

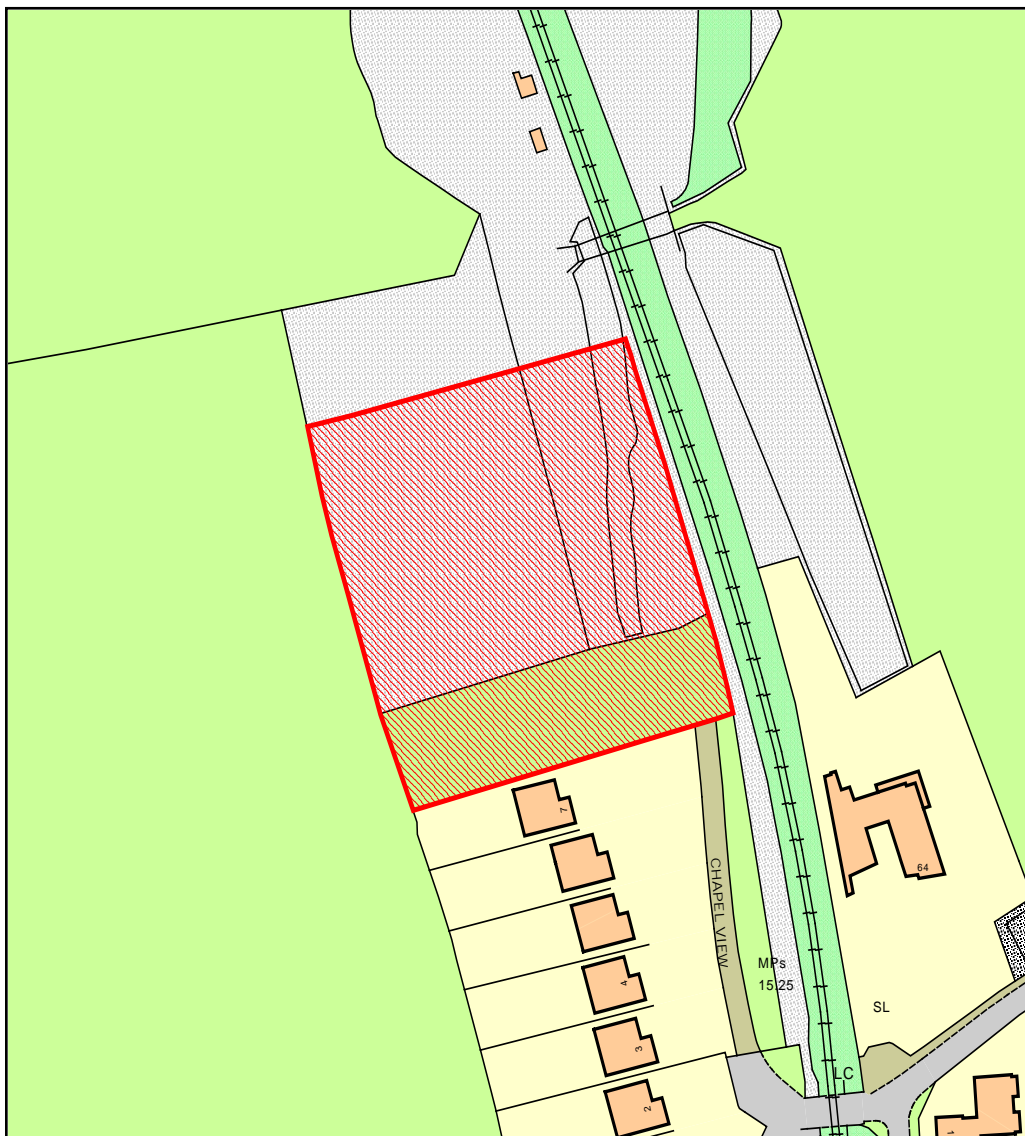
Proposed development: Full Planning Application for Proposed 1 no. new dwelling at Plot 8, Chapel View

Site address: Chapel View, Station Road, Edgworth, BL7 0LE

Applicant: Michael Leary

Ward: North Turton With Tockholes

**Councillor Colin Rigby
Councillor Jean Rigby**



1.0 SUMMARY OF RECOMMENDATION

1.1 APPROVE – subject to conditions detailed in paragraph 4.1

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 The proposal is identified as being of exceptional quality and an innovative design, such that it meets the exception criteria within paragraph 55 of the National Planning Policy Framework, which allows for the construction of new dwellings within rural locations. The proposal is also satisfactory from a technical point of view, with all issues having been addressed through the application, or capable of being controlled or mitigated through planning conditions.

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site comprises part of the area previously occupied by Victoria Mill, which was demolished in 2007. It is identified as 'plot 8' by the applicant in reference to the site being adjoined to the south by 7 contemporary designed eco-dwellings and having previously held planning approval for an 8th unit within the group.

3.1.2 The site consists of an area of cleared ground with evidence of previous ground works, adjoining rough grazing land and a section of the existing railway embankment. The site is covered with vegetation including native tree species and can be considered to have returned, in the main, to a natural state.

3.1.3 To the west of the site is steeply rising agricultural land. The eastern boundary of the site follows the alignment of land owned by Network Rail and the railway line which runs between Bolton and Blackburn. The northern edge is adjoined by open countryside, whilst the southern boundary is shared with plot 7 of the adjacent residential development.

3.2 Proposed Development

3.2.1 Planning approval is sought for the development of a single dwelling, which the submission identifies as being of exemplar design in order to justify the development in accordance with the green belt exceptions policy set out within paragraph 55 of the National Planning Policy Framework.

3.2.2 The proposed dwelling is to be sited at the southern end of the site, adjacent to the existing eco-townhouses with access taken from the existing gated cul-de-sac. The submission indicates that the scheme is to provide a transition from the modern development to the open countryside beyond. The dwelling's design suggests a 'weft and weave' theme originating from the historic textile mill use of the site. The proposed building provides accommodation over two floors; the form is cross axial with two rectangular boxes set at 90 degrees

from one another and the upper floor cantilevered at both ends. The lower floor is to be constructed in coursed natural sandstone, whilst the upper floor utilises modern cladding and large expanses of glazing

3.3 Development Plan

3.3.1 The Development Plan comprises the Core Strategy and adopted Local Plan Part 2: Site Allocations and Development Management Policies. In determining the current proposal the following are considered to be the most relevant policies;

3.3.2 Core Strategy:

- CS1: A Targeted Growth Strategy
- CS5: Locations for New Housing
- CS7: Types of Housing
- CS16: Form and Design of New Development
- CS18: The Borough's Landscapes

3.3.3 Local Plan Part 2:

- Policy 1: The Urban Boundary
- Policy 5: Countryside Areas
- Policy 7: Sustainable and Viable Development
- Policy 8: Development and People
- Policy 9: Development and the Environment
- Policy 10: Accessibility and Transport
- Policy 11: Design
- Policy 41: Landscape

3.4 Other Material Planning Considerations

3.4.1 Due consideration must also be given to the National Planning Policy Framework (NPPF). In particular Section 6, which deals with the delivery of a wide choice of quality homes. Paragraph 55 thereof provides specific guidance to promote sustainable development in rural areas.

3.5 Assessment

3.5.1 The main issues pertinent in the assessment of the proposal are;

- Principle of development (appropriateness of residential development in rural location);
- Design;
- Highways and PROW;
- Ecology; and
- Amenity

3.5.2 Principle of Development

There are two fundamental issues to be assessed regarding the proposed development: (i) the principle of the development, and (ii) the proposed design. Given the rural setting of the site and the limited justification for new dwellings in such a location the two issues cannot be assessed in isolation.

3.5.3 The site is positioned within the green belt. *Policy 3: Green Belt* of the LPP2 is consistent with the NPPF's direction in that it identifies new buildings as inappropriate development subject to a narrow group of exceptions that includes; buildings for forestry and agriculture, replacement of a building provided it does not result in disproportionate additions over the original building; limited infilling; provision of outdoor sports and recreation facilities. The development meets none of these exceptions and is thus in conflict with Policy 3

3.5.4 Notwithstanding the development plan restrictions upon rural development, proposals can be alternatively justified with reference to the NPPF. Paragraph 55 of the NPPF states;

To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example where there are groups of smaller settlements". Further, local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

The exceptional quality or *innovative nature* of the design of the dwelling.
Such a design should:

- *Be truly outstanding or innovative*, helps to raise standards of design more generally in rural areas;
- Reflect the highest standards in architecture;
- Significantly enhance its immediate setting, and
- Be sensitive to the defining characteristics of the local area.

3.5.5 The proposed development, the subject of this application, has been submitted on the basis that the proposal complies with the exception criteria set out in paragraph 55 of the NPPF.

3.5.6 The design of the proposal, which will be discussed in further detail, has been peer reviewed at the pre-application stage by Places Matter! Design Review is a respected method of improving the quality of new development by offering constructive, impartial and expert advice. Design Review panel meetings allow local authorities, clients, developers and design teams to present their schemes at the pre-planning stage to a panel of experts from the built environment sector and benefit from the discussion and constructive advice of the panel. Specifically the Places Matter! Design Review consists of a panel of respected built environment professionals providing expertise from a range of fields including: Development, Architecture, Engineering, Planning, Landscape Architecture, Urban Design, Public Art and local planning.

3.5.7 The review panel's final response is that this proposal could realise the potential to be a paragraph 55, truly exceptional or innovative, building in the countryside. The use of the 'weft and weave' was identified as a convincing narrative for this type of proposal. Further, the landscape narrative provides another strong element of the proposition and allows for a whole site approach.

3.6 Design:

3.6.1 The proposed design is explained in the architect's supporting statement in the following manner;

"The proposed arrangement takes into account views across the site from the locality, whilst enabling the occupants to enjoy the vistas from the interior. The aim being to produce a contemporary but respectful scheme drawing on the characteristics of the surrounding properties to influence the site arrangement, massing, orientation, appearance and materiality of the proposed design.

The rich history of the site has been lost in the recent development of the previous 7 eco-townhouses and it is the intention to reinstate the historical links to the former mill site, which will be developed through the continued design of the dwelling.

The 'weft and weave' theme becomes a strong focal point to start the design process off. The process of working the textiles would result in a strong grid pattern. The portion of the site acts a transitional zone between the 7 modern developments and the open landscape and as such the site should bridge the gap not only in mass and bulk but also its landscape from urban town houses to open countryside rather than the abrupt stop that plot 7 currently has.

The weft and weave concept manifests itself with the crossover of the two sections of the property. Furthermore the intention is to not only weave the building fabric, but also to weave the development in to the landscape.

The strong pattern established for the floor plan layout and site layout continues throughout the elevational treatment with windows and cladding following these lines up the building. The arrangement of the glazing also follows these lines so that any transoms or mullions do not deviate from the set grid. In order to break up the massing, cladding panels between the windows are introduced.

The locality has an eclectic mix of materials, which makes it difficult to assimilate the development. The use of natural sandstone has strong links to the Yarnsdale Quarry and the stone used on the former mill building. The first floor will be clad with Marley Eternit Equitone panels, which is an advanced industrial cladding in anthracite grey to tie with elements of the adjacent eco-townhouses. The material is produced in sheets as such the joints of each panel will coincide with the grid pattern which has been a strong theme throughout the design process. The inset panels between the glass, which will be set in are made up of Marley Eternit Linea panels; these cladding panels have been selected as they will create a strong contrast with between the

other materials highlighting the vertical line across the elevations. They also have their own vertical linear lines which represent the linear run of cotton in the weave pattern”.

- 3.6.2 The proposal is evidently a bespoke response to the site and surroundings. Members should note that a design response that provided a standard farmhouse or other vernacular form would ultimately fail the exception criteria in paragraph 55 of the NPPF. The assessment, therefore, is not whether the proposal is vernacular or modern/incongruous, but rather whether it is truly outstanding or innovative design; helps to raise standards of design more generally in rural areas; reflects the highest standards in architecture; significantly enhances its immediate setting, and is sensitive to the defining characteristics of the local area.
- 3.6.3 In conjunction with the paragraph 55 tests are the general requirements of Policy 11 of the LPP2. The policy requires that successful proposals demonstrate an understanding of the wider context and make a positive contribution to the local area. These requirements are assessed with regard to 8 specific issues; character, townscape; public realm; movement and legibility; sustainability; diversity; materials & colour; and viability.
- 3.6.4 It is considered that the scheme does represent an innovative and exceptional design. The proposed dwelling has been designed to respond to the site constraints and context and the use of the ‘weft and weave’ is a convincing narrative for this type of proposal. Further, the landscape narrative provides another strong element of the proposition; albeit that further work is required to finalise the overall design. Although neither the use of co-axial blocks, or the simplistic design of the elevational treatment are unique; the union of the two elements, the historic narrative and the interaction with the landscape does offer an opportunity to consider the proposals as being innovative and amounting to exceptional design, in order to meet the NPPF test.
- 3.6.5 Subject to the controls identified, the proposal is considered to be compliant with the paragraph 55 exception tests and the more general design policy assessments contained within Policy 11 of the LPP2. Accordingly the principle of the development can be supported.

3.7 Highways:

- 3.7.1 Policy 10 of the LPP2, amongst other criteria, requires successful proposals to demonstrate that the development will not compromise the safe, efficient and convenient movement of all highway users. Appropriate provision for access, off-site servicing and parking in accordance with the Council’s adopted parking standards is also required.
- 3.7.2 The access to the site is established as it serves the adjacent eco-townhouses. No concerns are identified with extending its use to the current proposal. The Council’s highway team has requested additional details in relation to the turning facilities within the site to offset the need for users to reverse back along the cul-de-sac. See update report for further comment.

3.7.3 The new property consists of 4+ bedrooms and as such derives a parking requirement of 3 spaces when applying the adopted parking standards. It is noted that the proposed double garage falls below the requisite 3m x 6m per space. However, the development also includes a large driveway that easily accommodates the parking needs and as such no concerns are identified with the parking arrangements.

3.7.4 Notwithstanding the ongoing assessment of the turning facilities, the scheme is considered to be consistent with the requirements of Policy 10 of the LPP2

3.8 Ecology:

3.8.1 An ecological assessment and arboricultural impact assessment have been submitted in support of the application. The submission was initially identified by Capita Ecology as being obsolete due to the passage of time since the site survey had taken place and due to the report pre-dating the designation of the West Pennine Moorland SSSI.

3.8.2 A rebuttal provided on behalf of the applicant by consultant ecologists ERAP was received 31st January 2018. The submission identifies that no survey limitations were identified in the 2015 ecological survey; that there were no protected species identified at that time, nor were there any potential roosting features for bats, for example. Further evidence of the current site conditions were also provided and a list of recommendations provided. They include;

- Preparation and implementation of an invasive species plan
- Restriction on vegetation removal during bird nesting season (March to August)
- Implementation of a sensitive lighting scheme
- Implementation of features for biodiversity enhancement

3.8.3 Capita Ecology considers the amended details to be sufficient to offset their initial concerns and subject to the use of the suggested conditions offer no objection to the application. Accordingly, the development can be considered to be compliant with the requirements of Policy 9 of the LPP2

3.9 Amenity:

3.9.1 Policy 8 of the LPP2 seeks to safeguard the amenity of future occupants and neighbouring residents with regard to matters including; noise, vibration, odour, privacy/overlooking, light and the relationship between buildings.

3.9.2 The proposed dwelling is massed towards the side of plot 7, though the unit does project beyond the front build line. Despite this relationship there is no significant impact upon residential amenity as the proposal does not conflict with the outlook from windows serving habitable rooms. Indeed the development is wholly consistent with the 45 degree test set out within the adopted Supplementary Planning Document: Residential Design Guide.

- 3.9.3 The objection received from residents of the adjacent property identifies, in part, loss of views. Members should note that the loss of a view is not a material consideration in the determination of this application and further consideration of this issue cannot be weighed in the final assessment.
- 3.9.4 Overall the proposal raises no substantive concerns in terms of the impact upon amenity of future occupants or neighbouring residents. As such the proposal is consistent with the requirements of Policy 8 of the LPP2 and the Council's

4.0 RECOMMENDATION

4.1 APPROVE – subject to the following conditions

- Materials to be submitted
- Trees to be safeguarded during development
- Construction methods
- Land contamination
- Details of boundary treatments
- Landscaping to be agreed
- Contaminated land investigations, validation and remediation, where appropriate
- Removal of permitted development rights; Part 1 classes A to E Invasive species management plan
- Vegetation clearance to not occur during bird nesting season (March to August)
- External lighting scheme to be agreed
- Biodiversity enhancement scheme to be agreed and implemented
- Construction hours restriction (8am to 6pm Monday to Friday, 9am to 1pm Saturday)

5.0 PLANNING HISTORY

- 5.1 10/04/0607 - Conversion of building and associated site for 14 residential apartments and associated workshop space (Approved)
- 5.2 10/08/0721 – Amendment of approved development 10/04/0607 for the provision of mezzanine floors to the ground and third floor areas within the proposed residential accommodation. Alterations to the internal and external layouts of the offices located at the northern end of the Mill and amendments to existing metal clad building approved for offices also located at the northern end of the Mill. (Approved)
- 5.3 10/09/1039 - Full planning permission granted for the development of 7 eco dwellings on the site of the former Victoria Mill (Approved)
- 5.4 10/10/1140 – Full planning application for erection of 1 dwelling refused under delegated powers on the 5th March 2015, for the following reasons:

“The proposal's siting, design, scale, massing and external appearance would have an unacceptable impact upon the openness of the green belt and surrounding area forming an incongruous and unacceptable feature; contrary to the requirements of saved Policies H4, RA3 and HD1 of the Blackburn with Darwen Borough Local Plan, Core Strategy Policy CS16 and the Council's adopted Supplementary Planning Document: Residential Design Guide.

The proposed development would conflict with the existing trees on the development site, resulting in damage to the roots and future pressure for their removal. Therefore the proposal is likely to result in the premature deterioration and death of the trees, or the pressure to remove, contrary to saved Policy HD8 of the Blackburn with Darwen Borough Local Plan.

The proposed landscaping for the development is is not of a high quality or value which would enhance the character of the area or allow the development to successfully integrate with the surrounding green belt; contrary to saved Policies HD9 and RA3 of the Blackburn with Darwen Borough Local Plan.

The development results in the loss of the turning head for the overall development of Victoria Mill, which is contrary to saved Policy T9 of the Blackburn with Darwen Borough Council as it would fail to provide a safe, efficient and convenient access for all highway users.

The proposed garage, by virtue of its siting, design and scale, forms an isolated and incongruous form of development which would detrimentally affect the openness of the green belt and the character of the site in general; contrary to saved Policy RA3 of the Blackburn with Darwen Borough Local Plan.”

A subsequent appeal was dismissed by the Planning Inspector on the 29th September 2015, for the principle reason that the proposal would fail to preserve openness and would harm the character of the area.

- 5.5 10/16/1080 – Erection of one dwelling refused under delegated powers on the 21st December 2016, for the following reasons:

“The proposal would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing site, and as such, is regarded as inappropriate development, which by definition, is harmful to the Green Belt; failing to comply with Policy 3 of the Blackburn with Darwen Borough Local Plan Part 2 (Site Allocations and Development Management Policies) (December 2015) and National Planning Policy Framework.”

6.0 CONSULTATIONS

6.1 Highways:

The property is to be served by an existing road, which was approved under previous application, and which ended in a formal turning head. Please request details of this to be included, and similarly, could we request a 3 axle

vehicle is tracked to ensure the space for manoeuvring is adequate at the turning head?

To conclude, we would offer no objections to the application subject to the above issue regarding the turning head being addressed satisfactorily.

6.2 Local Drainage
No objection

6.3 United Utilities
No objection. The plot is within the boundary of an existing housing development and is some distance from Jumbles reservoir. The developer should be made aware of our catchment conditions to ensure they are aware of the risks associated with working on or near catchment land, so as to bear this in mind when constructing the property and transporting goods and services.

6.4 Arboricultural Officer
No comment

6.5 Public Protection
No objection subject to standard conditions relating to; land contamination and construction hours

6.6 Capita Ecology
Initial objection due to time elapsed since the ecological assessment was produced. Following receipt of additional supporting information 31st Jan 2018 a no objection position is offered, subject to conditions relating to; management of invasive species;

6.7 Public Consultation
7 neighbouring properties were individually consulted by letter and a site notice displayed. 1 letter of objection has been received. 1 letter of support has been received from the ward councillor.

The objection points can be summarised as;

- Non-compliance with the NPPF
- Non-compliance with local planning policies
- Green belt land should not be built upon
- Availability of large houses for sale in the locality
- Loss of views

The support points can be summarised as;

- The site was previously developed brownfield land
- The proposal has been reviewed by Places Matter! Favourably
- The adjacent housing development have not been built to specification
- Previous application for development on the site was supported by Planning Committee

6.8 North Turton Parish Council
No objection

7.0 **CONTACT OFFICER: Martin Kenny, Principal Planning Officer**

8.0 **DATE PREPARED: March 2nd 2018**

9.0 SUMMARY OF REPRESENTATIONS

Objection Ian Plenderleith, 7 Chapel View, Station Road, Turton

Application Reference 10/17/1419

Dear Mr. Kenny,

I am writing to you to express my strong opposition to the above planning application. This report details the points I believe demonstrate the inappropriateness of any further development on this site.

Reasons for opposing the application are detailed below. In the first sections I have focused on non-compliance with National and local planning policies, followed by a detailed review of the specifics of the site and local area.

1. Non compliance with the National Policy Planning Framework (NPPF) - The NPPF sets out to promote sustainable development in rural areas, stating that housing should be located where it will enhance or maintain the vitality of rural communities. Local Planning Authorities should avoid isolated new homes in the countryside unless there are special circumstances such as the essential need for a rural worker; where it would represent the optimal viable use of a heritage asset; where it would lead to reuse of a redundant or disused building; or the development is of exceptional quality or innovative design (para 55).

In the case of this development it is clear that;

- It does not promote sustainable development in rural areas;
- It will not enhance or maintain the vitality of rural communities;
- It is an isolated new home which:
 - Does not provide an essential need for a rural worker;
 - Does not represent the optimal viable use of a heritage asset;
 - Does not lead to the reuse of a redundant or disused building;
 - As I assume this is a paragraph 55 application the applicant will be stating it is of exceptional quality or design.

From the above it can be stated that that the proposed application definitely fails 6 out of these 7 tests. It may be claimed that it meets the 7th criteria, however this will always be subjective and, in a situation where it clearly fails all other tests, the application should not be permitted.

Moreover, as highlighted later in this report, the applicant already has a property some thirty metres or so from the proposed development site. Given this situation it would be gratuitous in the extreme for the council to permit the applicant to extend his negative environmental impact further into the Green Belt by building another property so close to the applicant's existing property. Why would the Council permit one person to do this, surely if the applicant wishes to build a 'my dream' paragraph 55 property then the applicant could modify his existing property to meet these specifications, without causing further damage the green belt, environment, wildlife, habitat and natural species of the West Pennine Moors.

2. Non compliance with local planning policies and strategies - Blackburn with Darwen Council has a core strategy to guide its duties and responsibilities to all the citizens of the borough. This document contains a number of policies that are designed to protect all citizens, the environment and the natural habitat of Blackburn with Darwen. On reviewing this document it is clear that application 10/17/1419 does not comply with a number of the council's own key policies.

Firstly, the Core Strategy Key Diagram (P37) shows the area by specific location categories. The area where the development is planned is in Chapeltown (inset villages - focus on limited scale housing meeting local needs), it is in the green belt, and it is in the West Pennine Moors, which is a unique local area of outstanding

natural beauty. This specific point regarding building outside villages is reiterated on page 40, where it states, “Outside villages the amount of new development will be tightly limited. Individual opportunities which will help diversify the rural economy or support tourism will be supported where they are appropriate in scale”.

This development does not diversify the rural economy or support tourism, it does not focus on meeting local needs (as further explained in section 4 below), it will further damage the green belt, and it will further damage the West Pennine Moors. As such it cannot be said to be compliant with the Council’s own core strategy.

Policy CS5 locations for new housing. Point 8.7 on page 80 further develops this point stating, “(O)ur strategy therefore is to plan for larger family and executive housing - but to ensure that this is delivered in sustainable locations in or on the edge of the urban area”. It goes on to say, (O)ur preference in planning for higher market and executive housing will be those sites that are within the urban area or on the edge but not in Green Belt;”. The current development is in the Green Belt and the West Pennine Moors.

Clearly the location of the current development does not comply with the Council’s own policy CS5 for new housing.

Policy CS9, Existing housing stock. As detailed in section 4 below, there are a number of large executive style houses in the area that have been for sale for a long period of time. Policy CS9 states, “strategic housing policy will..... provide a balanced quantity and mix of residential housing to meet the needs of existing residents and attract new residents to the Borough.

The empirical evidence of available large/executive housing within the local area shows that there is no requirement for additional housing of this type. There are already a number of properties that have stood empty for some time and adding another property of this type in this area will not help one of the Council own key performance indicators, which is the number of empty homes.

There is no need for another large home in the area (in fact the applicant already owns a large property in the immediate area). permitting this development does not comply with the Council’s own policy CS9.

Policy CS13, Environmental assets. The core strategy “aims to secure a “step change” in the approach to protection, enhancement and management of environmental assets”. In this instance the applicant is requesting to build another property some 30 metres from the applicant’s existing property, which will be within the Green Belt and West Pennine Moors. Should this development progress it is impossible to avoid negative impacts on the landscape, wildlife, habitat and local species. Moreover, as the applicant already has a property so close to the development area in effect the council will mean a totally unnecessary deterioration in the environment.

It is absolutely clear that if the Council aims to secure a “step change” in its approach to the environment, and it wishes to achieve its own strategic outcomes/targets (ensure all planning applications which would cause unacceptable impacts on the environment are refused permission) it should not permit this development. This development would cause an unnecessary and unacceptable degree of environmental impact and is in complete contradiction with the Council’s own environmental policy CS13

Policy CS14, Green Belt. The Council’s own policy document states that the general extent of the borough’s Green Belt will be maintained. In point 10.26 it goes on to state, “(O)ver the life of the Core Strategy it is acknowledged that there may need to be some urban growth into the Green Belt, in localised areas immediately adjacent to the urban boundary, to meet the needs of the Transformation Agenda (see para. 2.16).

In section 10.28 it further develops its thinking on Green Belt development;

Future work on Green Belt should take account of at least the following issues for green belt development.

“The case for the development proposed, having regard to:

- a. *Its contribution to meeting quantitative targets for development, for example for employment land or for housing;*

- b. *Its qualitative contribution to the overall objectives of the LDF and those of the wider sub-region, including MAA objectives, by virtue of the type of development proposed;*
- c. *Evidence that there is market demand for the development and that it will be delivered.*”

It is clear that this current development does not meet the Council’s own Transformation Agenda, it makes no contribution to meeting quantitative targets, it makes no qualitative contribution to the overall objectives of the LDF, and there is no market demand for this type of development (now and future). As a consequence this development does not comply with policy CS14.

Policy CS18. The Borough’s landscapes. The Council recognises this importance of the landscape on the quality of life and attractiveness of the borough - 11.9, the Borough’s landscape is one of its key assets. This proposed development will have a negative impact on the local landscape which has been recognised during previous planning applications. All of these have been rejected for the following reason;

The principle of residential development on this site is unacceptable. It would quite clearly have a greater impact on the openness of the green belt.

Furthermore, permitting this development would also be in contradiction with one of the Council’s own key outcomes/targets - No developments which have an adverse effect or destroy landscapes by detracting from their distinctive features to be given planning permission.

It is not in doubt, and has already been officially stated that any development on this site would have an adverse effect on the local landscape. Therefore this development is not in compliance with the Council’s own policy CS18 and the precedents already set for this site by the Council.

3. Green belt land that should not be built on - Over the past two years there have been a number of speculative applications to build on this site, and on each occasion the Council has not permitted any development. In 2014 the Planning Inspectorate concluded that no permission had ever been given to build here and that proposals to build here must be regarded as inappropriate development which by definition is harmful to the green belt. In my discussions with council representatives I was informed that this meant that nothing can be done to the site which fundamentally changes its current characteristics. This is further confirmed in the delegated decision officers report for application 10/16/1080, which states *“it’s current status is a vacant piece of land. It has a some leftover construction material, but does not feature any development that could be perceived as affecting the openness of the Green belt”*.

This same report goes on to state *“In applying NPPF and Policy 3 of LPP2, and attaching significant weight to the Inspector’s decision, the principle of residential development on this site is unacceptable. The proposal would quite clearly have a greater impact on the openness of the green belt and the purpose of including land within it than the existing site, resulting in inappropriate development which by definition is harmful to the Green Belt”*. The report continues that special circumstances such as design quality have been noted, however they are not considered to outweigh the fundamental inappropriateness of the development.

As mentioned above, due to time constraints and the availability of information I have not had the opportunity to review all aspects of the plan in detail, however I do note comments made that the new planned construction will book end the existing development. However I would question the need for this, why does the site need a bookend. The current views up the side of the hill are exceptional (see photo below), which any further development would significantly harm. *NPPF states that ‘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’.*



In summary the plans to build any development on this site will affect the Green belt and the openness of this site. Precedents have already been set for this site, stating that any changes to the current site will be harmful to the Green belt and damage the openness of this site.

4. More large houses in Chapeltown/Edgworth area - There are already a number of unoccupied large houses that are failing to sell and/or struggling to sell. For example, in spite of being completed over two years ago, there are still three properties unsold on Chapel View, the new properties at Crowthorne are not selling well, and a cursory glance across house selling websites reveals a number of other large/expensive houses that have been on sale for long periods of time - out of respect for these property owners I will not mention them here.

From the above you can draw the conclusion that the broad economics of the area mean there is little appetite for more expensive properties in the area. It may be that the applicant plans to live in this property himself however he already has a similar, expensive property immediately across the railway which he may be giving to his family for use, this I do not know. Why would the Council permit the applicant to further pollute the Green Belt in this area by permitting the constructing of another large, expensive property? Is it in the sustainable long term interests of the Green Belt to enable housing stock to be constructed when there is little appetite for housing of this type and cost in the area?

In summary, the applicant already has a similar, expensive property within 20-30 meters of the planned development. Why would the council permit one individual to continue to build in areas of outstanding natural when there is no significant appetite for this type and expanse of property in the area.

5. The proposed property will significantly impact my property - Currently, from the north side of our property (i.e. we enjoy unrestricted viewing of moorland and the natural species that use this environment). The construction of the other chapel view properties is complete and the land on plot 8 is gradually returning to its natural state as moorland. This is a view we greatly enjoy, and as stated in section 3 above, is something that the Council and the Planning Inspectorate should continue to be preserved.O

I would also highlight that our property, number 7 is set back from other properties to protect the two trees in front of our house, as such our front south view is restricted by number 6. Should this planned construction go ahead our from view to the north will also be restricted by this extended development, effectively meaning we will be 'hemmed in' by properties on both sides. On initial review it appears that this development plans ground floor level buildings, and car parking, both of which will extend beyond the front and rear of our house obstructing our views.

Finally, and as can be seen from the photo above, the planned development will block and destroy the fabulous view up the side of the hill and valley.

In summary, this planned development will significantly impact both the front and rear of my property, and moreover, the extension at the front will render our property hemmed in to the North and the South. The planned construction and associated parking will significantly affect the openness of the Green Belt land on plot 8.

6. Paragraph 55 houses must be more than just the design and construction - To the best of my limited knowledge, paragraph 55 houses are of exceptional design and construction that blend in and add to the natural environment.

This must mean having a long term respect for the environment in which you live, and always ensuring that you and your property are not harmful to the Green Belt, and never more so in this case when the Council and the Planning Inspectorate have previously refused to permit and development on this site, ensuring that the Green Belt is protected.

As mentioned in section 4 above, the applicant has a property that is within 20-30 meters of the current planned development and which is immediately opposite my property. Given the applicant's interest in building a paragraph 55 property one would have expected the property where the applicant currently lives to also respect and fit in within the local environment.

The property in which we live is marketed as having exceptional views, and it is true that many of the views are exceptional. However there is one aspect of the view from the front of our property that is a real eyesore, and that is the view of the applicant's current property. Whilst the applicant's current property is neat and tidy, especially the parts and views enjoyed by the applicant, the visual impact on my family and the views from Chapel View are very negative indeed. Below are some examples of the problems that demonstrate a blatant disregard for the Green Belt and the wider environment.

- We are informed that the house is supposed to have a 'green roof' to help in blend into the environment, it doesn't as photograph 1 in appendix 1 shows, the roof is black roofing material that could not be said to be "green".
- The applicant has continually run a construction business from this domestic property, storing commercial vehicles and materials for business purposes. The visual impact of this on the Green Belt is not borne by the applicant, as this area is sheltered from the applicant's view, however it is suffered by the residents of us in Chapel View (photos two and three in appendix 1 demonstrate this). The back side of the property is effectively a builders yard.
- The applicant uses part of the property to store and burn scrap materials. Once again, the visual impact of this on the Green Belt is not borne by the applicant, as this area is sheltered from the applicant's view, however it is suffered by the residents of Chapel View (photos four and five in appendix 1 demonstrate this).
- Related to the above point is fire risk, and it should be highlighted that in 2015 it was only the actions of my wife and a fellow Chapel town resident that stopped a fire taking hold - the fire service had to be called out - that could have caused the house to burn down.

In summary, I would estimate that paragraph 55 living means long term respect for the Green Belt and the environment in which one lives, taking care to ensure that you minimise your impact on areas of outstanding natural beauty such as the West Pennine Moors. From the photos and examples in this report it is clear that the principles of respect for the Green Belt have not been demonstrated, and this is from a property that is only 20-30 metres from the planned development. Given this body of evidence, one would expect the Council to ensure that it reviews this development as a long term environmental project where the negative impact on the Green Belt could easily extend well beyond design and construction.

Moreover, and as mentioned above, when considering this application the Council should also take into account that the applicant already has a property some 30 metres from the existing site. It would be surprising if "very special circumstances" could ever exist when the applicant already has a property so close by. Special circumstances definitely do not exist solely because an applicant has the money and desire to build an expensive property in the Green Belt, and another expensive property so close to the applicant's current property. The Green Belt in the West Pennine Moors is there to be enjoyed by everyone. Just because one individual can afford an expensive property does not mean they should be able to build one, and never more so when the development clearly does not comply with national planning policy and Blackburn with Darwen's own core strategies and policies.

There is no need to build this property, it will cause further unnecessary environmental damage to further to the Green Belt and the West Pennine Moors.

7. Conclusion

In its rejection of application 10/16/1080 the Council quoting the NPPF stated, "*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*". This response and other reviews carried out by the Council clearly demonstrate that any development on this site will harm the Green Belt, that point is not in doubt. It is therefore incumbent on the Council to ensure that other considerations put forward by the applicant outweigh these downsides and give rise to "very special circumstances".

This response highlights a number of points that demonstrate that this planned development does not comply with the national and local policies, and considerations that add further weight to the inappropriateness of this planned development.

In addition to the non compliance with numerous policies, if this construction of large property on green belt land is not declined, there will be a significant negative impact on the landscape of the area, there will be the construction of another large expensive property in an area where there is not any real appetite for such expensive properties - there is simply no need for another large house, and there will be the 'beyond construction', long term sustainability risk to the Green Belt and surrounding areas.

Support Cllr Colin Rigby

Martin

The following note is in support of the above application, and my comments are listed below.

- 1) This was a previously developed brown field site, being part of a mill building.
- 2) I understand that a previous application was supported by the planning committee.
- 3) The original planning consent on the old mill site was for seven HUF houses, when these failed to sell, a re-application for less costly houses was submitted and passes, a check with your

Building Inspectorate, will clearly indicate that these houses were not apparently built to specification.

- 4) The current application has been reviewed by Places Matter, who have produced a favourable report.

Given the above circumstances I can see no other option than approval. _____
