Hodder Grange proposals will preserve the setting of the listed Hodder Bridge and will have no impact on other heritage assets
- Grounds of Appeal 4 – The visibility splays at the proposed access to the house would be acceptable in highway safety terms
- Grounds of Appeal 5 – The Hodder Grange proposals would not be at risk of flooding or increase flood risk elsewhere

6.2: Each Ground of Appeal is considered in detail below:

Grounds of Appeal 1 - The site is isolated in the context of Paragraph 80e of the NPPF

Planning Test of Isolation

6.3: Planning case law around isolation has been the subject of much scrutiny over recent years. The judgement of the Braintree High court case is often highlighted. However, the decision of the (higher) court of appeal in the same case, as well as the Bramshill judgement provide clarity on the test of isolation in planning terms.

- 6.4: The submitted Planning Statement included a specific sub-section (2.15-2.21) on relevant case law, and confirms why the site is isolated in the appellants' view.
- 6.5: Much information was also provided to the Case Officer during the determination process on the relevant legal cases and correct tests of isolation to be applied, together with another appeal case.
- 6.6: The following references, copied from the Officer report, are agreed by the appellants:

"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):"

- 6.7: The cases confirm that a site is isolated where it is 'remote or separate from a settlement'.
- 6.8: The appellants fully agree with the Officer report view that:

"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 decision-maker to decide whether a dwelling is 'isolated'. The requirement is that the homes 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"

An Isolated Location

- 6.9: The appellants strongly disagree with Officers' assessment that the site is not isolated for the following reasons:

a) Officers consider that 'key points' in assessing isolation include accessibility, for example: *"The area is accessed via a well-used C classified road; The site is within the settled area and a very well used road is only a short walk from the site and, By car it is approximately a 5-minute journey to the edge of the principal settlement of Clitheroe and there is a limited bus service which takes approximately 10 minutes and stops adjacent to the end of the secondary access point."* The correct test of isolation is agreed as to whether the proposed new house would be remote or separate from a settlement. This is a physical / geographical

test and accessibility cannot be read into the legal test. Indeed, the Braintree judgment rejected the very approach adopted by the Council (see para. 41 of the judgment). Theoretically, if a proposed house was adjacent to a railway station not in, or close to, a settlement, then regardless of accessibility, it would remain remote or separate from a settlement and isolated in terms of NPPF Paragraph 80e.

b) Officers state that the former Hodder Hotel is *"now converted to 8 dwellings and these dwellings are approx. 100 metres to the site entrance"*; *"The secondary entrance to the site passes 3 dwellings, linking to a public footpath skirting the site, the nearest being approx. 60 metres to the site boundary"*; *"There are a few other dwellings in the vicinity in small clusters; 500 metres to the East is Withgill farm which has former outbuildings now converted; Including the farmhouse there are 20 dwellings here"*; and, *"On the opposite side of the river within 250 metres of the site are another 6 dwellings the nearest being approx. 80 metres away and visible from the site."*

The appellants do not agree that any properties in the area around the application site constitute a settlement. The asserted settlement is not given a name by Officers and review of Ordnance Survey mapping confirms that there is no named settlement around the bridge. The existence of residential dwellings in relative proximity, especially when these include farms and converted buildings, does not necessarily constitute a settlement and does not in this particular case.

c) Even if a decision maker was to consider that there is a settlement in the geographical area around the bridge, it is considered that the proposed new house is clearly *separate* from it. The proposed house is around 300m from the former hotel. This distance from the converted building (and other dwellings) meets the legal interpretation of being separate from a settlement is met.

d) It is noted that the Officer report refers not to the proximity of other dwellings to the proposed house itself, but to proximity to the wider site. There is reference to proximity to *'The main vehicular entrance'* at one point, and at another to *'The secondary entrance'*. NPPF Paragraph 80e refers to *'the development of isolated homes in the countryside'*. It is therefore considered that it is the proposed house that must be subject to the test of isolation, not its access drive (or any wider around it). It is common for houses in rural areas to have access tracks of significant length. This could include farmhouses, converted barns, or country houses that were intentionally designed to be separate from other houses or settlements. In this case, the proposed house regardless of where an access to it may begin is considered to be clearly separate from a settlement.

e) It is notable that the LPA's pre-application response did not raise any concerns in relation to the extent to which the proposed site could be considered isolated. The author of that response noted that *"I am mindful of the isolation of the site in response to the public transport network"* and also stated the benefits of the scheme did not *"outweigh the NPPF Paragraph 79 requirement to avoid the development of isolated homes in the countryside"*. Of the two assessments by the LPA, it's pre-application assessment on this matter that is considered to be valid.

f) No other party, including a Planning Consultant or Counsel commissioned by an objector has contended that the site could not be considered isolated for the purposes of NPPF Paragraph 80e.

g) Finally, the Officer report notes, when asserting heritage harm to the listed bridge structure, that *"Higher Hodder Bridge is a graceful structure which is isolated and provides a focus to views in this part of the valley."* Even allowing for some understanding for the assessment of different matters, it cannot be logical that a bridge close to other development is an isolated structure whilst a house sited some 300m away from it, is not.

6.10: On that basis and for reasons (a-g), it is considered that the proposed Hodder Grange is clearly isolated ('remote or separate from a settlement') as confirmed in the submitted Planning Statement.

Exceptional Quality Houses Approved In Non-Isolated Locations

6.11: Notwithstanding the appellants' clear view that the proposed new house would be isolated, even if a decision-maker were to take an alternative view, this is not in itself determinative of the outcome of a case.

6.12: This is reflected by the LPA's assessment of the merits of the proposal against the tests of NPPF Paragraph 80e even though it considered the site not to be isolated.

6.13: It would be a surprising and perhaps illogical position to take if a proposed house was confirmed to be of exceptional quality, that a refusal should be issued because it was not isolated (enough).

6.14: Cases, where exceptional quality dwellings have been allowed at appeal in non-isolated locations, include:

- At Moreton Paddox (ref.3233351), where the Inspector stated that:

"(28)...it would be ironic that the proposal could be in accordance with the development strategy if on a more isolated site. ...Having regard to the Braintree judgements, I agree with the appellant that a location

within a settlement, even one without its own services, must be seen as inherently more sustainable than a remote location.

(29) While I acknowledge that proposals for individual dwellings could over time contribute incrementally to a harmful effect, for the above reasons I give only moderate weight to the conflict with the development plan in the particular circumstances of this case. Other proposals would have to be assessed on their own merits."

- At Little Hautbois (ref.3259971) where the Inspector stated that:

"(11)...no material harm would result from a single dwelling, which is not in an isolated or remote location."

- At West Cliffe (ref. 3206321) where the Inspector stated that:

"(6)...The provisions for a design of exceptional quality stated in paragraph 79e) do not therefore apply. However, being instead within a definite group of buildings at West Cliffe does not prevent consideration of a single dwelling outside the defined settlement boundaries and paragraph 131 on achieving well-designed places states that when determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."

Conclusion

6.15: In conclusion, it is the appellants' case that the:

- a) the disparate range of buildings at or in relative proximity to Hodder Bridge do not constitute a settlement;
- b) the house at c.300m from the bridge should in any event be considered clearly separate from a settlement and to be isolated;
- c) were a decision taker to take a different view on the test of isolation, this is not a barrier to an approval of a house of exceptional quality of design.

Grounds of Appeal 2 – The Hodder Grange proposals are of exceptional quality

6.16: The LPA is of the opinion that the Hodder Grange proposals are not of the exceptional quality as required by NPPF Paragraph 80e, whereas the appellants, supported by the TAG DRP and multi-disciplinary team are of the view that the proposals clearly meet this test. A specific section (five) of the Planning Statement submitted with the application considered compliance with Paragraph 80e, however relevant information on the case is replicated here, in light of the LPA and consultees' comments.

- 6.17: Whether or not a proposal is of exceptional quality is dependent on a proposal meeting the sub-tests of the policy. This second ground of appeal is split out into four separate areas (a-d), in order that some of the distinct tests of the policy can be addressed individually.

Grounds of Appeal 2a – The Hodder Grange proposals are truly outstanding and reflect the highest standards in architecture

- 6.18: The Hodder Grange proposals, comprising architecture, sustainable engineering and landscape and ecological design, are considered truly outstanding on the basis of:

1. A truly outstanding site and the design response to it

The Traditional Architecture Group's second response confirms that:

"The principal point is that the site is extraordinary both in the possibilities it offers for a great design but also in its context"

Not all areas of land hold the potential for a design response that is truly outstanding. For multiple reasons the Hodder Grange site does, and the appellants and project team have responded to the site and its wider area setting in an iterative, sensitive and creative way. Had the design not responded to the site in this way, an AONB Team objection would have been likely.

2. A rigorous process of assessment, design and refinement

The Hodder Grange proposals have developed from a rigorous process of site and area assessment, design development including multi-disciplinary working between the project team, consultation with stakeholders and a design review panel. This rigorous process, confirmed by the timeline at appendix I, has been the right one to deliver a final proposal that can be considered truly outstanding.

3. The artistic and intellectual depth of the design

The design responds to the country house tradition, but in a locally and regionally specific way, with references to George Webster and his work at Downham Hall, amongst others. (TAG Comment: *'They have worked hard to refine the scheme and increase the artistic and intellectual depth necessary for it to be successful.'*)

4. A landscape led design that is appropriate to its setting

The design of the proposals has been truly landscape-led. This is the correct way to design an NPPF Paragraph 80e house, and reflects the country house tradition. It is considered to result in design proposal that is appropriate to its setting. (TAG Comment: *'A detailed landscape*

appraisal has been undertaken and acts as the foundation for the design and subsequent development. Projects such as these should be landscape and contextually led with the proposed scheme informed by and growing from the landscape, visual and contextual (and cultural) analysis'

5. Sustainable design credentials

The sustainable design credentials of the new house and the fact that it would represent a global first: the first Passivhaus Premium certified house in a traditional design style anywhere in the world. This together with the way that the traditional design has been married to the technological styles in order to create a cutting-edge house appropriate to its setting.

Whilst the policy wording no longer references innovation the government has clarified⁸, on the change, that it in no way wishes to discourage innovative isolated homes:

"(the government) is satisfied that the change in wording of paragraph 80(e) does not discourage the development of innovative isolated homes, rather it ensures that these homes are of outstanding design, while still allowing innovation."

Innovative house design, as is the case here, can therefore contribute to its truly outstanding design credentials.

'TAG Comment: It is understood by the panel that the building form is driven not just by an historic aesthetic set by precedent but also by the science driving the energy performance of the building. The simple square and rectangular forms of the plan are necessary to maintain a good surface-to-volume ratio of the building and to make the most of efficient orientation. The resulting pavilion form of the house speaks both to its functionality as well as the romantic notion of discovery of the house as an "ideal" country villa nested into the landscape.'

6. Landscape enhancements

The landscape enhancements delivered by the landscaping scheme, as confirmed in section four, which will result in biodiversity get gain, landscape enhancement and carbon sequestration.

The AONB manager states in his consultation response that:

"the proposed woodland creation and riparian habitat creation would constitute a significant improvement on the intensively

⁸ Government response to the National Planning Policy Framework and National Model Design Code: consultation proposals
Updated 20 July 2021

managed, improved grassland on the site at present; helping to link up fragmented woodland habitat along the River Hodder corridor"

The LPA considers a 'significant improvement' will result from site changes:

"In terms of ecological improvements, the proposed woodland creation and riparian habitat creation would constitute a significant improvement on the intensively managed, improved grassland on the site at present; helping to link up fragmented woodland habitat along the River Hodder corridor."

6.19: In terms of the highest standards of architecture, as appendix I and both TAG Review feedback letters make clear, the architectural designs have been peer reviewed and final designs shaped by feedback, before being judged to meet this test, by a naturally recognised panel.

6.20: The rigour and detail of this review process is confirmed in the second DRP response which notes that:

"This final review follows an engagement with the Applicants and the Design Team over a six-month period which started with the first formal review on 21st June 2021. Since the first review there were additional online assessments of progress on the 12th August, 12th October and 23rd November. There were also a number of informal telephone discussions with the scheme architect."

Response to LPA Comments on Truly Outstanding Design

6.21: RoR2 considers that the design is a '*pastiche of Georgian Architecture with no distinction or invention*'.

6.22: Furthermore, it considers the '*inclusion of energy efficient features within a new-build properties is not considered to represent outstanding design.*'

6.23: Finally, it considers that "*The dwelling would lack the context of a traditional country estate which would have evolved through a set of specific economic and social circumstances.*"

6.24: It is for these reasons that the reason concludes that "*the proposal is not considered to be outstanding or raise the standard of design and does not meet the exceptions set out at para 80e of the NPPF.*"

6.25: Firstly, considering the use of the word pastiche as a pejorative, reference is made to an article 'Glad to be pastiche'⁹ by Francis Terry, one of the most celebrated classical architects of his generation.

⁹ <https://ftanda.co.uk/thoughts/glad-to-be-pastiche/>

6.26: Terry notes in the article, which also considers the etymology of the word, that:

"The word pastiche can be applied to all artists from Giotto to Picasso. The tradition of painting, like all art forms, builds on the work of previous generations, for example, Manet is a pastiche of Velasquez, Velasquez of Titian, Titian of Bellini and so it goes on. "

6.27: He goes on to state that:

"Art without the influence of previous work is less worthy because it is not part of a long, artistic tradition which society understands. It is not just a matter of stealing. A work of art, within a tradition, automatically develops the language, as it is impossible to copy anything exactly. This is particularly so in architecture, where client's demands, building regulations and a myriad of other variables all conspire to produce an original work. These alterations further enrich tradition for the architects of the future."

6.28: Finally, he notes that:

"The whole history of classical architecture is based on pastiche as each generation copies from earlier buildings and historic pattern books. I copy the Georgians, the Georgians copied Palladio, Palladio copied the Romans, the Romans copied the Greeks, the Greeks copied the Babylonians and the Babylonians copied the Egyptians. By this analysis, the greatest works of architecture including the Parthenon, and the Pantheon - as well as simpler buildings, like Georgian terraces or Haussmann's Paris, are all pastiche. Unsurprisingly, I am very happy to be a member of this club."

6.29: There is considered to be clear merit in this argument and a piece of architecture which takes reference from what has gone before, cannot be considered to be flawed, even if it is defined as 'pastiche'.

6.30: In this case, the Hodder Grange proposals provide a unique property that takes inspiration from and provides a continuation of the local country house tradition.

6.31: The LPA does not contend the project assertion that: *"The proposal claims to meet the tests at para 80e as it would be the first country house in a traditional style to meet passivhaus plus standards globally."*

6.32: Nor does it contend the claim that no Passivhaus Premium houses in any design style have yet been built in the north-west and the Hodder Grange proposals will be the first such house in this large region.

6.33: The LPA states that:

"The energy efficiency credentials and the intention to combine Passivhaus standards with traditional building styles are unusual but there

is a question as to how this would be maintained and whether it would be truly outstanding being easily replicated elsewhere being that a minimum standard of energy efficiency is expected by building regulations and generally speaking consumers are conscious of the environment and wish to include eco-friendly features into their homes.

6.34: It goes onto state that:

“The high standards of energy efficiency are welcomed, but that in itself is not considered outstanding. As discussed above there are numerous houses to Passivhaus standards in this country and globally as well as a higher level of certification being available.

6.35: The Passivhaus Premium credentials of the house do not in isolation mean that the Hodder Grange proposals are truly outstanding: there appears to be agreement with the LPA on this matter. However, the global-first combination with traditional architecture of the highest standards, clearly does contribute to the case for the proposals being truly outstanding. This is acknowledged by TAG as quoted earlier in this ground of appeal.

6.36: It is considered clear that a planning obligation or condition, either of which can trigger the provision of additional information, prior to the deliver of the proposals, can adequately control sustainable design credentials.

Grounds of Appeal 2b – The Hodder Grange proposals will raise standard of design in rural areas

6.37: The proposals at Hodder Grange would help to raise standards of design (architectural, sustainability, landscape and biodiversity) in multiple ways:

1. The delivery of the first Passivhaus Premium house (in any design style) in the North-West, and the first such house in a traditional design style anywhere in the world, provides a clear opportunity to raise standards of sustainable design. This will help to demonstrate how designers can respond to the challenges of climate change in an appropriate way.

2. The house would represent a local example of truly outstanding traditional design, which can inspire architects and landowners wishing to develop residential and commercial development in various different contexts.

3. The new house will also provide the opportunity for local tradespeople to work on a house designed to the highest standards of architecture. Learning outcomes from working on a house of exceptional quality may also help to raise standards of design by providing the opportunity to transfer skills learned or enhanced to other projects.

4. Finally, as there is increasing focus on ecological net gain and nature based recovery the landscape and ecological net gain proposals inherent in the proposals, can also serve as an exemplar in rural design.

6.38: In terms of the specific mechanisms to ensure that the proposals can help to raise standards of design in a rural area, a number of binding commitments have been proposed (see section eight of the submitted planning statement).

6.39: In summary, these include:

1. As a requirement of planning consent being granted visits to the site during the construction process by students of architecture, sustainability, landscape and other disciplines are encouraged.

2. A bespoke website would be set up for the house whereby those interested in the house could view further details. The website would include details of the architectural design, sustainable construction (including technical details), and post-construction energy performance of the building. The website would have a 'construction blog' allowing interested parties to review the construction process. It would also provide details of how anyone wishing to visit the house could do so.

3. One way in which the credentials of a design scheme can be highlighted, thereby helping to raise standards of design in rural areas, is via entry into design award schemes. On that basis it is intended that as a binding commitment the scheme should be entered into the following design awards scheme:

- RIBA Regional Awards – Leading to RIBA House of the Year Awards
- Landscape Institute Awards
- British Association of Landscape Awards
- Society of Garden Designers Awards
- Annual Energy Efficiency Awards
- SIBSI Annual Building Performance Awards
- RTPI Planning Awards

4. A commitment to allowing the Traditional Architecture Design Review Panel, Ribble Valley Borough Council, the Forest of Bowland Area of Outstanding Beauty Management Team and any other organisations involved in the assessment process, to visit the completed scheme.

- 6.40: In addition to these specific mechanisms, it is also noted that the proposals would be visible from the public right of way network stimulating interest in the design.
- 6.41: For the above reasons, it is considered clear that the Hodder Grange project in terms of both its inherent qualities and the mechanisms proposed to disseminate knowledge of these qualities, has the clear potential to raise standards of design in rural areas, in both the Ribble Valley, wider north-west and beyond.

Grounds of Appeal 2c – The Hodder Grange proposals will significantly enhance their immediate setting

- 6.42: The new country house clause policy (currently found at NPPF Paragraph 80e) was first introduced in 1997.
- 6.43: Firstly, it is important to note that of the over 200 new houses that have been approved under the policy, all have been considered to significantly enhance their immediate setting. This includes a large number of houses in AONBs, reflecting the definition of natural beauty in AONBs as including the rich history of human settlement. A number of AONB examples were referenced in the submitted Planning Statement.
- 6.44: There is clearly no objection to the proposals from the AONB Manager, nor does there appear to be any resistance by the LPA to the principle set out above that significant enhancement can result in a greenfield countryside site, dependent upon the specific details.
- 6.45: Furthermore, there can be no suggestion that the policy wording or its interpretation, means that only unattractive parcels of land can be considered to be capable of significant enhancement of the immediate setting.
- 6.46: In this regard, the Traditional Architecture Group's November 2021 comments state that:

"The proposed design should enhance an already intrinsically beautiful setting. The Panel believes the scheme now does so."

- 6.47: The Hodder Grange proposals can be considered to significantly enhance its immediate setting in a number of ways:

1. On the basis of the principle that a new house and landscape setting of exceptional quality can significantly enhance an undeveloped field. It is on the basis of this historic principle that the new country house policy has been developed.

2. On the basis that the new house will provide an enhancement of and continuation of the country house tradition of the local area, which is confirmed extensively in the application documents. The natural beauty of an AONB is based in part of the rich history of human settlement; Hodder Grange will further that rich history.

3. On the basis of ecological and natural environment enhancement of resulting in biodiversity net gain.

4. On the basis of landscape enhancement. As confirmed in section three landscape enhancements, include amongst others: 1.4ha of new woodland planting; 1,120m of new hedgerow planting; 1.2ha of new species rich grassland margins; and 0.825ha of buffer planting landscape corridors.

5. As also confirmed in section three, the planting of 1.4ha of new trees will sequester 490 tonnes of CO₂ over a 50-year period (and 630 tonnes over a 100 year period).

6. Water drainage. As confirmed at p.68 of the Landscape Design Statement, the proposals will: *"Integrate wider low-key natural drainage and attenuation measures to manage water runoff from the proposed house and existing landscape with the aspiration of a net reduction and, Reduce runoff into the River Hodder."*

7. Access to River and Water Quality. The Bowland Game Fishing Association has accessed the River Hodder via the application field for a number of decades. The association has provided a detailed support comment on the application confirming enhancement arising from the proposals.

This includes, firstly:

"The proposed project to build a residence in the field in which our car park and hut exists would actually improve our access."

Secondly, that:

"The proposed addition of indigenous tree species and wild flower meadow would greatly enhance the flora and fauna in what is at present, a very barren field. Trees along the river bank would provide stability and much needed shade to the river, especially during the low flows in summer months. The extra shade would reduce the water temperatures and help reduce the algae bloom that comes as a reaction to sunlight, thus improving the health of the river. Many species including river invertebrates, land bred insects, fish mammals and birds would benefit from the improved environmental plans submitted."

6.48: The AONB Manager has acknowledged significant improvement arising from the proposals:

"I would suggest that the proposed woodland creation and riparian habitat creation would constitute a significant improvement on the intensively managed, improved grassland on the site at present; helping

to link up fragmented woodland habitat along the River Hodder corridor”.

6.49: The LPA's report confirms the AONB Manager's comments and states that:

“In this respect the proposal would be considered to provide significant benefits in terms of biodiversity enhancement provided this was secured and maintained and that the construction phase is carefully managed to prevent harm to these habitats. RVBC's countryside officer has suggested conditions to ensure this.”

Response to LPA Concerns on Significant Enhancement Test

6.50: The LPA's report includes two material paragraphs in terms of the extent to which a new house on the site would significantly enhance its immediate setting (or be sensitive to the defining characteristics of the area).

6.51: The first paragraph states:

“This site has changed very little since the OS maps of 1847 and has been agricultural land. It is noted that field boundaries have been lost but the character of this landscape is agricultural with small clusters of buildings relating to historic land use in the vicinity. The application states that the area would be restored. It is unclear what this means as the area has been agricultural land for at least 150 years and the only perceivable change is loss of field boundaries which are not proposed to be reinstated.”

6.52: It is not contended that the land has been in agricultural use in recent centuries. Prior to clearance for agricultural use, the land would have been in very different condition for almost all of human history and before.

6.53: Some of the land around the house will be grazed to keep the grass down, retaining it for a low-key agricultural use. In terms of new tree planting on the land, this is very much in keeping with parts of the local landscape (AONB Manager references to contribution of the proposals to fragmented woodland).

6.54: It is an accepted planning principle that change is not necessarily harmful and in this case, natural environment interventions respond to not only an analysis of the local landscape but also to contemporary concerns for biodiversity loss and support for new tree planting to respond to the effects of climate change.

6.55: The reinstatement of a field boundary running across the wider field has been considered in the design process, however, new hedgerow planting (measuring 1,120m) is proposed elsewhere on the land.

6.56: The second paragraph states:

"It is considered that the building will have an impact on the landscape which is currently open agricultural land. The design does reflect the vernacular of the wider AONB in terms of the Georgian style architecture and use of natural materials. It could probably be assimilated into the landscape due to the proposed screening and location on low lying land but it is not accepted that this fundamental change to the character of the area would be a visual enhancement or be sensitive to the defining characteristics of the local area being a small hamlet of agricultural type lower status buildings in an agricultural setting."

6.57: It is clear that the building will have an impact on the landscape. An exceptional quality building of the highest standards of architecture can deliver a positive impact.

6.58: The LPA and AONB Manager are both of the opinions that the property could be assimilated into the landscape.

6.59: The LPA takes the view that the introduction of a building would not be a visual enhancement. As noted above, it is an inherent part of the Paragraph 80e policy, that a new house of truly outstanding architectural and landscape design can significantly enhance its immediate setting.

6.60: It is the appellants' view, supported by the expert view of the TAG DRP that this significant enhancement will result in this instance.

6.61: The LPA's comments that the proposals would create a *fundamental* change to the character of the area are not accepted. This assessment would seem at odds with the view, given in the same sentence that the proposals could be assimilated into the landscape.

6.62: Furthermore, the characterisation of surrounding properties as a hamlet in the paragraph is contended. Also contended is the suggestion that properties in the vicinity are '*agricultural type lower status buildings*'. Chaigley Hall, the converted Hodder Bridge Hotel, properties to the north of the proposed house, and those along Birdy Brow at the opposite side of the River Hodder would not correspond to this description.

Grounds of Appeal 2d - The Hodder Grange Proposals are sensitive to the defining characteristics of the local area

6.63: Sensitivity to the defining characteristics of the local area is in many ways linked to the significant enhancement sub-test of the policy, assessed in Ground of Appeal 2c.

6.64: The Hodder Grange proposals have been brought forward based on an extensive site and area assessment, including a detailed assessment of the defining country

house building characteristics of the Forest of Bowland and its immediate surroundings.

6.65: The comments of the TAG DRP confirm this level of assessment:

"A detailed landscape appraisal has been undertaken and acts as the foundation for the design and subsequent development. Projects such as these should be landscape and contextually led with the proposed scheme informed by and growing from the landscape, visual and contextual (and cultural) analysis. This then sets a clear planning and landscape character context.

There are two parts to this appraisal: a) the review of the general siting and proposed landscape treatment and, b) the heritage report of local country houses by Hinchcliffe Heritage which outlines features relevant to the scheme from the local built context.

Some further information and research has also been done regarding the designs of George Webster which has also positively informed the scheme; this will be discussed in the later sections."

6.66: It is considered that in terms of the principle of a new country house on this site, its architectural philosophy, materials, and landscaping, Hodder Grange can be considered to be sensitive to the defining characteristics of the local area.

6.67: The AONB Manager and LPA's comments are that the proposals can be assimilated into the landscape and that new woodland planting, with the former also commenting that *"The proposed wider landscaping could be beneficial in terms of landscape character with more trees/woodland along the river corridor"* and that new woodland would *"help(ing) helping to link up fragmented woodland habitat along the River Hodder corridor"*.

6.68: These comments suggest that the test of sensitivity to the defining characteristics of the local area is met.

Response to LPA Concerns on Sensitivity to the Defining Characteristics Test

6.69: The LPA's delegated report states that:

"The character of the AONB comes from the relationships between people and land and so whilst the site is currently a field it reflects historic land uses in this area and whilst the building would be in a vernacular style found in other areas of the AONB the character of the landscape would be irreversibly changed by the construction of a residential property."

6.70: Reference to vernacular styles found elsewhere in the AONB reflects the sensitivity of the project to the defining characteristics of the local area.

6.71: It is considered that the LPA's reference to irreversible landscape change through construction of a single dwelling is hyperbole. The LPA and AONB Manager confirm that the house could be assimilated into the landscape. The AONB Manager and LPA support the landscape enhancements, including new woodland planting which will link fragmented woodland along the River Hodder. The wider character of the area is woodland and agricultural land, together with higher fell-land. The planting of new woodland, extending an existing woodland to the south of the site, together with a new country house of modest proportions and the retention of open grassland, is considered sensitive to the defining characteristics of the surrounding area.

Grounds of Appeal 3 – The Hodder Grange proposals will preserve the setting of the listed Hodder Bridge and will have no impact on other heritage assets

6.72: The LPA's fourth reason for refusal, concerning heritage matters, has two distinct elements.

6.73: In the first element, the LPA asserts that the *"The formation of ornate entrance gates in the immediate setting will draw the focus away from the bridge and detract from its significance."*

6.74: The proposed gates¹⁰ for the house are c.55-60m from the bridge. As shown on the submitted Landscape Masterplan both new and existing tree screening will be seen between the gates and the bridge.

6.75: The formation of the new gates will also result in the removal of existing low-quality (design), barbed wire topped, gates which are cited in close proximity to the bridge. A number of other ancillary structures (e.g. agricultural pens) will be removed from the recessed position of the new gates.

6.76: The Country House report (Hinchliffe Heritage) includes a heritage impact assessment of the proposals and states at p.52 (para 8.3.3) that:

"The gate piers and gates will be visible in a narrow view corridor from the road in the same view as the bridge and will marginally domesticate the scene, but: they have traditional Georgian designs; will be constructed in traditional materials and; traditional gate piers and gates are a common sight at the entrance to houses and farms throughout the area (Plates 19, 20 and 22) and they do not appear in any way incongruous or unsightly.

These minor works will cause a marginal change in the appearance of the land and thus the setting of the S side of the bridge but that part of the field which forms a visual setting for the bridge will remain as fundamentally soft green space with a more sylvan character and will not

¹⁰ See p.49 of submitted DAS

detract from the positive contribution that this area makes to the setting of the bridge."

6.77: The report goes on to conclude that:

"9.4 The proposal will: have minimal impact on the setting of Higher Hodder Bridge; cause no harm to its setting in any respect and; will slightly enhance its setting through more appropriate management of the application site and the judicious additional planting of trees, especially adjacent to the bridge."

6.78: It is not considered that the marginal change to this part of the site can be considered harmful, particularly when the removal of existing gates and structures is considered. Instead, enhancement of the setting of the heritage asset is considered to result.

6.79: In the second element of the heritage reason for refusal, the LPA states that:

"The proposal fails to make a positive contribution to local character and distinctiveness as it will detract from and confuse historic patterns of development and the hierarchy of dwellings founded in historic economic and social circumstances."

It is considered that the proposal would constitute harm to the wider setting of the nearby listed historic houses, the immediate setting of the bridge and the cultural heritage of the AONB which is not outweighed by public benefit and as such is contrary to the NPPF para 197 and 202 and policies EN2, EN5 and DME4 of the core strategy."

6.80: In terms of the first paragraph highlighted above, the grammatical structure suggests that the absence of a positive contribution is due solely to detraction and confusion. Clearly something which detracts and confuses is unlikely to make a positive contribution.

6.81: The Case Officer's report and the Conservation Officer's comments within it are sadly lacking in providing any explanation or precision which justifies this reason for refusal.

6.82: There is no wider analysis in the Officer report on *what* historic patterns or *what* 'hierarchy of dwellings' will be detracted from or confused, or *how* they will be detracted from and this assertion seems vague and without clarity of meaning.

6.83: In terms of the second paragraph, there is no explanation whatsoever in the Officer report on which nearby listed historic houses would be impacted, what their wider setting is and how it relates to the application site.

6.84: The Officer merely states that:

"The design is a restrained neo-classical and it is suggested that the scheme borrows from nearby historic large houses – however, it has no panache, distinction or invention. It is considered that, borrowing in detail and form from historic precedents diminishes their historic importance and uniqueness."

6.85: It is clear that the designs for Hodder Grange are based on a thorough analysis of the local country house tradition, as explored in the Country House report from Hinchliffe Heritage, as well as the Design and Access Statement.

6.86: As is correct, these local traditions have inspired the designs and are therefore considered to be clearly sensitive to the defining characteristics of the local area in terms of its built environment traditions.

6.87: Taking inspiration from local design styles is not the same as 'borrowing', which is read as a pejorative, suggesting that designs have been somehow copied. If this is the intended meaning, it is without merit.

6.88: It is considered that the proposals meet the tests of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and development plan and national policy on heritage.

6.89: There is not considered to be any harm to designated (or non-designated heritage assets) and the proposals are considered to comply, in terms of both the setting of Hodder Bridge and the wider contribution of the proposals to continuing the local country house tradition, to paragraph 197c of the NPPF which guides LPA's to take account of "*c) the desirability of new development making a positive contribution to local character and distinctiveness.*"

Grounds of Appeal 4 – The visibility splays at the proposed access to the house would be acceptable in highway safety terms

6.90: RoR 5 on the reason for refusal arises because the comments of the Local Highways Authority (LHA) were not displayed on the application website during the determination period and were not provided to the agent of the application.

6.91: The comments requested additional information (a visibility splay plan). The plan was requested to confirm the findings of the highway advisor's speed survey assessment that existing visibility splays from the main access into the site were acceptable.

6.92: A visibility splay plan (*'Existing Visibility Splays'*) was provided to the LHA on the 2nd August 2022 and is submitted with the appeal. Splays of 170m in a westerly direction and 55m in an easterly direction are shown on the plan.

6.93: An Officer from the LHA has subsequently confirmed (email dated 15th September 2022) that the visibility splays are acceptable:

"Even though the visibility splays do not comply with the LHAs guidance for a 60mph road, the LHA will accept the shortfall due to the site access already being existing serving the Anglers hut and due to the nature of Birdy Brow meaning that it is unlikely speeds will be higher than 40mph."

6.94: On that basis, RoR4 is now overcome.

Grounds of Appeal 5 – The Hodder Grange proposals would not be at risk of flooding or increase flood risk elsewhere

6.95: The LPA did not request any additional information during the course of the application process and there has been no objection on this matter from any technical consultee.

6.96: The appeal is submitted together with a Flood Risk Assessment from Unda Consulting to address the reason for refusal on this matter.

6.97: Only a small part of the appeal site (the entrance to the site from the public highway) is within flood zone.

6.98: Development plan policy DME6 (Water Management) which is cited in the reason for refusal states that: *"Development will not be permitted where the proposal would be at an unacceptable risk"*. The wording of the policy allows for an element of 'risk' but not risk of an 'unacceptable' level.

6.99: Paragraph 167 advises of the NPPF states that: *"When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere."*

6.100: The proposed new house is clearly separate from Flood Zone 2 or 3 by some distance as shown in the Flood Risk Assessment. Furthermore, there is secondary access into the site that is not within flood zone. The proposed new house is therefore quite clearly not at 'unacceptable risk'.

6.101: It is only a small part of the existing access into the site, currently used by anglers and existing agricultural vehicles, and part of the proposed primary route to Hodder Grange that is within Flood Zone 2 or 3.

6.102: The Flood Risk Assessment from Unda Consulting confirms that subject to detailed specification of the new road and drainage system of the new house will not increase flood risk elsewhere. Extensive new landscaping on the site also has the potential to reduce water run-off from the site, as noted at p.87 of the submitted Design and Access Statement:

"Currently, water run-off exacerbates the flooding in this section of the river and as such, it constitutes a site where flooding could be reduced"

and bring wider benefits to the areas surrounding the River Hodder. Advice has been taken from hydrologists on how to significantly reduce the water run-off and provide storage on site in the event of extreme weather conditions.

A host of water management enhancements have therefore been incorporated into the design such as swales, retention ponds, tree planting, water recycling and SUDS, thus exceeding the requirement for surface water run-off into the Hodder whilst bringing many ecological, landscape and architectural benefits. The water management is an integral part of the whole design and impacts every part of the proposal."

6.103: The policy requirements of Paragraph 167 of the NPPF are therefore met.

6.104: On that basis, RoR4 is now overcome.

7. CONCLUSIONS

- 7.1: The appellants, Michael and Liz Bell, have brought forward proposals for a new home, Hodder Grange, on land close to where they have lived for over 24 years.
- 7.2: Design proposals for the new house and its landscape setting have only been brought forward following a detailed review of the local and site area.
- 7.3: The proposed designs for Hodder Grange have then followed an iterative process, as confirmed in Appendix I, with input from a number of specialists, the Traditional Architecture Group Design Review Panel, as well as the feedback of Ribble Valley Borough Council and the Forest of Bowland AONB Manager.
- 7.4: The clear and well-reasoned comments of the design review panel, together with the absence of any objection from the AONB Manager, who supports a number of elements of change to the natural environment is considered significant.
- 7.5: The test of exceptional quality set by Paragraph 80e is, rightly, a high-bar. It should not however be considered akin to the labours of Hercules. The intentions of the policy, which are to provide a continuation of England's country house tradition, on sites in open countryside must be factored into any assessment.
- 7.6: It is considered that the tests of the policy are clearly met in this instance.
- 7.7: Hodder Grange represents a landscape-led design proposal that is sensitive to the site and its surrounding area, including the local country house tradition.
- 7.8: Whilst a uniquely local and bespoke piece of design, the pairing of traditional design with ground-breaking sustainable design, creates an exemplar which demonstrates how the challenges of climate change can be responded to in areas where traditional design is appropriate.
- 7.9: The proposals are considered to enhance the setting of a heritage asset contrary to the assertions of the local authority and Hodder Grange could in itself become a listed heritage asset in years to come.
- 7.10: Technical reasons for refusals, which the appellants were not afforded the opportunity to respond to during the determination of the planning application, are considered to be overcome by the provision of additional information.
- 7.11: The submitted Planning Statement includes a detailed section on the proposed restrictions that should be applied to a grant of planning consent, to control the quality of development and ensure that the benefits it brings can be realised.
- 7.12: The appellants respectfully request that this appeal be allowed so that they can bring forward their new home, known as Hodder Grange.

APPENDIX I - PROJECT FOR DESIGN DEVELOPMENT

- Client Commission & Brief | October 2019: Following the client commission and provision of a brief for a new house and landscape, a significant amount of site assessment and local area research took place.
- Initial Sketch Schemes | December 2019 - March 2020: Based on initial research it was possible to provide a number of initial sketches to the applicants.
- Meeting with Forest of Bowland AONB Manager | February 2020: The architect, landscape design and planner met with the Forest of Bowland AONB Manager at site. Advice was received and confirmed in writing and factored into the design development process.
- Country Houses Report Received | April 2020: Initial report of Hinchliffe Heritage who had been commissioned to undertake a thorough review of country houses in the Forest of Bowland. This work was considered important in order to ensure that the proposals for Hodder Grange would be '*sensitive to the defining characteristics of the local area*' as required by Paragraph 80e. sketches had been produced iteratively and in consultation with John Hinchliffe.
- Further Design Development | March - May 2020: Following receipt of feedback from the applicants and review of the final country house report the design was then developed further given the importance of architectural details to the proposed design.
- Pre-application Submission | May 2020: A submission was made to Ribble Valley Borough Council
- Pre-application Written Feedback | June 2020: Formal written feedback was received, and further meetings and correspondence then took place. Ribble Valley Borough Council confirmed that it would expect a design review panel
- Post-Pre-application Design Development for DRP | June 2020 - May 2021: After the pre-application process an extensive amount of time was spent preparing updated and more detailed plans for a presentation to Traditional Architecture Group (TAG) Design Review Panel (DRP). This period also included the visit noted below.
- Jeremy Musson Site Visit | April 2021: Some months before the designs were to be presented to the TAG DRP, the applicants commissioned the input of Jeremy Musson. Mr Musson is an architectural historian and recognised country house expert,
- First Design Review Panel | June 2021: A meeting of the TAG DRP took place at Chaigney with a site visit before a presentation on, and discussion of, the plans.

- **Post-DRP Design Development | June - August 2021:** Following the first Design Review Panel a number of months were spent further developing the plans to respond to the comments received.
- **Second Meeting with Forest of Bowland AONB Manager | July 2021:** A second meeting was held with the Forest of Bowland AONB Manager to discuss the detailed designs, share the TAG DRP response and LVIA methodology. No comments were received on the designs.
- **Finalisation of Planning Application Drawings | September 2021:** The planning application plans were then finalised and at the same time were submitted back to the TAG DRP for a second review.
- **Second Design Review Panel – September - November 2021:** Additional information was submitted to the Design Review Panel, further suggestions were provided around the detailing of the house and revisions were made to reflect this. The full support of the DRP was confirmed at the end of November and the feedback is included as Annexe I to this statement.

APPENDIX 2 - FLOOD RISK ASSESSMENT (UNDA CONSULTING)

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WE ARE RURAL



Flood Risk Assessment for Planning

Prepared for:

Michael and Liz Bell

Location:

Land at Higher Hodder Bridge (Field to South)
Chipping Road
Chalgley
Clitheroe
BB7 3LP

November 2022

Our reference:

92087-RuralSol-ChippingRd



Document Issue Record

Project: Flood Risk Assessment for Planning

Client: Michael and Liz Bell

Application: Proposed new house of exceptional quality (NPPF Paragraph 80e) of Passivhaus Plus and Zero Energy design with associated landscaping and biodiversity enhancements

Location: Land at Higher Hodder Bridge (Field to South), Chipping Road, Chaigley, Clitheroe, BB7 3LP

Our reference: 92087-RuralSol-ChippingRd

Version: v2.0 091122

Lead Consultant: Ms Jackie Stone

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1. Key Facts

1.1 Flood Risk Posed:

- The site is located entirely within Flood Zone 1, defined as land having between a less than 1:1000 annual probability of fluvial flooding.
- The risk of any fluvial flooding is understood to originate from the River Hodder which is located 25m's from the site boundary.
- At the time of writing, no in-channel or floodplain modelled flood levels or extents had been received from the EA.
- No EA records of flooding at the site or surrounding area.
- No formal flood defences have been identified in this location.
- The site to be located outside a Source Protection Zone.
- The site is shown to be entirely within an area with a "Very Low" risk of flooding from surface water.
- The proposed built footprint is entirely outside the of the modelled 1:30 year (high risk), 1:100 year event (medium risk) and 1:1000 (low) modelled extent.
- No further information has been provided to suggest that the site has flooded previously from groundwater, sewer surcharge or reservoir flooding.

1.2 Flood Risk Mitigation:

- No basements are proposed
- Living accommodation is proposed on the ground floor with sleeping accommodation proposed on the first floor only
- There will be no unacceptable loss of fluvial floodplain storage post development
- Internal access/egress will be maintained from the ground floor to the first floor
- Safe escape as per the definitions within the NPPF can be provided
- The applicant will register with the free Environment Agency Floodline Alert Direct service
- Safe escape will be provided by a flood warning and evacuation plan, which will be prepared in liaison with the Council's Emergency Planners and tied in with the existing emergency plans for the area if required
- Details of the Land Drainage Strategy are presented in full in the Rural Solutions in Landscape Design Statement

Assuming accordance with these flood risk management measures, Unda Consulting Limited consider the proposed application to be suitable in flood risk terms.

2. Introduction

Unda Consulting Limited have been appointed by Michael and Liz Bell (hereinafter referred to as "the applicant") to undertake a Flood Risk Assessment for the proposed development at Land at Higher Hodder Bridge (Field to South), Chipping Road, Chalgley, Clitheroe, BB7 3LP hereinafter referred to as "the site"). The FRA has been undertaken in accordance with the National Planning Policy Framework (NPPF) and the associated technical guidance.

This document was produced in response to the determination of a planning application by the local planning authority. There were no technical consultees who commented on flood risk matters and no flood risk assessment was requested from the applicants during the determination process. However, the Officer report on the application states that:

"Flood Risk:

Parts of the site lies within Flood Zone 2 and 3 and it is directly adjacent to a main river. The submission fails to include a flood risk assessment. Whilst these areas fall outside the area of the site where the house is located they do cross the entrance. It may be that this refers to the land under the bridge however and a flood risk assessment should be submitted to address these issues."

However, the site appears to be entirely within Flood Zone 1 as defined by the Environment Agency (EA) on their Flood Map for Planning. Under the National Planning Policy Framework (NPPF), a FRA is required if a proposed development:

- Includes building or engineering works in Flood Zone 2 or 3;
- Includes building or engineering works on land classified by the Environment Agency as having critical drainage problem;
- changes the use of land or buildings in a location at risk of flooding from rivers or the sea, or with critical drainage problems;
- changes the use of land or buildings in a way that increases the flood vulnerability of the development where it may be subject to other sources of flooding;
- is larger than 1 hectare.

The assessment should demonstrate to the Local Planning Authority (LPA) and EA how flood risk will be managed now and over the development's lifetime, taking climate change into account, and with regard to the vulnerability of its potential users.

- whether the proposed development is likely to be affected by current or future flooding from any source;
- whether it will increase flood risk elsewhere;
- whether the measures proposed to deal with these effects and risks are appropriate.

3. Existing Situation

3.1 Site Usage:

The site is located in the centre of a field which sits to the north-east of the River Hodder, approximately 1.8 miles from the western edge of the town of Clitheroe, within Ribbles Valley borough.

Existing site plans are provided in the report Appendix.



Figure 1: Aerial photograph of site and surrounding area (arrow centred on the location of the proposed built footprint) (Source: Google Earth)

3.2 Topography:

Environment Agency LIDAR has been used to assess the topography across the site and wider area. Light Detection and Ranging (LIDAR) is an airborne mapping technique, which uses a laser to measure the distance between the aircraft and the ground surface. Up to 100,000 measurements per second are made of the ground, allowing highly detailed terrain models to be generated at high spatial resolutions. The EA's LIDAR data archive contains digital elevation data derived from surveys carried out by the EA's specialist remote sensing team. Accurate elevation data is available for over 70% of England. The LIDAR technique records an elevation accurate to +0.3m every 1m. This dataset is derived from a combination of our full dataset which has been merged and re-sampled to give the best possible coverage. The dataset can be supplied as a Digital Surface Model (DSM) produced from the signal returned to the LIDAR (which includes heights of

objects, such as vehicles, buildings and vegetation, as well as the terrain surface) or as a Digital Terrain Model (DTM) produced by removing objects from the Digital Surface Model.

1m horizontal resolution LIDAR remotely sensed digital elevation data suggests that the area of the proposed built footprint ranges from 55.5m AOD to 63.5m AOD.

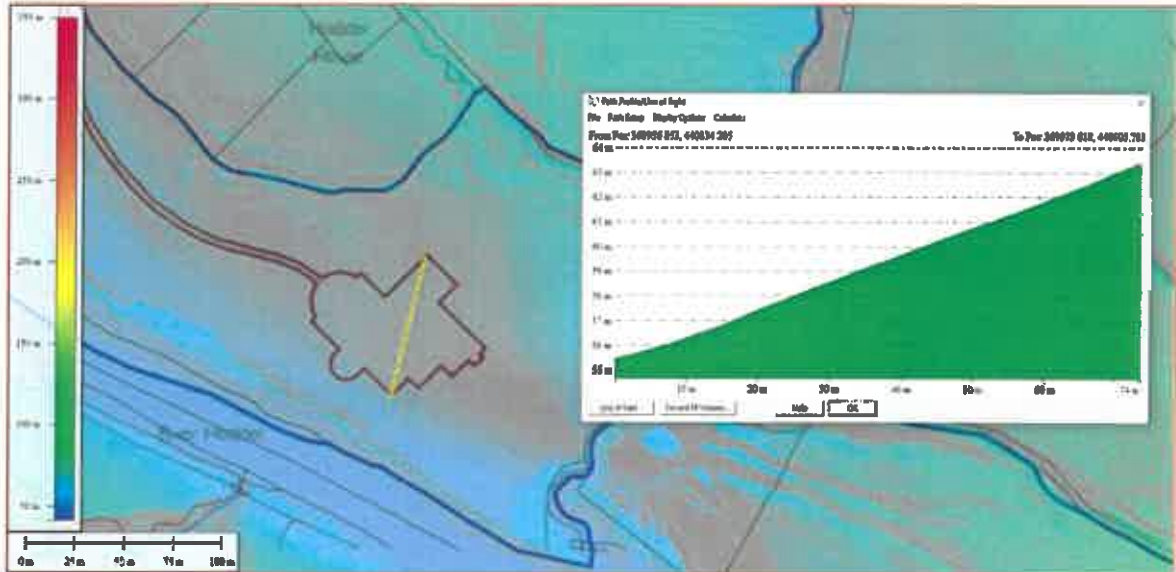


Figure 2: LIDAR DTM showing topographic levels across the site (transect runs west -east) (Source: EA 1m LIDAR)

3.3 Geology and Soil:

The British Geological Survey (BGS) Map indicates that the bedrock underlying the site is Clitheroe Limestone Formation And Hodder Mudstone Formation (Undifferentiated), with superficial deposits of Till, Devensian.

The soil type taken from the UK Soil Observatory Website are relatively deep soils from Glacial Till Soil Parent Material with a clayey loam to silty loam soil texture.

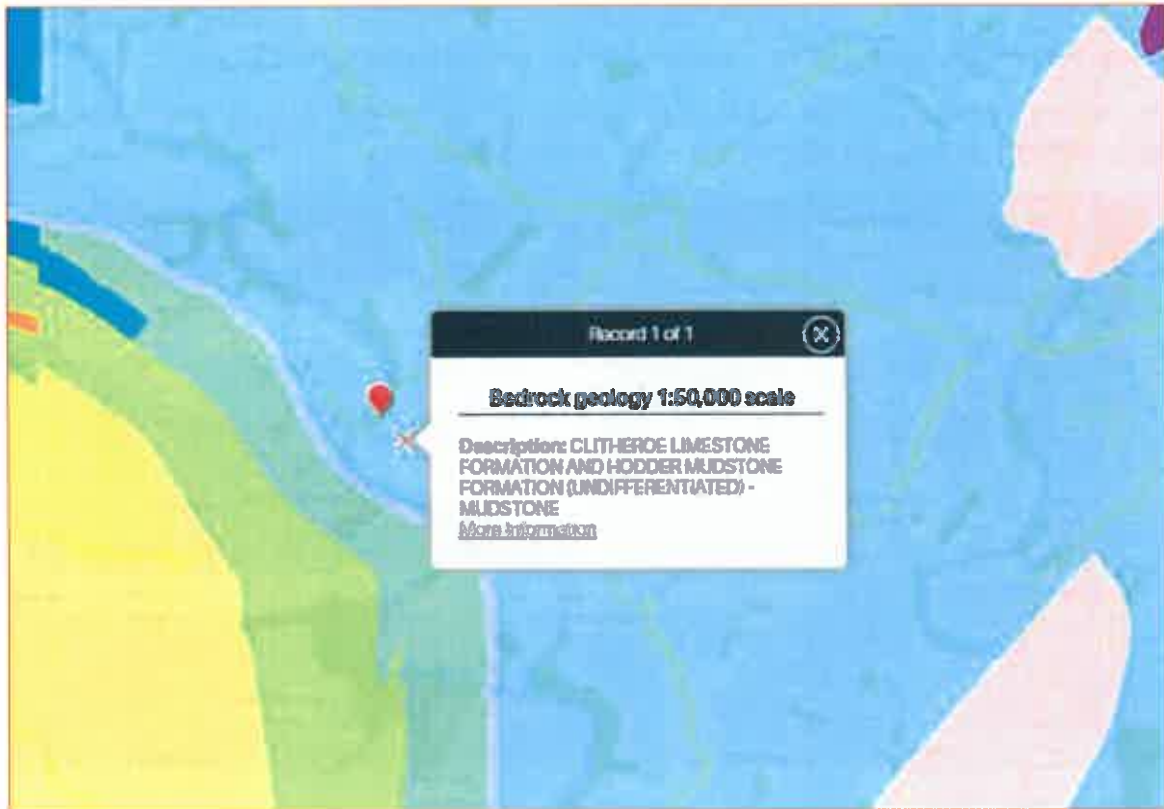


Figure 3: Local bedrock geology (Source: BGS)

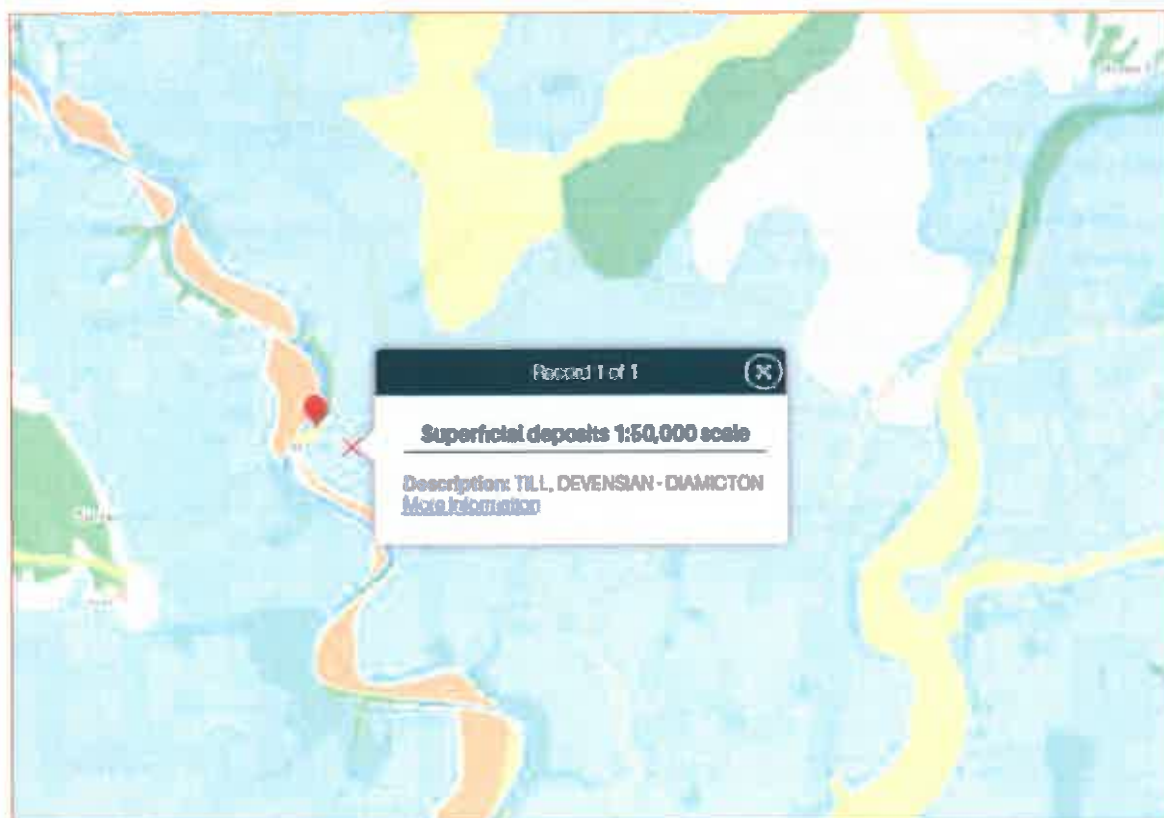


Figure 4: Superficial deposits geology (Source: BGS)

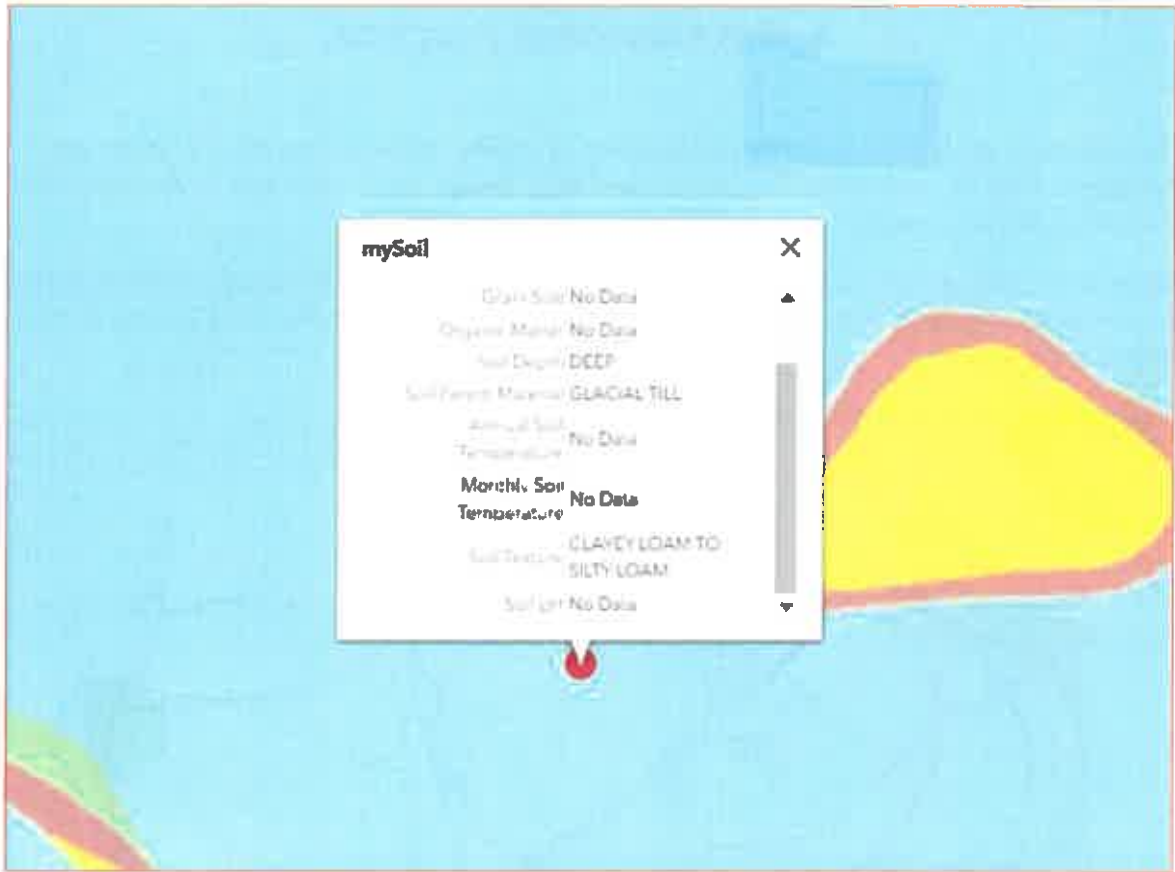


Figure 5: Local soil types (Source: UKSO)

4. Development Proposal

The proposed application is for the construction of a new house of exceptional quality (NPPF Paragraph 80e) of Passivhaus Plus and Zero Energy design with associated landscaping and biodiversity enhancements.

Based on the plans provided, living accommodation is proposed on the ground floor with sleeping accommodation proposed on the first floor only. In addition, no basements are proposed or land raising at the site.

Proposed plans can be found in the report Appendix.



Figure 6: Location plan (Source: Rural Solutions)

5. Assessment of Flood Risk

5.1 Flood Zones:

Within planning, Flood Zones refer to the probability of river and sea flooding, ignoring the presence of defences. They are shown on the Environment Agency's Flood Map for Planning (Rivers and Sea), available on the Environment Agency's website.

Flood Zone	Definition
Zone 1 Low Probability	Land having a less than 1 in 1,000 annual probability of river or sea flooding. (Shown as 'clear' on the Flood Map – all land outside Zones 2 and 3)
Zone 2 Medium Probability	Land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding; or Land having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding. (Land shown in light blue on the Flood Map)
Zone 3a High Probability	Land having a 1 in 100 or greater annual probability of river flooding; or Land having a 1 in 200 or greater annual probability of sea flooding. (Land shown in dark blue on the Flood Map)
Zone 3b The Functional Floodplain	This zone comprises land where water has to flow or be stored in times of flood. Local planning authorities should identify in their Strategic Flood Risk Assessments areas of functional floodplain and its boundaries accordingly, in agreement with the Environment Agency. (Not separately distinguished from Zone 3a on the Flood Map)

Table 1: Flood Zones

The Flood Zones shown on the Environment Agency's Flood Map for Planning (Rivers and Sea) do not take account of the possible impacts of climate change and consequent changes in the future probability of flooding.

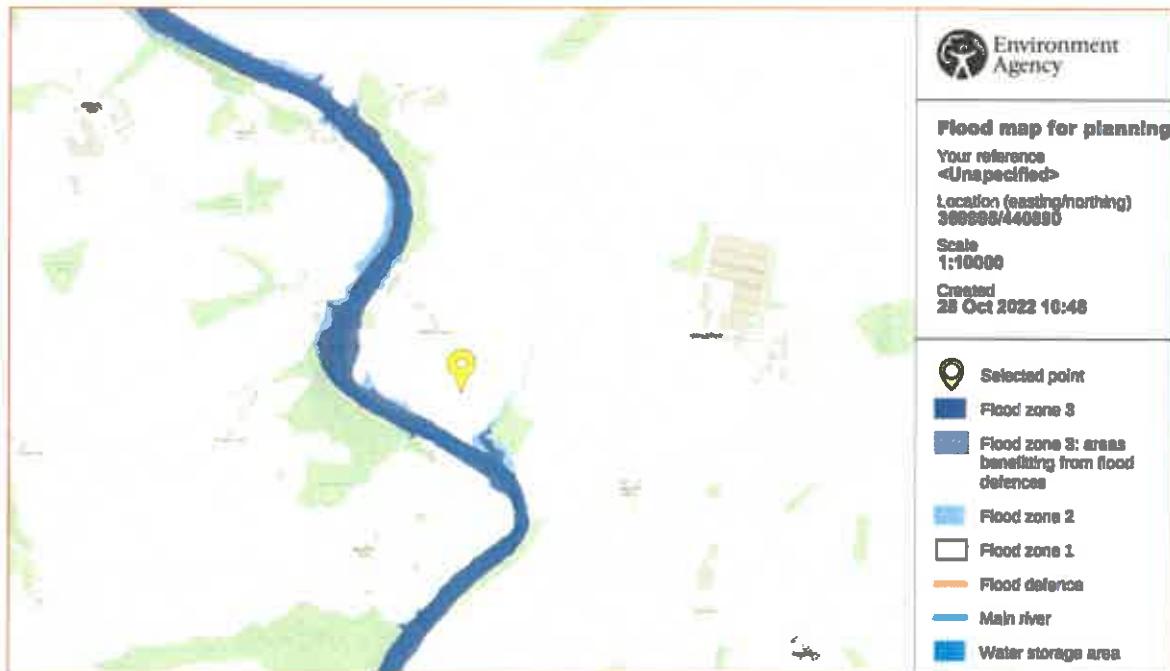


Figure 7: Environment Agency Flood Map for Planning (Rivers and Sea) (Source: EA)

The site is located entirely within Flood Zone 1, defined as land having between a less than 1:1000 annual probability of fluvial flooding.

The risk of any fluvial flooding is understood to originate from the River Hodder which is located 25m's from the site boundary.

5.2 Fluvial (River Hodder):

The River Hodder rises on White Hill and flows for approximately 23 miles to the River Ribble, of which it is the largest tributary. The Hodder drains much of the Forest of Bowland Area of Outstanding Natural Beauty and all but the last mile of its course is through this scenic area.

The River Hodder is not designated artificial or heavily modified along its length.

5.2.1 Modelled flood levels and events:

Product 4 modelled flood levels and extents have been requested from the Environment Agency for use within this report on 16th September 2022 (EA reference: CL279641KR). Unfortunately, the EA's Flood Risk Management Team are currently managing an extremely high workload and are experiencing delays of up to 7 weeks over the 20 working days in responding to requests. Copies of the communication with the EA is provided in the report Appendix.

However, the site is located entirely in flood zone 1.

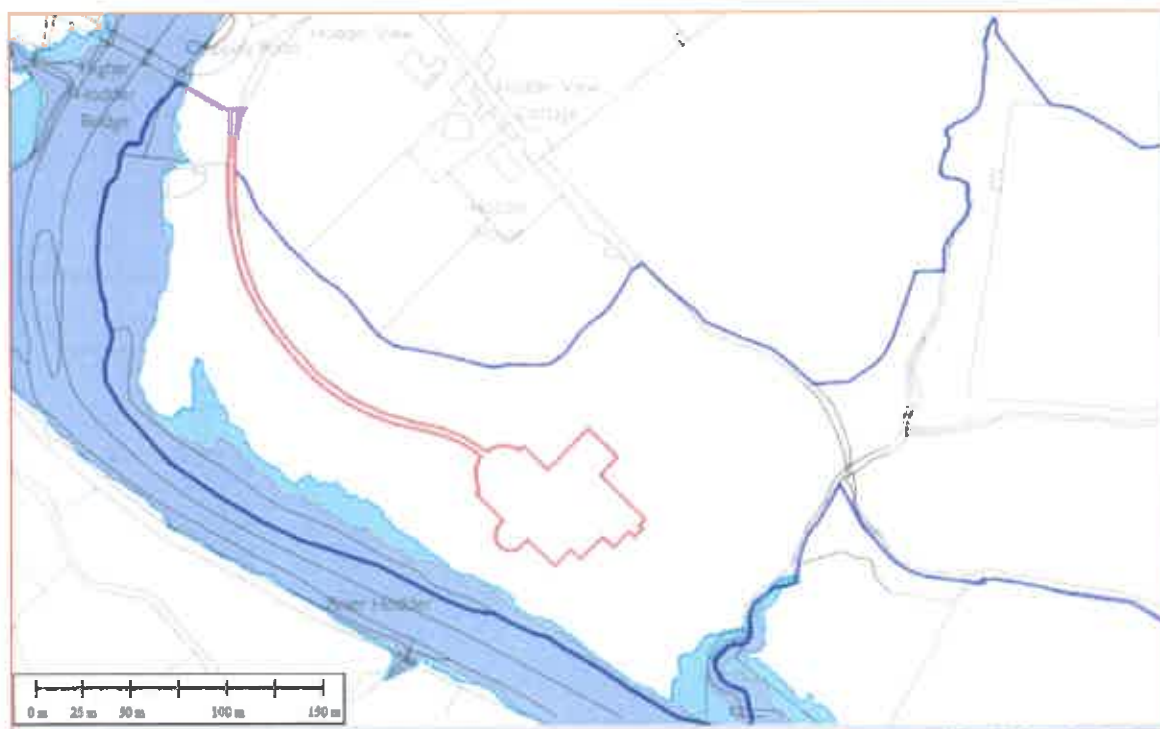


Figure 8: Environment Agency Flood Zone 2 (light blue) and Flood Zone 3 extents (dark blue respectively) overlain onto proposed block plan. (Source: EA and Rural Solutions)

5.2.2 Flood Defences:

A flood defence or EA Asset is any man-made or natural feature – such as a raised defence, retaining structure, channel, pumping station or culvert – that performs a flood defence or land drainage function.

No formal flood defences have been identified in this location.

5.2.3 Residual risk (breach or overtopping of flood defences):

Breaching of flood defences can cause rapid inundation of areas behind flood defences as flow in the river channel discharges through the breach. A breach can occur with little or no warning, although they are much more likely to concur with extreme river levels or tides when the stresses on flood defences are highest. Flood water flowing through a breach will normally discharge at a high velocity, rapidly filling up the areas behind the defences, resulting in significant damage to buildings and a high risk of loss of life. Breaches are most likely to occur in soft defences such as earth embankments although poorly maintained hard defences can also be a potential source of breach.

Overtopping of flood defences occurs when water levels exceed the protection level of raised flood defences. The worst case occurs when the fluvial or tidal levels exceed the defence level as this can lead to prolonged flooding. Less severe overtopping can occur when flood levels are below defence levels, but wave action causes cyclic overtopping, with intermittent discharge over the crest level of the defence. Flood defences are commonly designed with a freeboard to provide protection against overtopping from waves. The risk from overtopping due to exceedance of the flood defence level is much more significant than the risk posed by wave overtopping. Exceedance of the flood defence level can lead to prolonged and rapid flooding with properties immediately behind the defences at highest risk.

5.2.4 Historical flood events:

The EA have no records of historical flooding having affected the site or surrounding area.

5.3 Pluvial (Surface Water):

Pluvial (surface water) flooding happens when rainwater does not drain away through the normal drainage systems or soak into the ground, but lies on or flows over the ground instead.

In 2013 the EA, working with Lead Local Flood Authorities (LLFAs), produced an updated Flood Map for Surface Water. It is considered to represent a significant improvement on the previous surface water flood maps available, both in terms of method and representation of the risk of flooding. The modelling techniques and data used are considerably improved, and also incorporated locally produced mapping where this is available to represent features best modelled at a local scale.

The Flood Map for Surface Water assesses flooding scenarios as a result of rainfall with the following chance of occurring in any given year (annual probability of flooding is shown in brackets):

High: Greater than or equal to 3.3% (1 in 30) chance in any given year

- Medium:** Less than 3.3% (1 in 30) but greater than or equal to 1% (1 in 100) chance in any given year
- Low:** Less than 1% (1 in 100) but greater than or equal to 0.1% (1 in 1,000) chance in any given year
- Very Low:** Less than 0.1% (1 in 1,000) chance in any given year

The mapping below shows the Risk of Flooding from Surface Water centred on the postcode. Please note that the EA do not consider this information suitable to be used to identify the risk to individual properties or sites. It is useful to raise awareness in areas which may be at risk and may require additional investigation.

The site is shown to be entirely within an area with a "Very Low" risk of flooding from surface water.

As demonstrated, the proposed built footprint is entirely outside the of the modelled 1:30 year (high risk), 1:100 year event (medium risk) and 1:1000 (low) modelled extent.



Figure 9: Extract from Environment Agency Surface Water Flood Map centred on postcode (Source: EA)

5.4 Groundwater:

Groundwater flooding occurs as a result of water rising up from the underlying rocks or from water flowing from abnormal springs. This tends to occur after much longer periods of sustained high rainfall. Higher rainfall means more water will infiltrate into the ground and cause the water table to rise above normal levels. Groundwater tends to flow from areas where the ground level is high, to areas where the ground level is low. In low-lying areas the water table is usually at shallower depths anyway, but during very wet periods, with all the additional groundwater flowing towards these areas, the water table can rise up to the surface causing groundwater flooding.

Groundwater flooding is most likely to occur in low-lying areas underlain by permeable rocks (aquifers). These may be extensive, regional aquifers, such as chalk or sandstone, or may be localised sands or river gravels in valley bottoms underlain by less permeable rocks. Groundwater flooding takes longer to dissipate because groundwater moves much more slowly than surface water and will take time to flow away underground.

According to the Ribble Valley Borough Council Strategic Flood Risk Assessment – Level one – April 2017 following consultation with the EA, no evidence of groundwater flooding in the area has been identified. While no risk has been demonstrated, this is not to say that unrecorded groundwater flooding events may have taken place or that groundwater flooding may not occur in the future, but using the best available information they are not considered to be a significant risk at this time.

No records have been provided to suggest that the site has flooded from this source previously.

5.4.1 Source Protection Zone:

The Environment Agency has defined Source Protection Zones for groundwater sources such as wells, boreholes and springs used for public drinking water supply. These zones show the risk of contamination from any activities that might cause pollution in the area.

The zones are used in conjunction with the EA Groundwater Protection Policy to set up pollution prevention measures in areas that are at a higher risk, and to monitor the activities of potential polluters nearby.

The published Environment Agency Groundwater Vulnerability map shows the site to be located outside a Source Protection Zone.

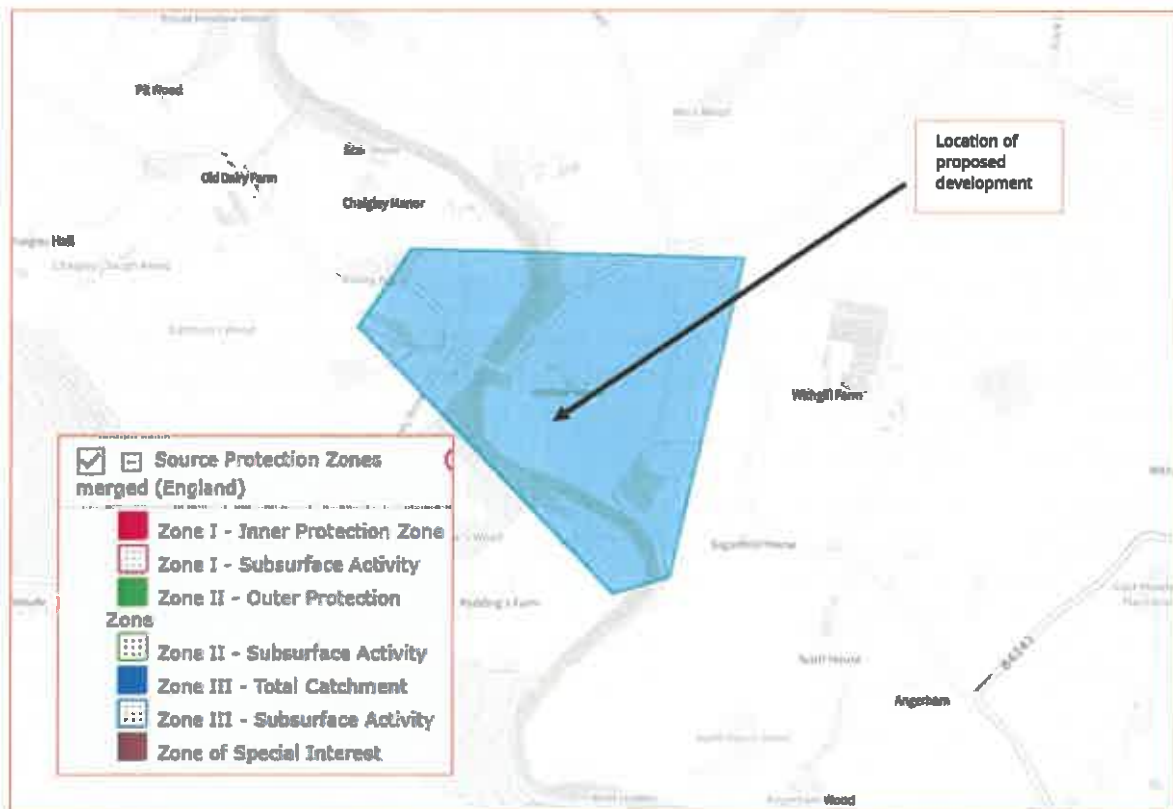


Figure 10: Extract from the Source Protection Zone map (Source: Magic)

5.5 Sewer Surcharge:

Sewer flooding occurs when the sewer network cannot cope with the volume of water that is entering it. It is often experienced during times of heavy rainfall when large amounts of surface water overwhelm the sewer network causing flooding. Temporary problems such as blockages, siltation, collapses and equipment or operational failures can also result in sewer flooding.

All Water Companies have a statutory obligation to maintain a register of properties/areas which have reported records of flooding from the public sewerage system, and this is shown on the DG5 Flood Register. This includes records of flooding from foul sewers, combined sewers and surface water sewers which are deemed to be public and therefore maintained by the Water Company. The DG5 register records of flood incidents resulting in both internal property flooding and external flooding incidents. Once a property is identified on the DG5 register, water companies can typically put funding in place to address the issues and hence enable the property to be removed from the register. It should be noted that flooding from land drainage, highway drainage, rivers/watercourses and private sewers is not recorded within the register.

No information has been provided to suggest that the site or surrounding area is susceptible to sewer surcharge flooding.

5.6 Other Sources:

Reservoirs with an impounded volume in excess of 25,000 cubic metres (measured above natural ground level) are governed by the Reservoirs Act and are listed on a register held by the Environment Agency. The site lies outside the maximum inundation extent on the EA Reservoir Inundation Map. The EA also advise on their website that reservoir flooding is extremely unlikely. There has been no loss of life in the UK from reservoir flooding since 1925. All major reservoirs have to be inspected by specialist dam and reservoir Engineers. In accordance with the Reservoirs Act 1975 in England, these inspections are monitored and enforced by the EA themselves. The risk to the site from reservoir flooding is therefore minimal and is far lower than that relating to the potential for fluvial / tidal flooding to occur. The Environment Agency Reservoir Flood Map illustrated below, illustrates the largest area that might be flooded if the storage area were to fail and release the water it is designed to hold during a flood event.

Records of flooding from reservoirs and canals are erratic as there is no requirement for the Environment Agency to provide information on historic flooding from canals and raised reservoirs on plans. In particular, the NPPF does not require flood risk from canals and raised reservoirs to be shown on the Environment Agency flood zones.

Overflows from canals can be common as they are often fed by land drainage, and often do not have controlled overflow spillways. Occasionally, major bank breaches also occur, leading to rapid and deep flooding of adjacent land.

6. Flood Risk Management

6.1 Vulnerability to flooding:

The NPPF classifies property usage by vulnerability to flooding.

Post development, the site will become "more vulnerable", as the application is for construction of a new dwelling.

Accordingly, it is considered that the vulnerability of the site as a whole will be increased post development (Introduction of a new residential unit).

6.2 EA Standing Advice:

The EA Standing Advice guidance is for domestic extensions and non-domestic extensions where the additional footprint created by the development does not exceed 250m². It should not be applied if an additional dwelling is being created, e.g. a self-contained annex or additional commercial unit. The application is for the creation of a new dwelling.

6.3 Physical Design Measures:

The NPPF requires new residential floor levels to be set at least 300mm above suitable modelled 1:100 year plus allowance for climate change flood levels.

However, it should be noted that the site is located entirely outside of the Flood Zone 2 and 3 extent and at "very Low" risk of flooding from surface water.

Based on the plans provided, living accommodation is proposed on the ground floor with sleeping accommodation proposed on the first floor only. In addition, no basements or land raising is proposed.

As such no physical design measures are required.

6.4 Safe Escape and Flood Action Plan:

The NPPF requires a route of safe escape for all residents and users to be provided from new residential properties in Flood Zone 3. Safe escape is usually defined as being through slow moving flood water no deeper than 25cm.

The site is entirely within Flood Zone 1 and at very low risk from surface water flooding.

The proposed escape route is to leave the property and head along the secondary access track (which is within the ownership of the applicant) past Hodder House, Hodder View Cottage and Hodder View onto Chipping Road which is entirely within Flood Zone 1.

In the case of an extreme flood event without warning, occupants and users should seek refuge on the upper floors of the building. The applicant has agreed that a permanent means of internal access be provided to the upper floors of the building, thus providing safe refuge.

All sleeping accommodation is located at first floor level.

Safe escape can be provided by a formal flood warning and evacuation plan which will need to be prepared in liaison with the Council's Emergency Planners, and tied in with the existing emergency plans for the area. If required, the applicant has agreed to implement a flood warning and evacuation plan post development, and will subscribe to the EA's flood warning service.



Figure 11: Proposed safe escape route (red line) along the secondary access track overlaid onto landscape masterplan (Source: Design and Access Statement. Rural Solutions)

6.5 Flood Warning:

The EA is responsible for issuing flood warnings. Flood warnings are issued to the emergency services and local authorities. Both private individuals and organisations can sign-up to receive warnings via phone, text or email. This system of receiving warnings is currently voluntary.

Advice regarding severe flood warnings will generally be given during weather forecasts on local radio and TV. In the case of extreme events, warnings can also be disseminated via door to door visits by the police or locally appointed flood wardens.

The EA issue flood warnings/alerts to specific areas when flooding is expected. It is recommended that the applicant registers online with the free Environment Agency Floodline Warnings/Alert

Direct service at www.gov.uk/sign-up-for-flood-warnings to receive flood warnings by phone, text or email.

The applicant has agreed to subscribe to the EA's flood alert/warning service which is covered by the Upper River Ribble, Hodder Flood Alert Area.

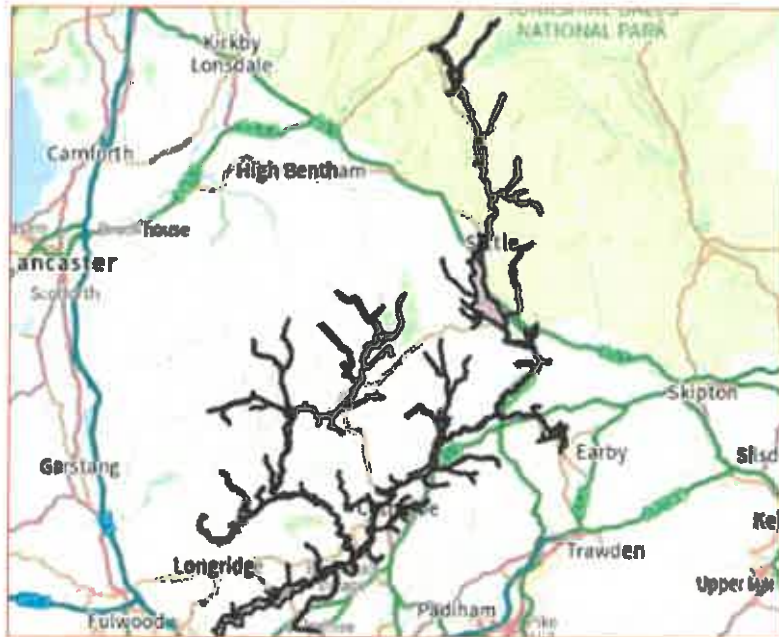


Figure 12: Flood warning or alert area map Upper River Ribble, Hodder

The flood warning service has three types of warnings that will help you prepare for flooding and take action:

Flood Warning	Flood Alert	Flood Warning	Severe Flood Warning
			
What It means?	Flooding is possible. Be prepared.	Flooding is expected. Immediate action required.	Severe flooding. Danger to life.
When It's used?	Two hours to two days in advance of flooding.	Half an hour to one day in advance of flooding.	When flooding poses a significant threat to life.
What to do?	Be prepared to act on your flood plan. Prepare a flood kit of essential items. Monitor local water levels and the flood forecast on our website.	Move family, pets and valuables to a safe place. Turn off gas, electricity and water supplies if safe to do so. Put flood protection equipment in place.	Stay in a safe place with a means of escape. Be ready should you need to evacuate from your home. Co-operate with the emergency services. Call 999 if you are in immediate danger.

Table 2: EA Flood Warning Service

6.6 Flood Plan:

It is recommended that the applicant and future owners, occupiers and Landlords of the property prepare a flood plan to protect life and property during a flood event:

Before a flood:

- Prepare and keep a list of all your important contacts to hand or save them on your mobile phone.
- Think about what items you can move now and what you would want to move to safety during a flood.
- Know how to turn off electricity and water supplies to the site.
- Prepare a flood kit of essential items and keep it handy. It can include copies of important documents, a torch, a battery-powered or wind-up radio, blankets and warm clothing, waterproofs, rubber gloves and a first aid kit including all essential medication.

During a flood:

- Activate the evacuation plan and evacuate the site.

- Remove cars from the site if there is sufficient warning and the water levels are not rising rapidly.
- Switch off water and electricity for the site.
- Tune into your local radio station on a battery or wind-up radio.
- Listen to the advice of the emergency service and evacuate if told to do so.
- Avoid walking or driving through flood water. Six inches of fast-flowing water can knock over an adult and two feet of water can move a car.

After a flood:

- If you have flooded, contact your insurance company as soon as possible.
- Take photographs and videos of your damaged property as a record for your insurance company.
- If you don't have insurance, contact your local authority for information on grants and charities that may help you.
- Flood water can contain sewage, chemicals and animal waste. Always wear waterproof outerwear, including gloves, wellington boots and a face mask.
- Have your electricals and water checked by qualified engineers before switching them back on.

6.7 Off-Site Impacts:**6.7.1 Fluvial floodplain storage:**

The NPPF requires that where development is proposed in undefended areas of floodplain, which lie outside of the functional floodplain, the implications of ground raising operations for flood risk elsewhere needs to be considered. Raising existing ground levels may reduce the capacity of the floodplain to accommodate floodwater and increase the risk of flooding by either increasing the depth of flooding to existing properties at risk or by extending the floodplain to cover properties normally outside of the floodplain. Flood storage capacity can be maintained by lowering ground levels either within the curtilage of the development or elsewhere in the floodplain, in order to maintain at least the same volume of flood storage capacity within the floodplain.

In undefended tidal areas, raising ground levels is unlikely to impact on maximum tidal levels so the provision of compensatory storage should not be necessary.

For development in a defended flood risk area, the impact on residual flood risk to other properties needs to be considered. New development behind flood defences can increase the residual risk of flooding if the flood defences are breached or overtopped by changing the conveyance of the flow paths or by displacing flood water elsewhere. If the potential impact on residual risk is unacceptable then mitigation should be provided.

The site is entirely within Zone 1 when using the Environment Agency Flood Map for Planning (Rivers and Sea). Post development, there will be no unacceptable loss of floodplain storage or increase in run-off from the site.

6.7.2 Surface Water Drainage:

The development will utilise Sustainable Urban Drainage (SuDs) design in accordance with the NPPF for Planning Applications hierarchy as follows:

1. Store rainwater for later use;
2. Infiltration techniques;
3. Attenuate rainwater by storing in tanks for gradual release;
4. Discharge rainwater direct into watercourse;
5. Discharge rainwater into surface water sewer;
6. Discharge rainwater into a combined sewer;
7. Attenuation of rainwater in ponds or open water features with controlled discharge into the local watercourse.

All surface water runoff generated by the proposed development up to 1:100 year rainfall event (plus climate change) will be stored on site, prior to being discharged.

Details of the Land Drainage Strategy are presented in full in the Rural Solutions in Landscape Design Statement.



Figure 13: Drainage Strategy Layout (Source: Design and Access Statement. Rural Solutions)

7. Sequential and Exception Test

The Sequential Test is applied to developments in areas identified as being at risk of any source of flooding now or in the future. The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account.

The sequential approach is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. This means avoiding, so far as possible, development in current and future medium and high flood risk areas considering all sources of flooding including areas at risk of surface water flooding. Other forms of flooding need to be treated consistently with river and tidal flooding in mapping probability and assessing vulnerability, so that the sequential approach can be applied across all areas of flood risk.

The site is entirely within Flood Zone 1 when using the Environment Agency Flood Map for Planning (Rivers and Sea). In addition the site is located in an area at a "very Low" risk of flooding from surface water.

Post development, the site will become "more vulnerable", as the application is for construction of a new dwelling.

Flood Zones	Flood Risk Vulnerability Classification				
	Essential Infrastructure	Highly vulnerable	More vulnerable	Less vulnerable	Water compatible
Zone 1	✓	✓	✓	✓	✓
Zone 2	✓	Exception Test required	✓	✓	✓
Zone 3a	Exception Test required	X	Exception Test required	✓	✓
Zone 3b	Exception Test required	X	X	X	✓

Table 3: Flood risk vulnerability and flood zone 'compatibility'

Using the table above, the proposed application is considered to be suitable within Flood Zone 1. The Sequential and Exception Tests do not need to be applied.

8. Conclusions

Unda Consulting Limited have been appointed by Michael and Liz Bell (hereinafter referred to as "the applicant") to undertake a Flood Risk Assessment for the proposed development Land at Higher Hodder Bridge (Field to South), Chipping Road, Chalgley, Clitheroe, BB7 3LP. The FRA has been undertaken in accordance with the National Planning Policy Framework (NPPF) and the associated technical guidance.

This document was produced in response to the determination of a planning application by the local planning authority. There were no technical consultees who commented on flood risk matters and no flood risk assessment was requested from the applicants during the determination process. However, the Officer report on the application states that:

"Flood Risk:

Parts of the site lies within Flood Zone 2 and 3 and it is directly adjacent to a main river. The submission fails to include a flood risk assessment. Whilst these areas fall outside the area of the site where the house is located they do cross the entrance. It may be that this refers to the land under the bridge however and a flood risk assessment should be submitted to address these issues."

Post development, the site will become "more vulnerable", as the application is for construction of a new dwelling. Accordingly, it is considered that the vulnerability of the site as a whole will be increased post development (Introduction of a new residential unit).

The site is located entirely within Flood Zone 1, defined as land having between a less than 1:1000 annual probability of fluvial flooding. The risk of any fluvial flooding is understood to originate from the River Hodder which is located 25m's from the site boundary.

Product 4 modelled flood levels and extents have been requested from the Environment Agency for use within this report on 16th September 2022 (EA reference: CL279641KR). Unfortunately, the EA's Flood Risk Management Team are currently managing an extremely high workload and are experiencing delays of up to 7 weeks over the 20 working days in responding to requests.

No formal flood defences have been identified in this location.

The EA have no records of historical flooding having affected the site or surrounding area.

The site is shown to be entirely within an area with a "Very Low" risk of flooding from surface water. As demonstrated, the proposed built footprint is entirely outside the of the modelled 1:30 year (high risk), 1:100 year event (medium risk) and 1:1000 (low) modelled extent.

According to the Ribble Valley Borough Council Strategic Flood Risk Assessment no evidence of groundwater flooding in the area has been identified.

The published Environment Agency Groundwater Vulnerability map shows the site to be located outside a Source Protection Zone.

No information has been provided to suggest that the site or surrounding area is susceptible to sewer surcharge or reservoir flooding.

The applicant has confirmed that:

- No basements are proposed
- Living accommodation is proposed on the ground floor with sleeping accommodation proposed on the first floor only
- There will be no unacceptable loss of fluvial floodplain storage post development
- Internal access/egress will be maintained from the ground floor to the first floor
- Safe escape as per the definitions within the NPPF can be provided
- The applicant will register with the free Environment Agency Floodline Alert Direct service
- Safe escape will be provided by a flood warning and evacuation plan, which will be prepared in liaison with the Council's Emergency Planners and tied in with the existing emergency plans for the area if required
- Details of the Land Drainage Strategy are presented in full in the Rural Solutions in Landscape Design Statement

Assuming accordance with these flood risk management measures, Unda Consulting Limited consider the proposed application to be suitable in flood risk terms.

Appendix

- Location, existing and proposed Plans and drawings
- Environment Agency Flood Map for Planning
- Communications with the EA with regards to the Product 4 data request (EA ref: CL279641KR)

LOCATION PLAN 1:1250 @ A1

HODDER GRANGE
PARAGRAPH 89c

LOCATION PLAN

MR A PMS BELL

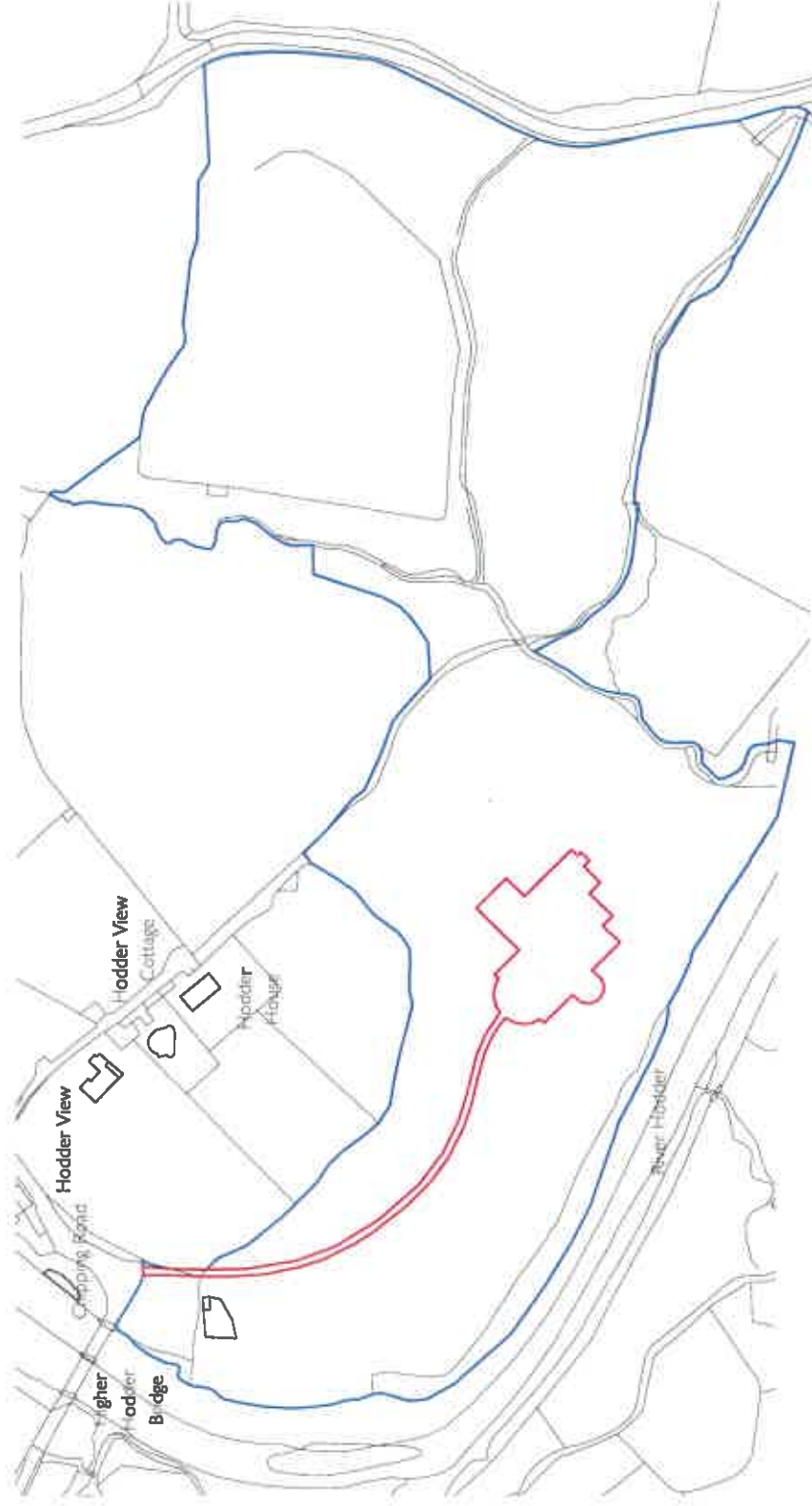
OCTOBER 2021

PREPARED BY
RURAL SOLUTIONS LTD

2490 / REVISION B

KEY

- Site Boundary
- Land Ownership



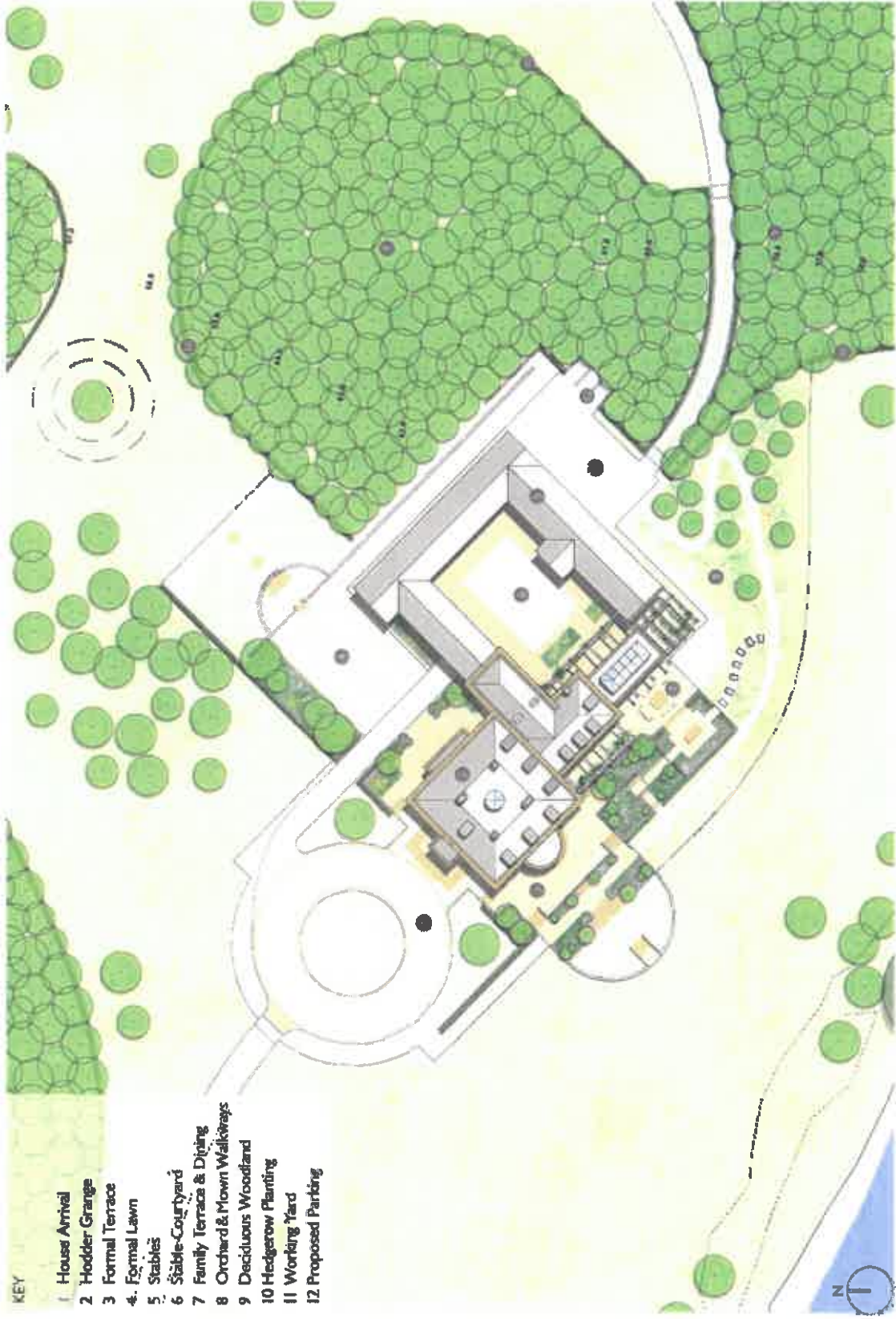
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Metres

SITE PLAN_AS PROPOSED 1:500 (A3)

**INCORPORATING
PALMGRANT 06**

KEY

- 1 House Arrival
- 2 Hodder Grange
- 3 Formal Terrace
- 4 Formal Lawn
- 5 Stables
- 6 Stable-Courtyard
- 7 Family Terrace & Dining
- 8 Orchard & Mown Walkways
- 9 Deciduous Woodland
- 10 Hedgerow Planting
- 11 Working Yard
- 12 Proposed Parking



DRAWING PACKAGE
 MR & MRS BELL
 SEPTEMBER 2021
 PREPARED BY
 RURAL SOLUTIONS LTD
 2498 / REVISION A

DRAWING PACKAGE

MR & MRS BELL

SEPTEMBER 2011

PREPARED BY:
BURNS JOHNSTON LTD

1075 J BRUNTON *

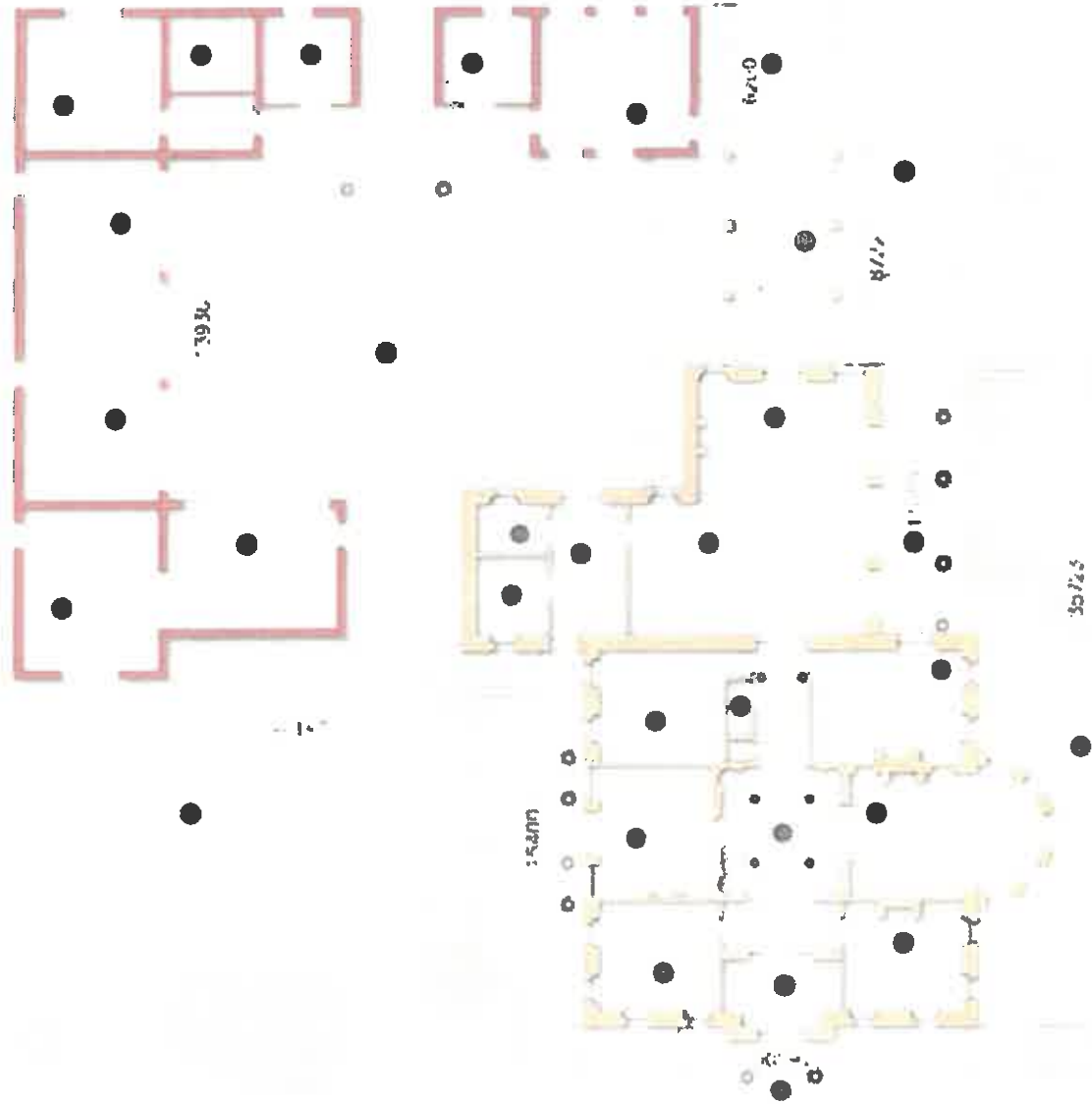
KEY

- 1 House Arrival
- 2 Entrance Hall
- 3 Library
- 4 Drawing Room
- 5 Study
- 6 Hall
- 7 Wine Cellar
- 8 WC
- 9 Antic-Room
- 10 Reception
- 11 Dining
- 12 Parlour
- 13 Utility
- 14 Living Room
- 15 Pergola
- 16 Formal Terrace
- 17 Orangery
- 18 Family Terrace & Dining
- 19 Loggia
- 20 Gym
- 21 Stable
- 22 Tack
- 23 Courtyard
- 24 Hay Store
- 25 Cars
- 26 Quad/Tractor/Mower
- 27 Gardener's Store
- 28 Lawn

Footprint
Main House: 460m²
Courtyard Buildings: 309m²
Total: 769m²

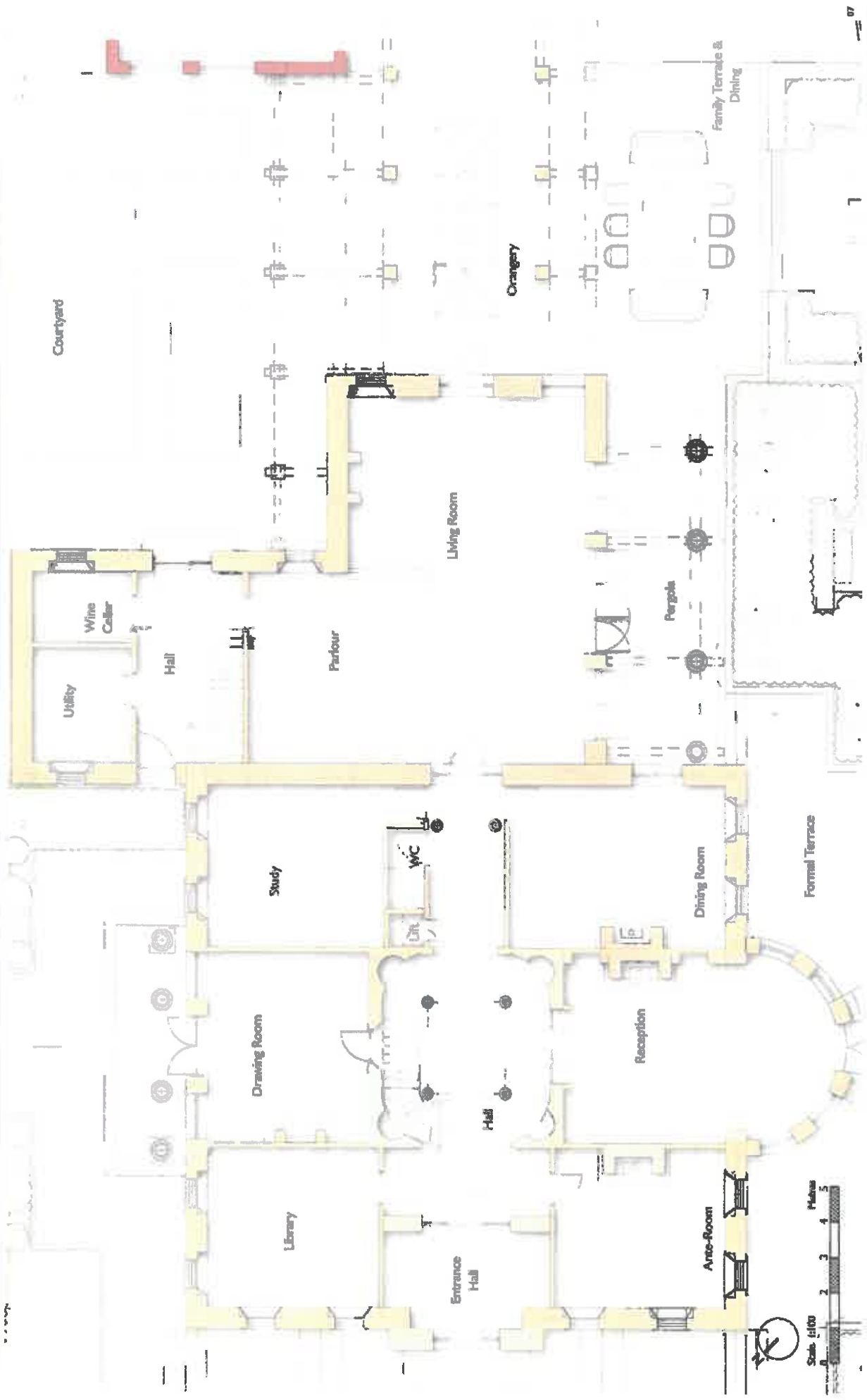


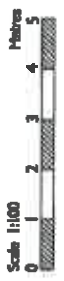
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MAIN HOUSE GROUND FLOOR PLAN AS PROPOSED 1:100 @ A3

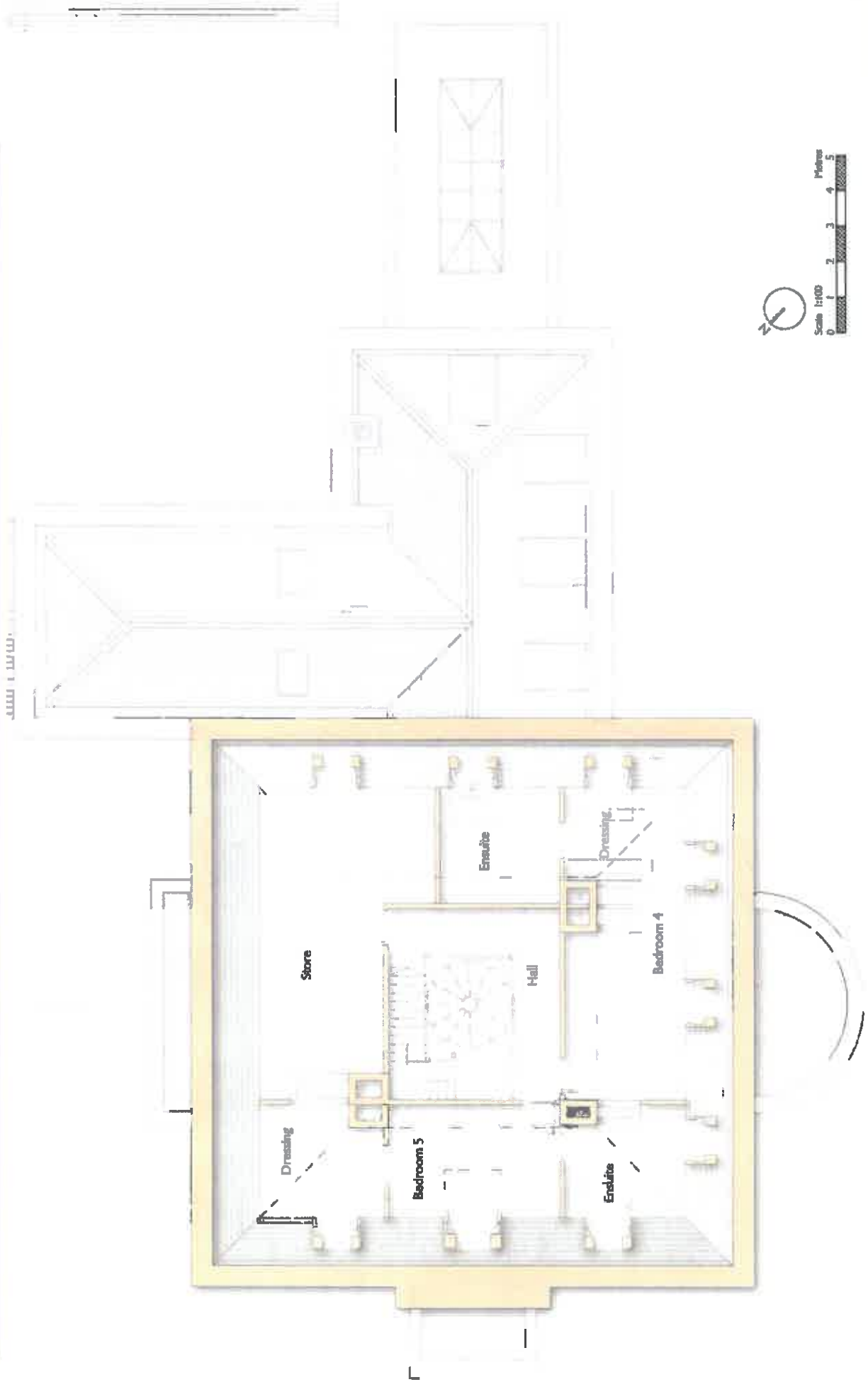
HONOR GRANT
PARAGRAPH No.





SECOND FLOOR PLAN_AS PROPOSED 1:100 S1/A3

HONDER GRADON
PARCHAUPY 06



HODDER GRANGE
PARABURAH 80

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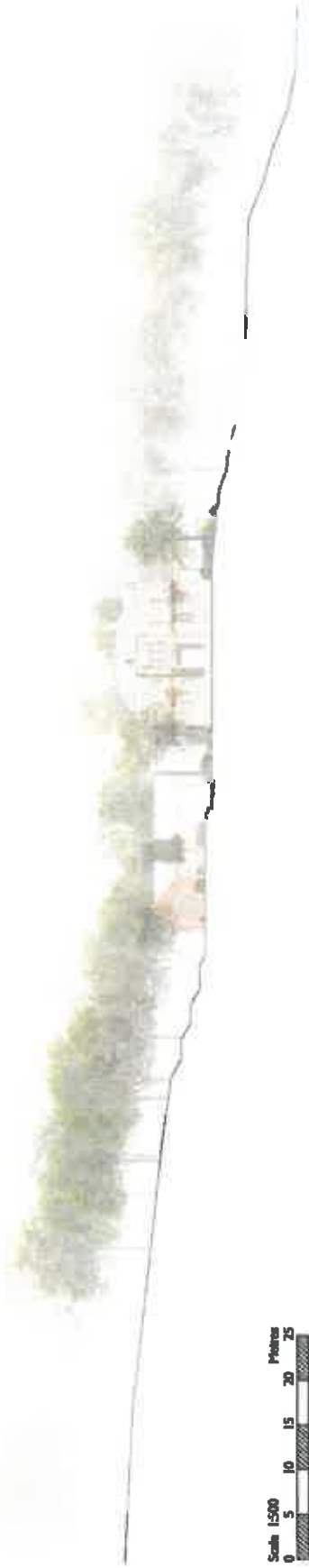
MR & MRS BELL

SEPTEMBER 2011

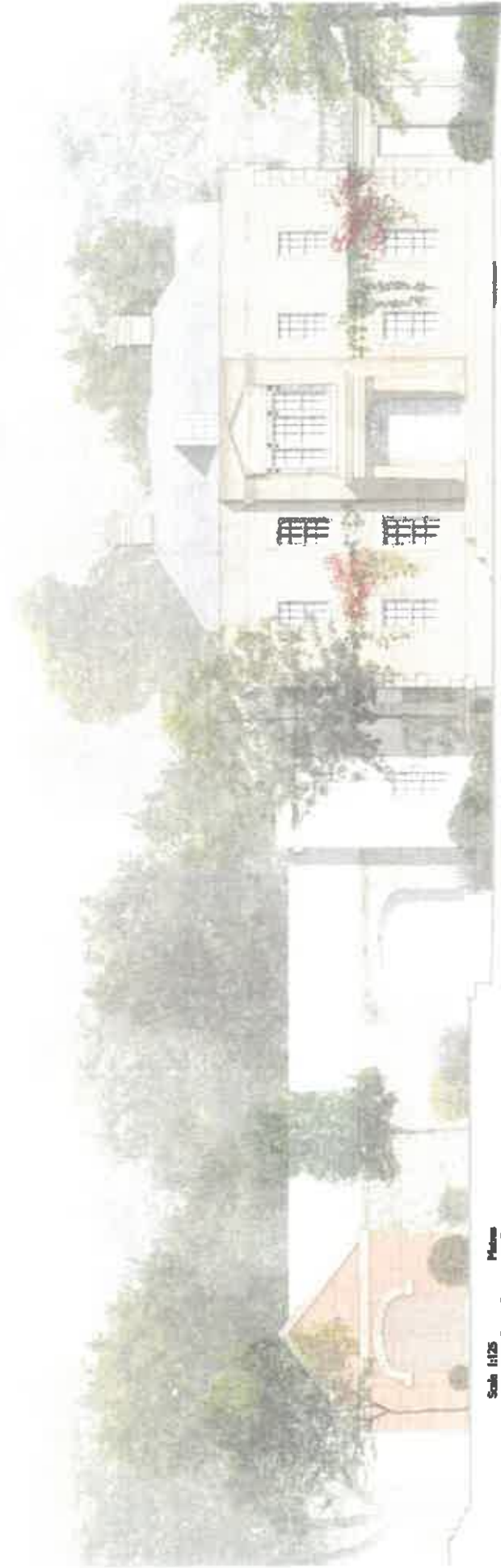
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2499 / REVISION A

NORTH WEST ELEVATIONS AS PROPOSED 1:500 & 1:125 @ A3



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Metres



Scale 1:125
0 1 2 3 4 5
Metres

SOUTH WEST ELEVATIONS_AS PROPOSED 1:500 3.1 125 @ A3

HODDER GRANGE
PARABURGH CO

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Scale 1:500
0 5 10 15 20 25
Metres



Scale 1:125
0 1 2 3 4 5
Metres

SOUTH EAST ELEVATIONS_A5 (PROPOSED 1:500 & 1:125 @VA3)

**HODDER CHANCE
PARCHAUGHT LTD.**

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Scale 1:500
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Metres



Scale 1:125
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Metres

HOOPER GRANGE
PARAGRAPH 802

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SOUTH WEST COURTYARD ELEVATIONS AS PROPOSED 1:500 & 1:125 @ A3



Scale 1:500
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Metres



Scale 1:125
0 1 2 3 4 5
Metres

NORTH EAST COURTYARD ELEVATIONS_AS PROPOSED_1:500 & 1:125 @ A3

HOODER CHANGE
PDA/DRAWING FILE

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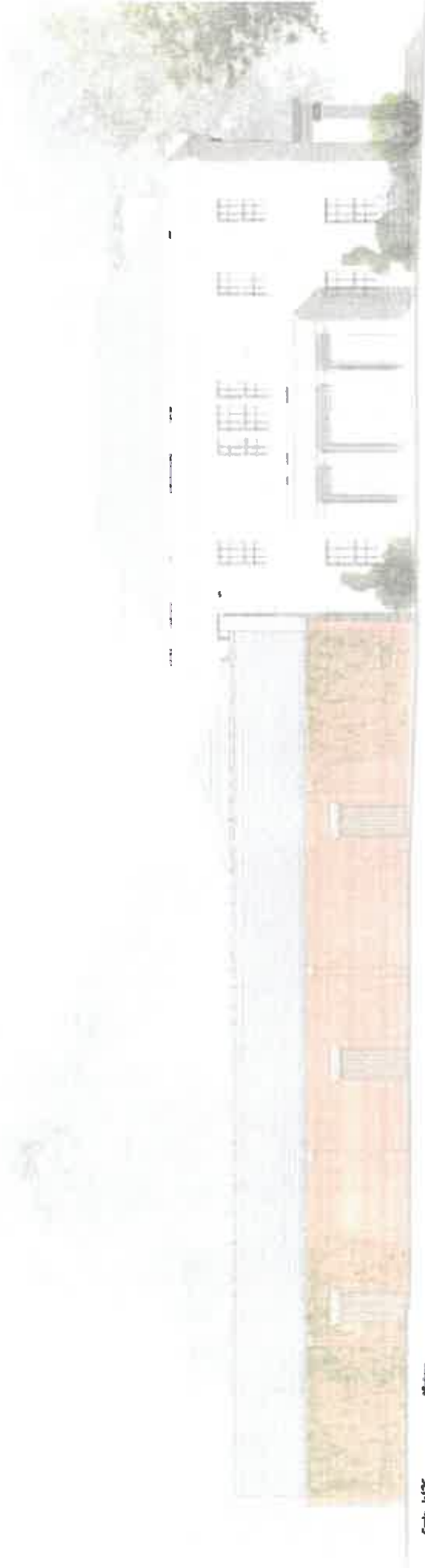
SEPTEMBER 2021

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24/9 / REVISION A



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Metres



Scale 1:125
0 1 2 3 4 5
Metres

HOOPER CHANGE
PARAGRAPH 4b

NORTH WEST COURTYARD ELEVATIONS AS PROPOSED 1:500 & 1:125 @ A3

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SECTION_AS PROPOSED H100 @ A1

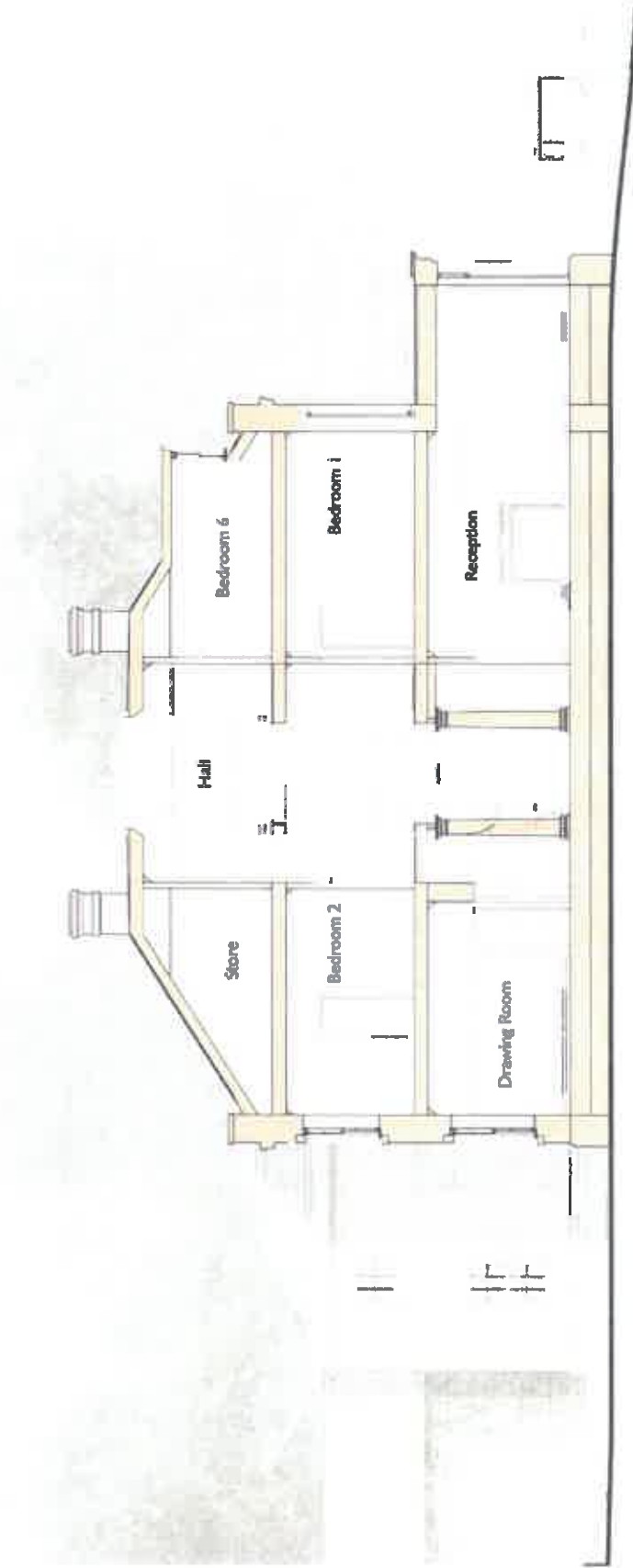
HOODER GRANGE
PARAGRAPH 900

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MIR & MRS HELL

SEPTEMBER 2021

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Scale 1:100
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Metres

**HODDER GRANGE
PARAGRAPH 06**

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SEPTEMBER 2021

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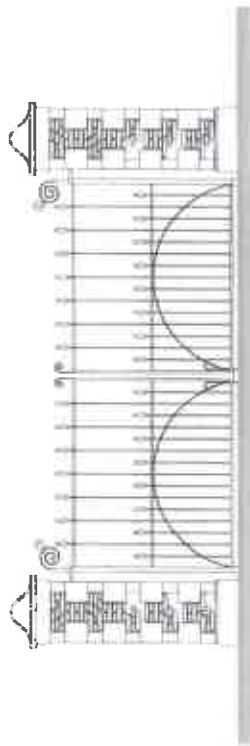
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VIEW OF THE PROPOSAL FROM RIVER HODDER

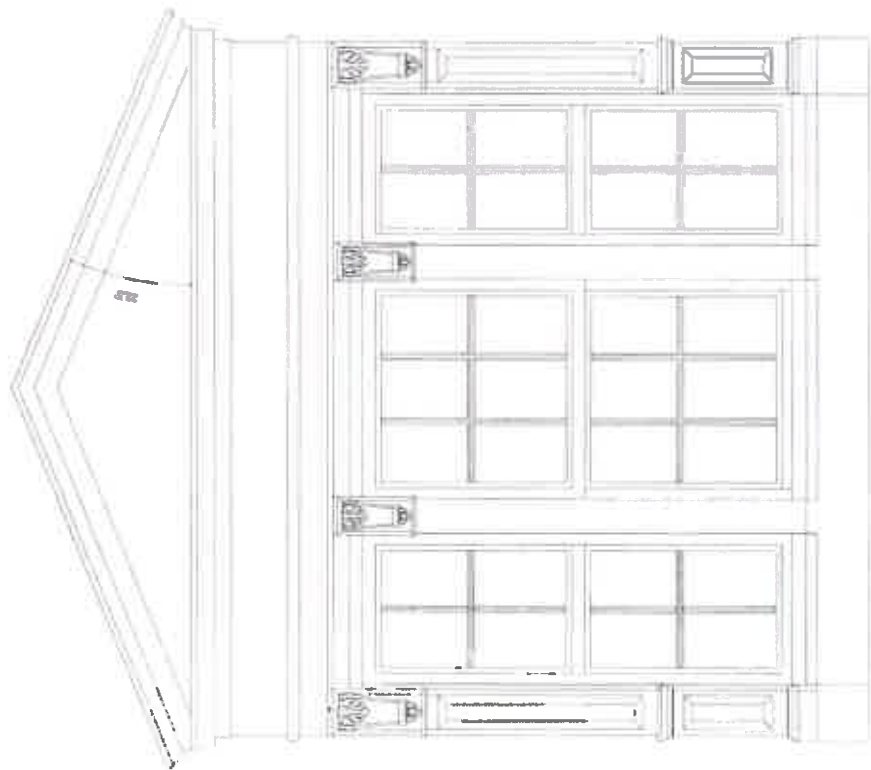


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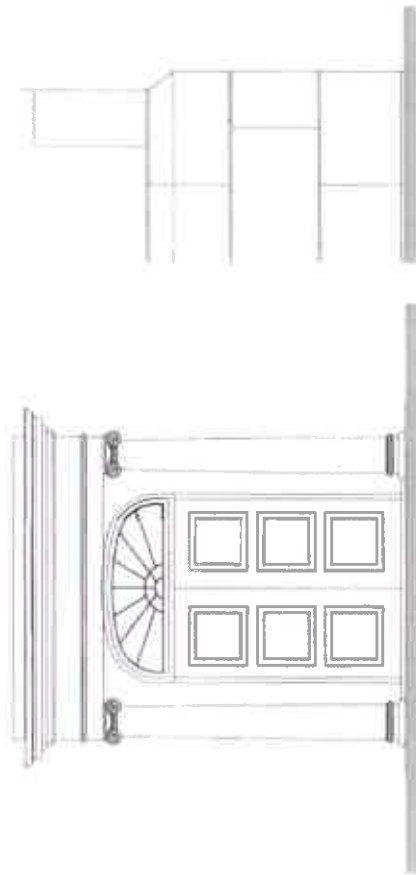
Mrs B. MRS BELL
SEPTEMBER 2021
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2/19 / REVISION A



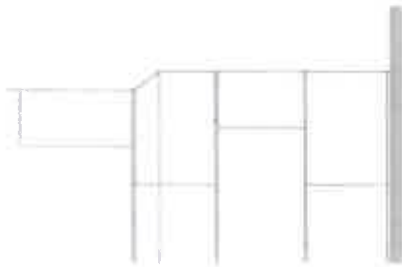
Entrance Gates 1:50



Tripartite Window 1:20



Entrance & Front Door 1:50



Stone Plinth 1:20



Plan of Sash Window 1:20

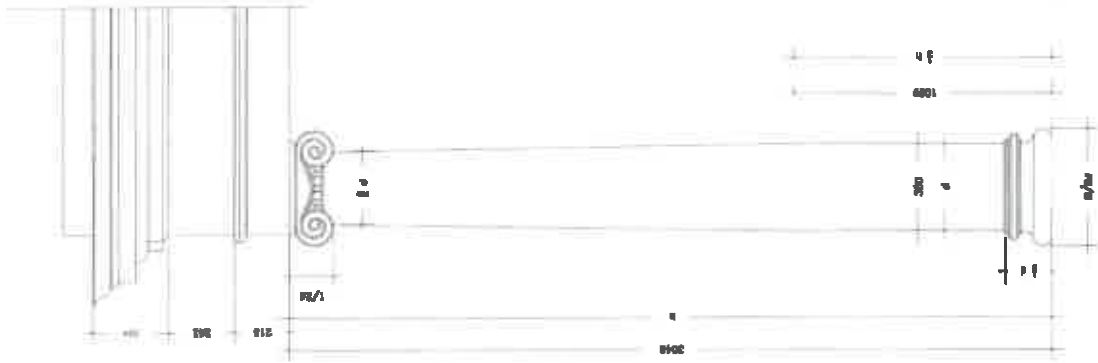
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MR & MRS BELL

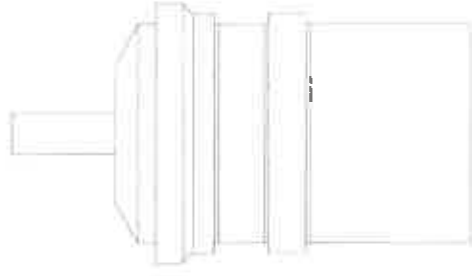
SEPTEMBER 2021

PACKAGE #1
GENERAL CONTRACTOR SET

2498 / VERSION A



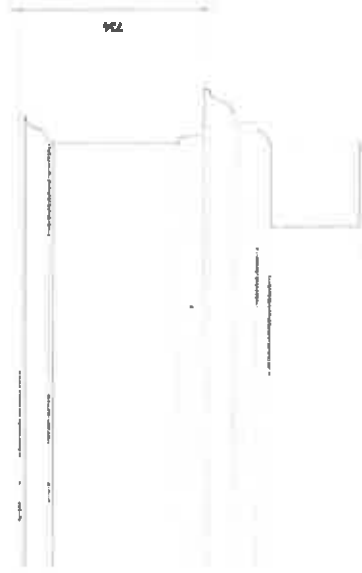
Ionic Order Stone Column 1:20



Elevation of Chimney 1:20



Dormer Window 1:20



Stone Entablature 1:20 (see below)



Reference to the parapet & cornice detail at
Downham Hall, Clitheroe (Grade II * Listed)



Reference to the projecting quoins at Whins
Hall, Salsden (Grade II Listed)

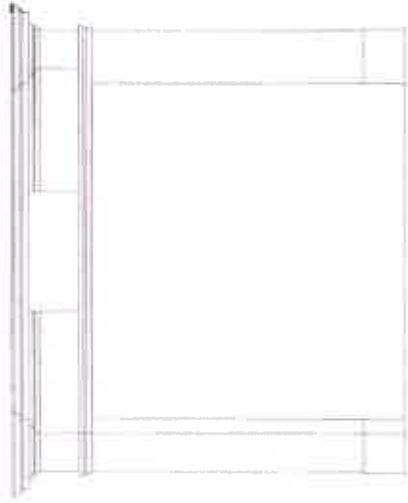
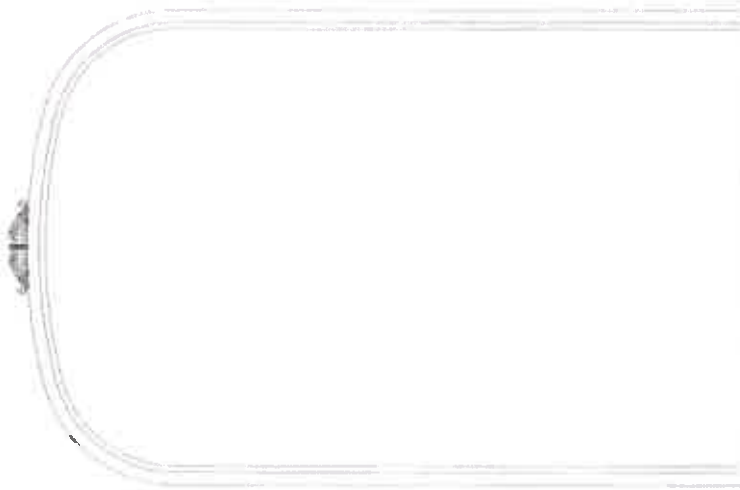
DRAWING PACKAGE

MR & MRS GELL

SEPTEMBER 2024

PREPARED BY
RURAL SOLUTIONS LTD

2/20 / REVISION A



LANDSCAPE MASTERPLAN





Flood map for planning

Your reference
<Unspecified>

Location (easting/northing)
369995/440890

Created
28 Oct 2022 10:47

Your selected location is in flood zone 1, an area with a low probability of flooding.

You will need to do a flood risk assessment if your site is **any of the following:**

- bigger than 1 hectare (ha)
- In an area with critical drainage problems as notified by the Environment Agency
- identified as being at increased flood risk in future by the local authority's strategic flood risk assessment
- at risk from other sources of flooding (such as surface water or reservoirs) and its development would increase the vulnerability of its use (such as constructing an office on an undeveloped site or converting a shop to a dwelling)

Notes

The flood map for planning shows river and sea flooding data only. It doesn't include other sources of flooding. It is for use in development planning and flood risk assessments.

This information relates to the selected location and is not specific to any property within it. The map is updated regularly and is correct at the time of printing.

Flood risk data is covered by the Open Government Licence which sets out the terms and conditions for using government data. <https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

Use of the address and mapping data is subject to Ordnance Survey public viewing terms under Crown copyright and database rights 2021 OS 100024198. <https://flood-map-for-planning.service.gov.uk/os-terms>



Environment Agency

Flood map for planning

Your reference
<Unspecified>

Location (easting/northing)
369995/440890

Scale
1:2500

Created
28 Oct 2022 10:47



Selected point



Flood zone 3



Flood zone 3: areas benefiting from flood defences



Flood zone 2



Flood zone 1



Flood defence



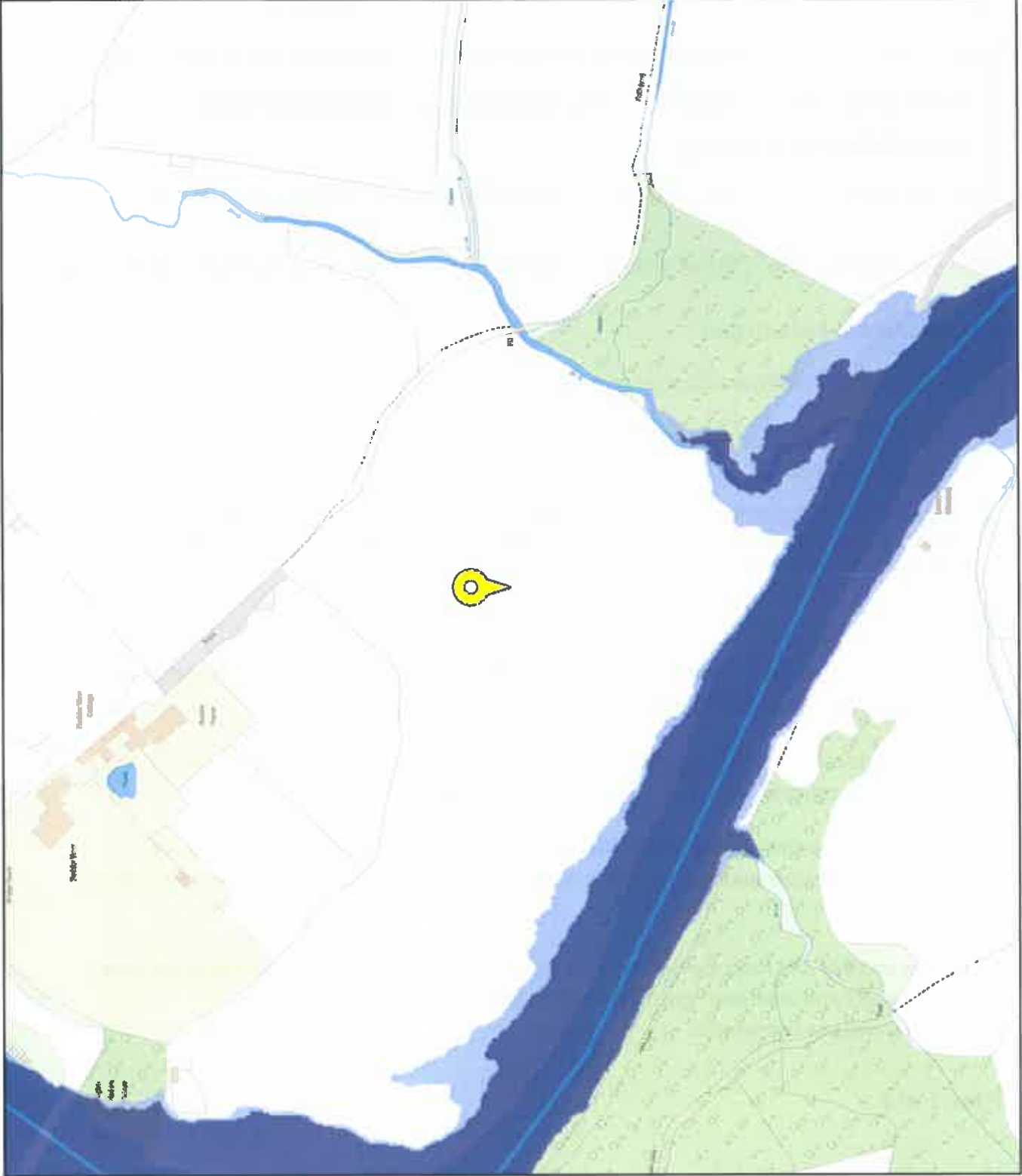
Main river



Water storage area



Page 2 of 2



Jackie Stone

From: CMBLNC Info Requests <inforequests.cmblnc@environment-agency.gov.uk>
Sent: 08 November 2022 11:03
To: Jackie Stone
Subject: CL279641KR: EA Product 4, 5, 6, 8 data request for Planning – Land at Higher Hodder Bridge (Field to South), Chipping Road, Chaigley, Clitheroe, BB7 3LP (Our ref. 92087)

Dear Jackie

Thank you for contacting the Environment Agency regarding product data.

We appreciate that you have already been waiting over 20 working days for your response.

Unfortunately our Flood Risk Management Team are currently managing an extremely high workload and we are experiencing delays of upto 7 weeks over the 20 working days in responding to requests. We expect this to improve as we move through November into December.

We appreciate that this is not an ideal situation and can only apologise for any inconvenience this delay may cause you. We assure you that your request will be dealt with as soon as possible and we thank you in advance for your patience in this matter.

Kind regards.

Karen Rooke
Customer and Engagement Officer
Cumbria and Lancashire



From: Jackie Stone <jackie.stone@unda.co.uk>
Sent: 08 November 2022 11:00
To: CMBLNC Info Requests <inforequests.cmblnc@environment-agency.gov.uk>
Cc: Antony Rousou <antony.rousou@unda.co.uk>
Subject: FW: CL279641KR: EA Product 4, 5, 6, 8 data request for Planning – Land at Higher Hodder Bridge (Field to South), Chipping Road, Chaigley, Clitheroe, BB7 3LP (Our ref. 92087)

Dear Karen,

Please could you let me know when we are likely to receive the data so we can let our client know.

Kind regards

Jackie S

Jackie Stone | Consultant



Unda Consulting Limited

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From: CMBLNC Info Requests <inforequests.cmblnc@environment-agency.gov.uk>

Sent: 16 September 2022 15:58

To: Jackie Stone <jackie.stone@unda.co.uk>

Subject: CL279641KR: EA Product 4, 5, 6, 8 data request for Planning – Land at Higher Hodder Bridge (Field to South), Chipping Road, Chaigley, Clitheroe, BB7 3LP (Our ref. 92087)

Dear Jackie

Thank you for contacting the Environment Agency regarding product data.

As your request for information falls under either the Freedom of Information Act or Environmental Information Regulations we respond within 20 working days.

Unfortunately our Flood Risk Management Team are currently managing an extremely high workload and we are experiencing delays of upto 6 weeks passed the 20 working days in responding to requests.

We appreciate that this is not an ideal situation and can only apologise for any inconvenience this may cause you. We assure you that your request will be dealt with as soon as possible and we thank you in advance for your patience in this matter.

In the meantime you may wish to look at www.data.gov.uk to see if the data you have requested is available for you online.

For further information on what you can expect from us and our full service commitment to you, please click this link; <https://www.gov.uk/government/publications/environment-agency-customer-service-commitment>

Kind regards.

Karen Rooke
Customer and Engagement Officer
Cumbria and Lancashire



From: Jackie Stone <jackie.stone@unda.co.uk>

Sent: 16 September 2022 15:42

To: CMBLNC Info Requests <inforequests.cmblnc@environment-agency.gov.uk>

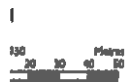
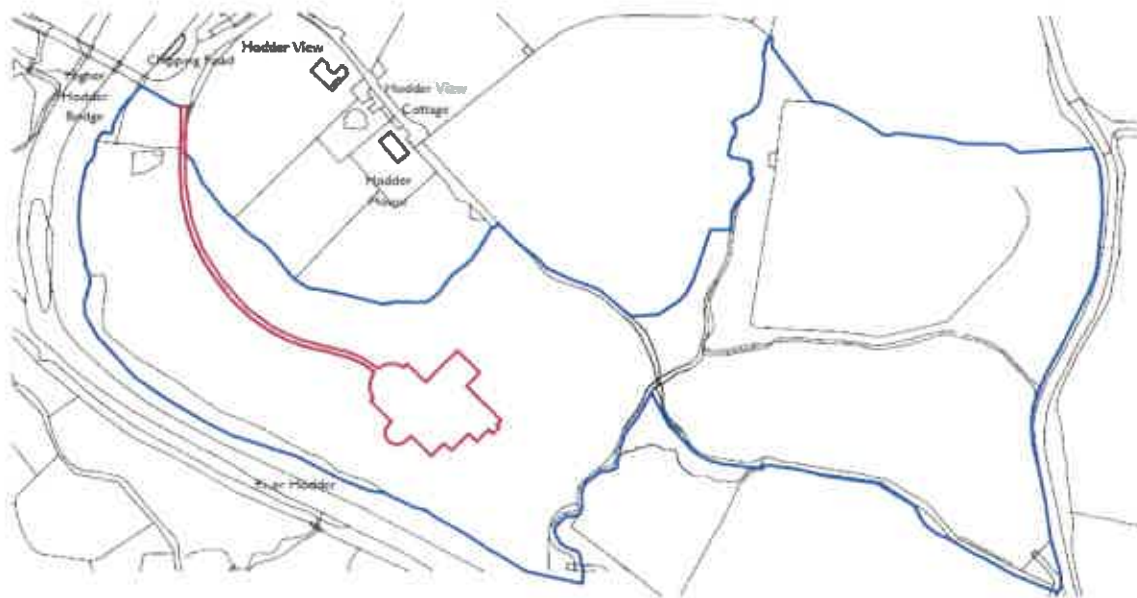
Cc: Antony Rousou <anton.rousou@unda.co.uk>

Subject: EA Product 4, 5, 6, 8 data request for Planning – Land at Higher Hodder Bridge (Field to South), Chipping Road, Chaigley, Clitheroe, BB7 3LP (Our ref. 92087)

Dear Sir/Madam,

I would like to request a “Product 4, 5, 6, 8” flood data package for the following site, for use within a Flood Risk Assessment for planning:

- Land at Higher Hodder Bridge (Field to South), Chipping Road, Chaigley, Clitheroe, BB7 3LP
- Please acknowledge receipt of this email and provide the EA / NRW logged reference number for this site by email.
- Please quote our reference on all correspondence (including emails and Product 4 data): (Our ref. 92087)
- Please email the Product 4 data to administrator@unda.co.uk
- Please ensure that the data covers the entire application area (as indicated with a red / blue line) and the adjacent roads.
- Is there is only J-Flow data available for the site please could you provide the depths and levels



Please do not hesitate to contact me if you have any questions.

Kind Regards

Jackie Stone | Consultant



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Information in this message may be confidential and may be legally privileged. If you have received this message by mistake, please notify the sender immediately, delete it and do not copy it to anyone else. We have checked this email and its attachments for viruses. But you should still check any attachment before opening it. We may have to make this message and any reply to it public if asked to under the Freedom of Information Act, Data Protection Act or for litigation. Email messages and attachments sent to or from any Environment Agency address may also be accessed by someone other than the sender or recipient, for business purposes.



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Appeal Statement from Architect in respect of Appeal for Hodder Grange

This is a statement prepared to support an appeal (APP/T2350/W/22/3310867) following the refusal of planning permission (3/2021/1008) by Ribble Valley Borough Council for a 'Proposed new house of exceptional quality (NPPF Paragraph 80e) of Passivhaus Plus and Zero Energy design with associated landscaping and biodiversity enhancements' at Land at Higher Hodder Bridge.

1.00 INTRODUCTION

1.01 The statement is produced by Sandy Fishpool, Associate Director of Rural Solutions.

1.02 I have been in architectural practice since 1995 becoming an associate director at Rural Solutions in 2022. My career has been primarily working in the rural sector, focusing on heritage-based projects and the design of high-quality bespoke houses. My life-long interest in architectural heritage and the continuation of this tradition into the future, has formed the basis of my career.

1.03 I have been a member of the Royal Institute of British Architects (RIBA) for 26 years and am on the RIBA Conservation register.

1.04 The clients for Hodder Grange, Michael and Liz Bell, approached Rural Solutions as they sought a 'holistic approach' that incorporated a close relationship between the planning, architecture and landscape design fields.

2.00 RELEVANT EXPERIENCE

2.01 I have over 27 years of practice working with the design and adaptation of built heritage including Scheduled Ancient Monuments, Grade I, II* and II listed buildings and Non-Designated Heritage Assets, many of which have been in Conservation Areas, Areas of Outstanding Natural Beauty (AONB's) or National Parks.

2.02 I am passionate about how built heritage can be adapted to ensure it is maintained for future generations. Many of the projects I have worked on have involved the adaptation of built heritage to new uses and some have involved new buildings in sensitive settings. This has naturally led me to consider how the millennia of architectural development that is so much an admired and important part of our country can gradually evolve in the C21st and beyond through new-build traditional design.

2.03 I have worked in North Yorkshire and Cumbria, developing my skills in heritage-based projects and in the design of new bespoke houses for clients who sought outstanding architecture.

Several of these projects were replacement dwellings and in recent years a few have been designed to achieve the exacting requirements of the Paragraph 80e exception policy.

- 2.04 A recent example of my work involved Foley House, a **Grade II Georgian villa** in Great Malvern. We obtained planning and listed building approval for a scheme for the restoration, repair, and redevelopment of the house into residential use. The listed building was in very poor condition and major restoration works were carried out. The project prevented this important Georgian villa from becoming further dilapidated and has given it an appropriate use that is in line with its original function. The works were completed in November 2022.
- 2.05 My work on a recent project in the Nidderdale AONB demonstrated how the design of a replacement house in a sensitive setting could provide outstanding architecture and achieve site-wide enhancements and benefits to the setting of the AONB. Careful design and positioning of the new-build house, combined with consideration of long-distance views of the site, enabled this house to be approved by Harrogate Borough Council. Ecological enhancements and improved drainage across the whole site provided further benefits, which the Local Authority were cognizant of and which the AONB Team fully supported. This project is currently under construction.

3.00 THE BRIEF

- 3.01 The clients fell in love with the Hodder Grange site and living close by already, they became closely acquainted with it. Through the Paragraph 80e policy, they wanted to enable an architectural endeavor that would respond to the history and character of the AONB and bring enhancements to the whole site, with a view to the creation of a new classical house and gardens. Their wish was to consider the site holistically and to fully consider in an academically robust way, the wider setting and history of the area.
- 3.02 Their aspiration was to create a new classical country house within a managed landscape that responds to the historic precedent set within the Forest of Bowland AONB. The client has lived close by for many years, enjoying country pursuits such as small scale agricultural activities, horse-riding and fishing. This connection with the countryside was an essential part of the brief but this also reflected the historic pursuits that were an integral part of the historic houses in this area. The essence of the project was to design a house that would continue the tradition of country houses in this area but also to create a house that looked to the future.
- 3.03 Walking over the site with the clients at the inception of the project and subsequently the AONB manager, allowed us to look at the project with an open mind, considering the AONB officer's views from a very early stage.

4.00 INITIAL PROPOSALS

- 4.01 Prior to any design work, a significant body of research into country houses was carried out by Hinchliffe Heritage, providing a vital basis for our understanding of the AONB and the immediate setting. The importance of country houses to the Forest of Bowland, going back over a thousand years, is a fundamental part of its history and character and was therefore a prime factor in

developing ideas for the site. The research is of academic significance and benefit to the understanding of the history of the AONB.

- 4.02 The Country Houses report and the AONB officer's initial comments, combined with planning and landscape analysis, provided us with a strong basis from which to begin sketching. Initial landscape ideas and possible sites for the new house were explored and developed during Spring 2020. Sketch proposals were reviewed with the client and Hinchliffe Heritage who made comments regarding its position, style and size and the design was developed further following this feedback.
- 4.03 Following the AONB officer's initial advice regarding the landscape, ecology and views of the site, the architectural and landscape design were developed together, hand-in-hand. Further site visits enabled a fuller understanding of important views and the character of the site and wider setting. This provided a fundamental basis for the architectural and landscape design to evolve in a cohesive and integrated way.
- 4.04 A Pre-application submission was made in May 2020 to Ribble Valley Borough Council. The written feedback was received in June 2020 and further meetings and correspondence then took place with RVBC.

5.0 DESIGN DEVELOPMENT

- 5.01 The feedback from RVBC was carefully considered and subsequently was important in the development of the design.
- 5.02 Fine local examples of country houses were visited and their details, proportion and design examined. The architectural historian, Jeremy Musson was integral to the development of the early design and accompanied us on the site visit to local country houses. He reviewed the proposal, and we discussed local characteristics that were evident in the country houses of the AONB. Specific details that were characteristic of the area were analysed which further built up an understanding of the architectural language particular to the area.
- 5.03 The feedback from RVBC clarified that they required more information on the sustainability credentials of the proposals. Consideration of this feedback helped us to develop the scientific elements of the design such that they became an integral part of the building with the aim of achieving the high bar set by the 'Passivhaus Plus' standard. The design therefore, was fundamentally driven by the science behind its Passivhaus aims. A methodical and detailed process was carried out with a team of professional Passivhaus consultants to ensure that the house could achieve this high standard.
- 5.04 **First Design Review Panel:** A meeting of the TAG DRP took place with a site visit before the presentation. The emerging proposals were presented to TAG to receive feedback.
- 5.05 The DRP articulated confidence in this scheme and we were able to draw the following conclusions from their report which included the following important conclusions:

- The Panel agreed with the choice of position for the new house and the logic of orientation and placement in section/level.
 - The Panel thought that *'the square Palladian planning of the main house works well in ordering the formal interior spaces ... The main house was to be of more refined stuff and as one progresses back to the ancillary buildings and stable courtyard these materials and details would become less formal (more course) so the nature and status of parts of the building can be read in form and material. The Panel thought this to be an essential component of the breadth and depth of the design that will add to its exceptional qualities'*.
 - The Panel commented that the building form was driven not just by an historical aesthetic set by precedent but also by the science driving the energy performance of the building.
- 5.06 The DRP made recommendations for the further development of the design, in particular the classical aspects of the proposal. These focused on strengthening the entrance composition on the North-West elevation, exploring the position of the central staircase and reconsidering the relationship of the various rooflines. Further refinement of the classical details such as columns, cornices and parapets was also recommended.
- 5.07 **Post DRP design development:** The DRP advice was integral to the development of the design and this led to amendments and refinement of the design in conjunction with the landscaped design. The design was further developed during June to August and this involved several iterations which were discussed with members of the DRP, John Hinchliffe and Jeremy Musson.
- 5.08 **Jeremy Musson review:** Jeremy Musson reviewed the Post DRP developing design and suggested further study of the classically designed work of local eminent architects such as George Webster. Analysis of the local architecture of George Webster whose works were all carried out in North Lancashire and Cumbria, further crystallized the architectural precedents and historic character that are integral to this region. This dialogue with Jeremy and other peer review experts was helpful in ensuring that the details were critiqued and their guidance encouraged further refinement of the proposals.
- 5.09 **Second meeting with AONB manager:** A second meeting was held with the Forest of Bowland AONB Manager to discuss the detailed designs, share the TAG DRP response and LVIA methodology. No concerns in relation to the proposed designs were received.
- 5.10 **Second DRP Panel:** Following the recent design developments, the amended proposals were presented to the DRP in September 2021. The DRP comments focused on the fine detailing of elements of the classical architecture such as the parapet and column details. Revisions were made to reflect these comments. Following this final set of revisions, the full support of the DRP was confirmed at the end of November 2021.

6.00 CURRENT PROPOSALS FOR THE HALL & SUMMARY

- 6.01 Following the extensive design development, the proposals were submitted for planning in September 2021. The resulting design was a combination of the efforts and attention to detail of the design, landscape and planning team working closely with peer review experts.
- 6.02 Throughout the process, the architectural and landscape aspects of the proposal were developed in an integrated and cohesive way. Each element of the building responded to an element of the landscape design, creating an interplay that is of the highest order of architectural design and based on thousands of years of Classical design.
- 6.03 The aims of the design were ambitious and were followed through with temerity and passion by all involved, resulting in an outstanding house and landscape that respect the landscape and the history and character of the AONB. The enhancements that are part and parcel of the project are not simply added on but are integral to the design for the whole site, creating a result that has integrity and a weight of historical study behind it.
- 6.04 The scientific aspect of the proposal is not simply a tacked-on feature to bring energy efficiency, it is a fundamental driver of the design and has been combined with the rigor of the Georgian architecture carefully, methodically and with the expertise of nationally recognized experts in the field.
- 6.05 The house will be the first Passivhaus Plus new build property in the North West & the first classically designed Passivhaus Plus property in the world.
- 6.06 The site as a whole will bring significant ecological & environmental benefits to the wider landscape (to deliver an outstanding array of enhancements to the site of which the new traditional house is the centre-point).
- 6.07 The resulting design will create a dwelling of exceptional design that is representative of the area currently but also imbues the history and character of the AONB.
- 6.08 The final design demonstrates the holistic approach; the integration of disciplines broke down the barriers between architecture, landscape architecture, ecology & biodiversity, sustainability & water management.
- 6.09 The resulting traditional dwelling is rooted in the history of the area and embodies the best traditional architecture prevalent in the Forest of Bowland whilst responding to the practical needs of a country estate.
- 6.10 The importance of isolated country houses & farms in the Forest of Bowland is exemplified in the house and its landscape which were a fundamental part of the story of the area and which continue to provide positive benefits to the AONB. This house is part of that tradition, in providing positive benefits, enhancements and an outstanding architectural centre-piece that will fit in the landscape and its setting appropriately and with the confidence and stature of a classically-designed masterpiece.

- 6.11 Classical architectural rhythms, patterns and proportions are ingrained into the design, which not only allows the house to reference the fine country houses of the local area but also to reference the continuous development of classical architecture through the ages. Details have not been copied from other notable houses but the principles and underlying themes have been distilled and then incorporated into the design in a way that is unique to this building, and not merely a copy of the past. As such, this building and its landscape respond to the past as well as the future. It is a 'Janus-faced' building that cannot be replicated and does not replicate other buildings.
- 6.12 The research carried out by Hinchliffe Heritage and subsequent research into local country houses and eminent local architects such as George Webster provided a deep historical & cultural understanding of the local area. This body of research provided numerous local examples and explained in detail that a substantial number of country houses in the wider Forest of Bowland exhibit a pure classical Georgian style, & embody the principles of Palladian design, symmetry, order & balance. They are a defining characteristic of the area.
- 6.13 As summarized by the architectural historian, Jeremy Musson, '*the resulting pavilion form of the house speaks both to its functionality as well as the romantic notion of discovery of the house as a temple or folly nestled in the landscape*'.
- 6.14 The interplay between building and landscape is a key feature of many of the most important historic buildings in the country. This important relationship was considered to be vital to the proposal for this site. As a result, the house and landscape were designed from the beginning to respond to key views of the surrounding landscape and the mature woodland around the site. This careful positioning and alignment with views will enrich the relationship between the house and the existing landscape.
- 6.15 The relationship of the site to Higher Hodder Bridge, a Grade II Listed heritage asset, is important and the views to and from the bridge were considered carefully and its setting was also assessed, with the assistance of the heritage consultant, Hinchliffe Heritage. This informed the positioning of the house, its gardens and the careful introduction of new trees along the banks. The design of the gate piers was also influenced by the Bridge and these were positioned set back considerably within the site, as is typical of formal gates to country estates. The inside wall of the Bridge near the site has been clad in blockwork and the proposals include for screening this which will be an improvement to the listed asset and its setting.
- 6.16 The final response of the DRP was categorical and the support for the scheme was given following much thought, consideration, repeated analysis of the design and was examined by a group of experts with the relevant expertise in the field. The comment from the Head of the DRP summarized their view:
- 'This is a total work of architecture, a Gesamtkunstwerk, as the principles of the Bauhaus would have it, a comprehensive artwork'*
- 6.17 As the lead architect on the project it is a pleasure to receive positive feedback such as this at the end of a lengthy and iterative design process based upon a detailed assessment of the site

and the surrounding area. The feedback received is a credit to the clients whose vision the designs translated and it is hoped that the feedback clearly demonstrates that the exceptional quality test of Paragraph 80e is met.

JEREMY MUSSON, WRITER & CONSULTANT,

9 February 2023

Re: planning application 3/2021/1008/proposed para 80e house Hodder Bridge

1. Introduction

I write in support of the appeal against the refusal of planning permission for the proposed new (para 80e) house, Hodder Grange, designed by architect Alexandra (Sandy) Fishpool of Rural Solutions. These proposals are for an 'exceptional'/'outstanding' design for an exceptional site looking over the memorable bow of the river Hodder and the associated wooded bank. I was consulted on the original proposal and wrote a formal letter of support.

2. Qualifications and Experience

2.1 .My name is Jeremy Musson. I have a degree in law/LLB (Hons), from UCL, and an M.Phil in Combined Historical Studies, from the Warburg Institute, the University of London. I am a well-established architectural historian and country house specialist, a former National Trust assistant regional curator (1992-1995), and former architectural editor of *Country Life* (1998-2007).

2.2 I am author of a number of books on different aspects of country house history and architecture, including *How to Read a Country House*, 2005, *English Country House Interiors*, 2011, and *The Country House Ideal*, 2011, and *Henbury: An Extraordinary House*, 2019, the latter two on Modern Classical country house design.

2.3 I also am involved in teaching at the University of Cambridge, where I am an affiliate lecturer of the department of architecture, and at the University of Buckingham, and New York University (London programmes). I have given advice and specialist review of a number of new country houses, designed under NPPF para 55 and 79e (now 80e) which have received consent.

2.4 In early 2021, I was invited by Rural Solutions and the clients to review the site and the initial design of the proposed house. Following a briefing from James Ellis, I visited the site on April 19, 2021, and inspected the site, the evolving plans and the views affected by the proposal. I visited the surrounding area, including houses which had provided inspiration to the architect, and also assessed the country houses in the Forest of Bowland study which had been prepared for the client. I visited the client's current home, local to the site and was made aware of the care and attention they have applied to that historic farmhouse.

3. The NPPF Para 80e Test:

3.1 The relevant planning context is part of the NPPF 'isolated dwellings' policy: where exceptions are made if a design is of exceptional quality, in that 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.

3.2 It is clear that the Hodder Grange site is an exceptional one, within an Area of Outstanding Natural Beauty (Forest of Bowland). As confirmed in the local county study document from the heritage adviser, country houses in fine landscape settings are one of the defining features of the area.

4. The Evolution of the Design for Hodder Grange:

4.1 Following my visit, I also gave further commentary and advice on some areas of improvement, to the client, architect and landscape architect. The design developed further, and I followed with interest the peer review panel process with the panel from Traditional Architectural Group (linked to the RIBA).

4.2 The final design was submitted for approval, as 'Hodder Grange' as an 'outstanding' and 'exceptional' design, supported by a range of supporting documents, including the LVIA, HIA. The TAG peer review panel recognised how the proposals had been refined and improved, increasing the 'artistic and intellectual depth' of the proposal. The panel approved the site choice and location, which included the approach and the 'nesting' of the proposed house in the particular topography and give a 'sense of discovery of the house'.

4.3 The panel approved the historical inspiration, including the references to the work of George Webster, and the emphasis on the sustainability and energy performance of the building. The panel recognised the significance of the level of material and craft skills which will be required to realise it fully.

4.4 Importantly, the proposal is for a house which takes reference from traditional classical architecture but is also to be built to modern standards of energy efficiency and it is thought it might be the first traditional style house in the UK to be built to Passivhaus plus standard, which would add another exceptional quality to the proposal, and represent an important innovation in modern traditional-style country house design.

5. The Decision Notice (12.05.22) and Officer's Report (04.05.22)

5.1 I will confine my remarks principally to the issues raised in the refusal of consent to whether or not the Hodder Grange proposal met the 'exceptional/outstanding' quality standards set out in NPPF paragraph 80e

5.2 The Decision notice of 12.05.22 states:

'The design is a pastiche of Georgian Architecture with no distinction or invention and the inclusion of energy efficient features within a new build property is not considered to represent outstanding design. The dwelling would lack the context of a traditional country estate which would have evolved through a set of specific economic and social circumstances'.

5.3 As such, it is argued that the proposal is not outstanding nor does it raise the standard of design locally, and thus does not meet the exceptions as set out at Para 80e of the NPPF.

5.4 The associated Officer's Report 04.05.22 report makes the following statements with regards to the quality of the design:

- (i) **'The design is a restrained neo-classical and it is suggested that the scheme borrows from nearby historic large houses – however it has no panache, distinction or invention. It is considered that, borrowing in detail and form from historic precedents diminished their historical importance and uniqueness.'**
- (ii) **'The dwelling presented is a house which takes reference from Georgian architecture but is to be built to modern standards of energy efficiency and is claimed to be the first Passivhaus plus. Georgian country houses in the area such as Stoneyhurst have historic interest and as well as their architectural quality have significance because of their 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. The reflected the status of the occupants and the clear social hierarchy of the time. Their influence on the landscape remains far reaching. In this regard the proposal is a pastiche and therefore not unique in terms of its style it could also detract from and confuse the significance of the historic country house.'**

6. Rebuttal of the points made re design quality

6.1 To address the overall comment in the Decision notice (12.05.22):

6.2 I do not think that the proposed house is accurately described as ‘a pastiche of Georgian Architecture with no distinction or invention’. It is clear that the proposal is inspired by the classical tradition, and has consciously derived its design character and form by close observation of local houses of distinction, but that it also introduces a degree of novelty in planning and integration of the different elements.

6.3 In the spirit of Para 80e, the design seeks to balance local building tradition (‘sensitive to the defining characteristics of the local area’) with presence and ‘distinction’. The resulting design echoes in some ways the approach of Edwardian architects to the same challenge, where novel elements are introduced, such as the curved bow, and the first-floor pedimented tripartite window arrangement which are dealt with in a way which nods to the past, but that cannot be said to be directly copied.

6.4 The overall design also seeks to achieve a delicate balance of distinction and restraint – itself an echo of the local large farm houses and manor houses, within a sophisticated designed landscape, inspired and reflecting the natural context. It is, in short, a modern response to the late Georgian ideal of a compact stone-built villa, (of which Lancashire possesses a number of admired examples) well set into the sloping landscape setting, and enhanced by a well-considered landscape plan, with extensive new tree planting and sheep-grazed parkland.

6.5 ‘Pastiche’ is a word which is often used in a negative way to suggest a lack of originality, especially used by those who favour modernist over traditional design but its original meaning was not negative, and meant something more like ‘in homage’. For example, the *Collins Dictionary* defines it thus: ‘A pastiche is something such as a piece of writing or music in which the style is copied from somewhere else, or which contains a mixture of different styles’, thus most historicist or historically-inspired architecture (and a good bit of modernist-inspired architecture) might be called pastiche if it was useful to do so.

6.6 ‘Pastiche’ is a phrase that evolved from cooking (*pasticcio*, a meat and pasta pie), to be applied to music (the free adaptations of other composer’s work within another composition), and later to art and architecture. It is a not a term included in NPPF Para 80e advice, which gives no comment as to design inspiration (traditional or modern), but does reference ‘characteristics of the local area’.

7. Officer's Report Further points.

7.1 To address the first comment re design quality in the Officer's report:

- (i) *The design is a restrained neo-classical and it is suggested that the scheme borrows from nearby historic large houses – however it has no panache, distinction or invention. It is considered that, borrowing in detail and form from historic precedents diminished their historical importance and uniqueness.*

7.2 The Officer recognises the design inspiration for the house comes from the restrained neo-classical exemplars cited in the design and access statement, which are, of course, a highly regarded part of Lancashire's built heritage. The Officer's view is however is that 'it has no panache, distinction or invention', again not terms from the NPPF advice itself, but presumably intended to suggest that the design lacks originality or the 'exceptional' qualities required by Para 80e.

7.3 Conversely, I would say that the very plainness and restraint of the design can be said to both respect local building traditions, and to possess its own panache and distinction. To my mind, the house while is clearly rooted in the late Georgian tradition, also echoes that deliberate plainness that often characterised the country house design of the Edwardian era, and of the 1920s and 30s.

7.4 In the Edwardian period English country houses were admired around the world, as reflected by the publication of *Das englische Haus*, by Herman Muthesius in 1904-05, a German cultural attaché making a study of the achievements of English domestic architecture; and it is evident from the pages of this book that a restrained neo-Georgian was an important thread in British architectural achievement.

7.5 On the subject of the 'borrowing of detail and form from historic precedents' it is not quite clear whether the officer is suggesting that because they are 'borrowed' their significance is diminished in the context of the new design, or whether because they are 'borrowed' this would in some way diminish the significance of the originals.

7.6 I have commented on numerous Para 80e proposals of modern traditional design, where it is recognised that the echoing of traditional materials and details is a positive part of the new design, continuing a long-established language and local tradition (celebrating 'defining local characteristics)', but often newly interpreted in subtle ways to respect modern life, and modern environmental concerns. I do not see how imitation can be said to diminish the

originals, rather it elevates them as the model for traditional specialist makers today (as reflected in the long history of traditional architecture).

7.7 To the second principal design commentary in the Officer's report:

(ii) Georgian country houses in the area such as Stoneyhurst have historic interest and as well as their architectural quality have significance because of their 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. They reflected the status of the occupants and the clear social hierarchy of the time. Their influence on the landscape remains far reaching. In this regard the proposal is a pastiche and therefore not unique in terms of its style it could also detract from and confuse the significance of the historic country house.

7.8 This point is presumably intended to convey the idea that it is impossible to replicate the evolution of the place of the historic country house of earlier centuries in a new way, because the significance and value of the historic country house (such as say Stonyhurst, one of the Grade I houses of the region) lies in their evidencing the particular evolutions of history and the set of 'social, economic and political circumstance' at the time of their construction.

7.9 Clearly these buildings derive their interest from all the circumstances mentioned, but it might be useful to observe here that Stonyhurst is not a Georgian country house (but dates back to the sixteenth and seventeenth centuries), and although it was for much of its history, a country house, it is no longer a country house; this is evidence of how circumstances change however clearly defined the story of the house in relation to land and other economic contexts when built; indeed it became a school in the Georgian period.

7.10 It is also interesting to note that a new residential build (Weld House) at Stonyhurst College has been built in a traditional neo-classical style, with stone façades and dormered windows, and some of the detailing picked up from the local building traditions which appears in the Hodder Grange proposal. In general, I would say that the Officer's argument would be counter to giving consent to any Para 80 e house in any style, and must therefore be regarded as self-contradictory.

7.11 Furthermore, the proposal is self-evidently an expression of its own time, which may include the desire to build in traditional style and materials to honour and celebrate the district and area, which the clients have known and loved for some time, and to design in a manner which reflects the most up to date environmental credentials. Traditional design has remained in play

throughout the twentieth- and early twenty-first century, and is recognised not only in the TAG (linked to the RIBA), a panel of which carried out a constructive peer review of the proposals, but also in other groupings such as INTBAU, The International Network for Traditional Building, Architecture & Urbanism; ; and in a number of consents given under NPPF Para 80e (and its predecessors, Paras 55 and 79) for contemporary Modern Classical houses producing memorable built results which add to the interest of both landscape and architecture in a given region.

7.12 The proposed house takes inspiration from the past, but will be a production of the present, and will not be mistaken as a 'copy'; indeed, the accommodation and outbuildings of the house all reflect the contemporary values of clients who are dedicated to the region and locality. I do not think this speaks to the definition of pastiche implied by the Officer's report; nor can it really be convincingly suggested that to allow consent for the proposed house, in some way diminishes the significance of other local historic country houses.

7.13 More generally, as I wrote in my formal letter of support for the application, this proposal does seem to me, as an experienced observer and commentator, to answer the high requirements set out in NPPF Para 80e:

'The house has been developed into an 'ideal' large farmhouse/country house form, a square plan arranged around a central hall, with an integrated service yard and orangery/garden room, well settled into the sloping ground, simple classical elevations, and features of interest on each elevation. The proposal while drawing on clear local and national precedents also will be the first Modern Classical style house in the Ribble Valley's architectural story.

7.14 Alexandra Fishpool has made a careful study of local vernacular, looking at farmhouses and local country house of significance from which detailed reference has been drawn, as set out in the design and access statement on pp.14-17 of her statement. The proposed main house is to be in local stone, reflecting local building traditions and will require the best quality masons' work. Local houses which stand out for their compact elegance and simplicity, including Downham Hall, Downham, and others such as Whins House, Read Hall and Chaigley Manor have informed the design.

7.15 The combination of the exceptional and thoughtful Modern Classical design by Sandy Fishpool, with the highest level of sustainability proposed, *Passivhaus Plus*, and the extensive proposed landscape improvements designed by Alex Robinson on this scale go together to form an 'outstanding' quality proposal, under Para 80e requirements. As noted, this is thought to be the first new Modern Classical house which will achieve *Passivhaus Plus*

status in the UK, 'a true Zero Energy/Zero Carbon house', setting a new low carbon standard for the rural built environment. In my view, the result is an English domestic gem set in an ideal, natural and improved English landscape, within the Forest of Bowland.'

8. Conclusion:

8.1 In conclusion, I would say that the proposal is 'outstanding' according to the requirements of NPPF Para 80e, for the reasons set out above.

8.2 I would also argue that the officer in advising refusal in the way described above, has not convincingly shown that the proposed house, Hodder Grange, designed by Alexandra Fishpool of Rural Solutions, with a well-developed landscape proposal by landscape architect Alex Robinson of Rural Solutions, is not 'exceptional' or 'outstanding'.

8.3 The arguments presented about its 'pastiche' quality are subjective, and the idea that a new building of this scale and presence in a traditional style diminishes the significance of major historic country houses locally are really arguments against NPPF Para 80e in general and modern traditional building, and not the individual proposal under consideration.

8.4 I also note that there are no recent Modern Classical houses of similar scale, quality and presence in this area, which combine the same degree of new landscaping and environmental credentials, which further illustrates the 'exceptional' and 'outstanding' quality of the proposal.

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3/2021/1008 LAND AT HIGHER HODDER BRIDGE (FIELD TO SOUTH) CHIPPING ROAD CHAIGLEY CLITHEROE BB7 3LP, PROPOSED NEW HOUSE OF EXCEPTIONAL QUALITY (NPPF PARAGRAPH 80E) OF PASSIVHAUS PLUS AND ZERO ENERGY DESIGN WITH ASSOCIATED LANDSCAPING AND BIODIVERSITY ENHANCEMENTS.

1.1 This statement is submitted in response to the refusal of planning permission dated 12th May 2022 and in support of the submitted appeal.

1.2 The TAG Design Review process was set up to give expert, in depth and focused advice on design issues concerning traditional and classical design. This alternative to other local authority or other independent review processes was initiated as the specialist advice required for reviewing these types of schemes was not previously available through other review mechanisms.

1.3 The architects who participate in the TAG design review panels (DRP's) are well versed in the issues that are of concern for that particular proposal and look where possible to be formed of locally based practitioners so that a full understanding of the issues of context and landscape are also well understood. If a project is proposed in a particular traditional or classical language the panel is chosen to reflect specialisms that will allow the best most informed dialogue between the panel and design team to take place and be productive.

1.4 The intention is to help to advance any scheme and design process developing a depth of thought and design quality based on what is presented. This is the starting point for any discussion. It is important not to have a preconceived notion of how any design team should proceed. The TAG panel looks to have an intelligent conversation between learned colleagues (again based on and proceeding from what is presented) and not try and dictate any particular response.

1.5 The scope of focus of the panel is therefore regarding the review of the design (architectural and landscape) and how all the other numerous factors necessary to achieve such a design are successfully integrated into the work, how that work relates to its local and regional context as well as how that new work responds to the *zeitgeist* and continuum of the practice of art of architecture.

1.6 Colin St John Wilson talks about the nature of design, he says:

The essential characteristics of a work of practical art are significantly shaped by the way in which it is called into being in the first instance. For a work of architecture this differs radically from that process in other Art – indeed the clearest indication of architecture's status as a practical rather than a fine art is demonstrated by this process.

A work of architecture is called into being to serve the cause of innumerable and unpredictable patterns of operation in day-to-day life. Its conception can therefore never be immaculate. It has a concrete historical provenance growing from a whole complex of conflicting aims that are in themselves grounded in initiatives and agencies far removed from the discipline itself: and when completed it has to stand in real space and time in defiance of all that nature and the whim of man may bring to it. Summoned out of such unpredictable and uncontrollable circumstances the work is required to open itself to the demands of the day-to-day or the timeless; to whatever task, region or timetable it may be summoned.

From *Architectural Reflections Studies in the philosophy and practice of architecture*

1.7 The Applicant's agent has clearly set out the involvement of the TAG DRP in the development of the scheme. As is stated this was intensive and extensive.

1.8 The above is especially important regarding a Paragraph 80e proposal. The new work comes into being through the detailed consideration of these many variables which St John Wilson alludes to in general. Then there is the *zeitgeist* also mentioned above, the need to provide a work that is ultimately outstanding and responsible to the wider diaspora of carbon neutral energy efficiency and relieving society from the dependence on petroleum products. At the same time achieving significant landscape and biodiversity enhancements and an aesthetic design which is well considered incorporating the practicalities of the necessary technical systems and providing a wholistically composed form. And a form relevant to its place.

1.9 The TAG DRP could only agree that the scheme finally presented to the panel met the criteria below as set out in the NPPF:

e) the design is of exceptional quality, in that 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.*

1.10 In the officer's report they refer to the scheme as being pastiche in regard to its relationship to the surrounding landscape and land uses and then extends this idea of *pastiche* to the issue that the design is based on a Georgian idiom and therefore not unique.

1.11 It is worth examining the idea of *pastiche*.

From Wikipedia:

A pastiche is a work of visual art, literature, theatre, music, or architecture that imitates the style or character of the work of one or more other artists.^[1] Unlike parody, pastiche pays homage to the work it imitates, rather than mocking it.^[2]

The word pastiche is a French cognate of the Italian noun pasticcio, which is a pâté or pie-filling mixed from diverse ingredients.^{[1][3]} Metaphorically, pastiche and pasticcio describe works that are either composed by several authors, or that incorporate stylistic elements of other artists' work. Pastiche is an example of eclecticism in art.

1.12 The reporting officer of course makes the mistake that in order for a thing to be outstanding it should be unique. Even differently conceived architecture such as that derived from the modernist movement has a prevenience of ideas and forms that are still readily used today, mistakenly seen as new and innovated but which in fact have roots founded in stylistic developments of over 100 years ago.

1.13 It is worth noting the planning inspector's comments on the appeal reference:
APP/L3245/W/21/3289722 Land south of Fitz, Fitz, Shrewsbury, SY4 3AS-

Whether the design is truly outstanding, reflecting the highest standards in architecture

6. The site in its present state has different components, comprising woodland, farmland and a semi-wooded bank to the river. The area on which the house is proposed has been previously cleared.

7. The proposal has had a protracted design process. Elements such as a central dome have been altered or eliminated and through a process of consultation and evolution, the scheme now proposes a neo-classical building that is set on high ground back from the river's edge, taking advantage of the varying site levels and existing woodland. The appearance of the building, together with its compact nature, is reminiscent of a folly in the English grand house tradition. The style of the dwelling draws heavily on the classical architecture of the past. In this regard it could be considered a pastiche, in the same way that neo-classical architecture of the past drew on the eras that went before.

8. However, unlike a traditional folly, the building would have a practical purpose as residential accommodation. Views from and towards Fitz from the appeal site are shielded by woodland that would be retained and managed as part of the property, with limited views from other public spaces. The main views of the building would be within the expansive site area with glimpses from the river. The surrounding site area would have a mix of domestic and pastoral space that would both blend and enhance the existing landscape, whilst creating an appropriate setting for the new building. The design process has been subject to robust review to ensure that the development would not only stand as high-standard development in its own right but also be a positive addition to the rural setting.

9. I appreciate that appearance and design can be a subjective matter but consider that in this case, the rigorous design process has resulted in a proposal that successfully blends traditional and modern styles. It is coherent and would provide a legible building that is well integrated within both the altered and existing parts of the surrounding landscape. Its design achieves a very high standard of quality and in this regard, I consider that it passes the relevant test.

1.14 There was much discussion about the origins of the architecture proposed and a prominent regional architect in George Webster was cited as a good starting point from which to develop the austere simple architecture of the proposed building. The new design is an interpretation of that aesthetic not a by-rote copy and therefore an original work that draws from the tradition of place.

1.15 Incorporated in the building and a factor which has determined its form and construction are the energy conservation features. The expression of the thick walls of a traditional building suite a thermally stable passive house construction as does the wall to window ratio favouring solid walls.

1.16 The building has focus onto different aspects of the landscape and reflects the use of those aspects. The aspect informs the design of the elevations.

1.17 Another contradiction stated in the officer's report is to do with the idea of the country house and its relationship to the landscape setting. They say:

Georgian country houses in the area such as Stoneyhurst have historic interest and as well as their architectural quality have significance because of their relationship to surrounding land uses, such as estates and parks and gardens.

1.18 Is this proposal precisely this as stated by the officer as above and in that: *These houses developed due to a unique set of social, economic and political circumstances at the time. They reflected the status of the occupants and the clear social hierarchy of the time. Their influence on the landscape remains far reaching.*

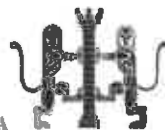
1.19 After all before some of what we now consider to be historic estates existing there was just the open countryside. This proposal is a continuation of the English country house tradition, there can be no doubt about that.

1.20 The officer does not commend the outstanding quality that will be delivered in terms of the construction and that the craft skills needed will achieve a revival of certain traditional techniques such as in the stonework as well as incorporating these traditional forms of construction with the new of the passive house standards.

1.21 This is a total work of architecture, a *Gesamtkunstwerk*, as the principles of the Bauhaus would have it, a comprehensive artwork.

1.23 I trust the above clarifies the position and answers in detail the points made by some objectors but which we have demonstrated as either unfounded or not acknowledging the detailed review process followed by our Panel for this proposal.

Respectfully submitted- Scot Masker, RIBA, Review Panel Facilitator for and on behalf of the Traditional Architecture Group Design.



A Linked Society of the RIBA

The Traditional Architecture Group is an independent voluntary association of RIBA members. It is a Linked Society of the RIBA but retains no legal or financial call on the RIBA. The aims of the society are to celebrate the highest achievements of the past as a living source for modern inspiration. The group seeks to work within architectural, planning and educational disciplines to promote the value of a traditional approach in architecture and design. The group will provide mutual support, a meeting point and a venue for the exchange of ideas for those individuals interested in or practicing contemporary traditional architecture.

Its registered and correspondence address is
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Hodder Grange, Chaigley. Heritage Appeal Statement

Heritage Appeal Statement to Support Appeals by Mr and Mrs Bell against refusal by Ribble Valley Borough Council of application: 3/2021/1008 for planning permission for “A proposed new house of exceptional quality (NPPF Paragraph 80e) of Passivhaus Plus and Zero Energy design with associated landscaping and biodiversity enhancements.”.



Plate 1. View towards Hodder Bridge from the appeal site

Hinchliffe Heritage for Rural Solutions
7th February 2023

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1. Introduction

1.1 This Heritage Appeal Statement has been prepared by John Hinchliffe of Hinchliffe Heritage. John Hinchliffe has 33 years experience as a conservation planner with local authorities and over ten years experience as an independent heritage consultant. He was World Heritage Site Officer for Liverpool City Council for eleven years, representing Liverpool's World Heritage Site at international heritage conferences and meetings. He has given lectures on heritage issues at universities and public fora across Europe, in Asia and in the USA and Canada. He has had papers published in *Context* (the journal of the IHBC) on heritage issues, including on the setting of heritage assets. He was secretary to the West Lancashire Conservation Areas Advisory Panel for 14 years and secretary to the Liverpool Urban Design and Conservation Advisory Panel for four years. He has provided heritage advice on some major projects and sites of national and international significance. Whilst Conservation Officer at West Lancashire District Council, he dealt with the conservation issues involving many historic houses, including the Grade I listed Scarisbrick Hall and Rufford Old Hall, and then started to develop an appreciation of the heritage significance of Lancashire's historic country houses. At the time of writing, he is retained as the external Heritage Consultant to Craven District Council, although this is likely to cease when the local authorities in North Yorkshire are re-organised in 2023. He has given evidence as expert heritage witness at several public inquiries and informal hearings during appeals into refusal of applications and listed building enforcement notices over the last forty years. He is a member of the Institute of Historic Building Conservation and the Royal Town Planning Institute.

1.2 John Hinchliffe first became involved in the proposal for a new country house in November 2019 at a very early stage in the design process, when he was commissioned to prepare a report on country houses to inform the design process. He produced the report *The Tradition of Country Houses in the Forest of Bowland, Ribble Valley, Lancashire and England* (Appendix 1) on 16th April 2020 and he has continued to advise on the design and on heritage issues throughout the process to date. He prepared an updated version of the report, *The Country House Report* (Appendix 2) in November 2021 to support the planning application.

1.3 This Heritage Appeal Statement has been prepared to support an appeal by Mr and Mrs Bell against refusal by Ribble Valley Borough Council (RVBC) of application: 3/2021/1008 for planning permission for "A proposed new house of exceptional quality (NPPF Paragraph 80e) of Passivhaus Plus and Zero Energy design with associated landscaping and biodiversity enhancements."

1.3 The application was received by Ribble Valley BC on 22nd October 2021 and refused on 12th May 2022 for six reasons. This Heritage Appeal Statement seeks to address the reasons for refusal which are connected to design and heritage issues:

2. Notwithstanding the fundamental matters of principle with regard to "isolation" the proposed development is not considered to represent truly outstanding design.

The design is a pastiche of Georgian Architecture with no distinction or invention and the inclusion of energy efficient features within a new build properties is not considered to represent outstanding design. The dwelling would lack the context of a traditional country estate which would have evolved through a set of specific economic and social circumstances.

Hodder Grange, Chaigley. Heritage Appeal Statement

As such the proposal is not considered to be outstanding or raise the standard of design and does not meet the exceptions set out at para 80e of the NPPF.

3. The proposal would fundamentally change the local landscape which has remained as agricultural land for over 150 years and would confuse the significance of the historic hierarchy of land uses which are an important characteristic of the AONB.

It would not significantly enhance its immediate setting or be sensitive to the defining characteristics of the local area and does not meet the exceptions set out at para 80e of the NPPF.

4. The site lies directly adjacent to Grade II listed Higher Hodder Bridge with the principal entrance to the site taken directly adjacent to it and in its immediate setting. The formation of ornate entrance gates in the immediate setting will draw the focus away from the bridge and detract from its significance.

The proposal fails to make a positive contribution to local character and distinctiveness as it will detract from and confuse historic patterns of development and the hierarchy of dwellings founded in historic economic and social circumstances.

It is considered that the proposal would constitute harm to the wider setting of the nearby listed historic houses, the immediate setting of the bridge and the cultural heritage of the AONB which is not outweighed by public benefit and as such is contrary to the NPPF para 197 and 202 and policies EN2, EN5 and DME4 of the core strategy.

2. Statement of Case

2.1. Description of the Site and Its Setting

2.1.1 A full description of the appeal site and its setting is provided at Page 35 of *The Country House Report* (November 2021) by Hinchliffe Heritage and does not need to be repeated in full in this Heritage Appeal Statement. In summary: the appeal site is an isolated "greenfield site" in the open countryside, in the valley bottom and on the S bank of the River Hodder, with a narrow frontage on to Chipping Road, on the S side of Higher Hodder Bridge; the River Hodder and its river banks at this point are renowned for their scenic beauty; a public footpath runs along the opposite side of the river from the application site, through the woods and; an historic pier (presumably from an earlier bridge) is shown on maps in the river W of the existing bridge, albeit it is outside the application site.

2.2.2 Higher Hodder Bridge is a road bridge over the River Hodder, which is very similar, although not identical, to Lower Hodder Bridge, approx 2km further S downstream.

2.2.3 Higher Hodder Bridge is constructed of coursed sandstone ashlar, with some rebuilding of the upper courses in rock-faced sandstone. It has two elliptical arches spanning the river with a central cutwater of triangular section, although a further partial arch runs into the rising ground at the SE end. It has a solid parapet with bevelled coping and a string course. In the centre of the S parapet wall, on the former county boundary is a raised pyramidal coping panel with two incised pointing fingers and the inscription "Mitton Yorkshire: Chaigley Lancashire". It has some masons' marks visible on ashlar blocks. At the termination of each parapet wall is a rounded pier with a spherical cap and an iron ring.

2.2.4 A much later wall of two phases is attached at the E end of the bridge. The immediately adjacent length is constructed of roughly coursed stone on both sides and has a crenellated stone coping at the same height as the parapet wall of the bridge. The outer length: is approx 900mm higher; has a facing of stone on the road side; has an ashlar base on the field side with two courses of concrete blocks above and; has a crenellated stone coping. The bridge and the wall are outside the appeal site.

2.2.5 Chaigley is part of a rural parish with Aighton and Bailey, which is a collection of mostly dispersed cottages, houses and farms, rather than a group of buildings forming a concentrated hamlet. There are a few stone-built dwellings (including the converted former Hodder Bridge Inn) on the higher ground to the E of Hodder Bridge and a stone-built terrace of three cottages on the W side of Hodder Bridge, at the bottom of Birdy Brow.

2.2. History of the Site and Its Setting

2.2.1 A full history of the appeal site and its setting is provided at Page 10 of *The Country House Report* (November 2021) by Hinchliffe Heritage and does not need to be repeated in full in this Heritage Appeal Statement. In summary: the appeal site has never been developed and has always been agricultural land. At the beginning of the 20th C, it was owned by the Co-operative Society (which was founded in Rochdale) and was then gifted by the society to the town of Accrington in 1916. It changed hands several times and was owned at one time by the Townson brothers but it is now within the holding of Manor

Hodder Grange, Chaigley. Heritage Appeal Statement

Farm (formerly Holme Farm), on the W bank of the river and on the N side of Chipping Road.

2.2.2 The existing Higher Hodder Bridge was probably built in the late 18th C to replace an earlier bridge and was probably designed by Bernard Hartley (father of Jesse Hartley, the great dock builder who created the Albert Dock, Stanley Dock etc in Liverpool), who was the Bridge Surveyor for the West Riding County Council at that time.

2.2.3 The appeal site is within the Forest of Bowland which was historically a royal hunting ground. Much of the land, which was not reserved for hunting, was put to agricultural use. A significant impact on the landscape took place in the 16th and 17th centuries, when parts of the wild moorlands and woodlands were enclosed and converted to meadow and pasture, with boundaries of earthen banks and hedges and then dry-stone walls where bedrock was easily available. The area around the application site has always been primarily an agricultural area, although there have also been some quarrying industries.

2.2.4 Up until the 17th C most farmers lived in small villages and the buildings were mostly timber-framed, many with cruck frames and thatched roofs. The great barn at Stonyhurst is one of the finest examples of this building type. Only the more prestigious homes and buildings were built in stone up until the 17th C but then the use of local stone became more widespread during the great period of building and rebuilding in the 17th C.

2.2.5 Up until the 18th C, most of the dispersed large country houses were the homes of the lords of the manor in the vernacular architectural styles but then there was a wave of new country houses for successful merchants and industrialists, usually in classically-inspired, or at least polite, architectural styles. Several of the mid-sized country houses survive, dispersed around this part of the Ribble Valley and beyond, although many have also been demolished, mostly due to the high cost of their maintenance and repair in changing economic and social circumstances.

2.2.6 The distribution of the surviving country houses around the appeal site at Hodder Bridge is provided at Page 10 of *The Country House Report*.

2.3 Heritage Designations

2.3.1 There are no designated or non-designated heritage assets within the appeal site.

2.3.2 The only listed building within 400 metres of the application site is Higher Hodder Bridge, which is approx 10m from the access into the site from Chipping Road but much further from the site of the proposed building. A later stone wall adjacent to the existing access abuts the E end of the S parapet wall of the bridge.

2.3.3 The listing description of Higher Hodder Bridge (for identification only) is:

Higher Hodder Bridge 13.2.67 II

Bridge over the River Hodder, probably late C18th. Sandstone ashlar with some rebuilding of the upper courses in rock-faced sandstone. 2 elliptical arches, with cutwaters of triangular section and solid parapet with coping and string. Some masons' marks visible on ashlar blocks.

2.4 Heritage Significance

2.4.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 refers to listed buildings as buildings “of architectural or historic interest” and requires that special regard should be paid to preserving the building or its setting or any features of special architectural or historic interest which it possesses. However, more recently, Historic England expresses the “special interest” of heritage assets as “Heritage Significance” and the National Planning Policy Framework (2021) requires that:

*194. In determining applications, local planning authorities should require an applicant to describe the **significance** of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance....*

*195. 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.*

2.4.2 The Glossary of the National Planning Policy Framework (NPPF) (2021) defines “Significance” (for heritage policy):

The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.

2.4.3 In assessing the heritage significance of the appeal site and its setting in this Heritage Appeal Statement, special regard has been paid to the potential heritage interest/significance of the site and its setting, as identified in the NPPF and the generic heritage values, as defined in Historic England’s *Conservation Principles* (2008). This latter document asserts that a tangible heritage asset can have the following four values:

Evidential value - the potential of a place to yield evidence about past human activity.

Historical value - the ways in which past people, events and aspects of life can be connected through a place to the present.

Aesthetic value - the ways in which people draw sensory and intellectual stimulation from a place.

Communal value - the meaning of a place for the people who relate to it, or for whom it figures in their collective experience or memory.

2.4.4 There are no heritage assets within the appeal site and so the definition of heritage significance in the NPPF and *Conservation Principles* do not apply to the appeal site because the site does not have any meaningful heritage significance. However, Higher

Hodder Grange, Chaigley. Heritage Appeal Statement

Hodder Bridge is a designated heritage asset, has heritage significance and it embodies heritage values.

2.4.5 Historic England provides some guidance on assessing the heritage significance of heritage assets in its *Statements of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12*, albeit that this document recommends that statements of significance should describe the significance of the heritage assets in terms of their Archaeological Interest, Architectural and Artistic Interest and Historic Interest. A brief statement of Significance for Higher Hodder Bridge is provided below, based upon that guidance:

Brief Statement of Significance of Hodder Higher Bridge

Higher Hodder Bridge was built at the end of the 18th C to replace an earlier bridge as a crossing point over the River Hodder. It is a Grade II Listed Building.

Higher Hodder Bridge has evidential value as, together with several other bridges over the River Hodder, it bears witness to the need of the local population to cross the river for the purposes of general movement, communication and the transportation of goods, mainly to/from the nearby town of Clitheroe. It has further evidential value due to its construction in sandstone, thereby providing evidence of the locally quarried building material.

Higher Hodder Bridge has historical value as an example of the work of Bernard Hartley (father of Jesse Hartley, the great dock builder who created the Albert Dock, Stanley Dock etc in Liverpool), who was the Bridge Surveyor for the West Riding County Council at that time. It thereby demonstrates the high quality of civil engineering which was undertaken by the municipal authorities at that time. The stone plaque in the centre of the bridge with inscribed pointing fingers and the lettering "Mitton Yorkshire: Chaigley Lancashire" also has historic interest as it demonstrates that when the bridge was built, the river formed the boundary between Lancashire and Yorkshire. The masons' marks which are visible on some ashlar blocks also have historic interest in demonstrating the work of 18th C masons.

Higher Hodder Bridge has architectural and aesthetic interest primarily due to the two and a half fine elliptical arches which span the river but also due to: the combined use of ashlar and rock-faced sandstone (mostly during later repairs); the cutwaters of triangular section with pilasters rising up from them and terminating at the coping with enlarged coping blocks with shallow pyramidal top surfaces; solid parapets with dual-pitched copings and strings and; circular domed buttresses at each end, complete with embedded iron tying rings. The bridge's location over the picturesque River Hodder provides the very justification for the bridge, but the bridge combines with the river, the surrounding country roads, woodlands, dispersed stone buildings and rolling topography to create a rural scene of high aesthetic value.

Higher Hodder Bridge is part of the national public highways network and is located within a wider popular scenic site. It is therefore appreciated and valued by the public on a daily basis and so has some communal value.

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The bridge itself has no known archaeological value but the presence of a former pier nearby in the river suggests that it may have some archaeological value.

In summary, Higher Hodder Bridge has **Medium** Heritage significance.

2.5 Relevant Heritage Legislation, Policies and Guidance

2.5.1 The Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF both establish the importance of the desirability of preserving the setting of listed buildings.

2.5.2 S 66 (1) of the 1990 Act states:

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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.

2.5.3 The NPPF states:

199. 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

2.5.4 Historic England also stresses the importance of preserving the setting of listed buildings, not least in its *The Setting of Heritage Assets: Historic Environment Good Practice Advice Planning Note 3. (December 2017)*

i) This document reinforces the importance of the setting of heritage assets and provides guidance on managing development that may affect the setting of heritage assets. It begins by stressing the importance of setting and its careful management:

The significance of a heritage asset derives not only from its physical presence and historic fabric but also from its setting – the surroundings in which it is experienced. The careful management of change within the surroundings of heritage assets therefore makes an important contribution to the quality of the places in which we live.

ii) It and the NPPF define setting:

...as 'the surroundings in which [the asset] is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'.

iii) It sets out key principles for the understanding of setting:

- *Setting is the surroundings in which an asset is experienced...*
- *The extent and importance of setting is often expressed by reference to visual*

considerations...

- *Setting will, therefore, generally be more extensive than curtilage...*
- *The setting of a heritage asset can enhance its significance whether or not it was designed to do so. The formal parkland around a country house... may...contribute to the significance.*
- *The contribution that setting makes to the significance does not depend on there being public rights or an ability to access or experience that setting.*

iv) It provides guidance on assessing proposed and past changes:

11. Protection of the setting of heritage assets need not prevent change; indeed change may be positive, for instance where the setting has been compromised by poor development. Many places are within the setting of a heritage asset and are subject to some degree of change over time. NPPF policies, together with the guidance on their implementation in the Planning Policy Guidance (PPG), provide the framework for the consideration of change affecting the setting of undesignated and designated heritage assets as part of the decision-taking process (NPPF, Paragraphs 131-135 and 137).

v) It recommends a five-stage methodology for assessing the impact of development on the setting of heritage assets. (The methodology was undertaken in respect of the proposal under appeal at Page 49 of *The Country House Report*.)

2.5.5 The relevant policies in the Ribble Valley Local Plan Core Strategy are provided at Appendix 3.

2.6 The Design Process, the Purposes and Key Findings of *The Tradition of Country Houses in the Forest of Bowland, Ribble Valley, Lancashire and England Report (The Tradition of Country Houses)* and the *Country House Report*

2.6.1 From the beginning of the process of trying to secure planning permission for a new house at Higher Hodder Bridge, the appellants and the design team were fully aware of the provisions of Para 80 of the NPPF. In particular, they were aware of Para 80e which provides for the approval of applications for isolated homes in the countryside provided that:

- ...the design is of exceptional quality, in that it:*
- *is truly outstanding or innovative, 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.*

2.6.2 The principle purpose of *The Tradition of Country Houses* was therefore to provide a solid and informed understanding of "the defining characteristics of the local area" so that the understanding would help to: inform the detailed design of the proposed house and its grounds; achieve truly outstanding architecture which is sensitive to the defining characteristics of the area and; to justify the principle of a new country house in the Hodder Valley, in line with the very purpose of Para 80. The full report is provided at Appendix 1 but its summary (at Page 35) was:

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- 1. There is a strong national, regional and local tradition of building country houses.*
- 2. The Forest of Bowland is an Area of Outstanding Natural Beauty but it is actually a cultural landscape.*
- 3. The Countryside Commission and Natural England both recognise that isolated country houses and farms are fundamental to the character of the Forest of Bowland.*
- 4. The size, materials and architectural style of country houses varies considerably throughout the country and the County.*
- 5. The finest examples generally embody a consistent high quality of detail throughout, from: the inter-face with the public highway with ornamental gate piers and railings; the outer informal landscaping; the route along the driveway into the forecourt and; in the formal gardens around the house, as well as throughout the interior and exterior of the buildings.*
- 6. The size and architectural style of country houses in NE Lancashire and the area around Hodder Bridge also varies considerably but they have a general unity of being constructed of local sandstone/Millstone Grit, sometimes with random rubble coursing, sometimes with regular coursing and sometimes with ashlar for the principle facing material and sometimes only for architectural features.*
- 7. The majority of the country houses around Hodder Bridge are vernacular houses of the 17th C or earlier but many of them incorporate classical motifs and details such as columns and pilasters.*
- 8. A substantial number of country houses in the wider Forest of Bowland exhibit a pure classical Georgian style, and embody the principles of Palladian design: symmetry, order and balance.*
- 9. Many country houses within the Forest of Bowland stand within their own extensive parkland estates and vary in the extent to which they can be appreciated from publicly accessible viewpoints but almost all announce their presence at the interface with public routes through refined architectural gateways which provide a foretaste of the architectural expression of the house beyond.*

2.6.3 This summary established that there is a tradition of country houses in the Forest of Bowland and that their defining characteristics in the local area, include: the classical Georgian style, embodying the principles of Palladian design of symmetry, order, rhythm, hierarchy and balance; the use of ashlar cut from local sandstone/Millstone Grit; a consistent high quality of detail throughout, from the inter-face with the public highway with ornamental gate piers and railings, along the route of the driveway into the forecourt and to the front door; outer informal landscaping; formal gardens around the house, as well as throughout the interior and exterior of the buildings.

2.6.4 Following the circulation of *The Tradition of Country Houses*, the architect (Sandy Fishpool) and landscape architect (Alex Robinson) began to design the proposed house and its grounds, and the design team and the appellants held a series of meetings to create a design for the building and landscape which both meets the clients aspirations and delivers a development which will continue the traditions of the area. John Hinchliffe

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made constructive suggestions as part of the iterative design process and in response to the emerging design, including a comment to the architect and landscape architect in an email of 10th January 2020 that:

I consider that the initial design is well-balanced, elegant and has potential to redeveloped into a highly-pleasing composition. Orientation through the house flows well through both axis and is well-integrated with the service block at the rear...

...the ultimate proposal should ideally demonstrate a consistent high quality of detail throughout, from the inter-face with the public highway, the outer informal landscaping, the route along the driveway into the forecourt and in the formal gardens around the house."

He then provided advice on specific detailing. The design had developed since that time and has generated the subsequent comment that it is:

... strongly rooted in the classical tradition but with some quirky contemporary elements.

2.6.5 Importantly, the design of the house and the landscape treatment has been through a rigorous assessment by the Traditional Architecture Group Peer Review Panel (see www.traditionalarchitecturegroup.org), which visited the site on 21st June 2021, engaged in a discussion and issued a supportive report on 29th June 2021. The report included some constructive comments and concluded:

The Panel thought that the project has the potential to achieve an exceptional design. The building process that would be part of this project in itself would be a significant exceptional and innovative departure from the norm.

Subject to the production of more detailed information and further evidence to support the ability of the design to achieve the Passivehaus standards (which formed an integral and highly important aspect of the proposal) in association with further development of the design with regard to the impact in the setting this has the potential to be truly outstanding.

The consultation process with the TAG continued and further work was undertaken on the details of the design to respond positively to the constructive comments of the panel. The architect responded to further suggestions from the TAG in an email dated 17th November 2021:

Following my recent research into George Webster and the Georgian architecture of the Ribble Valley, I have been developing the design for Hodder Grange, refining the details and inserting them into the drawing package. I could describe the changes in detail but there is a basic principle behind all the changes: simplify the composition and ensure that the details reflect the design. The simplification of the design emphasises the restrained, vernacular feel of the Georgian architecture of the North-West of England where the detailing is particular to this region. George Webster's architecture exemplifies this in 'Read Hall' and 'Downham Hall' both of which show a regional variation of Georgian country house architecture.

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It is understood that TAG Review Panel is now supportive of the proposal and considers that the 'exceptional quality' test of paragraph 80e is met.

2.6.6 The designs have also been reviewed by Jeremy Musson, architectural historian, former architectural editor of *Country Life*, who has commented:

...I feel it draws on the models of discreet later Georgian villas, by designers such as Repton and Nash... & more locally with Harrison & Webster. This proposal while drawing on clear local & national precedents also will create a new reference point for the evolving Modern Classical style in this context, a chapter which is currently missing in the Ribble Valley architectural story.

2.6.7 It is not necessary to provide the full minutes or extent of the iterative design process in this Heritage Appeal Statement but, suffice to say, that it has been an exemplary process of peer review and continual refinement. Similarly, it is not necessary to provide a full critique to the proposal, as an extensive critique is provided at Page 47 of *The Country House Report*, but its conclusion is:

This Country House Report also finds that the proposed Hodder Grange is truly innovative, in combining exemplary and unparalleled energy efficiency in a classically-designed house.

Accordingly, this Country House Report makes the case that the proposed Hodder Grange is exceptional in that it fully meets the criteria for a new house as set out in Para 80e of the NPPF (2021).

2.7 The Reasons for Refusal

2.7.1 The Reason for Refusal 2 is:

2. Notwithstanding the fundamental matters of principle with regard to "Isolation" the proposed development is not considered to represent truly outstanding design.

The design is a pastiche of Georgian Architecture with no distinction or invention and the inclusion of energy efficient features within a new build properties is not considered to represent outstanding design. The dwelling would lack the context of a traditional country estate which would have evolved through a set of specific economic and social circumstances.

As such the proposal is not considered to be outstanding or raise the standard of design and does not meet the exceptions set out at para 80e of the NPPF.

In many respects, the quality of design is a subjective issue which is a matter of personal opinion. However, it is the combined opinion of John Hinchliffe, the Traditional Architecture Group and Jerry Musson that the submitted design does represent truly outstanding design in architecture and landscape architecture. There can be no doubt that the design has been achieved through an exemplary design process of peer review and continual refinement to achieve a scholarly, well-informed and cohesive proposal. It is exceedingly rare for a design of a private country house and its grounds to be steered by an experienced heritage professional, a nationally-based traditional architectural interest group and a highly respected architectural critic. If an experienced architect and

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landscape architect with a passion for traditional architecture and landscape, working with the combined knowledge of that group of professional heritage experts, cannot produce a truly outstanding design, then it begs the question of how else could a truly outstanding design could be achieved.

The reason for refusal also infers that the design of the house is "...a pastiche of Georgian Architecture with no distinction or invention...". It is common ground that the architectural design is based upon the classical Georgian architecture but that in itself does not make it a pastiche. In architectural terms, the use of the word "pastiche" is usually used to refer to a poor copy or imitation of an architectural style. However, the architect, Hinchliffe Heritage and the esteemed architectural critics have guided the design so that it represents an academically accurate version of classical architecture, embodying: the classical principles of balance, symmetry, rhythm, proportion and hierarchy and; many accurate classical details such as the portico with Doric columns, quoins, plinth, parapet and traditional painted timber sliding sash windows. The classical style with these principles and details has been used for over two millennia, from Vitruvius in Ancient Rome, to Palladio in Renaissance Vicenza, Inigo Jones and Leoni in Renaissance England and more locally George Webster in 19th Lancashire. Classical architecture is a timeless and enduring style and there is absolutely no reason why a new building in that style should not be considered to be truly outstanding.

Historic England advises in its over-arching advice note *Conservation Principles*:

*There are no simple rules for achieving quality of design in new work, although a clear and coherent relationship of all the parts to the whole, as well as to the setting into which the new work is introduced, is essential. **This neither implies nor precludes working in traditional or new ways, but will normally involve respecting the values established through an assessment of the significance of the place.***

Great care has been taken in the design of the proposed house and grounds to work in "a traditional way", following an extensive assessment of the significance of the place, to ensure a coherent relationship of all of the components with each other and with the surroundings and to complement the character and appearance of the site and the local area. In following these principles, the design has achieved an outstanding quality.

However, not only is the proposal of the house an "outstanding" design in pure architectural terms "in a traditional way", it is even more outstanding for its unique commitment to being a classically-inspired building which also incorporates a Passivhaus Plus and Zero Energy design "in a new way". Similarly the outstanding design of the landscape is further elevated to being outstanding, not least by the incorporation of extensive biodiversity enhancements.

The reason for refusal also curiously states: "The dwelling would lack the context of a traditional country estate which would have evolved through a set of specific economic and social circumstances.". Whether or not this is a material consideration in the decision-making process is open to question, as the proposal should be assessed on its merits but it is based upon an inaccurate and ambiguous premise. There can be no question that many historic country estates throughout the country and for centuries have been created by successful industrialists, merchants and businessmen who wish to provide enhanced residences for themselves in the locality where they already live and to

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leave an impressive tangible legacy for the future. The appellant is such a successful businessman who lives in the locality and wishes to continue the tradition of building an impressive new residence which will be an asset to the area and will help to raise standards of design more generally in the area.

This reason for refusal does not therefore pass the test of scrutiny and is not a justifiable reason to prevent the proposed development.

2.7.2 The Reason for Refusal 3 is:

3. The proposal would fundamentally change the local landscape which has remained as agricultural land for over 150 years and would confuse the significance of the historic hierarchy of land uses which are an important characteristic of the AONB.

It would not significantly enhance its immediate setting or be sensitive to the defining characteristics of the local area and does not meet the exceptions set out at para 80e of the NPPF.

It is common ground that the proposal will fundamentally change the local landscape of the appeal site but change is not necessarily harmful. There is a clear distinction between change and harm, which the reason for refusal does not recognise. Change can be either harmful or beneficial to the historic environment (or have a neutral impact). Historic England in its *Conservation Principles* accepts that change in the historic environment is inevitable and states at Para 84 that:

Conservation involves people managing change to a significant place in its setting, in ways that sustain, reveal or reinforce its cultural and natural heritage values (Principle 4.2).

It also defines "harm" at Page 71:

"Change for the worse, here primarily referring to the effect of inappropriate interventions on the heritage values of a place."

The Country House Report has made the assessment that the change brought about through the proposal on the site will sustain the heritage values of the Forest of Bowland and will not be a "change for the worse". This assessment is based upon the indisputable characteristic of the Forest of Bowland AONB, which is identified by The Countryside Commission in its *Landscape Assessment of The Forest of Bowland Landscape Countryside Commission* (1992), which states:

The history of Bowland as a royal hunting forest and subsequent evolution and dominance of the country estate, has left an indelible mark upon the landscape in the presence of fine country houses, attractive estate villages and well-tended parkland and estate landscapes.

And

Outside of the main villages, the large country house, with manicured parkland landscape and pictures estate buildings and cottages, is a particularly significant

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element in the Bowland landscape, imposing a highly distinctive and very attractive character to the rural scene. Many of the buildings are the product of 19th century England financed by the industrial prosperity of Victorian times.

The proposal will therefore continue the tradition of fine country houses, although it will inevitably involve the loss of some agricultural land, as has always been the case.

This reason for refusal does not therefore pass the test of scrutiny and is not a justifiable reason to prevent the proposed development.

2.7.3 The Reason for Refusal 4 is:

4. The site lies directly adjacent to Grade II listed Higher Hodder Bridge with the principal entrance to the site taken directly adjacent to it and in its immediate setting. The formation of ornate entrance gates in the immediate setting will draw the focus away from the bridge and detract from its significance.

The proposal fails to make a positive contribution to local character and distinctiveness as it will detract from and confuse historic patterns of development and the hierarchy of dwellings founded in historic economic and social circumstances.

It is considered that the proposal would constitute harm to the wider setting of the nearby listed historic houses, the immediate setting of the bridge and the cultural heritage of the AONB which is not outweighed by public benefit and as such is contrary to the NPPF para 197 and 202 and policies EN2, EN5 and DME4 of the core strategy.

The proposed entrance gates and piers are not “immediately adjacent to Higher Hodder Bridge”. They are proposed to be approx 50m to the south of the bridge at a lower level, nestled within a proposed block of woodland to remain discreet. They will barely be seen from the road and will not draw attention away from the bridge in any way. *The Country House Report* included an assessment of the contribution of the bridges setting to its significance:

The bridge’s location over the picturesque River Hodder, together with the surrounding country roads, provides the very justification for the bridge and its location and so contributes very positively to its setting.

The combination of the winding river, the topography, the woodlands and open fields along its banks create a delightful visual setting for the bridge and some enchanting views both from the bridge bridge along the river and over the fields and from the river toward the bridge. They all therefore contribute positively to its setting.

The area around the bridge is essentially rural but the various isolated houses are mostly very much appropriate elements in the rural scene. They generally make a neutral contribution to its setting.

A Statement of Significance of Higher Hodder Bridge has been prepared above at 2.4.5 and this Heritage Appeal Statement makes the case that the proposal will have no

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appreciable impact on any of the heritage significance which has been identified in that statement of significance.

The Country House Report also assessed the impact of the overall proposal, including the gates and gates piers, on that setting and concluded:

...the Landscape Masterplan includes some changes to the application site, including: the planting of indigenous woodlands, trees and hedges in the existing field SE of the bridge; the change of management of the field from intensive pasture to parkland pasture and meadow; the formation of a new driveway from the existing access to the house and; the construction of some gate piers and gates a short way along the drive from the access point. The judicious additional planting will actually enhance the setting. A specific area for additional planting will be immediately S of the wall adjacent to the bridge which will help to screen the unsightly concrete blocks which are on the inside face of the wall. The driveway itself will be narrow and sinuous and mostly follow the contours and so will have minimal impact on the landscape.

The gate piers and gates will be visible in a narrow view corridor from the road in the same view as the bridge and will marginally domesticate the scene, but: they have traditional Georgian designs; will be constructed in traditional materials and; traditional gate piers and gates are a common sight at the entrance to houses and farms throughout the area (Plates 19, 20 and 22) and they do not appear in any way incongruous or unsightly.

These minor works will cause a marginal change in the appearance of the land and thus the setting of the S side of the bridge but that part of the field which forms a visual setting for the bridge will remain as fundamentally soft green space with a more sylvan character and will not detract from the positive contribution that this area makes to the setting of the bridge.

The proposal will introduce a further mid-sized house into the tertiary setting of the bridge but, as the existing houses make a neutral contribution to its setting, so the proposed house will have a neutral impact on that extended setting.

Overall, the proposal will slightly enhance the setting of Hodder Higher Bridge.

The Country House Report therefore makes the case that the appearance and fundamental heritage significance and setting of Higher Hodder Bridge will not be harmed by the gates, piers or any aspect of the proposal.

Again, this reason for refusal indicates a presumption against any change in the historic environment but Historic England is not opposed to the principle of change in the historic environment. It states in its over-arching *Conservation Principles*:

138. New work or alteration to a significant place should normally be acceptable if:

- a. there is sufficient information comprehensively to understand the impacts of the proposal on the significance of the place;*
- b. the proposal would not materially harm the values of the place, which, where appropriate, would be reinforced or further revealed;*

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- c. *the proposals aspire to a quality of design and execution which may be valued now and in the future;*
- d. *the long-term consequences of the proposals can, from experience, be demonstrated to be benign, or the proposals are designed not to prejudice alternative solutions in the future.*

In this case:

- A) *The Country House Report*, the Design and Access Statement and the design review process have provided sufficient information comprehensively to enable understanding of the impacts of the proposal on the significance of the place
- B) The high quality of the design would not materially harm the values of the place and the landscape and biodiversity would be reinforced
- C) The proposals certainly aspire to a quality of design and execution which will be valued now and in the future
- D) The long-term consequences of the proposals have been demonstrated to be demonstrated to be benign not only on the local environment but on the global environment

The proposal therefore meets the criteria for acceptable development to a significant place.

The nearest listed historic country house to the application site is Chaigley Manor which is approximately 1km to the N and visually separated from the application site by topography and trees. Given the definition of "setting of heritage assets" in the NPPF (and Historic England's *The Setting of Heritage Assets*), there is absolutely no justifiable basis for suggesting that the proposal will have any impact on its setting (or the setting of any other "nearby listed country houses", as there are none)

As such, it is strongly disputed that the proposals is contrary to the NPPF para 197 and 202 and policies EN2, EN5 and DME4 of the core strategy."

This reason for refusal does not therefore pass the test of scrutiny and is not a justifiable reason to prevent the proposed development.

2.8 Conclusion

2.8.1 This Heritage Appeal Statement reaffirms the case made in *The Country House Report* by Hinchliffe Heritage that mid-sized country houses are an essential component of the cultural landscape of the AONB. It has found that that they are significant elements of the area's heritage assets and that they still contribute positively to its existing environmental character and its economy.

2.8.2 The designs of the proposed building and landscape plan for Hodder Grange are scholarly works which are based on a comprehensive understanding of the defining characteristics of the area and have been informed by a constructive dialogue with heritage and design experts, including the Traditional Architecture Group and leaders in the emerging technology of passive houses.

2.8.3 The proposals have evolved into a cohesive and sympathetic design which will integrate harmoniously into its landscape setting, due in part to: the holistic design of the house, the service buildings and the landscaped grounds; the scale of the ensemble as a

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mid-sized country house; the proposed use of local sandstone/Millstone Grit, as the principal building material; the close attention to detail throughout and; the discrete location of the house in the wider landscape, in which its presence will be quietly but assertively announced at the public realm with the proposed complementary gates and gate piers.

2.8.4 The proposal will: have minimal impact on the setting of Higher Hodder Bridge; cause no harm to its setting in any respect and; will slightly enhance its setting through more appropriate management of the application site and the judicious additional planting of trees, especially adjacent to the bridge.

2.8.5 This Heritage Appeal Statement makes the case that the scholarly design of the proposed Hodder Grange will create an exceptionally fine country house and estate, which is heavily influenced by the local classical Georgian tradition. Importantly, it finds that the design is of exceptional quality, in that it is truly outstanding and reflects the highest standards in architecture, which will: help to raise standards of design in the Forest of Bowland; significantly enhance the site and its immediate setting and; be sensitive to the defining characteristics of the local area.

2.8.6 This Heritage Appeal Statement also makes the case that the proposed Hodder Grange is truly innovative, in combining exemplary and unparalleled energy efficiency in a classically-designed house.

2.8.7 Hodder Grange will thus be exactly the type of house for which Para 80 of the NPPF was originally formulated - to enable the tradition of fine country houses in rural areas to continue - in exceptional circumstances. Accordingly, this Heritage Appeal Statement makes the case that the proposed Hodder Grange is exceptional and that it fully meets the criteria for a new house, as set out in Para 80e of the NPPF (2021).

2.8.8 The proposal complies with Para 80e and all national and local plan policies relating to design and heritage. It also represents a sustainable form of development. This Heritage Appeal Statement therefore makes the case that the proposal should be considered favourably and that the appeal should be allowed.

This Heritage Appeal Statement was prepared by:

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3. Appendices

Appendix 1. *The Tradition of Country Houses in the Forest of Bowland, Ribble Valley, Lancashire and England Report* (March 2020) by Hinchliffe Heritage (attached separately)

Appendix 2. *The Country House Report* (November 2021) by Hinchliffe Heritage (attached separately)

Appendix 3. Relevant policies in Ribble Valley Local Plan Core Strategy 2008 – 2028 A Local Plan for Ribble Valley Adoption Version

POLICY DMG2: STRATEGIC CONSIDERATIONS

10.5 DEVELOPMENT SHOULD BE IN ACCORDANCE WITH THE CORE STRATEGY DEVELOPMENT STRATEGY AND SHOULD SUPPORT THE SPATIAL VISION.

1. DEVELOPMENT PROPOSALS IN THE PRINCIPAL SETTLEMENTS OF CLITHEROE, LONGRIDGE AND WHALLEY AND THE TIER 1 VILLAGES SHOULD CONSOLIDATE, EXPAND OR ROUND-OFF DEVELOPMENT SO THAT IT IS CLOSELY RELATED TO THE MAIN BUILT UP AREAS, ENSURING THIS IS APPROPRIATE TO THE SCALE OF, AND IN KEEPING WITH, THE EXISTING SETTLEMENT.

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 WELL BEING 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.

6. THE DEVELOPMENT IS COMPATIBLE WITH THE ENTERPRISE ZONE DESIGNATION.

WITHIN THE OPEN COUNTRYSIDE DEVELOPMENT WILL BE REQUIRED TO BE IN KEEPING WITH THE CHARACTER OF THE LANDSCAPE AND ACKNOWLEDGE THE SPECIAL QUALITIES OF THE AREA BY VIRTUE OF ITS SIZE, DESIGN, USE OF MATERIALS, LANDSCAPING AND SITING. WHERE POSSIBLE NEW DEVELOPMENT SHOULD BE ACCOMMODATED THROUGH THE RE-USE OF EXISTING BUILDINGS, WHICH IN MOST CASES IS MORE APPROPRIATE THAN NEW BUILD.

IN PROTECTING THE DESIGNATED AREA OF OUTSTANDING NATURAL BEAUTY THE COUNCIL WILL HAVE REGARD TO THE ECONOMIC AND SOCIAL WELL BEING OF THE AREA. HOWEVER THE MOST IMPORTANT CONSIDERATION IN THE ASSESSMENT OF ANY DEVELOPMENT PROPOSALS WILL BE THE PROTECTION, CONSERVATION AND ENHANCEMENT OF THE LANDSCAPE AND CHARACTER OF THE AREA AVOIDING WHERE POSSIBLE HABITAT FRAGMENTATION. WHERE POSSIBLE NEW DEVELOPMENT SHOULD BE ACCOMMODATED THROUGH THE RE-

USE OF EXISTING BUILDINGS, WHICH IN MOST CASES IS MORE APPROPRIATE THAN NEW BUILD. DEVELOPMENT WILL BE REQUIRED TO BE IN KEEPING WITH THE CHARACTER OF THE LANDSCAPE AND ACKNOWLEDGE THE SPECIAL QUALITIES OF THE AONB BY VIRTUE OF ITS SIZE, DESIGN, USE OF MATERIAL, LANDSCAPING AND SITING. THE AONB MANAGEMENT PLAN SHOULD BE CONSIDERED AND WILL BE USED BY THE COUNCIL IN DETERMINING PLANNING APPLICATIONS.

FOR THE PURPOSES OF THIS POLICY THE TERM SETTLEMENT IS DEFINED IN THE GLOSSARY. CURRENT SETTLEMENT BOUNDARIES WILL BE UPDATED IN SUBSEQUENT DPDS.

POLICY DME4: PROTECTING HERITAGE ASSETS

10.15 IN CONSIDERING DEVELOPMENT PROPOSALS THE COUNCIL WILL MAKE A PRESUMPTION IN FAVOUR OF THE CONSERVATION AND ENHANCEMENT OF HERITAGE ASSETS AND THEIR SETTINGS.

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...

KEY STATEMENT EN2: LANDSCAPE

Hodder Grange, Chaigley. Heritage Appeal Statement

The landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area.

The landscape and character of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced.

As a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.

KEY STATEMENT EN5: HERITAGE ASSETS

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.



Sustainability Response to Planning Decision

Hodder Grange

Chipping Road, Chalgley, Clitheroe, Lancashire, BB7 3LS

February 2023



*Hodder Grange would be **the first classically designed Passivhaus Plus property in the world**, The first Passivhaus Plus new build property in the Northwest, and a 'True' Zero Energy / Zero Carbon House. This exemplary home would employ a petrochemical-free building fabric and concrete free foundations setting a new low carbon standard for the rural built environment.*

1. Introduction:

- 1.1. Ecospheric has been providing Passivhaus design support for the Hodder Grange project for nearly 3 years. Our consultancy services were sought at a very early stage so that decarbonisation strategies formed a core axis of the design process. We have outlined below a timeline of Ecospheric's involvement with this project, including the services provided and areas of decarbonisation considered, the performance standards that the Hodder Grange design would achieve and the sustainability claims and innovative sustainability credentials for the project. Following that, we have provided a specific response to comments from the planning officer's report where it applies to sustainability and provided further context as to the importance of the Hodder Grange project and the part it has to play in the sustainable construction industry.

2. About Ecospheric:

- 2.1. Ecospheric is an **award winning Passivhaus and sustainability consultancy** specialising in complex low energy projects ranging from **complex period retrofits**, to **zero carbon new build** commercial and healthcare buildings, with **Paragraph 80e** country homes a core service offering. Our team consists of certified Passivhaus consultants, designers, and tradespeople, including a certified PHPP expert - one of only 35 worldwide. We draw our expertise from our **experimental property development firm**, which designs and builds industry-leading Passivhaus projects that **push the**



boundaries of sustainable construction. Developing our own properties results in tried and tested real world solutions demonstrating the decarbonisation and extreme energy efficiency which can be achieved through pilot projects such as the Zetland Passive House project, which was **awarded the 2021 international Passivhaus Institute Award** and became the **UK's first certified EnerPHit Plus homes**. Ecospheric's other development programmes include what is planned to be the **World's First Zero Energy and Zero Waste Food Hall** called the Sorting Office, the **Zero Energy renovation of a historic grade II* listed manor house** called Lymm Hall, and a residential new build development of 5 petrochemical free, concrete free detached Passivhaus Premium family homes called Lymm Paddock, **a world first development**.

- 2.2. Ecospheric has considerable experience specifically with Paragraph 80e applications having **consulted on 13 Para 55/79/80 projects**, 7 successful submissions and three projects built. Ecospheric have also provided technical input on **three Para 55/79/80 county council cases**, successfully defending planning and appeal refusals, one of which is going to the high court for judgement. This experience places us uniquely to support the technical needs for projects at this level with the research networks and scientific backing to deliver true innovation across the country.



3. Ecospheric involvement in the Hodder Grange project:

- 3.1. In **January 2020**, Ecospheric was contacted by Rural Solutions with a request to support the **Initial concept design** for Hodder Grange. The project architect, with an established prior relationship with Ecospheric, knew to bring sustainability consultancy on at the earliest of stages to ensure the project would carry the **necessary degree of innovation** for (what was then) a Para 79 project. At that point, Ecospheric's director Kit Knowles met with the design team to provide initial feedback and advice in the form of a **passive design review**.
- 3.2. As part of the design development process leading to the **Design Review Panel (DRP)**, Ecospheric produced a research presentation in **October 2020** on form factors and roof massing, using a horizontal ceiling envelope to enable the **classical design to be expressed** without compromising building performance. Also solar shading to **minimise overheating potential**, solar PV renewable energy generation, and natural lighting options (sunpipes) which would be suitable for a Passivhaus with traditional design aesthetics. All of which was **well received by the DRP**, with positive feedback associated with the sustainability of the building.
- 3.3. In **June 2021**, Ecospheric produced the bulk of Passivhaus design work with the creation of an **Initial energy model** and calculations to understand the energy demand of the proposed design. Following this initial study, Ecospheric's director conducted a site visit of the Hodder Grange site alongside the DRP to attain further understanding of the local context and setting.
- 3.4. In **August 2021**, Ecospheric was commissioned by the appellants Michael and Liz Bell to conduct additional detailed analysis of the proposed design and provide advice on suitable **building fabric, glazing, foundation, M&E and renewable energy** options in order for the design to achieve Passivhaus certified performance. Details of these studies with links to the presentations is outlined below:
- 3.4.1. **Initial Thermal and Energy Modelling** - A classical design for a **traditional house form requires a great deal of analysis** and optimisation. A long list of passive design considerations were optioneered within the PHPP model to optimise the building's massing. In order to scope out possible claims for the site, energy generation potential is also



assessed, with each suitable roof and ground mount area assessed for viability, generation potential and visual impact in order to **maximise onsite renewables**. Given the specifics of the site and scale/typology of building, an initial **assessment of energy consumption and overheating potential** is also necessary to ensure occupant comfort and future climate resilience.

- 3.4.2. **Further Passive Design** - Consideration given to passive lighting and shading solutions. Possible use of sun pipes and optic fibre for lighting and for **traditional external shading solutions such as loggias, verandas**, and suitable reveal depths.
 - 3.4.3. **Possible construction build-ups** - Full market review of construction fabric options from superstructure through to insulation, glazing, Vapour Control technologies and low carbon finishes. The external facade whilst necessarily **traditional in appearance** was considered for a stone cladding solution in order to **lower the carbon intensity** of the traditional elements. Other design considerations such as thermal performance, wall thickness, airtightness, ease of installation, cost, embodied carbon, aesthetics and compatibility with masonry exteriors were all studied.
 - 3.4.4. **Foundation and ground floor options** - Comparison of **20 different floor and foundation options**, including an embodied carbon assessment and compatibility assessment when considering the preselected fabric.
 - 3.4.5. **Preliminary M&E selection assessment** - In order to further refine the embodied and operational carbon calculations, an assessment of suitable M&E technologies and equipment was undertaken. This is an exercise typically left until RIBA stage 3, but due to the performance standards aimed for with this project, this work was brought forward for **greater confidence with all performance and carbon claims** made.
 - 3.4.6. **Renewable Energy Generation Potential** - Balancing the need for significant onsite energy generation with the subtlety and quality of design, required a comparison study of new PV tile technologies which allow for seamless, near invisible installation of renewable energy generation. Once the technology was selected, detailed generation statistics could be produced and integrated in the PHPP model. This exercise also considered energy management options **maximising the potential of the onsite generation**.
- 3.5. Combined with the DRP, clearly the lengths that the design team went to to consider the state of the art and optioneer to produce a unique design package that delivers a **never seen before class of building** went above and beyond any typical design process, demonstrating 'exceptional quality' of design, 'raising the standards' of what can be expected from **sustainable rural architecture**.

4. Hodder Grange project claims:

- 4.1. Through an iterative process over a number of months, Ecospheric supported the project architect and design team, incorporating low carbon materials and technologies to develop a proposed design which would achieve a Passivhaus Plus standard of performance. In addition to meeting the Passivhaus Plus certification requirements, Ecospheric determined that the Hodder Grange project would also achieve the following performance standards, listed in order of difficulty to achieve:
 - 4.1.1. **NZEB or Zero Energy** - UK Government approved SAP based definition accounting for predicted energy generated on site in kWh and predicted energy consumption in kWh performing a net calculation on a 1 for 1 basis i.e. building demand of 10,000kWh excluding unregulated energy and grid based energy wastage offset by a predicted annual site energy generation of 10,000kWh, all based on a simplified thermal model (SAP). Note: this is not a certification and there is no official body tasked with overseeing the process of calculation, making the claim open to abuse.
 - 4.1.2. **Zero Carbon** - UK Government approved SAP based definition accounting for predicted CO_{2e} emissions associated with building offset against predicted carbon saved through installed onsite generation in kg CO_{2e}, a net calculation basis. This excludes unregulated energy and grid based energy wastage, and also does not account for the high carbon energy associated with the grid used to balance supply on demand on site. All based on a



simplified thermal model (SAP). Note: this is not a certification and there is no official body tasked with overseeing the process of calculation.

- 4.1.3. **PassivHaus Classic Certified** - Passivhaus is the most scientifically ratified, internationally recognised standard and is very much focused on performance. When it comes to the combined operational energy predictions of a building; considering the building services, thermal comfort, hygiene, and thermal bridging, it is unsurpassed. At a Classic certification level, a certified PassivHaus consumes typically 90% less energy for space heating when compared to a typical new build. In real terms a classic Passivhaus is closer to zero carbon than the SAP based definition.
- 4.1.4. **'True' NZEB or Zero Energy** - As per the SAP definition of Zero Energy, only modelled using PHPP and including both unregulated energy and grid based inefficiencies.
- 4.1.5. **PassivHaus Plus Certified** - As per Classic with a further reduction in energy consumption levels (18%) and combined with onsite renewable generation roughly comparable to a True Zero Energy performance standard. With the rigorous certification process the resultant buildings will have less than 10% performance gap against modelled expectations.
- 4.1.6. **'True' Zero Carbon** - As per the SAP definition of Zero Carbon, only modelled using PHPP and including both unregulated energy, grid based inefficiencies and grid carbon factor for imported energy.
- 4.1.7. **'True' Zero Carbon site** - As per 'True Zero Carbon', however, includes the whole site demand. All external lighting and pumps, annex buildings, staff accommodation, workshops etc. With the optimised onsite renewables there should be enough energy to cover the whole site on a net demand basis.
- 4.2. Based on research of existing Passivhaus projects, we determined that this project would be the first certified Passivhaus Plus new build home in the Northwest of England and the first classically designed Passivhaus Plus property in the world. These target aims and an explanation of the methodology adopted to achieve these aims were outlined in a supporting sustainability statement submitted for consideration by the DRP and later submitted to the local planning authority as part of the appellants' application for planning permission under Paragraph 80e.

5. Summary of Sustainability Claims and Credentials:

- 5.1. **World first example of a Passivhaus Plus Certified classically designed country house**
- Lowest possible operational carbon footprint leading the industry in the low carbon transition
- 5.2. **Globally, there are no other known passive house examples of 'True' Zero Carbon Site covering the carbon demands for all outbuildings and staff accommodation**
- Highlighting the true cost of carbon - holistic design should incorporate all on-site built elements not just the main house,
- 5.3. **Hybridisation of organic fabric with a traditional stone facade achieving U-Values that surpass even Passive House performance levels.**
- Stone and brick buildings make for very durable solutions and are a key part of the heritage of buildings here in the UK. Hybridisation with modern low embodied carbon, high performance fabric types offer the best of both worlds.
- 5.4. **Completely breathable construction build-up, to be moisture modelled in industry leading 3D Dynamic moisture package, WUFI.**
- Essential for creating durable healthy buildings, breathability provides a resilience that results in a long standing high performance structure. A key ingredient for future solutions to the climate challenge.
- 5.5. **Building bulk fabric to be completely petrochemical free** avoiding the environmental damage and health effects associated with oil based products.
- The high environmental damage of extraction and processing of petrochemicals combined with the significant negative health impacts arising from incorporation within the built environment make this a vital piece of the puzzle for the future.



5.6. **Concrete free foundations** - Adoption of foamed glass and limecrete raft detail assuming geotechnical survey allows.

- Concrete represents 12% of total global carbon emissions, with a desperate need to find alternative solutions. Limecrete is often used in heritage buildings alongside the existing foundations, however this project intends to make this foundation format suitable for new build projects. This high thermal mass product will also assist with management of heat flows within the building, helping smooth out temperature fluctuations.

5.7. **PV tile roofs** - Seamless integration of renewable energy, especially in heritage sensitive applications is desperate for quality examples to enable the growth of this market and the further development of associated technologies.



5.8. **Unique plant room design** - Aims to blend a traditional utility into a functional plant room space whilst taking advantage of the waste heat from other plant/household equipment and draw it into the ventilation system for recovery and redistribution around the building.

5.9. **ASHP and MVHR** - Using an ASHP to supply 100% of Domestic Hot Water (DHW) and space heating requirements. Located in a concealed location within a slatted container designed for minimal visual and acoustic impact. To ensure the ultimate in internal air quality and maximum energy efficiency a pair of Mechanical Ventilation with Heat Recovery devices are being installed. These systems form the basis of the Passivhaus approach.

5.10. **Overheating designed out** - Stress testing the building removing all forms of manual ventilation results in 7% of days in a year peaking over 25°C, within the 10% limit set by Passive House. Accounting for some manual intervention at night drops this figure to 0% and with the inclusion of a PassivHaus certified comfocool air tempering device is to be installed atop each of the MVHR devices. These are low energy (secondary micro ASHP) components, helping to temper incoming air, guaranteeing comfort.

5.11. **Innovative AI controlled DHW tank** - New DHW purging technologies developed by Ecospheric and Mixergy enable Hodder Grange to adopt a truly low temperature distribution system maintaining hot water at just 45°C without any risk of Legionella.

6. Ecospheric has provided response to the following comments from the Council Officer which relates to sustainability claims (page 14 from the case officer delegated report):

6.1. *"The energy efficiency credentials and the intention to combine Passivhaus standards with traditional building styles are unusual but there is a question as to how this would be maintained and whether it would be truly outstanding being easily replicated elsewhere being that a minimum standard of energy efficiency is expected by building regulations and generally speaking consumers are conscious of the environment and wish to include eco-friendly features into their homes.*

Passivhaus is split into 3 categories:

- *Passivhaus classic - of which it is understood there are 152 new build dwellings in the UK*
- *Passivhaus plus - achieves net zero annual energy balance and it is understood there are 8 in the UK*
- *Passivhaus premium - typically far more energy is produced than needed and there are 24 in the world.*

Therefore, the creation of energy efficient homes is an upward trend and there is a higher level of Passivhaus certification available than is proposed here.

The high standards of energy efficiency are welcomed, but that in itself is not considered outstanding. As discussed above there are numerous houses to Passivhaus standards in this country and globally as well as a higher level of certification being available. Furthermore, it would be difficult to monitor whether the dwelling was performing to those standards or indeed take enforcement action if it were not.



Conditions or planning obligations requiring this would not be considered to meet the tests set out in planning practice guidance. It is not considered that a condition could be sufficiently precise or enforceable nor a planning obligation be considered to be sufficient to make the proposal acceptable."

6.2. In response to the planning officer's comments: **"The energy efficiency credentials and the intention to combine Passivhaus standards with traditional building styles are unusual but there is a question as to how this would be maintained and whether it would be truly outstanding being easily replicated elsewhere... the creation of energy efficient homes is an upward trend and there is a higher level of Passivhaus certification available than is proposed here."**



6.2.1. While it is true that there is an increasing uptake of Passivhaus certified properties in the UK, it still remains an ambitious target for most residential properties and requires a high level of technical expertise and commitment to decarbonisation to attain. As evidenced by the [Passivhaus database](#) of certified properties, every single new build Passivhaus project in the UK is of a contemporary architectural design style ([see image to left from the Passivhaus Trust website](#)). The reason for this is that simplistic forms and facade materials lend themselves more easily to accommodating the high level of insulation, high performance components, and glazing ratios required to achieve Passivhaus thermal performance. Attaining that level of performance while also trying to design a house in the classical tradition and layout requires a much higher level of technical rigour and design expertise.

6.2.2. In 2016 the PassivHaus Institut (PHI) of Germany released two aspirational standards that sat above the classic PH level, known as PH Plus and PH Premium. The Hodder Grange project intended to certify as a PH Plus, requiring a further reduction in energy demand achieved through passive means, coupled with a large-scale renewables plant to offset the remaining energy demand. Whilst the standard is not defined in these terms, this standard generally results in the building being a net exporter of energy. Given the PH standard only focuses on the principal building we have sized the renewables to cover the rest of the site's energy demand, to produce a truly net zero energy project. Also over and above the PH Plus standard the intention is to utilised no petrochemicals in the bulk fabric, nor cement in the foundation, setting new standards for all new builds, but especially applicable to the more traditional projects.

6.2.3. Building a classical styled Passivhaus Plus new build on the land at Hodder Bridge would provide a valuable case study for sustainable building. There is a growing popularity of period style architecture for new build country homes and the Hodder Grange project would raise the profile of the Ribble Valley Borough Council positioning the local authority at the forefront of sustainable building.

6.3. In response to the planning officer's comments: **"it would be difficult to monitor whether the dwelling was performing to those standards or indeed take enforcement action if it were not. Conditions or planning obligations requiring this would not be considered to meet the tests set out in planning practice guidance. It is not considered that a condition could be sufficiently precise or enforceable nor a planning obligation be considered to be sufficient to make the proposal acceptable."**

6.3.1. Ecospheric has calculated the energy performance of the proposed design for Hodder Grange using the Passivhaus Planning Package (PHPP). PHPP is one of the most powerful and comprehensive building physics engines and calculation tools developed by the International Passivhaus Institute of Germany offering a lower than 5% performance gap between modelled and actual energy performance. This is the principal benefit of the standard whereby planners can easily condition certification, then knowing if achieved that the building will truly perform in a post occupancy scenario.

6.3.2. The Passivhaus approach is an internationally recognised standard for the design and construction of low energy buildings. Based on the PHPP energy model developed for the Hodder Grange project, Ecospheric is confident the design can meet the stated claims of

Passivhaus Plus performance, which would be a first for this style of home. The Passivhaus method offers design phase assurance through an independent verification process using a Passivhaus certifier appointed by the Passivhaus Institute.

- 6.3.3. The certifier's role is to audit the design and calculations and will issue a pre-certification statement and report once they are satisfied that the design meets the criteria of the Passivhaus standard. The project team would welcome a condition of planning for this project to demonstrate the commitment to delivering a Passivhaus Plus standard. Additionally, there is further evidence required during the building phase to meet Passivhaus standard in the form of submission of photographic evidence, architectural instructions, and airtightness test results before the project receives final approval from the Passivhaus Institute.
- 6.3.4. A final condition welcomed by the design team would be the installation of internal air quality sensors such as Airthings capable of monitoring 9 different air quality variables which can be fed back in an air quality and carbon report measured over a minimum of 3 months post occupancy. This report would demonstrate the ideal comfort conditions experienced within the dwelling, alongside unsurpassable air quality and minimal energy consumption as predicted by the PH Plus certification. If in the unlikely event any variables were not found to be exceeding reasonable set points further action could be taken in the form of additional renewables required to cover any unexpected energy demand.

Importance of the Hodder Grange project in the context of sustainability in the built environment:

- 6.4. In light of global temperatures already at 1 degree higher than pre-industrial averages and the Ribble Valley Borough Council's aims to achieve carbon neutrality by 2030, a project such as Hodder Grange would provide a real-world example of how to reduce carbon emissions in a new build property. Currently Ribble Valley is almost entirely encircled by councils having declared climate emergencies including:
- Pendle Borough Council - Declared a Climate Emergency on 11 July 2019
 - Burnley Borough Council - Declared a Climate Emergency on 10 July 2019
 - Hyndburn Borough Council - Declared a Climate Emergency on 19 September 2019
 - Blackburn with Darwen Borough Council - Declared a Climate Emergency on 18 July 2019
 - Preston City Council - Declared a Climate Emergency, set a 2030 carbon neutral target date on 18 April 2019
 - Lancaster City Council - Declared a Climate Emergency 30 January 2019
 - Kendal Town Council - Declared a Climate Emergency, set a 2030 carbon neutral target date on 1 April 2019
 - Craven District Council - Declared a Climate Emergency on 6 August 2019
- 6.5. The carbon saving solutions specified for this property would be valuable for a range of building types across the built environment, offering the Ribble Valley the confidence it needs to declare a climate emergency and set down local legislative routes for other construction projects in the area to truly push for decarbonisation. Whether it be the use of natural, sustainable materials, such as the concrete free foundation design or the integration of solar PV panels into traditional style buildings, there are many opportunities for knowledge sharing and social value within this project. Furthermore, solutions adopted at Hodder Grange could also be applicable to the many historic properties in the Northwest which are in dire need of energy efficient retrofit.
- 6.6. Hodder Grange would deliver the first certified Passivhaus Plus home designed in a classical style worldwide. While Passivhaus homes are becoming more common, there are still no certified Passivhaus Plus properties in the Northwest of England and this project would be the first for the region.



