



Steven Abbott Associates LLP
Chartered Town Planners

PLANNING STATEMENT

Mr and Mrs Waterworth

Replacement dwelling and demolition of existing outbuilding to create stable block to be used in association with the replacement dwelling and associated landscaping.

Chisnall Farm, Crow Lane, Dalton, WN8 7RY

June 2023



REPORT DETAILS

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1. INTRODUCTION, BACKGROUND AND OVERVIEW

- 1.1. Steven Abbott Associates LLP are instructed by Mr and Mrs Waterworth (“the applicants” or “our clients”) to provide professional planning advice in relation to the preparation and submission of a planning application for the redevelopment of a previously developed site in the Green Belt at Chisnall Farm, Crow Lane, Dalton, WN8 7RY (“the site” or “the application site”).
- 1.2. The redevelopment scheme comprises of a replacement dwelling and the demolition of an existing building to create a horse stable block to be used in association with the new dwelling. The vacant building was historically used in connection with the family’s milk business but has been used for domestic storage for a number of years. A car port is also to be demolished as part of the redevelopment scheme.
- 1.3. The exceptional scheme has been designed by Patrick Wilson | Architects, a local architectural practice with a wealth of experience all over the country. It is an architectural practice which has an emerging reputation for finding bespoke solutions for difficult, often constrained and challenging sites. With an emphasis on tailoring a building’s form, material palette and overall aesthetics to the site, driven by the immediate context we aim to fulfil the requirement of the client in line with the LPA’s policies.

2. SITE DESCRIPTION

- 2.1. The application site is accessed off Crow Lane in the Dalton area of the borough. The site is relatively remote and comprises of a detached residential dwelling and a detached outbuilding which was formerly used in connection with the family's dairy business.
- 2.2. There is another dwelling adjacent to the house which is a converted barn and is where another Waterworth family member resides.
- 2.3. The existing buildings are not prominent from surrounding vantage points because they are sunk into the landscape. It is of significant relevance that the proposed buildings have been designed in a manner which will ensure that they will be even less prominent than what is on the site currently.
- 2.4. The site is wholly within the West Lancashire Green Belt.

3. RELEVANT PLANNING HISTORY

- 3.1. The application site has no planning history; however, the following planning application was the one approved to facilitate the adjacent barn conversion:

Planning Reference: 1995/1037

Description of Development: Conversion of barn to dwelling.

Decision: Approved 1st February 1996

4. DEVELOPMENT PROPOSALS

4.1. Patrick Wilson | Architects have produced a high quality Design and Access Statement which forms an integral part of the planning application submission documents and the case officer is required to go through that document in order to fully understand what is being proposed.

4.2. However, the proposed redevelopment scheme comprises of the following:

- Demolition of the house;
- Demolition of the milking shed;
- Demolition of the car port;
- Erection of a replacement house;
- Erection of a stable block.

4.3. For ease of reference, this is the Design Concept set out in Design and Access Statement which will help the case officer understand the proposals:

“The proposals include a replacement two storey dwelling close to, and partially overlapping the footprint of the existing house. A single storey stable block is proposed on the footprint of the existing milk shed.

The two proposed buildings take inspiration from farm buildings and other buildings locally. They will have pitched roofs to suit the local vernacular. The house is separated visually into two halves, minimising each element visually to allude to collections of small to medium building blocks traditional of villages and farms.

The proposed buildings are designed to integrate seamlessly into the surrounding landscaping, taking the opportunities presented by the

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topography of the site to minimise the impact of the proposed buildings and
maximise the views.”

- 4.4. The issue of the massing and scale of the existing and proposed buildings is
addressed in Section 6 in the context of Green Belt planning policy.

5. LEGISLATIVE AND PLANNING POLICY FRAMEWORK

Legislative Framework

- 5.1. By sections 70(2) and 79(4) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development applied for must be determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan Policy

- 5.2. The main part of the development plan is the West Lancashire Local Plan 2012-2027 and the most relevant policies to this planning application in the Local Plan are as follows:

- **Policy SP1** – A Sustainable Development Framework for West Lancashire
- **Policy GN1** – Settlement Boundaries
- **Policy GN3** – Criterial for Sustainable Development
- **Policy RS1** – Residential Development
- **Policy IF2** – Enhancing Sustainable Transport Choice
- **Policy EN2** – Preserving and Enhancing West Lancashire’s Natural Environment

- 5.3. Of the above, Policy GN1 is of the most relevance as it states that “development proposals within the Green Belt will be assessed against national policy and any relevant Local Plan policies.” Therefore, the policy largely defers to the NPPF when it comes to Green Belt proposals.

- 5.4. The LPA also has an adopted Supplementary Planning Document (SPD) of relevant to the application titled “Development in the Green Belt” which was adopted in October 2015.

- 5.5. As is explained below, it is our case that the proposed scheme is in full accordance with the development plan.

National Policy

- 5.6. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Paragraph 7 indicates that the purpose of the planning system is to contribute to sustainable development and paragraph 8 goes on to explain that there are three dimensions to this concept: economic, social and environmental.
- 5.7. As paragraphs 10 to 11 explain, at the heart of the NPPF is a presumption in favour of sustainable development and the NPPF gives very strong policy support to applications for sustainable development.
- 5.8. Paragraph 73 of the NPPF sets out the need for "a variety of well-designed and beautiful homes to meet the needs of different groups in the community". Paragraphs 128 and 129 reference the principles and guidance set out in the National Design Guide (NDG) which LPAs should follow to ensure that "beautiful and distinctive places" are created.
- 5.9. Chapter 13 of the NPPF makes provision for protecting Green Belt land. The aims and purposes of Green Belt are set out in paragraphs 137 and 138 respectively. The concept of "openness" is not defined but has been considered by the Courts.
- 5.10. Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 supplements this as follows:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt

by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”

5.11. The categories of development which are appropriate (or not inappropriate) in the Green Belt are given by paragraphs 149 and 150 of the NPPF. These include (under g of paragraph 149) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- Not have a greater impact on the openness of the Green Belt than the existing development; or
- Not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”

5.12. It is our case that that the proposed scheme is not inappropriate development in the Green Belt because it is the redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing dwelling, car port and the large outbuilding that are to be replaced by a new dwelling and a stable block.

5.13. This case is set out in more detail in the following section.

6. THE CASE FOR THE APPLICANTS

Whether the Proposal is Appropriate or Inappropriate Development in the Green Belt

- 6.1. The application site is, without doubt, previously developed land given that it comprises a residential dwelling, a car port which serves that dwelling and a former milk shed which has now been used for domestic purposes for a number of years.
- 6.2. For ease of reference and for the avoidance of any doubt, the definition of “Previously Developed Land” in the NPPF reads as follows:
- “Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for mineral extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”
- 6.3. Given that the application site does not fall under any of the exclusions in the above definition, paragraph 149(g) of the NPPF is engaged. This allows for the partial or complete redevelopment of previously developed sites in the Green Belt if the resulting development does not have a greater impact on the openness of the Green Belt than the existing development.
- 6.4. Whilst the relevant test is the impact on the openness of the Green Belt, the existing and proposed volume calculations provide a reasonable guide in

terms of the impact of the proposed development on the openness of the Green Belt in relation to what is currently on site.

- 6.5. Patrick Wilson | Architects have produced a volume calculation plan which has been submitted with the planning application but, for ease of reference, the volume calculations are as follows:

Existing Volume

House: 896 cubic metres

Milking Shed: 373 cubic metres

Car Port: 132 cubic metres

Garage: 93 cubic metres

Proposed Volume

House: 1068 cubic metres

Stable Block: 485 cubic metres

Retained Garage: 93 cubic metres

Total Proposed Volume: 1646 cubic metres (10% increase in volume)

- 6.6. This relatively small increase in volume adds significant weight to our case that the proposed development does not have a greater impact on the openness of the Green Belt than what is there at present.
- 6.7. Assessing the impact on openness means considering more than there being merely a change in the appearance of a location and in what is physically there – see **Euro Garages Ltd v SO + Cheshire West and Chester Council [2018] EWHC 1753 (Admin)** at paragraph 23. Openness has to be considered in the wider surrounding context and not simply within the development site itself –

see paragraph 21 of Euro Garages. The way to consider impact is helpfully set out in paragraph 31 of the judgment (my emphasis):

“...the policy requires the decision maker to consider and make an assessment, ...of whether the openness of the Green Belt is impacted or harmed by the proposals to a greater extent than that openness has already been impacted. That is an open-textured assessment and there is no check list to be gone through but, where openness of the Green Belt is an issue, visual impact as well as spatial impact requires consideration, subject to a margin of appreciation.”

- 6.8. Applying the above to this proposed scheme, the submitted drawings and sections show that there will be no greater impact on the wider Green Belt than the existing development.
- 6.9. For all the reasons above, it is entirely clear that the proposed scheme does not have a greater impact on the openness of the Green Belt than the existing buildings which are to be demolished as part of the scheme. As a consequence, it constitutes appropriate development in the Green Belt.

Harms of the Proposal

- 6.10. Since, as explained above, the scheme falls within a paragraph 149 NPPF exception, and is therefore appropriate development in the Green Belt, it follows that it is not harmful to the Green Belt.
- 6.11. For those reasons, the scheme causes no harm to the Green Belt and this is testament to the great care with which the proposal has been prepared.

Design

- 6.12. As set out above, the scheme has been designed with great care to cause no harm to the Green Belt whilst giving rise to substantial benefits. The outstanding design of the scheme is a very significant benefit.

- 6.13. In addition to the (neutral) impact on openness, the design of the scheme should be considered against the National Design Guide (NDG). This is now fully incorporated into the NPPF and carries considerable weight.
- 6.14. The 'Ten Characteristics' of a well-designed place should be considered in relation to the scheme. For ease of reference these are:
- Context – enhances the surroundings.
 - Built form – a coherent pattern of development.
 - Movement – accessible and easy to move around.
 - Nature – enhanced and optimised.
 - Public spaces – safe, social and inclusive (Not relevant to this scheme)
 - Uses – mixed and integrated.
 - Homes and buildings – functional, healthy and sustainable.
 - Resources – efficient and resilient.
 - Lifespan – made to last.
- 6.15. The NDG should be referred to for its full guidance, but it is plain to see that the scheme has been carefully and professionally considered in a manner that adheres to the NDG.
- 6.16. Given the age of the Council's supplementary guidance, the NDG will take precedence. However, and in any event, the Council's guidance is far less detailed than the NDG. Notwithstanding this, there does not appear to be any apparent conflict. The submission documents show that considerable thought has gone into the scheme in terms of its articulation, massing, design details and building placement.

- 6.17. For these reasons, not only is the scheme appropriate development in the Green Belt, it is also sustainable in NPPF terms and therefore has the benefit of Framework presumption.

Socio-economic Benefits

- 6.18. The scheme will give rise to a wide range of socio-economic benefits including: job creation and spending on materials through construction; and local investment throughout the life of the development via the residents spending money directly into the local economy.

- 6.19. Furthermore, it is of great relevance that Mr Waterworth's mother turns 80 years old this year and, due to an accident, she has a long-term injury which requires frequent visits to the hospital and to her GP practice to monitor and dress an open wound on her leg. Her mobility is also affected and so she will be living in the new dwelling with Mr and Mrs Waterworth so she can be looked after now and cared for in the future by the family and without external support.

Environmental Benefits

- 6.20. The existing old buildings are to be replaced by a dwelling and a stable block which will undoubtedly be an environmental benefit when compared to the situation on site at present.

Overall Conclusion on Benefits

- 6.21. The above package of benefits from the scheme is substantial and adds significant weight to the Applicants' case.

Planning Balance

- 6.22. For the reasons set out above, the proposed scheme does not constitute inappropriate development in the Green Belt. It has been shown that the scheme will not have a greater impact on the openness of the Green Belt than the existing buildings and thus engages paragraph 149(g) of the NPPF which,

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in-turn, means compliance with the Local Plan which defers to the NPPF in regard to Green Belt development.

- 6.23. It is clear from the benefits set out above and the fact that the scheme will cause no harm and provide a package of benefits, that when the planning balance is applied it falls strongly in the favour of the scheme being granted planning permission.

7. CONCLUSIONS

- 7.1. For the reasons set out throughout this Planning Statement, the proposed scheme should be welcomed by the LPA.
- 7.2. Acting reasonably, the LPA should find that the scheme would not have a greater impact on the openness of the Green Belt than the existing buildings, is therefore appropriate development in the Green Belt and causes no harm to the Green Belt as a result.
- 7.3. When the planning balance is properly applied, it is clear that the scheme is not inappropriate development in the Green Belt, is in accordance with the development plan, is sustainable development that is supported by the NPPF, is not harmful and gives rise to substantial benefits. The section 38 (6) test and the NPPF paragraph 11 presumption therefore point strongly in favour of granting permission.
- 7.4. It is for these reasons, and all those set out in detail throughout this Planning Statement, that it is respectfully suggested that the application should be approved, and planning permission granted.