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PLANNING SUPPORT STATEMENT

DETAILED APPLICATION FOR 6NO DWELLINGS FOLLOWING DEMOLITION OF EXISTING COMMERICAL STABLES AND EQUESTRIAN AND CARAVAN STORAGE BUILDINGS

MOORHOUSE FARM, MOORHOUSE LANE, BIRKENSHAW, BRADFORD, BD11 2AY

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1.0 INTRODUCTION

The proposal which forms the subject of this application for detailed planning permission relates to a site known as Moorhouse Farm, Moorhouse Lane, Birkenshaw, which has a longstanding and established use as a large scale commercial equestrian enterprise involving livery dating back to the 1980s. Former agricultural buildings are also utilised for a caravan storage business, which is also long standing.

This proposal seeks detailed permission for the construction of 6No dwellings following the demolition of the subject buildings as detailed on the submitted plans.

The following supporting documents/information is submitted with the application:-

(i) Full plans and details – Fox Architecture and Design;
(ii) Planning Support Statement – Townsend Planning Consultants;
(iii) Bat Report – Middleton Bell Ecological Consultants;
(iv) Mining Report – ARP Associates;
(v) Drainage Report – EWE Associates; and
(vi) Highways Report – Paragon Highways.

It is considered that this statement, together with the accompanying plans and documents, clearly demonstrate to the Council that the proposal accords with national and local planning policy and, when judged against this and all material considerations, it is clearly the case that notwithstanding the site's Green Belt status planning permission should be granted.

In the context of the adopted National Planning Policy Framework, owing to the site's use for equestrian purposes and caravan storage it forms a brownfield site within the Green Belt and, therefore, the proposals do not constitute inappropriate development. As such, no "very special circumstances" are necessary to justify the

grant of planning permission.

The proposals also clearly pass the tests of openness in terms of volume of buildings, footprint and intensity of use, as will be set out in this statement.

This submitted statement should also be read in conjunction with other detailed reports which address the issue of bats, mining and drainage and demonstrate that the proposal does not give rise to issues of harm in such terms.

This statement now proceeds to give details of the background to the site and its current uses. The details of the proposal are then set out. Relevant planning policy and central government advice in the form of the National Planning Policy Framework is then discussed. The issues that the proposal raises are then examined and finally the conclusion is reached that planning permission should be granted for the proposal to proceed. Nevertheless, the applicants remain willing to discuss all aspects of this proposal with the Council.

2.0 THE SITE AND THE PROPOSAL

Moorhouse Farm originally constituted a livestock farm, including dairy farming and the keeping of livestock until the mid 1980s. Dairy farming at the site ceased in 1985. At that stage the equestrian use and caravan storage was established. The equestrian use has significantly expanded since that time and the caravan storage extended into the former livestock buildings when the final livestock operation ceased in 2005.

Moorhouse Farm therefore has a long established use as a commercial equestrian enterprise and caravan storage dating back to the 1980's, which includes:-

- 34 Stables for DIY livery;
- Ancillary equestrian storage buildings;
- Ménage;
- Extensive areas of hardstanding; and.
- Former agricultural buildings utilised for the caravan storage business.

The site is located off Moorhouse Lane on the edge of the existing settlement. The overall countryside area is characterised by sporadic development with a number of uses, including equestrian, agricultural and residential. When fully in use the business attracts significant activity including that associated with the 34 DIY livery stables. The vehicle movements involved in association with the use are therefore significant and also includes the delivery of foodstuffs, veterinary calls and movements by horseboxes to attend shows and events. The site is an intensively used commercial site in the Green Belt.

In terms of vehicle use, the following provides a snapshot of activity on a daily/weekly basis:

- 34 Livery stables – 4 journeys per day per stable.
- Vets – 1 visit per week.
- Horse trainers including instructors – 1 per day.
- Feedstuff supplies – 4 per week.
- Horse Box – 2 per day.
- Show days/significant number of journeys by horse box, owners and families.
- Caravan trips can be anything from 4 times per year to 4 times per week depending on seasonable use.

The use of the site for commercial equestrian purposes is longstanding. The applicants have operated livery and stables at the site since 1985 and the use has significantly grown since that time. The site has also been used for caravan storage since 1985 and the large building now utilised (former livestock buildings) was established in 2005. As the use of the site is equestrian and commercial storage, it is clearly the case that it constitutes brownfield land.

This proposal seeks the comprehensive redevelopment of the site for 6no dwellings as shown on the submitted plans. This will involve the removal of existing buildings and hardstanding as also identified on the submitted plans.

The proposal has been sensitively designed and is appropriate in scale form and layout for this Green Belt location. It would be noted that the size of the proposed built form does not exceed the size of the buildings to be removed:

Existing building volume (not including containers)	9411 cubic metres
Proposed development volume	5006 cubic metres

In the forming of the residential curtilages, these are contained within the existing working area of the facility in either the footprint of the buildings or the working surfaced areas.

In design terms, care has been taken to ensure a scheme which is wholly sensitive to this Green Belt location. The detailing of the properties and their layout are appropriate for this rural area and form a small cluster of buildings avoiding urban/suburban characteristics in form and layout.

It has also been identified in the drafting up of the scheme that the proposal must be sensitive to the setting of the nearby Listed Building.

It is acknowledged that the access to the site is constrained. However, as detailed in the highways submission, access improvements are proposed and the scheme will significantly reduce the highway movements associated with the site.

As demonstrated in this submission, it is considered that in the context of the Development Plan and all material considerations that the proposal is acceptable. Nevertheless, the applicants remain willing to discuss all aspects of the proposal with the Council.

3.0 PLANNING POLICY

By virtue of Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the planning authority must determine the planning application in accordance with the statutory development plan (insofar as it is material to the application), unless material considerations indicate otherwise. The NPPF also advises of a presumption in favour of development which accords with the development plan. The importance of the statutory development plan in the decision making process necessitates an examination of the relationship between the policies and proposals of the plan and government guidance.

3.1 Central Government Policy Advice

3.1.1 The National Planning Policy Framework

The following are comments on the advice in the Framework which is considered to be relevant to the consideration of the proposal:

(i) Para 2 of the 'Introduction' sets out that:

"Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise."

(ii) Section 2 sets out the aims of achieving sustainable development.

(iii) At Para 38 with regard to decision making, it states:

"Local Planning Authorities should approach decisions on proposed development in a positive and creative way… and work proactively with applicants to secure developments that will improve economic, social

and environmental conditions in the area. Decision makers at every level should seek to approve applications for sustainable development where possible."

(iv) Section 12 provides advice on ***"Achieving Well-Designed Places".***

At Para 130 it states that:

"…decisions should ensure that developments:

…(b) are visually attractive as a result of good architecture, layout and effective landscaping.

(c) are sympathetic to local character and history including the surrounding built environment and landscape setting…"

Para 130 states:

"…where the design of a development accords with clear expectations in plan policies, design should not be used by the decision maker as a valid reason to object to development."

The proposal conforms with the above advice.

(v) Section 13 deals with "Protecting Green Belt Land". At Para 147 it states:

"Inappropriate development is by definition harmful to the green belt and should not be approved except in very special circumstances."

Para 149 goes on to state:

"A local planning authority should regard the construction of new

buildings as inappropriate in the green belt. Exceptions to this are:

…(g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (except temporary buildings), which would:

- ***not have a greater impact on the openness than the existing development; or***
- ***not cause substantial harm to the openness of the green belt where the development would reuse previously developed land and contribute to the meeting and identified affordable housing need within the area of the local planning authority."***

It is clear that this proposal will not have a greater impact on the openness of the Green Belt than the existing development it seeks to replace.

This advice sets out that Listed Buildings are statutory heritage assets. It is considered the development is not harmful to heritage interests.

The NPPF states at Para 194:

"In determining applications, local planning authorities should require an application to describe the significance of any heritage assets affected, including any contribution made by their setting. <u>The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance</u>."

Para 197 states:

"In determining applications local planning authorities should take account of:

a) the desirability of sustaining and building the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic viability; and

c) the desirability of new development makes a positive contribution to local character and distinctiveness."

It is considered that the removal of the large scale buildings to be replaced by a sensitively designed scheme will enhance the setting of the nearby Listed Building.

It is clear that this proposal will not have a greater impact on the openness of the Green Belt than the existing development it seeks to replace (notwithstanding that the proposal is larger in volume than the extant permission).

3.1.2 Planning Practice Guidance 'Green Belt'

National Planning Practice Guidance 'Green Belt' published on the 22nd July 2019 has been taken into account in drafting up this scheme. The advice sets out "***what factors can be taken into account when considering the potential impacts of development on the openness of the green belt."*** The advice identifies that this ***"requires a judgement based on the circumstances of the case".*** It also goes on to set out that the Courts have identified a number of matters which may be taken into account, which include:

"• Openness is capable of having both spatial and visual aspects – in other words the visual impact of the proposal may be relevant as could its volume;

- ***the duration of the development and its remediably taking into account the provisions to return the land to its original state or to an equivalent***

or improved state of openness; and

- ***A degree of activity likely to be generated such as traffic generation."***

In the context of the above, in this instance:

(i) In spatial and visual terms the level of building proposed on site is significantly less in terms of volume that the existing buildings and structures on site and will be an improvement visually.

(ii) The proposal will significantly reduce the developed part of the site by removing buildings and ancillary hardstanding around the buildings and retain the development onto a much smaller area of land. The land form which the buildings will be removed will be restored to open planted land which will improve openness.

(iii) In terms of the generation of activity, as demonstrated in the submission the proposal will result in much decreased activity than the lawful use, which again will be of benefit to openness.

It is clear that the revised proposals conform with this advice.

3.1.3 Planning Practice Guidance 'Design'

Planning Practice Guidance provides further advice in respect of design issues. The advice sets out how good design can guide planning and development proposals.

With regard to character, it states:-

"Local building forms and details contribute to the distinctive qualities of a place. These can be successfully interpreted in new development without necessarily restricting the scope of the designer."

In terms of scale, it states:-

"This relates both to the overall size and mass of individual buildings and spaces in relation to their surroundings, and to the scale of their parts."

It goes on to state:-

"The size of individual buildings and their elements should be carefully considered as their design will affect the overshadowing and overlooking of others, local character, skylines, vista and views. The scale of building elements should be both attractive and functional when viewed and used from neighbouring streets gardens and parks."

It is considered that the scheme as proposed fully conforms with advice set out in Planning Practice Guidance 'Design'.

3.1.4 Planning Practice Guidance 'Conserving and Enhancing the Historic Environment'

This advice is relevant in the context of the site's proximity to a Grade II Listed Building.

Consideration has been given to the published advice in Planning Practice Guidance 'Conserving and Enhancing the Historic Environment'. This states amongst other things:

"Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset and the contribution of its setting is very important to understanding the potential impact and accessibility of development proposals."

In terms of taking into account the setting of a heritage asset, it states:

"A thorough assessment of the impact on setting needs to be taken into account, and proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or distract from that significance and the ability to appreciate it."

It is considered that the proposed development does not lead to harm to the significance of the statutotory designated assets for the reasons that are set out. It is considered that there is no harm to the setting of the Listed Building. Indeed, it can be contended that the removal of large scale buildings from the site to be replaced with a sympathetic small scale proposal will improve the setting of the Listed Building.

3.2 Local Planning Policy

3.3.1 Kirklees Local Plan – Strategy and Policy

The Council have recently adopted its Local Plan and the following policies are considered relevant to the consideration of this proposal:

(i) Policy LP5

Policy LP59 relates to 'Brownfield sites in the Green Belt'. This states:

"PROPOSALS FOR INFILLING WITHIN EXISTING BROWNFIELD SITES OR FOR THEIR PARTIAL OR COMPLETE REDEVELOPMENT WILL NORMALLY BE ACCEPTABLE, PROVIDED THAT:

A. IN THE CASE OF INFILLING, THE GAP IS SMALL AND IS LOCATED BETWEEN EXISTING BUILT FORM ON A BROWNFIELD SITE;

B. IN THE CASE OF PARTIAL OR COMPLETE REDEVELOPMENT THE EXTENT OF THE EXISTING FOOTPRINT IS NOT EXCEEDED; AND

C. REDEVELOPMENT DOES NOT RESULT IN THE LOSS OF LAND THAT IS OF HIGH ENVIRONMENTAL VALUE WHICH CANNOT BE MITIGATED OR COMPENSATED FOR.

LAND AT STORTHES HALL HAS BEEN DESIGNATED IN THE LOCAL PLAN IN ORDER TO RECOGNISE IT AS A MAJOR BROWNFIELD SITE IN THE GREEN BELT. DEVELOPMENT PROPOSALS SHOULD BE ACCOMPANIED BY A MASTERPLAN WITH SPECIAL ATTENTION PAID TO THE IMPACT OF ANY PROPOSAL ON THE OPENNESS OF THE GREEN BELT.

IN ALL CASES REGARD SHOULD BE HAD TO RELEVANT DESIGN POLICIES TO ENSURE THAT THE RESULTANT DEVELOPMENT DOES NOT MATERIALLY DETRACT FROM ITS GREEN BELT SETTING."

The proposal involves the redevelopment of an existing brownfield site. The footprint has not been exceeded.

In the supporting text it also states:

"19.33 As the Green Belt is very extensive it inevitably includes sites that have a legacy of, or are currently occupied by an industrial use or are otherwise deemed to be previously developed… Alternatively, the redevelopment of the site, either in the same use or for a new use, may be acceptable provided that the redevelopment is designed so as not to have any more impact on the openness of the Green Belt than the existing built form. The extent of the existing footprint

should not normally be exceeded, although it may be possible to redistribute built form on the site provided that the resulting impact is no more than that of the existing development. Assessment of all proposals will also include an assessment of any intensification of use on local roads."

This proposal clearly conforms with the provisions of the development plan as outlined above.

(ii) Policy LP24 'Design'

Policy LP24 states:

"GOOD DESIGN SHOULD BE AT THE CORE OF ALL PROPOSALS IN THE DISTRICT AND SHOULD BE CONSIDERED AT THE OUTSET OF THE DEVELOPMENT PROCESS, ENSURING THAT DESIGN FORMS PART OF PRE-APPLICATION CONSULTATION OF A PROPOSAL. DEVELOPMENT BRIEFS, DESIGN CODES AND MASTERPLANS SHOULD BE USED TO SECURE HIGH QUALITY, GREEN, ACCESSIBLE, INCLUSIVE AND SAFE DESIGN, WHERE APPLICABLE. WHERE APPROPRIATE AND IN AGREEMENT WITH THE DEVELOPER SCHEMES WILL BE SUBMITTED FOR DESIGN REVIEW:

PROPOSALS SHOULD PROMOTE GOOD DESIGN BY ENSURING:

A. THE FORM, SCALE, LAYOUT AND DETAILS OF ALL DEVELOPMENT RESPECTS AND ENHANCES THE CHARACTER OF THE TOWNSCAPE, HERITAGE ASSETS AND LANDSCAPE;

B. THEY PROVIDE A HIGH STANDARD OF AMENITY FOR FUTURE AND NEIGHBOURING OCCUPIERS; INCLUDING MAINTAINING APPROPRIATE DISTANCES BETWEEN THE BUILDINGS AND THE

CREATION OF DEVELOPMENT-FREE BUFFER ZONES BETWEEN HOUSING AND EMPLOYMENT USES INCORPORATING MEANS OF SCREENING WHERE NECESSARY;

C. EXTENSIONS ARE SUBSERVIENT TO THE ORIGINAL BUILDING, ARE IN KEEPING WITH THE EXISTING BUILDINGS IN TERMS OF SCALE, MATERIALS AND DETAILS AND MINIMISE IMPACT ON RESIDENTIAL AMENITY OF FUTURE AND NEIGHBOURING OCCUPIERS;

D. HIGH LEVELS OF SUSTAINABILITY, TO A DEGREE PROPORTIONATE TO THE PROPOSAL, THOUGH:

I. THE RE-USE AND ADAPTATION OF EXISTING BUILDINGS, WHERE PRACTICABLE.

II. DESIGN THAT PROMOTES BEHAVIOURAL CHANGE, PROMOTING WALKABLE NEIGHBOURHOODS AND MAKING WALING AND CYCLING MORE ATTRACTIVE;

III. CONSIDERING THE USE OF INNOVATIVE CONSTRUCTION MATERIALS AND TECHNIQUES, INCLUDING RECLAIMED AND RECYCLED MATERIALS;

IV. WHERE PRACTICABLE, MINIMISING RESOURCE USE IN THE BUILDING BY ORIENTATING BUILDINGS TO UTILISE PASSIVE SOLAR DESIGN. THIS INCLUDES ENCOURAGING THE INCORPORATION OF VEGETATION AND TREE PLANTING TO ASSIST HEATING AND COOLING AND CONSIDERING THE USE OF RENEWABLE ENERGY;

V. PROVIDING CHARGING POINTS TO ENCOURAGE THE USE OF ELECTRIC AND LOW EMISSION VEHICLES;

VI. INCORPORATING ADEQUATE FACILITIES TO ALLOW OCCUPIERS TO SEPARATE AND STORE WASTE FOR RECYCLING AND RECOVERY THAT ARE WELL DESIGNED AND VISUALLY UNOBTRUSIVE AND ALLOWS FOR THE

CONVENIENT COLLECTION OF WASTE;

VII. DESIGNING BUILDINGS THAT ARE RESILIENT AND RESISTANT TO FLOOD RISK, WHERE SUCH BUILDINGS ARE ACCEPTABLE IN ACCORDANCE WITH FLOOD RISK POLICIES THROUGH INCORPORATION OF MULTI-FUNCTIONAL GREEN INFRASTRUCTURE WHERE APPROPRIATE;

VIII. DESIGNING PLACES THAT ARE ADAPTABLE AND ABLE TO RESPOND TO CHANGE, WITH CONSIDERATION GIVEN TO ACCOMMODATING SERVICES AND INFRASTRUCTURE, ACCESS TO HIGH QUALITY PUBLIC TRANSPORT FACILITIES AND OFFER FLEXIBILITY TO MEET CHANGING REQUIREMENTS OF THE RESIDENT / USER.

E. THE RISK OF CRIME IS MINIMISED BY ENHANCED SECURITY, AND THE PROMOTION OF WELL-DEFINED ROUTES, OVERLOOKED STREETS AND PLACES, HIGH LEVELS OF ACTIVITY, AND WELL-DESIGNED SECURITY FEATURES;

F. THE NEEDS OF A RANGE OF DIFFERENT USERS ARE MET. INCLUDING DISABLED PEOPLE, OLDER PEOPLE AND FAMILIES WITH SMALL CHILDREN TO CREATE ACCESSIBLE AND INCLUSIVE PLACES:

G. ANY NEW OPEN SPACE IS ACCESSIBLE, SAFE, OVERLOOKED AND STRATEGICALLY LOCATED WITHIN THE SITE AND WELL INTEGRATED INTO WIDER GREEN INFRASTRUCTURE NETWORKS;

H. DEVELOPMENT CONTRIBUTES TOWARDS ENHANCEMENT OF THE NATURAL ENVIRONMENT, SUPPORTS BIODIVERSITY AND CONNECTS TO AND ENHANCES ECOLOGICAL NETWORKS AND GREEN INFRASTRUCTURE;

I. THE RETENTION OF VALUABLE OR IMPORTANT TREES AND

WHERE APPROPRIATE THE PLANTING OF NEW TREES AND OTHER LANDSCAPING TO MAXIMISE VISUAL AMENITY AND ENVIRONMENTAL BENEFITS; AND

J. THE PROVISION OF PUBLIC ART WHERE APPROPRIATE."

(ii) Policy LP 35 'Historic Environment' states:

"1. DEVELOPMENT PROPOSALS AFFECTING A DESIGNATED HERITAGE ASSET (OR AN ARCHAEOLOGICAL SITE OF NATIONAL IMPORTANCE) SHOULD PRESERVE OR ENHANCE THE SIGNIFICANCE OF THE ASSET. IN CASES LIKELY TO RESULT IN SUBSTANTIAL HARM OR LOSS, DEVELOPMENT WILL ONLY BE PERMITTED WHERE IT CAN BE DEMONSTRATED THAT THE PROPOSALS WOULD BRING SUBSTANTIAL PUBLIC BENEFITS THAT CLEARLY OUTWEIGH THE HARM, OR ALL OF THE FOLLOWING ARE MET:

A. THE NATURE OF THE HERITAGE ASSET PREVENTS ALL REASONABLE USES OF THE SITE;

B. NO VIABLE USE OF THE HERITAGE ASSET ITSELF CAN BE FOUND IN THE MEDIUM TERM THROUGH APPROPRIATE MARKETING THAT WILL ENABLE ITS CONSERVATION;

C. CONSERVATION BY GRANT-FUNDING OR SOME FORM OF CHARITABLE OR PUBLIC OWNERSHIP IS DEMONSTRABLY NOT POSSIBLE; AND

D. THE HARM OR LOSS IS OUTWEIGHED BY THE BENEFIT OF BRINGING THE SITE BACK INTO USE.

2. PROPOSALS WHICH WOULD REMOVE, HARM OR UNDERMINE THE SIGNIFICANCE OF A NON-DESIGNATED HERITAGE ASSET, OR ITS CONTRIBUTION TO THE CHARACTER OF A PLACE WILL ONLY BE

PERMITTED WHERE BENEFITS OF THE DEVELOPMENT OUTWEIGH THE HARM HAVING REGARD TO THE SCALE OF THE HARM AND THE SIGNIFICANCE OF THE HERITAGE ASSET. IN THE CASE OF DEVELOPMENTS AFFECTING ARCHAEOLOGICAL SITES OF LESS THAN NATIONAL IMPORTANCE WHERE DEVELOPMENT AFFECTING SUCH SITES IS ACCEPTABLE IN PRINCIPLE, MITIGATION OF DAMAGE WILL BE ENSURED THROUGH PRESERVATION OF THE REMAINS IN SITU AS A PREFERRED SOLUTION. WHEN IN SITU PRESERVATION IS NOT JUSTIFIED, THE DEVELOPER WILL BE REQUIRED TO MAKE ADEQUATE PROVISION FOR EXCAVATION AND RECORDING BEFORE OR DURING DEVELOPMENT.

3. ***PROPOSALS SHOULD RETAIN THOSE ELEMENTS OF THE HISTORIC ENVIRONMENT WHICH CONTRIBUTE TO THE DISTINCT IDENTITY OF THE KIRKLEES AREA AND ENSURE THEY ARE APPROPRIATELY CONSERVED, TO THE EXTENT WARRANTED BY THEIR SIGNIFICANCE, ALSO HAVING REGARD TO THE WIDER BENEFITS OF DEVELOPMENT. CONSIDERATION SHOULD BE GIVEN TO THE NEED TO:***

   A. ***ENSURE THAT PROPOSALS MAINTAIN AND REINFORCE LOCAL DISTINCTIVENESS AND CONSERVE THE SIGNIFICANCE OF DESIGNATED AND NON-DESIGNATED HERITAGE ASSETS;***
   B. ***ENSURE THAT PROPOSAL WITHIN CONSERVATION AREAS CONSERVE THOSE ELEMENTS WHICH CONTRIBUTE TO THEIR SIGNIFICANCE;***
   C. ***SECURE A SUBSTANTIAL FUTURE FOR HERITAGE ASSETS AT RISK AND THOSE ASSOCIATED WITH THE LOCAL TEXTILE INDUSTRY, HISTORIC FARM BUILDINGS, PLACES OF WORSHIP AND CIVIC AND INSTITUTIONAL BUILDINGS CONSTRUCTED ON THE BACK OF THE WEALTH CREATED BY THE TEXTILE INDUSTRY AS EXPRESSIONS OF LOCAL CIVIC PRIDE AND***

IDENTITY;

D. IDENTIFY OPPORTUNITIES, INCLUDING USE OF NEW TECHNOLOGIES, TO MITIGATE, AND ADAPT TO, THE EFFECTS OF CLIMATE CHANGE IN WAYS THAT DO NOT HARM THE SIGNIFICANCE OF HERITAGE ASSETS AND, WHERE CONFLICT IS UNAVOIDABLE, TO BALANCE THE PUBLIC BENEFIT OF CLIMATE CHANGE MITIGATION MEAURES WITH THE HARM CAUSED TO THE HERITAGE ASSET'S SIGNIFICANCE;

E. ACCOMMODATE INNOVATIVE DESIGN WHERE THIS DOES NOT PREJUDICE THE SIGNIFICANCE OF HERITAGE ASSETS;

F. PRESERVE THE SETTING OF CASTLE HILL WHERE APPROPRIATE AND PROPOSALS WHICH DETRIMENTALLY IMPACT ON THE SETTING OF CASTLE HILL WILL NOT BE PERMITTED."

It is considered that the development wholly conforms with this policy and that the development achieves the requirement to not harm the setting of the Listed Building.

4.0 THE ISSUES

4.1 The Development Plan

The Council have recently adopted the Local Plan which incorporates a policy relating specifically to the redevelopment of brownfield sites. As demonstrated, this proposal conforms with that and other policies. There is therefore no conflict with the development plan. The applicants are therefore entitled to expect the presumption inherent in Section 38(6) to be weighed in their favour.

4.2 Other Material Considerations

The examination of all other material considerations would point the grant of planning permission.

4.2.1 The National Planning Policy Framework/Planning Practice Guidance

This proposal conforms with the tests set out in the NPPF. The proposal constitutes redevelopment of previously developed site and this is in a manner which would not give rise to harm to the openness of the Green Belt. By reference to the NPPF, planning permission should be granted.

It is also considered that the proposal conforms with advice in Planning Practice Guidance 'Green Belts'; 'Design'; and 'Conserving the Historic Environment'.

4.2.2 The Green Belt

It is clear that this site constitutes brownfield development and in policy terms it falls to be judged in the context of para 149(g) of the NPPF.

It is clear that this proposal wholly conforms with the tests set out in the NPPF. The proposal constitutes the redevelopment of a previously developed site (brownfield) and this is in a manner which would not have a greater impact on the openness of the Green Belt than the existing development. By reference to the NPPF, clearly planning permission should be granted.

4.2.3 Visual Impact

In Green Belt terms, the proposal does not constitute inappropriate development. Following demolition of the existing buildings, this proposal for 6no dwellings will not harmfully impact on the openness, visual character and amenity of the green belt in this location. The proposed dwellings have been sensitively designed in terms of appearance and layout and will be no larger than the existing built form of development on the site. The proposed curtilages are located within the built-up form of the existing development. The design of the buildings is sensitive to and appropriate for this rural location.

4.2.4 Bats

An ecological report is submitted with this application.

4.2.5 Mining

A mining report is submitted with this application.

4.2.6 Traffic Movements

As set out, this site operates as a large scale equestrian facility. It involves 34 horses for DIY livery and attracts numerous associated trip movements. It was clearly a large scale operation which generated significant traffic movements. This proposal will replace that with 6No dwellings. It is clear that the movements in association with

the proposed residential use will be significantly less than the lawful use of the site. The improvements to the access are also proposed as part of the scheme.

4.2.7 Drainage

A drainage report is provided with this application.

4.2.8 Setting of the Listed Building

Submitted with this application is a Statement of Significance which addresses the impact of the proposal on the significance of the nearby Listed Building, a statutory heritage asset. It is concluded that this proposal will not impact harmfully on the setting of the Listed Building.

5.0 CONCLUSION

This application seeks the development of 6No dwellings following demolition of an existing equestrian/caravan storage development and buildings. The use of the site as an equestrian facility/caravan storage means that the site constitutes brownfield development. By reference to the NPPF, the proposal therefore does not constitute inappropriate development and as such no 'very special circumstances' need to be demonstrated to justify the development. The proposal passes the test of openness and the scale of the buildings proposed is not larger than the scale of the existing buildings.

The scheme has been sensitively designed and is wholly appropriate for this rural area.

It has been demonstrated in this submitted statement that the proposal conforms with the NPPF and, as a consequence, the applicants consider that they are entitled to the presumption inherent in the NPPF to be weighed in their favour. Nevertheless, the applicants remain willing to discuss all aspect s of the proposal