

**RIBBLE VALLEY BOROUGH COUNCIL  
REPORT TO PLANNING AND DEVELOPMENT COMMITTEE**

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Agenda Item No

meeting date: THURSDAY, 17 DECEMBER 2009  
 title: ITEMS DELEGATED TO DIRECTOR OF DEVELOPMENT SERVICES UNDER  
 SCHEME OF DELEGATED POWERS AND PLANNING APPLICATIONS  
 submitted by: DIRECTOR OF DEVELOPMENT SERVICES

**PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:**

APPLICATION NO: 3/2009/0643/P (GRID REF: SD 374045 440757)  
 PROPOSED ERECTION OF TWO DETACHED DWELLINGS WITHIN RESIDENTIAL  
 GARDEN, INCLUDING IMPROVEMENT OF EXISTING ACCESS AND FORMATION OF NEW  
 PAVEMENT TO LITTLEMOOR AT MILLERSDENE, WHALLEY ROAD, CLITHEROE

PARISH COUNCIL: Object on the grounds that the proposal is considered to be  
 over development and that one detached dwelling would be  
 sufficient.

ENVIRONMENT DIRECTORATE  
 (COUNTY SURVEYOR): No objections to this proposal on highway safety grounds.

ADDITIONAL REPRESENTATIONS: Three letters of objection have been received with Members  
 referred to the file for full details which can be summarised as  
 follows:

1. Question whether the development would be reconstituted stone as this is not felt suitable to the immediate area.
2. If the two dwellings are being fed into main sewage system will this be made available to the adjacent property of Millersdene and the four properties at the bottom of Littlemoor who are at present on a septic tank system.
3. There is no existing access to the site from Littlemoor – the gateway was made without planning permission by the former owner.
4. The building of two properties will be detrimental to the remaining trees on site.

**Proposal**

This application details the erection of two detached dwellings within the curtilage of the property known as Millersdene. The plans have been amended since first submission which

have resulted in a minor repositioning of the units within the site and revised overall dimensions of the dwellings as follows.

Firstly a repositioned access point onto Littlemoor is to be provided set back approximately 25m from its junction with Whalley Road. This single access point would serve both units with a gravel driveway formed and parking and turn around areas provided to enable vehicles to enter and leave in forward gear. An existing Hawthorn/Conifer hedge would be removed to the roadside and replaced with an open timber fence and hedgerow set back 2m from Littlemoor Road edge. The garden area to the north of Millersdene is to be split in half with Plot 1 occupying the western half adjacent to Whalley Road and Plot 2 to the eastern half adjacent to the properties that align the southern side of Littlemoor.

The dwelling on Plot 1 is set back approximately 11m from the pavement edge to Whalley Road and would be two-storey in nature. Approximate dimensions are 12m x 8.5m (12.5m if taking into account the central two-storey projecting gables to front and rear) x 8.5m in height. A detached single storey double garage is to be provided set to the front (north) of the dwelling with approximate dimensions of 6.1m x 6.1m x 5.1m to apex of its pitch.

The dwelling on Plot 2 would have approximate dimensions of 10.8m x 11m (14.5m if taking into account a single storey breakfast room to the rear) x 8.7m to the apex of its pitch. It would have an integral double garage and first floor bay window on its front elevation.

Both properties and detached garage to Plot 1 would be constructed of stone with stone detailing throughout to string course and window surrounds under slate roofs. Windows would be black uPVC with the dwelling on Plot 2 having small areas of black painted timber boards with white rendered infill panels to match the detailing on the Millersdene property.

The properties would be set just over 2m apart with a timber fence at 1.8m high dividing the rear garden areas and separating the new houses from Millersdene and indeed from roadside views as it would extend along the site's western (Whalley Road) frontage.

### **Site Location**

The site lies to the east of Whalley Road at its junction with Littlemoor within the identified settlement limit of Clitheroe. The site is elevated from the roadside with a mature Beech tree and Sycamore trees throughout the site.

### **Relevant History**

None.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G2 - Settlement Strategy.

Policy ENV13 – Landscape Protection.

Affordable Housing Memorandum of Understanding.

## **Environmental, AONB, Human Rights and Other Issues**

Matters for consideration are the principle of the development, highway safety and visual and residential amenity.

In terms of principle, the site is within the settlement limit of Clitheroe where Policy G2 allows for consolidation and expansion of development and rounding off development. I am of the opinion that the scheme accords with that and, given it is only two dwellings, this is well below the threshold for seeking an affordable element as outlined in the Affordable Housing Memorandum of Understanding. Thus two market dwellings, in principle, are acceptable subject to the criteria of Policy G1 of the Districtwide Local Plan as detailed below.

In respect of highway safety the County Surveyor has examined the plans and is satisfied that a safe access to the site can be provided. With regard to neighbouring amenity, I am mindful of both properties to the east of the site and Millersdene to its south. The dwelling on Plot 2 would be set back from the dwellings to its east but I do not consider that the proportions of the new dwelling would significantly impact on those residents in terms of an over bearing nature of development. The plans submitted detail one window at first floor in the gable looking across the rear of those properties and it would not be unreasonable, I consider, to condition that this bathroom window be obscure glazed were Members minded to approve the application.

Turning to the relationship with Millersdene the rear garden of Plot 2 is approximately 13m long and 17m to Plot 1. Both dwellings would have first floor rear bedroom windows facing towards the garden area of Millersdene. However, after carefully assessing this relationship I am of the opinion that the layout would not lead to any significant privacy issues for any of these respective properties.

The final consideration, therefore, is visual impact and, as stated previously, the plans have been amended since the submission in order to address concerns over its potential impact on the streetscene. This is a key gateway site into the town set in an elevated position. Originally the dwelling on Plot 1 had extended beyond the building line towards Whalley Road and a key characteristic of this side of the road on the approach into the town is the openness of the site which adds greater prominence to the mature Beech tree at its frontage. In its revised form the dwelling has been relocated to behind the front building line of Millersdene with only the single storey garage at the site's north western corner coming forward of that building line. The site forms part of an already well landscaped garden serving Millersdene and has a number of mature trees apart of the aforementioned Beech. The applicants have designed the scheme having regard to the advice of an arboricultural consultant with the dwellings positioned to enable the retention of the trees which are considered to benefit the townscape value of the site. The Council's Countryside Officer has examined the scheme in detail and has commented that, whilst the proposal does meet all the requirements of British Standards there may be tree resentment issues in future years. However, Committee can only judge the scheme on the basis of what has been submitted and not what it considers may happen at some time in the future. This said, given the amenity value of the trees on site to the wider area, the Countryside Officer has, at the time of drafting this report, begun works on preparing a Tree Preservation Order covering the trees on this site. This would not preclude any future development taking place but will give a degree of control over works to the effected trees in future years to ensure that, wherever possible, their visual amenity value/contribution to the area is not significantly compromised. At this stage sufficient evidence has been provided to demonstrate that the submitted scheme, if carried out with appropriate safeguards during construction, should not compromise their integrity.

The repositioning of the dwelling to Plot 1 has improved the layout of the overall development and would mean that the Beech tree does retain more of its open setting. The provision of a detached garage instead of linked structure as originally shown has assisted in breaking up the massing of the development and thus, on the basis of the amended plans, I consider that the visual amenities of the streetscene at this key site on the approach into the town centre would not be significantly compromised as a result of this scheme.

Therefore having very carefully assessed the scheme in terms of its potential impacts on visual and residential amenity, highway safety and nature conservation (trees) I conclude that no significant detriment would be caused and thus recommend accordingly.

#### SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity, nor would it have an adverse visual impact or be to the detriment of highway safety.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed in pursuance to Section 91 of the Town and Country Planning Act 1990.

2. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on 16 November 2009 which show a repositioning of the dwellings within the plots and changes the design of both dwellings.

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments.

3. Prior to the commencement of the development hereby permitted, details of the type, coursing and jointing of the natural stone to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built to conform with the details which shall have been so approved.

REASON: In the interest of the visual amenity of the area and so that the Local Planning Authority shall be satisfied as to the details and in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

4. Precise specifications and samples of walling and roofing materials and details of any window and door surrounds including materials to be used shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) the dwelling on

Plot 2 shall not be altered by the insertion of any window at first floor level on the eastern gable without the formal written permission of the Local Planning Authority.

REASON: In order to safeguard nearby residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

6. The window(s) on the eastern first floor elevation of the dwelling on Plot 2 serving a bathroom shall be obscure glazed to the satisfaction of the Local Planning Authority and remain in that manner in perpetuity.

REASON: In order to protect nearby residential amenity as required by with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. The development hereby permitted shall not be commenced until details of the landscaping of the site, including wherever possible the retention of existing trees, have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of all fencing and screening to be used throughout the site.

The approved landscaping scheme shall be implemented in the first planting season following occupation or use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

8. Prior to commencement of any site works, including delivery of building materials and excavations for foundations or services trees identified: T1/T2/T3/T4/T5/T6/T7/T8 in the Millersdene Tree Preservation Order 2009 shall be protected in accordance with the BS5837 [Trees in Relation to Construction] the details of which shall be agreed in writing, [including a Tree Protection Monitoring Schedule] implemented in full and inspected by the local planning authority before any site works are begun.

The root protection zone shall be 12 x the DBH and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone. In addition no impermeable surfacing shall be constructed within the protection zone and all building materials shall be delivered to and stored in an area of the site which has first been submitted to and agreed in writing by the Local Planning Authority.

No tree surgery or pruning shall be implemented with out prior written consent, which will only be granted when the local authority is satisfied that it is necessary, will be in

accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development and included in a Tree Preservation Order considered to be of visual amenity value are afforded maximum physical protection from the adverse affects of development.

In order to comply with planning policies G1, ENV13 of the District Wide Local Plan.

#### NOTE

1. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning Area Surveyor East 01254 823831 or writing to the Area Surveyor East, Lancashire County Council, Area Office, Riddings Lane, Whalley, Clitheroe BB7 9RW quoting the planning application number.

APPLICATION NO: 3/2009/0706/P (GRID REF: SD 362641 437266)  
CONSTRUCTION OF FISHING LAKE FOR PERSONAL USE ONLY (RE-SUBMISSION) AT  
LAND OFF FLEET STREET LANE, DUTTON, PRESTON, LANCASHIRE.

LONGRIDGE TOWN COUNCIL: No objection providing this is purely for personal use only.

RIBCHESTER PARISH COUNCIL: The Council raise no objection to this application, however the Council are concerned that nothing be done to the existing hydrology of the area that might exacerbate existing problems of flooding in the Ribchester area. With that in mind the Council expects that advice be sought from the Environment Agency.

LCC TRAFFIC & DEVELOPMENT ENGINEER: No objection.

LCC ECOLOGIST – NATURAL & HISTORIC ENVIRONMENT SERVICES: Ecological concerns of this development include:

- impact on bats,
- nesting birds,
- brook habitat/aquatic ecology, as well as
- the fragmentation/isolation of habitats.

A stand-alone, discrete fishing is more preferable rather than linking a lake into an existing stream feature, however if RVBC are minded to approved than relevant planning conditions should be attached.

Finally, whilst it does not appear there will be any significant impacts on existing terrestrial biodiversity, I am concerned at the impacts on aquatic biodiversity. Therefore, it is recommended that the views of the Environment Agency be sought.

ENVIRONMENT AGENCY:

The Environment Agency object to the proposed scheme for the following reasons:

- The proposed development will result in the loss of nearly 150m of natural bank side habitat, which we do not believe possible to mitigate for;
- Although the proposed fishing lakes represent aquatic habitat, mitigation must be like-for-like;
- The proposal to dam the watercourse will interrupt natural sediment transport downstream, which could lead to increased rates of erosion downstream;
- An increased surface water area could allow a greater heating influence from the sun, resulting in greater fluctuations in dissolved oxygen concentration which could have significant ecological effects;
- Under the Water Framework Directive, we have a duty to prevent deterioration in the status of aquatic ecosystems, protect them and improve the ecological condition of waters. The proposal could have a very negative effect on the ecological status of Page Brook;
- The use of non-native species is discouraged in developments of this nature, and there is concern that non-native species could spread from the site;
- Construction of a bam within the brook will cause major changes to the watercourse with an adverse effect on riverine processes and associated ecology;
- Contrary to Local Plan Policies G1(k) and ENV13, and also ENV9, as it will result in the destruction of a watercourse, loss of an important landscape feature and cause harm to the conservation value of the site;
- The proposal does not satisfy any of the normal requirements for developments of this nature; and
- Even if PP was granted, our consent would be required under separate legislation and there are no guarantees that this would be forthcoming.

ADDITIONAL  
REPRESENTATIONS:

No additional representations have been received.

**Proposal**

The application seeks permission for the construction of a fishing lake, specifically for the personal use of the Applicant. The site is accessed via a track from Fleet Street Lane, adjacent to Setters Farm and opposite Setters Cottage, which is approx. halfway between Ribchester and Longridge. Whilst there are no works proposed to the existing access track, there is an area of hardstanding proposed on site to provide a parking/turning area for vehicles. The hardstanding area will be partially screened from the south and west by existing hedgerows, from the north by the existing mature trees on site and from the east by the introduction of a copse of trees, native to the area, in the eastern corner of the site, and the planting of a native hedgerow.

**Site Location**

The site is located off Fleet Street Lane, approx. halfway between Ribchester and Longridge. It is accessed via a track adjacent to Setters Farm and opposite Setters Cottage. The site is partially screened on almost all sides by native trees and hedgerows, with Page Brook cutting directly through the middle of the site. Due to the natural course the brook has taken, and the subsequent erosion of the banks on either side, Page Brook lies hidden from view due to this distinctive topography. The site lies within the open countryside as designated by the Districtwide Local Plan.

**Relevant History**

3/2008/0972/P – Construction of fishing lake for personal use only – Withdrawn.

**Relevant Policies**

Policy G1 - Development Control.  
Policy G5 - Settlement Strategy.  
Policy ENV3 - Development in Open Countryside.  
Policy ENV7 - Species Protection.  
Policy ENV9 - Important Wildlife Site  
Policy ENV10 - Development Affecting Nature Conservation.  
Policy ENV13 - Landscape Protection.  
The Wildlife and Countryside Act 1981

**Environmental, AONB, Human Rights and Other Issues**

The main issues arising from this application are the visual impact of the proposal, any potential impact on the habitats and aquatic ecology of Page Brook and any potential impacts on habitats of nesting birds or other wildlife on site. There are no neighbouring properties affected, and there is no objection on the basis of highway safety grounds.

**VISUAL IMPACT**

As noted above, the site lies within open countryside. It is accessed via a track adjacent to Setters Farm and opposite Setters Cottage. The site is partially screened on almost all sides by



native trees and hedgerows, with Page Brook cutting directly through the middle of the site. Due to the natural course the brook has taken, and the subsequent erosion of the banks on either side, Page Brook lies hidden from view due to this distinctive topography. Therefore, with regards to the visual impact of the proposal and having discussed the proposal with the Council's Countryside Officer, it is considered that given that the topography of the site and the surrounding land, the trees and hedges bordering the site and the additional screening planting/mitigation proposed, the proposal complies with the relevant Local Plan Policies, and it will cause no undue visual harm to the area.

## IMPACT ON THE HABITATS AND AQUATIC ECOLOGY OF PAGE BROOK

With regards to potential impact on the ecology and habitats of Page Brook by virtue of the proposed development, I will refer to the Extended Phase 1 Survey submitted by Bowland Ecology as part of the application, and comments from the Council's Countryside Officer, the Environment Agency and the Ecologist from LCC.

The Phase 1 Survey submitted by Bowland Ecology on behalf of the Applicant, notes that the only habitats to be lost are areas of poor semi-improved neutral grassland and ruderal vegetation (the survey itself covers this in greater detail) and that whilst the stream and associated habitat provides shelter and foraging habitat for small mammals, the proposed development provides the opportunity to reduce the impact and enhance existing habitats with habitat creation by virtue of:

- Controlling grazing access to the waters edge to allow establishment of more stable steep banks which can be more easily used by water voles, and
- Controlling poaching and erosion of the Brook banks, which will encourage the development of fringing vegetation around the pools.

The Environment Agency do not agree with this, stating that as rivers and streams are Biodiversity Action Plan (BAP) habitat, mitigation is needed for any proposals which would damage or remove such habitat, and that mitigation should be like-for-like. As such, whilst the proposed mitigation will create additional other habitats, the loss of natural brook habitat and bank side vegetation would be ecologically damaging. Having discussed these two views with the Council's Countryside Officer, and noting the view of the LCC Ecologist that 'it appears that impacts on terrestrial biodiversity will be relatively minimal', it is considered that as the Phase 1 Survey clearly outlines the nature of the poor habitat and bank side vegetation on site and it is considered that the development proposed will provide an opportunity for considerable habitat enhancement at the site, thus fulfilling the overall aims of the BAP, and the Local Plan Policies ENV7, ENV9 and ENV10.

With regards to the impact on aquatic ecology at the site, more specifically the introduction of fish to the proposed lake, the Applicant has provided a survey of whether the Brook supports 'fish migration'. Whilst the report notes that there are sections where fish could pass from one section to another, it also notes that no species of fish were found during the survey. In addition, the ruling on the type of fish to be introduced is governed by the Environment Agency, and permission would ultimately be granted by them.

Finally, with regards to concerns raised by both the Environment Agency and the LCC Ecologist on the potential the scheme has to cause problems further downstream through the altered sediment load, altered stream flow and disruption to hydrology, the Agent notes that the upstream section of Page Brook, above the site area, is extremely limited in length and as such

sediment movements would be more limited than further down the brook. This is also the view taken by the Council. He also notes the Applicant's willingness to remove the silt trap which may improve sediment movements through the lakes, and as such, in order to fully assess the implication of its removal, further details will be needed which can be dealt with via a that the details be agreed prior to commencement of development. The pipe and sluice elements of the proposal will allow water to transfer through the site, however the brook is not fast flowing, and as such, whilst I am mindful of the views and thoughts of the Environment Agency and the LCC Ecologist, I am satisfied that the scheme proposed is acceptable.

#### IMPACT ON NESTING BIRDS OR OTHER WILDLIFE

With regards to potential impact on nesting birds and other wildlife by virtue of the proposed development, I will again refer to the Extended Phase 1 Survey submitted by Bowland Ecology, and comments from the Council's Countryside Officer, the Environment Agency and the Ecologist from LCC.

Given that the site is not covered by or near to any statutory or non-statutory designated sites of nature conservation interest (confirmed by the Council's Countryside Officer), and that habitats for protected species are restricted to bird nesting and commuting, foraging and possible roosting for bats, it is considered that due to the minimal loss of trees on site and the proposed mitigation, including the planting of mixed native hedgerows and thickening of existing hedgerows to enhance nesting bird habitat and bat foraging habitat, the proposed development will have a minimal impact on nesting birds and other wildlife.

Therefore, whilst I am mindful of the comments from the Environment Agency and the Ecologist at LCC, the scheme is considered to comply with the relevant policies, and have an acceptable impact on the area and the ecology and habitats at the site. I am also aware in making this conclusion, that the Environment Agency have ultimate control over works to or around the brook, and that their consent would be required for several aspects of the proposed development under separate legislation, and they have made it clear that there are no guarantees such consent would be forthcoming.

#### SUMMARY OF REASONS FOR APPROVAL

The proposal represents an appropriate form of development and given its design, size and location would not result in visual detriment to the surrounding countryside, nor would its use have an adverse impact on highway safety.

**RECOMMENDATION:** That planning permission be GRANTED subject to the following condition(s):

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

**REASON:** Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The proposed fishing lake shall inure for the benefit of Mr John Carlisle and accompanied friends/family only and not for the benefit of the land nor any other person or persons, whether or not having an interest in the land, and there shall be a maximum of only two vehicles allowed to visit the site at any one time.

REASON: In order to comply with Policy G1 of the Ribble Valley Districtwide Local Plan, in that permission has been granted based on the individual circumstances applying in this case, and its use separate from the above could be injurious to the amenities of the neighbouring occupiers, to the character of the area and to highway safety. It would also require further consideration by the Local Planning Authority.

3. Any tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall only be carried out between the beginning of August and the end of February inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections.

REASON: In order to prevent the unnecessary loss of habitats, in accordance with Policy ENV7 of the Districtwide Local Plan.

4. Prior to the commencement of development, further details of the proposed earthworks involved in the creation of the two mounds, the pipe and sluice elements and the 'silt trap', shall have been submitted to and approved in writing by the Local Authority, in consultation with specialist advisors.

REASON: In order to fully assess the earthworks involved and the implications of the use of a 'silt trap', with regards to restricting sediment movements through the lakes.

5. Prior to the commencement of development, details of a method statement for the protection of Page Brook during the construction of the personal fishing lake hereby approved shall have been submitted to and approved in writing by the Local Planning Authority, in consultation with specialist advisors.

REASON: In order to prevent the unnecessary loss of habitats, in accordance with Policy ENV7 of the Districtwide Local Plan.

6. No site clearance, site preparation or development work shall take place until a detailed habitat creation/enhancement and management plan for the site shall be submitted to and approved in writing by the Local Planning Authority, in consultation with specialist advisors. The approved management plan shall be implemented in full, in accordance with the approved scheme.

REASON: In order to protect and provide aftercare and long-term habitat management of the site in accordance with Policy ENV7 of the Districtwide Local Plan.

7. All mitigation and enhancement for biodiversity shall be implemented in the first twelve months following completion of the engineering works involved in the development and maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. All mitigation/enhancement measures shall be in accordance with the details identified in the Bowland Ecology 'Extended Phase 1 Survey report'.

REASON: In accordance with Policy ENV7 of the Ribble Valley Districtwide Local Plan, in order to protect, enhance and mitigate for biodiversity on the site.

8. The landscaping scheme submitted with the application shall be implemented in the first planting season following completion of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local

Planning Authority. This maintenance shall also include the replacement of any tree or shrub on site that is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of the amenity of the area and to comply with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan.

9. Prior to commencement of any site works, including delivery of building materials and excavations for foundations or services, all trees identified shall be protected in accordance with the BS5837 [Trees in Relation to Construction] and which shall be agreed in writing.

During the proposed works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented with out prior written consent, which will only be granted when the local authority is satisfied that it is necessary, will be in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development and considered to be of visual, historic or botanical value are afforded maximum physical protection from the adverse affects of development, and in order to comply with planning policies G1 and ENV13 of the District Wide Local Plan.

#### NOTE(S)

1. Grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpaths 9 and 10 in the parish of Ribchester run through the site.
2. The applicant should ensure that there is no possibility of contaminated water entering and polluting surface or groundwater, both pre-/post-construction. Only clean surface water from the roof should be discharged to any surface water soakaway or watercourse. Any contaminated surface water-run off must be disposed of in such a way as to prevent any discharge to any borehole, well, spring, soakway or watercourse. It is the responsibility of the landowner to ensure that any activities undertaken on site do not cause pollution of the adjacent watercourse.
3. Under the terms of the Water Resources Act 1991, an Impounding Licence may be required from the Agency for the impounding of any watercourse, ditch or stream (e.g. by dam, weir etc)
4. Under the terms of the Water Resources Act 1991, the abstraction of more than 20 cubic metres of water per day from a surface water source (e.g. stream or drain) or from underground strata (via borehole or well) for any particular purpose will require an Abstraction licence from the Environment Agency. There is no guarantee that a licence will be granted as this is dependant on available water resources and existing protected rights.
5. Before applying for an Impounding or Abstraction Licence, we advise the applicant contact our water resources permitting staff on (08708) 506506 to obtain pre-application advice.

6. Any fish introduced to a lake in this location would need to be native species already established within the catchment. Any fish stocking requires prior written consent from the Environment Agency.
7. Any works to the watercourse including construction of the bunds and sluices and any temporary works will require Land Drainage consent under Section 23 Land Drainage Act 1991. The Applicant is advised to contact Mr J. C. Welsby (Development Control Engineer) on 01772 714016 to discuss the need to apply for Land Drainage Consent. In applying for consent, the applicant would need to demonstrate that any structures would not adversely affect river flows and lead to an unacceptable risk of flooding elsewhere.
8. Excavated material generate during any lake construction should only be placed in areas of semi-improved grassland of low biodiversity value. Advice must be sought from the Environment Agency to check whether or not an exemption from Environmental Permitting is needed to dispose of the material in this manner.

APPLICATION NO: 3/2009/0777/P (GRID REF: SD 377749 434780)  
 PROPOSED SMALL LOCATION SIGN SHOWING LOCATION AND DESCRIPTION OF SITE,  
 100M BEFORE EITHER SIDE OF ENTRANCE AND ONE AT ENTRANCE AT PUMP HOUSE  
 DENE WOOD, TRAPP LANE, SIMONSTONE

PARISH COUNCIL: The Parish Council has expressed a strong objection to the related application 3/2009/0786/P, a report for which also appears on this agenda. The Parish Council, however, does not express any specific objections to this application for Advertisement Consent.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): I have no objection in principle to this application on highway safety grounds.

ADDITIONAL REPRESENTATIONS: Although 32 letters of objection have been received to the associated application 3/2009/0786/P (some of which refer in their headings to this application 3/2009/0777/P) there is no specific objection raised in any of those letters to the proposed advertisement signs.

**Proposal**

The application seeks advertisement consent for three signs to be sited close to the roadside boundary of a proposed outdoor activity centre on Trapp Lane, Simonstone.

One sign would be sited at the entrance into the site. This would be a single sided sign measuring 0.9m deep x 1.2m wide affixed to 1.1m high timber posts. The sign would comprise a waney board panel to which would be affixed a foam board panel containing the name of the activity centre in black and dark brown letters on a light green background.

Also proposed are two hanging signs. These would be sited at the northern and southern edges of the application site. These signs would also be attached to the top of 1.1m high timber posts but they would be smaller measuring only 0.3m deep x 0.45m wide. Their form and content would be similar to the sign proposed for the site entrance.

None of the signs would be illuminated.

### **Site Location**

The application site comprises a woodland known as Pump House Dene on the west side of Trap Lane, Simonstone.

### **Relevant History**

3/2009/0786/P – Proposed outdoor activity centre. Report also on this agenda.

### **Relevant Policies**

Policy G1 - Development Control.

### **Environmental, AONB, Human Rights and Other Issues**

Irrespective of whatever decision is made by Committee on the related application that also appears on this agenda, this application for Advertisement Consent falls to be considered on its own merits.

The relevant considerations relate to the effects of the three signs on highway safety and visual amenity.

The County Surveyor has expressed that he has no objections to the signs on highway safety grounds.

I consider the signs to be of an appropriate type and size for their intended purpose and location, such that they would not, in my opinion, be harmful to the visual amenities of the locality.

### **SUMMARY OF REASONS FOR APPROVAL**

The proposed signs would not have any seriously detrimental effects upon visual amenity or highway safety.

RECOMMENDATION: That Advertisement Consent be granted subject to the following conditions:

1. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

REASON: In the interests of visual amenity and in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

REASON: Required by the Town and Country Planning (Control of Advertisements) Regulations 2007.

3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

REASON: Required by the Town and Country Planning (Control of Advertisements) Regulations 2007.

4. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aids to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

REASON: Required by the Town and Country Planning (Control of Advertisements) Regulations 2007.

APPLICATION NO: 3/2009/0786/P (GRID REF: SD 37749 434780)  
PROPOSED ACTIVITY CENTRE IN WOODLAND ENVIRONMENT WITH PROPOSED USAGE TO FACILITATE EDUCATION, YOUTH, CORPORATE AND PRIVATE SECTOR, BY INTERACTION WITH THE NATURAL ELEMENTS AND PHYSICAL ACTIVITY AT PUMP HOUSE DENE WOOD, TRAPP LANE, SIMONSTONE

PARISH COUNCIL: The Parish Council does not support this application for the following reasons:

1. Whilst the objective of the applicants in the provision of this type of educational, personal and development training is to be commended, for the reasons given below, principally due to the location of the site, the Parish Council cannot support the application.
2. Due to the narrowness of School Lane/Trapp Lane, and the location of the site entrance on a blind bend on a busy road, the proposed use would be detrimental to highway safety including a danger to pedestrians.
3. The proposed parking facilities are inadequate and will result in parking on the narrow, winding roads.
4. The approach roads and access into the site are inadequate for modern coaches.
5. The formation of footpaths within the site will harm trees.

6. No details provided of the type of fencing to ensure site security when the business is closed. Any fencing must be visually in keeping with natural environment. Any fences will also prevent the passage of animals across the site.
7. No hours of use are stated in the application.
8. Sudden noise and activities are a danger to horses and their riders on the adjoining lane.
9. Even with closed gates and fences, people could still enter the site at night time and cause a noise nuisance.
10. With regards to the natural environment, the reports submitted with the application are inadequate as:
  - (i) There have been too few visits and the presence of transient species has therefore been missed.
  - (ii) The bat survey, although recommending mitigation measures, is inadequate.
  - (iii) Deer have taken up residence in the wood.
  - (iv) There is a reference to “scrub” in the application which gives the impression that the woodland is of little value. This is not the case as the area is rich in plant and animal life.
11. As not all trees have been identified on the plans, some could be felled without any planning controls being possible.
12. There is no indication of any programme of maintenance for the trees that are to be used for the structures and activities.

ENVIRONMENT  
DIRECTORATE  
(COUNTY  
SURVEYOR):

I have no objection in principle on highway safety grounds to the proposed development.

The site will be operating with a limited number of participants and will only be available to pre-booked parties. The level of vehicular activity outlined in the application would not generate a significant number of movements to/from the site and would have minimal impact on the immediate local highway network.

The access to the site has been designed to a suitable standard and indicates that acceptable sightlines can be achieved. In order to secure an appropriate condition, I would welcome an amended site plan showing the agreed sightlines of 160m to the north and 100m to the south when measured from 2.4m back from the edge of carriageway.



All construction and planting that falls within these visibility splays must be introduced and maintained at no higher than 0.9m.

There were two access points referred to in the application, with "Access B" being developed to form the vehicular access. I would welcome confirmation that "Access A" will be permanently closed and the verge reinstated to prevent any future use.

That part of the access extending from the highway boundary for a distance of 10m (5.5m to the gated access and a further 4.5m to accommodate the first waiting vehicle) shall be appropriately paved in tarmacadam, concrete or other approved materials. This is to prevent loose surface material from being carried onto the public highway thus causing a potential source of danger to other road users.

My only other concern relates to the provisions for car parking on site. The supporting information indicates that spaces are to be provided for 14 cars, 2 LGV, 2 motorcycles, 2 disability, 6 cycles and 1 other. This is not reflected in the layout shown on the Site Plan, JSA-09-1089D where 7 car, 2 mobility, 2 LGV spaces and a potential bus parking/manoeuvring area are shown.

I would be grateful for clarification of the parking levels that are relevant to this application and either an amended site plan or revised supporting details.

(It has been confirmed that the submitted layout plan showing seven car parking spaces etc is what is intended to be provided. On this basis, the County Surveyor has confirmed that he has no objections to the proposal).

ENVIRONMENT  
DIRECTORATE  
(COUNTY  
ECOLOGIST):

Has given a detailed response to our consultation on the application, the most pertinent points of which are as follows.

The following comments are based on a review of documents submitted with the planning application, including the report "Pump House Dene: Extended Phase I Habitat, Breeding Bird and Bat Tree Risk Assessment" together with a site visit in 2008.

The application area is within the Huntroyde Demesne, Simonstone Biological Heritage Site (BHS73 SE11). The BHS is important for parkland elements and mature broad-leaved woodland and is also important for breeding and wintering birds.

The proposals have potential to impact upon all elements of the site including mature trees, ground flora, Simonstone Brook and associated interests such as breeding birds, bats, possibly badgers and invertebrates. As the proposal's impact upon the ground involve the clearance of self seeded saplings, there will also be impacts upon natural regeneration of the woodland.

However, the proposals do provide the opportunity to enhance the woodland through appropriate management and removal of inappropriate species. This can be achieved by way of a Habitation Creation and Management Plan, to be agreed and implemented through condition.

Mitigation/compensation proposals submitted with the application include rhododendron removal and removal of other non native species; planting of native trees, hedgerows and shrubs; the installation of bird and bat boxes; avoidance of damage to ground flora and trees; and the retention of standing deadwood. Given that the site is part of the BHS, it will be appropriate for the applicants to submit a Habitat Creation and Management Plan to provide further details of the proposed mitigation/compensation measures. Implementation of the approved plan should be the subject of a planning condition.

#### ADDITIONAL

#### REPRESENTATIONS:

32 Letters have been received from local residents who express objections to the application for reasons that are summarised as follows:

1. The roads in the vicinity of the site are narrow and dangerous with no speed restrictions. Trapp Lane has no footpaths and is unlit. It is already a busy route that serves as a main access towards Sabden, the Higher Trapp Hotel and the residential areas around Whins Lane. The site access is close to a blind bend at a point where drivers often use the middle of the road forcing other drivers to take avoiding action. The roads and access cannot properly accommodate large vehicles such as coaches. For these reasons the proposal would be seriously detrimental to highway safety including danger to pedestrians, the many horse riders who use Trapp Lane, and children and parents to/from the nearby school.
2. The consultation response from the County Surveyor is inadequate as it does not mention the facts (eg unrestricted speed, narrow road, no footpaths, unlit, blind bend at access point, use of Trapp Lane by horse riders etc) referred to in point 1 above.
3. The traffic survey was inappropriately carried out in August when the schools were closed for summer holidays and also at a quiet time of day.
4. As the activities are outside, there will be noise nuisance to nearby residents. The company's website referred to stag and hen parties. These would be especially noisy and objectionable and not appropriate for this locality/environment. The submitted Noise Survey was inappropriately carried out in the summer with the trees in full leaf.
5. People in the locality (many elderly) chose to live in the area because it is a quiet rural community with countryside on the doorstep. This proposal would spoil those qualities of the area. The choice is to leave the area as it is for the locals to enjoy and to leave the wildlife untouched, or grant permission for this proposal for the benefit of a private company and ruin the village.

6. Considerable damage would be caused to the flora and fauna of the site given the type of activities and number of people involved. The trees would inevitably be damaged by attachments for climbing and by the large number of people climbing and abseiling from them. At the moment there is very little disturbance to the environment. If people do enter the woods it is in small numbers and for short periods of time. Groups of up to 30 people on a regular basis would make it almost impossible for the flora to regenerate from the constant trampling. A great variety of birds, small and larger animals are found in the site and the woods themselves form a natural corridor for all of these.
7. Large fences and “Keep Out” notices would be visually intrusive.
8. Hours of use are not made clear in the application and it is likely that youngsters would enter the site when closed and cause a noise nuisance to local residents and damage to the trees etc.
9. The number of participants (6 to 30) that the applicants say they aim to cater for, would not be commercially viable.
10. There is often flooding on Trapp Lane. Any areas that are given a hard surface will reduce water being absorbed into the soil.
11. Security lights could be a nuisance to neighbours if they go on and off during the night having been triggered by the movement of animals such as foxes and cats.
12. The provision of boxes for birds and bats will not mitigate the loss of their natural habitat and nesting grounds. The wildlife will be driven away from the woodlands by the presence of many active humans, lights, noise, buildings and vehicles.
13. The proposal would involve the loss of 12,600m<sup>2</sup> of beautiful countryside with the provision of employment for only two people. This loss provides neither usable output of land, nor any other tangible benefit to the general public.
14. The impact on the wildlife in the area does not seem to have been researched thoroughly. We believe that a more thorough study would reveal significant additional wildlife to that already identified – birds, badgers, deer, bats and owls to name but a few. There is concern that a development of this nature would destroy some of the natural habitat while the noise could just drive the animals away.
15. Possible pollution caused by leaking of the proposed septic tank.

## **Proposal**

The proposed activity centre comprises two elements. Firstly, there is the area upon which the buildings will be erected and vehicle access and parking spaces will be provided. Then there is the area of woodland where the activities will take place.

The buildings and parking area are to be provided on a relatively flat field that provides an open area surrounded by the woodland.

The main building is the training building which would have dimensions of approximately 15m x 8.5m with an eaves height of 3m and a ridge height of 4.2m. It is to be a portable building, but adapted by the addition of cladding to the walls and a pitched roof. The wall cladding would be natural stained waney timber boarding to emulate the appearance of a log cabin, whilst the roof would be dark grey coloured corrugated steel sheets. This building would be sited approximately 7m away from the site boundary to Trapp Lane, from which highway it would be screened by some existing boundary trees.

The other "building" would actually be a storage container with approximate dimensions of 8.4m x 2.4m. Again, however, this would be clad with timber boards to match the main building and would be given a shallow mono pitched roof of dark grey profiled steel sheets. This would be sited at the far end of the parking area approximately 36m away from the site boundary to Trapp Lane.

The parking area is to comprise 7 car parking spaces and a bus space with an appropriate turning area as shown on the submitted plans (reference in other application documents to 14 car parking spaces is an error that will be clarified by a condition in the event that planning permission is granted). A 6m wide access into the site is to be provided with gates set approximately 6.5m into the site to enable vehicles to be pulled off the highway when the gates need to be opened.

The second element of the application comprises the equipment/structures in the woodland where the activities would take place. In brief terms, this includes the following:

1. A pole based 'leap of faith' platform created using the retained stump of a tree that is in need of felling.
2. Trees with metal climbing holds fitted above a certain height. Access to the lowest hold would be by a removable ladder in order to prevent unauthorised use.
3. A platform high up a tree to be used for abseiling.
4. A Jacob's ladder created by hanging two wire ropes from anchors high up two trees, with logs threaded between the ropes to form the rungs of a ladder. The bottom rungs would be removable.
5. Temporary wooden structures and seating areas with shelters distributed throughout the woods to act as problem solving equipment and providing shelter for participants.
6. An archery range comprising fixed wooden posts to which the removable targets would be fixed and a wooden shelter.

7. A climbing and abseiling tower.
8. A Tyrolean Traverse which is a type of rope bridge made by participants.
9. A zip wire.
10. A high ropes element that links trees together.
11. A low ropes course.

### **Site Location**

The site comprises a woodland surrounding a flat field area on the west side of Trapp Lane, Simonstone. Simonstone Brook runs through the woodland with the land on either side of the brook being steeply sloping. There are residential properties on the opposite side of Trapp Lane from the field part of the site, and dwellings further away on School Lane and Clough Lane to the south and the residential estate including Harewood Avenue and Carleton Avenue to the south west.

The woodland is a designated Biological Heritage Site that is within the open countryside outside the settlement boundary of Simonstone.

### **Relevant History**

None.

### **Relevant Policies**

Policy G1 - Development Control.  
Policy G5 - Settlement Strategy.  
Policy ENV3 - Development in Open Countryside.  
Policy ENV9 - Important Wildlife Site  
Policy ENV13 - Landscape Protection.  
Policy RT1 - General Recreation and Tourism Policy.

### **Environmental, AONB, Human Rights and Other Issues**

The issues to consider with this application are whether the proposed development is acceptable in principle, and its effect upon trees/wildlife/ecology, visual amenity, highway safety and the amenities of nearby residents, especially with regards to potential noise nuisance.

The application is for a recreational development that also has an educational element. Policy RT1 of the Local Plan states that the Council will approve development proposals which extend the range of tourism and visitor facilities subject to the following criteria being met:

- i) The proposal must be physically well related to an existing main settlement or village or to an existing group of buildings.
- ii) The development should not undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design.

- iii) The proposal should be well related to the existing highway network. It should not generate additional traffic movements of a scale and type likely to cause undue problems or disturbance. Where possible the proposal should be well related to the public transport network.
- iv) The site should be large enough to accommodate the necessary parking, service areas and appropriate landscape areas.
- v) The proposal must not conflict with other policies of this plan.

As a visitor facility of a type that is not already present in the Borough, the proposal will extend the range of such facilities and is therefore, in my opinion, acceptable in principle.

The site is well related to the settlement of Read/Simonstone and, in many ways, is more sustainable than the more isolated locations which a number of local residents have suggested is more appropriate for this type of facility. The location of the proposal therefore satisfies the first criterion of Policy RT1.

The second criterion relates to the character and visual amenities of the locality. The element of the proposal that most affects this consideration is the buildings and parking area. The proposed buildings are temporary in nature and could be easily removed if the venture is ceased for whatever reason. They are, however, to be given timber external walls and, to some extent, are screened by existing trees surrounding the site, including trees on the road frontage. In the event of planning permission being granted, the existing screening could be supplemented by additional planting through the imposition of a condition requiring a landscaping scheme. Subject to such a condition, I consider the scale, siting, materials and design of the buildings to be appropriate and acceptable.

I consider the effects of the proposed buildings on visual amenity to be acceptable. I do not consider that the parking and turning area would have any seriously detrimental effects upon visual amenity. As the buildings are to serve a use that is appropriate for a rural area, I do not consider that they, or the use itself, would, in principle, adversely affect the general character of the area. In my opinion, the proposal therefore satisfies the second criterion Policy RT1.

The third and fourth criteria relate to highway and parking issues. In view of the way in which the business will operate (ie by pre-booked groups only), the County Surveyor considers the proposed parking provision to be adequate and appropriate and also considers the local network to be capable of accommodating the likely volume of traffic without detriment to highway safety. The proposal is therefore considered to satisfy these two criteria.

With regards to the final criteria, the relevant other policies of the Local Plan are the general development control Policy G1, the locational policies G5 and ENV3 and Policies ENV9 (Important Wildlife Site) and EMP13 (Landscape Protection).

Policy G5 lists a number of small scale developments that are considered to be acceptable outside settlement boundaries, one of which is "small scale tourism developments and small scale recreational developments appropriate to a rural area subject to Policy RT1". It is considered that the proposal satisfies Policy G5. Policy ENV3 requires developments in the open countryside to be in keeping with the landscape character of the area and to reflect local vernacular, scale, style, features and building materials. For reasons already discussed in

relation to Policy RT1 and to be discussed below in relation to Policies ENV9 and ENV13, it is considered that the proposal complies with Policy ENV3.

With regards to Policies ENV9 and ENV13 an independent ecological survey by Bowland Ecology was submitted with the application. The methodology followed pre application consultation with, and advice given by, the County Ecologist. The results of the survey show that the woods do not contain any significant rare species.

The Ecology Report sets out a number of recommendations for mitigation and compensation as well as suggestions for the management of the ecology of the woodland. As stated previously in this report, the County Ecologist has visited the site and fully considered the Ecology Report and does not object to the application subject to the recommendations in the Ecology Report being followed.

A schedule of works to trees has also been submitted. Having considered all the relevant information, this Council's Countryside Officer commented on the application as follows:

"The area in question is a mature plantation on an ancient woodland site and is classified as a Biological Heritage Site. However, there are no statutory instruments affecting the woodland. An extended phase 1 habitat bird/bat/tree survey has identified risks, mitigation and enhancement measures. I am satisfied that the proposals will not undermine the structural integrity of the woodland or damage/destroy habitat. The enhancement measures identified in the Ecological Survey will increase habitat potential and woodland structure."

Following careful consideration by the relevant specialist officers, it is considered that, subject to appropriate conditions, the proposal could actually benefit the ecology of the woodland and therefore satisfies Policies ENV9 and ENV13 of the Local Plan.

The remaining applicable policy is the general development control policy G1. This concerns amenity issues such as effects on amenities of nearby residents.

With regards to any potential noise nuisance, two noise surveys have been carried out (one in August and one in November) the results of which have been submitted to the Council. The Environmental Health Officer has visited the site, had discussions with the applicant and studied the two surveys. Following this, he has confirmed that he is satisfied with the methodology of the reports and concurs with its conclusions that the development should not have any significant noise effects on any adjacent property. The Environmental Health Officer therefore concludes that "the noise impact of the site will be low and unlikely to cause noise nuisance to neighbouring properties".

For the reasons given in the report, and in view of the lack of any objections from the specialist officer consultees, I consider the proposal to be acceptable and in accordance with the relevant policies of the Local Plan, subject to appropriate conditions.

Local residents, however, have expressed many objections/concerns to the application, some of which have, so far, not been specifically addressed in this report. Before making my recommendation I will therefore refer to some of those issues and responses to them that have been given by the applicants.

In respect of traffic issues, the applicants comment as follows:

“Based on experience from our current operation, it is expected that the vast majority of clients will arrive in cars being shared or in small mini buses of up to 17 seats. We do not, however, wish to restrict our clients choice of transport and for larger groups we have planned the entrance and car park to allow larger buses and coaches to enter the site safely off the road and be able to turn in order to safely exit the site back onto the road.”

*In respect of noise issues, the applicants comment as follows:*

“Some activities, such as jumping out of a tree suspended by rope will generate a reaction from some participants that may cause a scream or shout. Some activities may involve the instructor giving instructions to someone at height by means of a raised voice. There may be shouts of encouragement from the rest of the group and cheers or applause to acknowledge achievements. All these examples will form moments during the activity rather than a constant noise. Some of the day will involve the group being in the building and the majority of the day will involve conversation at a normal spoken volume. The activity equipment makes very little noise if any sound at all. There is not expected to be any playing of music or other artificial noise.

We have completed a noise survey from various locations in the wood and found that noise dissipates to the same level as background noise within the wood meaning that outside the woods where our neighbours live any noise is at or less than background noise level.”

*With regards to trespass/nuisance/fencing the applicants comment as follows:*

“The woods are currently not completely fenced off and it is not very clear that the land is private. We intend to fence the area using a post and sheet netting type fence with barbed wire strands on the top (a type of fence that is already present on the north and west perimeters of the wood and the perimeter of the field). Although this will not prevent determined trespassers from entering the site, this along with signage stating that the land is private will clearly show that trespass is not welcome. We are not happy about the idea of using tall un-climbable metal fencing as this would not be in keeping and we do not wish our woods to appear like a prison camp.”

*Regarding opening hours, the applicants comment as follows:*

“We do not want to be restricted to certain hours of opening and by the nature of the service we provide the site will be open as customers demand within reason. We will be running the day to day business ourselves and everyone needs a day off. As the centre is not residential the likelihood of many groups requiring evening sessions is very small. The vast majority of our work will come from the education and corporate sector which will account for the Monday to Friday work. Any weekend work will likely come from youth groups and private individuals. Additionally the activities will not be artificially lit so we will be restricted to offering outdoor activities during the hours of daylight. “

*In respect of alleged light pollution, the applicants comment as follows:*

“There is a view amongst the objectors that we intend to floodlight the woods but I am not sure where this has come from as the only lighting mentioned in the planning application was some security lighting on the building directed onto the car park. That lighting will be low sodium lamps as suggested in the Ecology Report in order to minimise any disruption to bats. It is felt that this will go unnoticed by our neighbours and although it may be triggered by animals



walking through the area, no one can speculate how often this will occur. The purpose of the lighting would be to allow staff and customers to safely negotiate the car park in the darker times of the year.”

*Having referred to those points by way of also giving some further explanation of the nature of the proposal, I will now make my formal recommendation.*

#### SUMMARY OF REASONS FOR APPROVAL

The proposal represents an appropriate use for the locality that would not have any seriously detrimental effect upon ecology considerations, visual amenity, the amenities of nearby residents or highway safety.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed in pursuance to Section 91 of the Town and Country Planning Act 1990.

2. Prior to the commencement on site of any construction works, or works affecting any trees, precise details of all the mitigation and enhancement measure identified in the submitted Extended Phase 1 Habitat, Breeding Bird Survey and Bat Tree Risk Assessment (Bowland Ecology June 2009) shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include the location and design of all mitigation and enhancement measures, a Habitation Management Plan, a timescale for the implementation of each of the measures and details of monitoring of the measures by a qualified ecologist. The measures shall only be carried out in accordance with the approved details.

REASON: To ensure that no species are harmed or habitat destroyed in order to comply with Policies ENV9 and ENV13 of the Ribble Valley Districtwide Local Plan.

3. The planting scheme comprised in the required enhancement measures shall comprise native species of the following mix:

- Ash *Fraxinus excelsior*
- Alder *Alnus glutinosa*
- Silver birch *Betula pendula*
- Oak *Quercus robur/petraea*
- Hawthorn *Crateagus monogyna*
- Hazel *Coryllus avellana*
- Willow *Salix cinerea/fragilis*
- Bramble *Rubus fruticosus*
- Wych elm *Ulmus glabra*

The planting scheme shall be implemented in the first planting season following occupation or use of the development and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the

replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of the amenity of the area and to comply with Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan.

4. No walls, fences or gates shall be erected anyway on the boundaries or within the site unless precise details of their location, height, materials, design and colour have first been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of visual amenity and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

5. Prior to the first use of the site for the purpose hereby permitted, the vehicular access into the site and the parking spaces and turning/manoeuvring areas shall have been fully formed in accordance with the approved plans and shall be available for use. Thereafter, these facilities shall be kept permanently clear of any obstruction to their designated use.

REASON: In the interest of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

6. Prior to the first use of the site for the purpose hereby permitted, sightlines from the site access of 160m to the north and 100m to the south, when measured from 2.4m from the carriageway edge, shall have been formed in accordance with a plan that has first been submitted to and approved in writing by the Local Planning Authority. Thereafter, any construction, obstacles or planting within these splays shall be maintained at no higher than 0.9m.

REASON: In the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. Prior to the first use of the site for the purpose hereby permitted, the field access identified as 'Access A' on the submitted site survey plan shall be permanently closed and the verge reinstated to the satisfaction of the Local Planning Authority.

REASON: To prevent any use of this access in the interest of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

8. Prior to the first use of the site for the purpose hereby permitted that part of the access extending from the highway boundary for a distance of 10m (5.5 to the gated and a further 4.5m to accommodate the first waiting vehicle) shall be appropriately paved in tarmacadam, concrete or other approved material.

REASON: To prevent loose material from spreading on to the public highway in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

9. Precise specifications or samples of walling and roofing materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

10. Only pre booked groups shall at any time be permitted to use the facility.

REASON: In order to ensure that the nature and scale of the use is in accordance with the details given in the application in the interests of amenity, and because use of the site by persons who have not booked could result in parking on the adjoining highway to the detriment of highway safety contrary to Policy G1 of the Ribble Valley Districtwide Local Plan.

11. There shall be no floodlighting installed anywhere within the site unless a further planning permission has first been granted in respect thereof.

REASON: In the interests of amenity and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

12. There shall be no amplified music at the site at any time.

REASON: In the interests of the amenities of nearby residents and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

13. In the event that the business ceases to operate (for whatever reason) within three months of the last use of the site for the permitted purpose, the two buildings shall be removed from the site and the surfacing materials for the access, parking and manoeuvring areas shall be removed and the land returned to its former condition to the satisfaction of the Local Planning Authority.

REASON: In the interests of visual amenity and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2009/0792/P (GRID REF: SD 369916 436709)  
PROPOSED TWO BEDROOMED DWELLING WITH INTEGRAL GARAGE IN THE GARDEN AREA OF AN EXISTING DWELLING AT STONYHURST VIEW, BROCKHALL VILLAGE

PARISH COUNCIL: The Parish Council objects to the application as the development will exceed the limit of properties allowed to be built on the Brockhall site.

ADDITIONAL REPRESENTATIONS: Two letters have been received from residents of Dickens Court, who object to the application for the following reasons:

1. When they purchased their properties they signed a contract in which it is stated that there would be no other houses built on the land behind the apartment block other than the approved dwelling that has now been built (Stonyhurst View). To approve this application would be an infringement of that contract.

2. The building would urbanise the small area that it is proposed to be built upon.
3. It would cut out light to their property especially when the sun is setting, but also throughout the day.
4. They purchased their property in order to enjoy a quiet retirement. They have, however, lived on a building site ever since, and this proposal, if approved, would prolong this nuisance.

## **Proposal**

In June 2005, planning permission was granted under reference 3/3005/0315/P for the redevelopment of the remaining areas of the former hospital site including the erection of 38 dwellings. That permission was part “full” and part “outline” as full permission was granted for 37 dwellings and outline permission for 1 unit. Reserved matters were subsequently approved for that one unit under reference 3/2005/1062/P. The dwelling has now been built and is known as Stonyhurst View.

This current application seeks permission for another dwelling in the curtilage of Stonyhurst View. The site slopes down steeply from south to north. To accommodate this change in levels, the proposed dwelling is two storeys high when viewed from the south and three storeys when viewed from the north. The basement level comprises only a garage and domestic workshop that is accessed through timber garage doors in the eastern elevation of the building. The level above the garage would be an open plan living space, above which would be the top floor comprising two bedrooms, both with en-suite facilities.

The external materials comprise facing bricks and natural slates to match the existing adjoining dwelling, Stonyhurst View. Although smaller, the proposed dwelling also follows the general design principles of Stonyhurst View. Windows to habitable rooms are all in the north and east elevations to take advantage of the views whilst not impinging on the privacy of other properties.

The dwelling is also of an energy efficient design. It will be thermally insulated to the latest standards and to comply with the Building Regulations Part L1. Renewable energy sources have been designed into the scheme including the use of solar and photovoltaic panels on the south facing roof slope and a ground source heat pump.

## **Site Location**

The triangular application site comprises the eastern part of the curtilage of Stonyhurst View, that is situated between two roads at the north-western edge of the Brockhall Village development. The road to the north of the site, at lower ground level, leads to the Blackburn Rovers Academy, and the road to the south of the site, on higher ground level, serves 4 dwellings including Stonyhurst View.

## **Relevant History**

3/2005/0315/P – Redevelopment of remaining areas of former hospital site to provide employment uses, 38 dwellings, village hall etc. Permission granted including outline permission for 1 dwelling on land adjoining Ribble View.

3/2005/1062/P – Reserved matters application for proposed dwelling on land adjoining Ribble View. Approved and implemented, and property known as Stonyhurst View.

3/2007/0115/P – Minor amendments to permission 3/2005/1062/P including amended position for detached garage. Approved.

3/2007/0489/P – Minor amendments to existing permission including amended position for detached garage. Approved.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G4 - Settlement Strategy.

Policy A2 – Brockhall Area Policy.

### **Environmental, AONB, Human Rights and Other Issues**

The matters for consideration are the principle of development and its effects upon visual and residential amenity.

In respect of principle, the site is within the generally developed area of the hospital site as defined in the planning brief and referred to in saved Policy A2 of the Local Plan. As such, when assessing the principle of residential development in this location, it is considered that the logical approach to adopt is that, due to its generally developed location (Policy A2) then the criteria of Policy G4 should be applied. This would mean that an infill plot such as this is acceptable in Policy terms. The Parish Council has objected on the basis that the development would exceed the limit of properties allowed to be built on the Brockhall site. However, whilst there was a reference to a limit of development prior to a link road being provided in the original permissions dating from 1994 for the overall site, this is no longer a requirement. For these reasons it is considered that the development of 1 dwelling in this location would comply with the saved policies of the Local Plan and is therefore acceptable in principle.

With regards to the detailed consideration relating to visual amenity, although smaller than nearby dwellings, the proposed property is similar in design and materials to the existing property Stonyhurst View and also the other dwellings to the east of the site on Chapel Close. The existing curtilage of Stonyhurst View is also large enough to accommodate the proposed dwelling whilst providing a reasonable curtilage for both properties and not resulting in a cramped form of development. Overall, I consider the proposal to be acceptable with regards to its effects upon visual amenity.

With regards to residential amenity, objections have been received from the owners of two properties on Dickens Court to the south of the site. The proposed dwelling would be approximately 50m away from dwellings on Dickens Court, and would also be on lower ground. There are also intervening trees that provide screening between the existing and proposed properties. The proposed dwelling has also been designed with its windows in the north and east elevations to take advantage of the views. There are no windows to habitable rooms in the south elevation that faces towards Dickens Court. Given these facts, the proposal would not, in my opinion, have any effects upon the light or privacy of any of the existing dwellings in Dickens Court, nor upon any other nearby dwellings.

The objectors refer to a contract that they signed when they bought their properties, which assured them that there would be no further building behind their dwellings. This was not a

contract with this Council, and there are no conditions on any previous planning permissions that would prevent the erection of a dwelling on this site.

For the reasons explained above, I therefore consider the proposal to be acceptable both in policy terms and with regards to the relevant detailed development control considerations.

#### SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity nor would it have an adverse visual impact.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed in pursuance to Section 91 of the Town and Country Planning Act 1990.

2. Precise specifications or samples of walling and roofing materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2009/0795/P

(GRID REF: SD 376921 455983)

PROPOSED CONSTRUCTION OF A 26 SPACE CAR PARK AS AN OVERSPILL CAR PARK FOR THE COMMUNITY HALL AND THE GENERAL PUBLIC ON A SITE ADJACENT TO THE SMITHY AT LAND OPPOSITE TOSSIDE COMMUNITY HALL, TOSSIDE

PARISH COUNCIL:

Recognise the benefits of the car park to serve the community but have concern with highway issues which will no doubt be addressed by Lancashire County Council. Comments that the land should be kept free of other items such as buildings and lighting.

ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR):

On the basis of the amended plan and imposition of appropriately worded conditions, raises no objection on highway safety grounds.

ADDITIONAL  
REPRESENTATIONS:

Six letters of support have been received, including a petition signed by 127 residents and community hall users.

Four letters expressing concerns/objections for the development have been received with the main points summarised as follows:

1. Loss of privacy.
2. Noise disturbance from car doors shutting, alarms and people.
3. The site is not within the village boundary and thus the development would constitute an extension of Tosside and lead to further ribbon development.
4. Highway safety.
5. The site is not appropriate to serve those accessing the forest – a car park is required for them not an overspill facility for the infrequently used community hall – the ideal place is behind the Dog and Partridge.
6. Devaluation of property prices.

### **Proposal**

Consent is sought for the provision of a 26 space car park to the south of Smithy Cottage. The area of land concerned measures approximately 35m x 16m with a new vehicular entrance formed. The car park would be surfaced in gravel with a stock proof fence and hedgerow boundary formed.

### **Site Location**

The site lies approximately 40m to the south of the crossroads within Tosside with dwellings to its north and east. It is outside the identified settlement limit lying within land designated Area of Outstanding Natural Beauty.

### **Relevant History**

3/89/0300/P – Outline application for erection of a dwelling. Refused and dismissed on appeal.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy RT1 - General Recreation and Tourism Policy.

### **Environmental, AONB, Human Rights and Other Issues**

Matters for consideration are the principle of development, visual impact, effect on adjacent residential amenity and highway safety.

In terms of the principle of development, I am of the opinion that Policy G5 of the Districtwide Local Plan would allow for such a development as it is small scale to meet the needs of the village hall when their small car park is full and to encourage visitors to the area to park off the

narrow highways in the village. It is thus, in principle, in accordance with plan policy subject to the following considerations.

In respect of the visual impact of the works, this is a relatively small-scale car park of simple design, no lighting is shown and the boundary treatment shown is that of a stock proof fence with a newly planted hedgerow. However the scheme has been discussed with the Council's Countryside Officer, who considers that it would be more appropriate for the boundary treatment to reflect the landscape character for the immediate area which has a number of dry stone walls – some of which have been improved and extended. Thus it is considered that a traditional dry stone wall is the appropriate boundary treatment and the applicants are agreeable to this subject to being able to acquire the necessary grant funding to source the materials and build the walling.

The car park extends in a southerly direction to level with the extent of residential development on the opposite site of the lane (those properties lying within Craven District) and thus in visual terms, offers a balanced approach to development when considering the village as whole. The land falls away from the centre of Tosside in a southerly direction and thus views of the area from the west when approaching Tosside from Slaidburn are very limited due to the surrounding landform. Objectors have questioned the location given it is outside the settlement limit but there is no land within the settlement boundary to accommodate such a development. Reference is made to a better location behind the Dog and Partridge but such a scheme was brought forward under 3/2005/0519/P and refused by Planning and Development Committee on 4 October 2005 on the grounds that it would prove detrimental to visual amenities of the area. This smaller, more sympathetically and simplistically designed scheme, is, I believe, more appropriate to the AONB setting and would not be significantly detrimental to the visual qualities of the area.

Next it is important to consider potential impact on neighbouring amenity. There is a dwelling set approximately 10m to its north and properties to the east on the opposite side of the lane. The village hall lies approximately 30m to the north east of the land in question. Two of the properties concerned will already be affected by comings and goings at the existing village hall car park. Committee need to consider whether the movements associated with this car park would so significantly affect the surrounding properties as to warrant a refusal. Given the relatively small-scale of development, I do not consider that potential disturbance to nearby properties associated with the comings of goings of vehicles and people would be sufficiently detrimental to existing amenities to substantiate a refusal on that ground.

With regard to highway safety, the engineer at Lancashire County Council has met the applicant on site following his initial observations on the scheme and an amended plan has been provided which adequately addresses the issues he had raised. On the basis of this he now raises no objection to the development subject to the impositions of appropriate conditions.

Therefore having carefully assessed the scheme, I am of the opinion that it is of a modest scale which would not prove significantly detrimental to nearby residential amenity. The highway engineer at Lancashire County Council is satisfied that it would not compromise highway safety nor would it detract from the visual qualities of the AONB in which it is set. I thus recommend accordingly.



## SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity, nor would it have an adverse visual impact or be to the detriment of highway safety.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed in pursuance to Section 91 of the Town and Country Planning Act 1990.

2. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on 1 December 2009 which detail revisions to the car park in order to satisfy highway requirements.

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments.

3. No part of the development shall be commenced until all the highway works have been constructed in accordance with the details submitted on the amended plan and accompanying letter received on 1 December 2009.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

4. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5m behind the nearside edge of the carriageway and visibility splay fences or walls shall be erected from the gateposts to the existing highway boundary, such splays to be not less than 45° to the centre line of the access. The gates shall open away from the highway. Should the access remain ungated 45° splays shall be provided between the highway boundary and points on either side of the drive measured 5m back from the nearside edge of the carriageway.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to permit vehicles to pull clear of the carriageway when entering the site and to assist visibility.

5. Notwithstanding the submitted details, the car park shall be bounded by a dry stone wall the precise details of which, in terms of height and location, shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority shall be satisfied with the details in the interest of the visual amenities of the area in accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan.

## NOTE(S):

1. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway

Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning Area Surveyor East 01254 823831 or writing to the Area Surveyor East, Lancashire County Council, Area Office, Riddings Lane, Whalley, Clitheroe BB7 9RW quoting the planning application number.

APPLICATION NO: 3/2009/0806/P (GRID REF: SD 377257 434500)  
PROPOSED DEMOLISH EXISTING GARAGE AND PORCH AND CONSTRUCT NEW  
ENTRANCE TO THE FRONT WITH ROOM OVER AND A TWO STOREY SIDE EXTENSION  
AT 1 LAWRENCE AVENUE, SIMONSTONE

PARISH COUNCIL: Objects to the application on the grounds that the proposal has an overbearing nature and is out of keeping with other properties in the area, and is overly large. The design of the first floor would suggest that the property would become two flats. With the upper floor extending outwards forming a balcony which would overlook neighbouring properties affecting their privacy due to the use of internal and external clear glass and elevated position. The development would affect visual amenity and be out of keeping with surrounding properties due to its size and design and not in keeping as stated in Policy ENV3 of the Local Plan.

ADDITIONAL REPRESENTATIONS: A letter has been received from the owners of the immediately adjoining property on Whalley Road to the east of the site who confirm that they have no objections to the development as detailed in the application.

Two letters have been received from nearby residents who object to the proposal for reasons that are summarised as follows:

1. The drawings of the existing property contain a discrepancy in relation to the height of the existing garage.
2. The proposed works increase the size of the property approximately 50% and therefore amounts to overdevelopment.
3. The design, that incorporates a balcony, is out of character with the locality.
4. Loss of privacy due to new first floor windows to a lounge in the west elevation and a western facing balcony. The harmful effects of the balcony would be worse as it would gain access from a lounge through

large glass doors (and is therefore likely to become an outdoor living space) as opposed to being accessed from a bedroom.

5. Conditions could not effectively overcome the effect of the proposal on their privacy.
6. The layout of the development is such that it has the potential to become converted into two separate units.

## **Proposal**

The proposal comprises three elements. Firstly, an existing porch in the centre of the west elevation of the property facing Lawrence Avenue would be demolished. In its place a two-storey extension would be erected that projects 1.4m towards Lawrence Avenue. This would form a new entrance area on the ground floor, whilst at first floor level it would amount to the extension of an existing bathroom, with the new larger room to become a “day room”. This extension would have a west-facing gable within which there would be a window to the day room. At present, at first floor level in the western elevation, there is only a dormer window to the bathroom.

Secondly, the existing detached garage to the north of the dwelling would be demolished. A two-storey extension would then be erected onto the northern end of the dwelling. This extension would comprise two bedrooms on the ground floor with a lounge at first floor level with doors in the front elevation of the lounge opening onto a large balcony area that would be beneath a gabled roof. This extension would project 4.3m beyond the existing northern side wall of the dwelling, and it would be 9.3m long.

The third element of the proposal comprises the formation of two relatively small dormer windows in the rear (east facing) roof slope. It is stated on the submitted plans that these windows would both be fitted with obscured glass.

To the northern side and in front of the main extension a parking area capable of accommodating 3 cars would be retained.

## **Site Location**

The application relates to the detached dormer bungalow with a detached single garage on the east side of Lawrence Avenue. It is the end property at the southern end of Lawrence Avenue and has a side boundary to Whalley Road. The property is adjoined to the east by a similar property on Whalley Road and to the north by a two storey detached house that is also on higher ground than the application site. There is a detached bungalow with an attached garage to the west on the opposite site of Lawrence Avenue. That property is also adjoined to the north by a two storey house on higher ground.

The site is within the settlement boundary of Read/Simonstone.

## **Relevant History**

None.

## **Relevant Policies**

Policy G1 - Development Control.

Policy H10 - Residential Extensions.

Policy SPG – “Extensions and Alterations to Dwellings”

## **Environmental, AONB, Human Rights and Other Issues**

The matters for consideration relate to the effects of the proposed extension upon the appearance of the property itself and the street scene in general and upon the amenities of nearby residents. The proposed scheme of extensions and alterations would substantially alter the appearance of this property. The locality, however, comprises of a variety of dwelling types and designs including a detached two-storey house on higher ground adjoining the northern boundary of the application site. Immediately on the opposite side of Lawrence Avenue is a detached bungalow that is also adjoined to the north by a two-storey house (in this case semi-detached) on higher ground. Within this context, I do not consider that the proposed extensions and alterations would detract from either the appearance of the property itself or the general street scene.

The side extension would replace an existing detached garage whilst still leaving approximately 3.5m between its side wall and the northern boundary of the site. I do not consider the proposal to therefore represent over-development of the site.

With regards to the amenities of neighbours, the owners/occupiers of the nearest dwelling to the east have confirmed that they do not object to the application and no representations have been received from the owners/occupiers of the detached house to the north.

Two objection letters have been received, however, from the owners/occupiers of the bungalow and two storey house on the opposite side of Lawrence Avenue. Their main objection relates to detrimental effects upon their privacy. With a distance of approximately 23m between the extensions and the front elevation of the nears of these dwellings, I do not consider that a reason for refusal of the application on this particular ground would be reasonable or sustainable.

The property as extended/altered could possibly be used as two separate self-contained units. This, however, is not what has been applied for and can be prevented by an appropriate condition.

Overall, I can see no sustainable objections to this application.

## **SUMMARY OF REASONS FOR APPROVAL**

The proposal has no significant detrimental impact on nearby residential amenity nor would it have an adverse visual impact.

**RECOMMENDATION:** That planning permission be GRANTED subject to the following condition(s):

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed in pursuance to Section 91 of the Town and Country Planning Act 1990.

2. The dwelling as extended and altered in accordance with this permission shall only be occupied as a single residential unit and shall not be occupied as two separate self-contained residential units unless a further planning permission has first been granted in respect thereof.

REASON: For the avoidance of doubt as the occupation of the dwelling as two units could be detrimental to the amenities of the locality and nearby residents contrary to Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2009/0807/P (GRID REF: SD 372592 436653)  
PROPOSED DEMOLISH AN EXISTING AGRICULTURAL BUILDING AND REPLACE IT WITH FOUR HOLIDAY COTTAGES IN TWO STONE BUILDINGS TOGETHER WITH GARDEN AREAS AND PARKING AT ABBEY BARN, NETHERTOWN CLOSE, WHALLEY

PARISH COUNCIL: No observations to make.

ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR): No objection on highway safety grounds.

ADDITIONAL  
REPRESENTATIONS: No comments received.

### **Proposal**

This is an outline application for the erection of four new build holiday cottages with matters of access, layout and scale being submitted at this time. It is only landscaping that has not been provided at this time. The scheme would involve the demolition of an existing portal framed building and replacement by two separate buildings with parking in between with each holiday cottage having a small private garden area.

The structure housing units 1 and 2 is set to the north east of the site and would have approximate dimensions of 12.2m x 9m x 7m to the apex of its pitch. Units 3 and 4 would be in a building with approximate dimensions of 14.4m x 9m x 7m in height with both units being constructed or random stonework under slate roofs. The plans have been amended since first submission to detail stone chimney stacks instead of metal flues and revise the parking arrangement in light of observations of the County Surveyor.

### **Site Location**

The site lies to the west of Mitton Road outside the defined settlement limit of Whalley within land designated open countryside. There are properties to the immediate north (result of the barn conversion) with open fields to its west and south. The A59 is approximately 140m to the south east of the proposed gable end of units 3 and 4.

## **Relevant History**

3/06/1015/P – Conversion of existing agricultural building to form four holiday lets. Approved with conditions 16 March 2007.

3/05/0216/P – Conversion of existing agricultural building to form two holiday lets. Approved with conditions 13 May 2005.

## **Relevant Policies**

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV3 - Development in Open Countryside.

Policy RT1 - General Recreation and Tourism Policy.

## **Environmental, AONB, Human Rights and Other Issues**

The matters for consideration are the principle of development, highway safety and potential impact on visual and neighbouring residential amenity.

In respect of the principle of development, Members will see from the history section of this report that consent has been granted previously for the conversion of the existing portal framed structure to holiday lets. This scheme seeks to demolish that building and erect two new stone buildings in its place to house four holiday lets. Policy RT1 of the Districtwide Local Plan would allow for such a development in principle as the site is physically well related to an existing group of buildings and thus it is matters of visual and residential amenity and highway safety that warrant further consideration.

It is evident from the observations of the County Surveyor that the amended plan which relocates the mobility space within the parking area is now acceptable in highway terms and thus there are no objections to the development on highway safety grounds.

Turning to visual amenity, as stated the plans have been revised since first submission in order to introduce design features more in-keeping with the area – stone chimney stacks instead of metal flues and the deletion of a first floor window in the south west elevation of units 3 and 4. The scheme has been designed to have a traditional dwelling design and results in a reduction of built form on site in comparison with the previously approved scheme. In long range views from the A59 it is the gable elevation of unit4 that would be most prominent and I am of the opinion that the design put forward would be in-keeping with the properties that surround the site. Thus having regard to the visual impact of the scheme, I am of the opinion that no significant detriment would be caused.

In respect of residential amenity, I am mindful that there is a property on the site's northern boundary with there being a distance of approximately 5.8m between its rear elevation and front elevation of units 3 and 4. However, the neighbouring property's wall is a blank elevation with kitchen and study windows with entrance doorways at ground floor and bedrooms above proposed as part of this scheme to face that elevation. Given the fact the neighbouring property has a rear blank elevation, there will be no significant overlooking of that property or its amenity space from this development. The scheme affords sufficient separation distance between the gable of units 3 and 4 and front elevation of units 1 and 2 (12m) in order to respect privacy

levels and thus in terms of residential amenity, I am satisfied no significant detriment would be caused.

Thus having regard to all the above I am of the opinion that the scheme accords with Policy and should be given favourable consideration.

#### SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity, nor would it have an adverse visual impact or be to the detriment of highway safety.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
  - a) The expiration of three years from the date of this permission; or
  - b) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 30 November 2009 which detail design amendments to the chimneys, removal of first floor window in the south western elevation of units 3 and 4 and show a revised position of the mobility parking space.

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments.

3. Precise specifications or samples of walling and roofing materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

4. The unit(s) of accommodation shall not be let to or occupied by any one person or group of persons for a continuous period of longer than 3 months in any one year and in any event shall not be used as a permanent accommodation. A register of such lettings shall be kept and made available to the Local Planning Authority to inspect on an annual basis.

REASON: In order to comply with Policies G1, G5, ENV3 and RT1 of the Ribble Valley Districtwide Local Plan. The building is located in an area where the Local Planning Authority would not normally be minded to grant the use of building for a permanent residential accommodation.

5. The application to be submitted for the approval of reserved matters shall include precise details of the landscaping of the site and boundary treatments.

REASON: For the avoidance of doubt and in the interests of visual amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

6. No development approved by this permission shall be commenced until
  - a) A desk study report has been undertaken which assesses the risk of the potential for on-site contamination and ground gases. If the desk study identifies potential contamination and ground gases, a detailed site investigation shall be carried out to address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of risk to receptors as defined under the Environmental Protection Act 1990, Part 2A, focusing primarily on risk to human health and controlled waters.

The investigation shall also address implications of the health and safety of site workers on nearby occupied buildings and structures, on services and landscaping schemes and to the wider environmental receptors including ecological systems and property.

The sampling and analytical strategy shall be approved in writing by the Local Planning Authority prior to the start of the site investigation survey.

- b) A remediation statement detailing the recommendations in remedial measures to be implemented within the site. Such remedial works shall be implemented by the developer prior to the occupation of the site.
  - c) On completion of the remedial works the developer shall submit written confirmation in the form of a site completion report to the Local Planning Authority that all works were completed in accordance with the agreed remediation statement.

REASON: To ensure a safe form of development that poses an acceptable risk of pollution to the water resources or to human health in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. The units of holiday accommodation hereby approved shall not benefit from the permitted development rights afforded to dwellings under the provisions of the Town and Country Planning (General Permitted Development) Order (or any Order revoking or re-enacting that Order). Specifically, any future extensions and for alterations to the units including any development within their curtilage as defined in Schedule 2, Part 1, Classes A to H shall not be carried out without the formal written consent of the Local Planning Authority.

REASON: In the interests of the amenity of the area in accordance with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan and for the avoidance of doubt.



PROPOSED CHANGE OF USE OF DOMESTIC GARAGE FOR USE AS A COMMERCIAL KITCHEN AT LEVEN BANK, 120 WHALLEY ROAD, WILPSHIRE

PARISH COUNCIL: Objects to this application as it is felt that the development is not suitable in a residential area and is concerned about associated problems such as smells (specific to geographical site) and nuisance caused by loading and unloading.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): Has no objections to the application as he considers the existing parking provision at the property to be adequate to also serve the relatively small scale proposed commercial activity.

ADDITIONAL REPRESENTATIONS: A letter has been received from an adjoining resident who objects to the application for the following reasons:

1. There would be insufficient space for the storage of raw materials, the completed processed product and waste products.
2. The extra waste food could attract rats and mice from the open fields at the rear of the property.
3. The drains were not built to accommodate a commercial kitchen.
4. If the proposal necessitates larger waste bins, these would not fit down the 1m wide path that is the only access between the front and rear of the property.
5. Any extraction flue would have to be on the side elevation facing their property and this would be noisy and cause a smell.
6. The existing vehicles at the application site spill out onto the bottom of the neighbours drive, making it difficult for them to get out onto the busy road. Any increase in parking or vehicular activity associated with this application would exacerbate this existing problem.
7. Loss of property value as a result of being next to a commercial business is a concern.
8. Concern about what will happen if the business is successful and expands.

**Proposal**

Permission is sought for the conversion of the integral single garage at this property into a kitchen for the manufacture of organic frozen baby food.

In a letter in support of the application and in response to the objections received from a neighbour, the applicant explains the background to the proposal and its nature and scale. Some of the points that she makes are as follows:

- The concept behind the idea is locally made, nutritional, healthy baby food.
- The main inspiration behind the idea was her own children and personal circumstances.
- She has spent 2 years researching the concept and is now in a position to put it into practice.
- Due to financial constraints and personal circumstances, as a mother of 3 children, the conversion of the garage would be the perfect way to start the business.
- This will enable an indication to be given as to whether the business will be profitable.
- If it is successful then larger premises will be sought.

### **Site Location**

The application relates to a semi-detached house with an integral garage on the south side of Whalley Road within the settlement boundary of Wilpshire. It is adjoined to the east by a detached house; there are other dwellings on the opposite site of the road and open fields at the rear.

### **Relevant History**

None.

### **Relevant Policies**

Policy G1 - Development Control.

### **Environmental, AONB, Human Rights and Other Issues**

The matters for consideration relate to the effects of the proposal on the amenities of nearby residents and highway safety.

The nearest neighbour to the garage that would be converted has expressed objections to the proposal as outlined above. The applicant has addressed each of those objections as follows:

- Initially, she will collect the fruit and vegetables herself as there would not be sufficient orders to justify a delivery.
- If this changes the products would be delivered by one supplier on the basis of one delivery per day.
- As everything will be cooked fresh there would be no storage of raw materials. As soon as it arrives, it would be cooked and frozen and stored in a freezer. Food would only be cooked and frozen when an order had been made.
- Waste peelings etc would be passed onto a local farmer for animal food.
- Packaging would be recycled in the same way as domestic waste is presently recycled.
- No food will ever be left outside to attract vermin.
- The only extra demand on the drainage system would be water from the sinks and the vapour caused by the steam oven. Due to the size of the products she is confident that this would not cause any disruption to the drainage system.
- She has no plans to increase the bin size, as the majority of waste will be recycled.

- Due to the amount of cooking anticipated and the advice that she has received from commercial kitchen suppliers, the extraction fan will not be noisy. The nature of the steam oven and the fact that the vapour/water will be plumbed directly into the drains means there would be very little, if any, smell at all.
- They currently have a driveway capable of parking 2 vehicles and also a parking space at the front of the property which allows a third vehicle to be parked.
- The property would in no way be altered in appearance from the outside and the hope is that the business is a success and the garage is only used for a limited period. If this is not the case and there is no market for the product then the garage will return to its original use.
- The whole purpose of the application is to allow her to start a small business with a very limited budget. If and when the business proved to be successful, the first thing she would have to do would be to look for alternative business premises. The garage would then be converted back into its original use. The garage is a short-term measure that would hopefully be the start of a new and exciting venture.

I consider that the applicant has fully addressed the objections made to her proposal whilst at the same time explaining its nature/scale and her future intentions.

With regards to the concerns about health issues, such as the business attracting vermin, the applicant would want to avoid any such problems from the point of view of her own business but, if any such problems did occur, they would be dealt with under Environmental Health legislation. The Environmental Health Officer has expressed no objections to the proposal subject to compliance with the relevant Food Hygiene Regulations.

With regards to possible noise/smell nuisance from any extraction fan, I consider that this could be covered by an appropriate condition requiring precise details of any such fan to be submitted for the Council's approval prior to installation.

In respect of highway safety issues, as previously stated, the County Surveyor has no objections to the application.

Subject to appropriate conditions, I do not consider that this proposal would result in any serious detriment to the amenities of neighbouring residents or highway safety. I do, however, consider that the permission should be for a temporary period of 2 years to enable the effects of the proposal to be reconsidered at the end of that period. If the business has been successful to the point where its operation from the dwelling is inappropriate, and harmful either to the neighbours or highway safety, then any renewal application could be refused, and the applicant would have to relocate to more appropriate business premises.

#### SUMMARY OF REASONS FOR APPROVAL

At this scale initially proposed, the operation of the business would not be seriously detrimental to the amenities of nearby residents or highway safety.

**RECOMMENDATION:** That planning permission be GRANTED subject to the following condition(s):

1. This permission shall be for a temporary period expiring on 31 December 2011 on or before which date the business shall cease and the garage shall revert to its original use unless a renewal of this permission has first been granted.

REASON: In order that the Local Planning Authority can monitor the effects of the proposed commercial use on the amenities of nearby residents and highway safety as required by Policy G1 of the Ribble Valley Districtwide Local Plan, and be in a position to make an informed decision on any application to renew the temporary permission.

2. No extraction flues or fans shall be fitted unless precise details of such equipment has first been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the amenities of nearby residents and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2009/0890/P (GRID REF: SD 372767 441459)  
 PROPOSED ENLARGED WINDOW TO THE AEROBICS ROOM. ALTERNATIVE DESIGN FOR THE EXTERNAL BALUSTRADE TO GLASS INFILLS. AMENDMENT IS TO PREVIOUS APPROVAL 3/2009/0213/P AT ROEFIELD LEISURE CENTRE, EDISFORD ROAD, CLITHEROE

TOWN COUNCIL: No objections.

ENVIRONMENT  
 DIRECTORATE  
 (COUNTY SURVEYOR): Not consulted.

ANCIENT MONUMENT	}	No representations have been received.
SOCIETY:	}	
VICTORIAN SOCIETY:	}	
SPAB:	}	
COUNCIL FOR BRITISH	}	
ARCHITECTURE:	}	

ADDITIONAL REPRESENTATIONS AND STATUTORY ADVERTISEMENT: No representations received.

**Proposal**

The proposal is a resubmission of a previously approved scheme and includes the demolition of existing single and two storey outbuildings which are constructed of a mixture of brickwork, render and slate roof. The roadside elevation of these buildings comprise a single storey development. The main barn which is referred to in the listing is unaltered by the proposed demolition but there is a separate application to extend an existing internal doorway. There is a glazed entrance and reception area that will be attached to the main barn.

The main new build element is a replacement building for the old changing rooms. This is a modern building with a curbed profiled roof. It measures approximately 11.5m x 11m with a maximum height of 7.9m. The building is to be attached to the main modern sports hall and would extend to the existing footway.

The materials are mixture of natural coursed random stone, ashlar stone for the plinth and quoins and flat panel steel cladding. The recessed lobby area would be glazed with a curved canopy over the entrance. The roadside elevation will also be punctuated with full height glazing in certain locations.

A new stonewall and railings is to be constructed which would provide a pedestrian and disabled ramp to the main building. A servicing area is provided within the site at the front of the existing stone barn.

The internal arrangements on the new building include changing rooms at ground floor and first floor. There are also additional meeting rooms, a crèche and three multi-purpose rooms on the ground floor.

The main change from the previous scheme is the introduction of more glazing panels on the southeast (roadside) and southwest elevation.

### **Site Location**

The building is located on the outskirts of Clitheroe adjacent to Ribblesdale Pool and the existing Roefield Leisure Centre. There is a large car park on the opposite side of the road.

### **Relevant History**

3/2008/0114/P & 3/2008/0232/P – Planning application and listed building consent for the extension to the leisure facilities. Approved with conditions.

3/2009/0213/P and 3/2009/0223/P – Demolition of outbuilding, extension and refurbishment of existing sports and leisure facilities to include new reception/offices, toilets, crèche, adventure area, meeting room, aerobics and changing facilities. Approved with conditions.

### **Relevant Policies**

Policy G1 - Development Control.

Policy ENV19 - Listed Buildings.

Policy RT1 - General Recreation and Tourism Policy.

### **Environmental, AONB, Human Rights and Other Issues**

The main considerations in the determination of this application are the impact of the proposed extension and demolition on the character on the setting of the listed barn: the impact on the visual amenities in general and highway safety. Although the description states revision to previous approval the application must be considered as a full application so all previous issues are relevant.

### Impact on Listed Building

The setting of the barn is affected by the need to demolish existing buildings and the replacement building, as well as the fact that the building is attached, albeit in a minimal form to the listed barn. I do not consider it has any wider impact on the adjacent Roefield Care Home which is also listed. However it should be noted that the principle has been accepted and therefore the main consideration should only relate to the revisions and not the principle.

In assessing the impact it is important to have regard to the existing buildings which are to be demolished. I am of the opinion that they carry little weight in architectural terms and that the demolition itself would not lead or have a significant impact on the listed barn or the wider amenity issues. The replacement buildings are of modern construction and use a mixture of materials and as such I do not believe they compete with the existing character of the main stone barn but rather introduce a massing which is appropriate and an architectural style which does not seek to replicate the stone barn. In terms of the linkage to the stone barn this is a lightweight approach predominantly glazed and as such it would not have a detrimental effect on the listed building.

### Visual amenities

In visual terms the building does come in close proximity to the existing footway but it should be noted that the existing changing rooms and outbuildings are also on or close to the highway. Although this would lead to some additional massing, as the building is taller than the existing arrangement, it does also introduce different materials and would help break up the mass of the building as well as screen some of the roadside views of the modern sports complex which is to the rear of this extension. To conclude in relation to design issues I am satisfied that this would not detract from the visual appearance of the locality. The design changes would result in more glazing and, as such, would not relate as well to the original solid form but I do not consider the additional glazing elements would impinge significantly to the overall area.

### Highway safety

In relation to highway safety the proposal incorporates an area identified for servicing arrangements; as such I am now satisfied that there are no significant highway issues.

### Other issues

In relation to other issues such as residential amenity and a general recreation and tourism issues, I consider that there is limited impact on residential amenity and if anything there would be an improvement to the overall facility by modernising the changing rooms as well as introducing further building for recreational use which would enhance public use of the building.

### SUMMARY OF REASONS FOR APPROVAL

The proposal would have no seriously detrimental affect upon the character or setting of the listed buildings, or visual amenity or highway safety.

RECOMMENDATION: That planning permission be granted subject to the following conditions:

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed in pursuance to Section 91 of the Town and Country Planning Act 1990.

2. Precise specifications or samples of walling and roofing materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

3. This permission relates to the plans submitted with this application – drawing number 09/136/024 and 08-139-LP.

REASON: For the avoidance of doubt.

APPLICATION NO: 3/2009/0907/P (GRID REF: SD 369672 450400)  
PROPOSED GARAGE/STORE AT THE COTTAGE. AMENDMENTS (ADDITION OF 3 NO. VELUX WINDOWS IN REAR ROOF ELEVATION, RENDER TO BE APPLIED TO REAR ELEVATION, REPLACEMENT OF GARAGE DOOR WITH SINGLE DOOR AND ALTERATIONS TO WINDOW OPENINGS) TO THE PREVIOUSLY APPROVED GARAGE BUILDINGS 3/2008/0762/P AT THE COTTAGE, NEWTON-IN-BOWLAND, CLITHEROE, LANCASHIRE, BB7 3DZ

PARISH COUNCIL:

The Parish Council object to the application on the basis that:

- The application is clearly retrospective as work has almost been completed,
- The Applicant is trying to “Get away with it”, as little attempt has been made to comply with approved scheme,
- Windows to the rear are positioned out of line with original plans,
- Current application has been submitted after complaints were made to the Planning Officer, and the Council are reminded of its Enforcement Objectives,
- Building should be in stone not render,
- Velux windows are unnecessary to what is essentially a garage/store room,
- Building has the appearance of a house, so will the Applicant use it for residential purposes in the future?
- Windows and doors should be painted brown to match the house not cream, and therefore
- Given the complete disregard for the planning process, Committee are urged to refuse the application.

ADDITIONAL  
REPRESENTATIONS:

One letter of objection has been received from nearby neighbours who wish to raise the following points of objection in regards to the revised proposal:

- Changes subject to this application have already been incorporated in the building making a mockery of the planning process,
- Velux rooflights will look directly into our property causing a loss of privacy,
- Proposed windows in the rear elevation are now nearer our property and will cause an invasion of privacy,
- Given the changes in the door openings, this is looking more like a dwelling than a garage,
- The building has a first floor with three rooms in with no approval, is this not an indication as to what he intends to use it for?
- We are opposed to any elevation being rendered, as it will be out of keeping with surrounding stone buildings,
- Out of keeping with the A.O.N.B. and Conservation Area,
- Windows and doors should be brown timber windows to match the house, not painted cream,
- The Design & Access Statement states water is supposed to be directed into a soakaway, but the Applicant has placed a drain running into the adjacent river, and
- As stated before, the intention of the building is obvious and we would like some assurance that it should remain as a workshop or garage and will not become a dwelling.

**Proposal**

Permission was granted in November 2008 to erect a proposed built shed, store and workshop with an external double garage for the main house on the site of an existing timber workshop/store. This Application has been submitted in order to alter the previously approved scheme.

**Site Location**

The site is located within the village boundary of Newton-in-Bowland, in the Newton-in-Bowland Conservation Area, and within the Forest of Bowland Area of Outstanding Natural Beauty, as defined by the Ribble Valley Districtwide Local Plan. The replacement garage and workshop/store will be in the same location to the rear of The Cottage, Newton-in-Bowland.

**Relevant History**

3/2009/0766/P - Application for the discharge of condition no.6 (relating to materials) of planning consent 3/2009/0428P – Approved.

3/2009/0428/P - To build an extension on the rear side of the property – Approved with conditions.



3/2008/1050/P - To build an extension off the existing property (Re-submission) – Withdrawn.

3/2008/0781/P - Build an extension off the existing property – Withdrawn.

3/2008/0762/P - Purpose built shed, store and workshop with an external double garage for the main house on the site of the existing workshop/store – Approved with conditions.

3/2000/0378/P – Retention of existing garage/garden store, 10.7m x 4.9m (Retrospective) – Approved with conditions.

### **Relevant Policies**

Policy G1 - Development Control.

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy ENV16 - Development Within Conservation Areas.

Policy H10 - Residential Extensions.

Policy SPG – “Extensions and Alterations to Dwellings”.

### **Environmental, AONB, Human Rights and Other Issues**

Given that the size and position of the building on site have not changed, the only issues to consider are the proposed alterations and whether or not they will affect the visual impact on views both in and out of the A.O.N.B. and the Conservation Area, and whether or not the alterations will have any potential impact on the amenity of the nearby neighbouring properties. The alterations to the scheme include the insertion of three velux windows on the rear roofscape of the building, the re-positioning of the three windows in the rear elevation of the building, the rendering of the rear elevation and the alteration to the size of openings in the front elevation, such as the main garage door reduced in size and the replacement of the store door with a single doorway and window.

#### **VISUAL IMPACT**

It is accepted that the alterations to the front elevation of the building and the proposed insertion of three Conservation type velux windows will alter the perception of the building to a more domestic appearance, however given the location of the building within a hollow to the rear of the main dwelling and that there are only limited views of the site and indeed this area of the A.O.N.B. and Conservation Area, I do not consider they will have a detrimental visual impact on the A.O.N.B. or on the character and setting of the Conservation Area. With regards to the proposed rendering of the rear elevation of the building, it is worth noting that the Parkers Arms, the Methodist Chapel and Hodder Croft are all rendered buildings of different colours. As such, I consider the rendering of the rear elevation to be acceptable as it will reflect those building closest to it, and will have no detrimental visual impact on the A.O.N.B. or on the character and setting of Conservation Area.

#### **IMPACT ON RESIDENTIAL AMENITY**

With regards to the potential impact on the amenity of neighbours, the proposed use of the building has not been changed as the Applicant has still applied for a store/workshop/garage, and there is no intention to use the building for a business use. As such, the activity this building would create remains the same in that it would be that related to domestic uses, i.e. storage of wood, cars, and garden equipment e.t.c. and as such any noise created from this type of

residential/domestic activity will be no louder than that currently created on site by the existing building. In respect to the changes to the rear windows and the insertion of the Conservation type velux windows, whilst the windows will be moved nearer to the property Hodder Croft, having visited the site and viewed the building from this property, due to the existing trees and other flora between the two sites and the actual size of the windows, I do not consider that the amenity of the adjacent neighbour will be significantly affected.

#### OTHER ISSUES RAISED

The installation of a pipe running from the new building has been brought to the attention of the Planning Department, however having discussed this with the Building Control Office who has been dealing with both the garage building and the new extension (under construction), this has been inserted for the purposes of discharging surface water run off only. For clarification on this, I have also received a response from the Environment Agency who notes, "A riparian landowner has a right to discharge clean, uncontaminated surface water to a watercourse on their land. We would not have anything to say from a drainage perspective as the pipe is discharging to an ordinary watercourse, not a main river, and so the land drainage authority is RVBC, not the EA."

Therefore, whilst I am mindful of the concerns of the nearby neighbour and of the Parish Council, I do not consider there will be any undue harm caused by the proposed alterations to the previously approved garage building. Therefore, it is considered that the proposal is in accordance with the Local Plan Policies and the Supplementary Planning Guidance notes, and will cause no significant impact on the amenity of the nearby neighbours and have no significant visual impact on the character and setting of the Conservation Area, nor on the setting of the Forest of Bowland A.O.N.B. and I therefore recommend accordingly.

#### SUMMARY OF REASONS FOR APPROVAL

The proposal has no detrimental impact on nearby residential amenity, and it will have no adverse affect upon the character or setting of the Conservation Area or on the setting of the Forest of Bowland A.O.N.B.

**RECOMMENDATION:** That planning permission be GRANTED subject to the following condition(s):

1. The proposed velux roof lights shall be of the Conservation Type, recessed with a flush fitting, details of which shall be submitted to and agreed in writing by the Local Planning Authority before their insertion into the building.

**REASON:** In the interests of visual amenity in order to retain the character of the property and to comply with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan.

2. All doors and windows shall be in timber and retained as such in perpetuity.

**REASON:** To comply with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

3. Precise specifications and samples of walling and roofing materials and details of any window and door surrounds including materials to be used shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance - "Extensions and Alterations to Dwellings".

4. The proposed garage/workshop/store shall be for private and domestic purposes only and no trade or business whatsoever shall be carried out from within the building.

REASON: In order to safeguard nearby residential amenities as provided for within Policies G1 and H10 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance "Extensions and Alterations to Dwellings".

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the building as defined in Schedule 2 Part 1 Classes A to H shall not be carried out without the formal written consent of the Local Planning Authority.

REASON: In the interests of the amenity of the area in accordance with Policies G1 and H10 of the Ribble Valley Districtwide Local Plan.

## NOTES

1. Consent of the Environment Agency is required prior to the discharge of effluent to surface or underground waters. Consent will only be considered if discharge to the foul sewer is not practicable, in which case the applicant should consider:

- (i) Construction of a soakaway area with no residual discharge to watercourse.
- (ii) Construction of a soakaway area with a high level overflow discharging to watercourse.

Direct discharge to watercourse which will only be considered where options (i) and (ii) are impracticable. The applicant should be advised to contact the Environment Agency, Area Planning Liaison Officer, Lutra House, Dodd Way, Off Seedlee Road, Walton Summit, Bamber Bridge, Preston PR5 8BX for any option not involving discharge to foul sewer.

2. No building material or rubbish must find its way into the watercourse.
3. The applicant should ensure that the land proposed for the soakaway has adequate permeability in accordance with BS6297:1983.
4. It is suggested that the soakaway is sited not less than 10m from the nearest watercourse, 10m from any other foul soakaway area and 50m from the nearest source of potable water supply.
5. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or groundwater.
6. Only clean surface water from roofs and paved areas should be discharged to any soakaway.

APPLICATION NO: 3/2009/0921/P

(GRID REF: SD 368387 432244)

PROPOSED CHANGE OF USE OF PART OF FARMYARD AND BUILDING TO THE STORAGE AND SUPPLY OF LANDSCAPING MATERIALS AT ALKER BOTTOMS FARM, BROOKLYN ROAD, WILPSHIRE

PARISH COUNCIL: No representations have been received at the time of report preparation.

ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR): Has no objections to this proposal on highway safety grounds as the application proposed is a diversification consistent with the previous agricultural use. He recognises that the site is accessed from a residential road, but considers that the proposed development will attract vehicles of a size and at a frequency in-keeping with the established use.

ENVIRONMENT AGENCY: No objections in principle to the proposed development subject to a note concerning appropriate protection from pollution of water courses and no works to be carried out to water courses without the appropriate consent from the Environment Agency.

ADDITIONAL  
REPRESENTATIONS: Six letters have been received from residents of Brooklyn Road who object to the application for the following reasons:

1. The number and type of vehicles (including articulated lorries) associated with the landscaping business is harmful to highway safety on the residential street of Brooklyn Road. There is a particular danger to the children who live and play in the street.
2. Most of the houses on Brooklyn Road do not have off road parking provision, and the large vehicles cannot pass safely down the road when residents cars are legally parked down both sides. Residents have, on occasions, been asked to move their cars.
3. Brooklyn Road is not designed for commercial traffic. Knowsley Road is designed as an 'access only' road and it is understood that this access was for residents only to minimise the amount of traffic to this area and to deter through traffic on the road. This application would lead to an increase in passing traffic and would thus be in contradiction to that intention.
4. The business has been in operation for some time and has gradually increased in intensity. Any further increase that would follow if this application is approved would cause further inconvenience and worry for residents.
5. The structure of the road is undermined by the large vehicles and they also cause the houses to shake, possibly damaging their foundations.

6. Pollution through exhaust fumes, noise, and inhalants such as dust spilling from the vehicles.
7. Concern about possible pollution of a stream that passes 5m away from the road.
8. The delivery schedule submitted with the application is not accurate and the statement that there will only be telephone orders is false as vans and 4 x 4s often with trailers picking up from the farm regularly travel down Brooklyn Road.

### **Proposal**

Permission is sought retrospectively for the change of use of part of the farmyard and agricultural buildings to use for the storage and supply of landscaping materials such as top soil, bark and decorative gravel.

Some of the materials are stored in an open concrete bunker with approximate dimensions of 13.5m x 9m. Top soil is stored on a concrete hard standing measuring approximately 8m x 8m that is situated between two existing agricultural buildings. A van associated with the landscaping business is parked within one of the agricultural storage buildings along with other agricultural vehicles and machinery.

It is stated in the application documents that orders are taken by telephone and the materials are delivered directly to customers; and that there are no direct sales to the public at the farm and no desire for this to take place as it would compromise farm safety and security.

### **Site Location**

The buildings complex of Alker Bottoms Farm comprises a farmhouse and a mixture of traditional and modern agricultural buildings situated off the western end of Brooklyn Road, a residential cul de sac that connects to Knowsley Road. Brooklyn Road provides the main vehicular access to the farm. Brooklyn Road is within the settlement boundary of Wilpshire, but the farm is outside the settlement and within the Green Belt.

### **Relevant History**

3/1991/0601/P – Change of use from agricultural building to agricultural repair workshop. Permission granted on appeal.

3/2007/0719/P – Erection of general purposes portal framed building for farm implement storage. Approved with conditions.

3/2008/0556/P – General purpose portal frame building. Approved with conditions and presently under construction.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV4 - Green Belt.  
Policy EMP12 - Agricultural Diversification.

### **Environmental, AONB, Human Rights and Other Issues**

The application relates to an agricultural diversification. National planning policy and local policy in the form of saved Policy EMP12 of the Local Plan acknowledge the need for farms to diversify into non agricultural activities to support income in order to keep farms viable. EMP12 says that such proposals will be approved, subject to other policies in the Local Plan and provided they are appropriate in both scale and character to the rural areas of the borough and do not compromise its natural beauty.

This landscape business occupies only a very small part of the existing farmyard and it is stated in the Design and Access Statement submitted with the application that it is a very small-scale business operated by the applicant's son, who also runs the farm. It is stated that no other person is employed to run the farm or the landscape business apart from occasional help from other family Members as it is not a full time job.

No new structures or buildings have been erected to accommodate the materials but, rather, existing storage areas and space within buildings on the farm complex have been used.

I consider that the scale of the landscape business represents the type of agricultural diversification that is supported in principle by Policy EMP12. As such, it is also a small scale use appropriate to a rural area that is acceptable outside settlement boundaries as defined in Policy G5. As no buildings or structures have been constructed, or are proposed in relation to the storage of landscaping materials, the business has no impact upon the openness of the Green Belt or upon the character of the rural landscape. The proposal does not therefore contravene the requirements of Policy ENV4 of the Local Plan.

The residents of Brooklyn Road have expressed objections on the grounds that the increased traffic using their road in association with this business is harmful to highway safety and to their general residential amenities. These considerations are covered by Policy G1 of the Local Plan.

In support of the application, the applicants have submitted a record of 'deliveries out' and 'deliveries in' for the period 1 January to 3 October 2009. This shows 241 deliveries out by a transit tipper in 273 days. Over the same period, there were 23 deliveries to the farm of soil by 12 tonne lorry, five deliveries of bark by an articulated lorry and four deliveries of gravel by a 7.5 tonne tipper lorry. This total of 32 deliveries to the site averages one per week whilst the deliveries to customers averages one per day.

It is stated in the Design and Access Statement that this business supplements the farm income and replaces the income lost following the cessation of milking at the farm and the recent cessation of milk round. Previously, the milk tanker collected milk 365 days a year and the milk round was a daily delivery leaving at 3.30-4.00am to deliver milk and leaving again in the early evening to collect bottled milk for the following day's round.

The applicants are also concerned that the objections made to the Council about the landscape business may have been provoked by the recent increase in traffic to the site associated with the construction of the storage building and the preparation for the construction of the further farm building that was recently granted planning permission.

With regards to the effects of the traffic associated with the business on highway safety, the County Surveyor has no objections considering the proposal to be consistent with the previous agricultural use. He recognises that the site is accessed from a residential road but considers that the size and frequency of vehicles associated with the use is in-keeping with the established use.

If maintained at the existing scale, and in accordance with the assurances given by the applicant that customers do not visit the site, I also consider the resultant traffic to be acceptable in relation to its effects upon the general amenities of the residents of Brooklyn Road. As stated by the applicants, and agreed by the County Surveyor, the vehicle types and frequency of movements is not dissimilar to what occurred when the farm was operating with a dairy herd and a milk round.

Overall, subject to appropriate conditions, I consider the proposal to be acceptable in principle and also with regards to its effects upon the amenities of nearby residents and highway safety.

#### SUMMARY OF REASONS FOR APPROVAL

The proposed agricultural diversification would not have any seriously detrimental effects upon visual amenity, highway safety or the amenities of nearby residents.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

1. The storage of materials and the parking of vehicles associated with the landscaping business shall be restricted only to the areas of the farmyard and buildings outlined and hatched in red on the submitted 1:2500 scale and 1:500 scale plans.

REASON: To comply with the terms of the application and to ensure that the scale of the development is controlled in the interests of the amenities of nearby residents and highway safety, and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

2. The business shall be operated on the basis that customers order their goods which are then delivered to them by the applicants. Customers shall not visit the site in order to collect their own goods.

REASON: To comply with the terms of the application and to ensure that vehicle movements are controlled in the interests of the amenities of nearby residents and highway safety, and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

#### NOTE

1. Any works to the water courses within or adjacent to the site which involve infilling, diversion, culverting or which may otherwise restrict flow, require the formal Consent of the Environment Agency under Section 23 of the Land Drainage Act 1991. Culverting other than for access purposes is unlikely to receive Consent, without full mitigation for loss of flood, storage and habitats. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or ground water.

APPLICATION NO: 3/2009/0957/P

(GRID REF: SD 373327 436565)

PROPOSED TWO-STOREY EXTENSION TO SIDE ELEVATION TO PROVIDE ADDITIONAL STAIRCASE TO ALLOW ACCESS TO PROPOSED LOFT, DORMER WINDOW TO REAR ROOF ELEVATION AND TO INCORPORATE NEW FRONT ENTRANCE AND BUILD NEW FRONT BAY WINDOW (RE-SUBMISSION) AT 20 LIMEFIELD AVENUE, WHALLEY, LANCASHIRE, BB7 9RJ.

PARISH COUNCIL:

The Parish Council object to the proposal noting that the side extension and squaring off of the front roofline still has a detrimental impact on the surrounding area and distorts the street scene.

ADDITIONAL REPRESENTATIONS:

Two letters have been received from a nearby neighbour at the time of this reports submission, with the following points of objection being raised:

1. Loss of light to the lounge in our house,
2. Loss of light will have detrimental impact o the health of my husband who is requiring light treatment,
3. If built, it will be impossible for any maintenance work to be carried out at our house,
4. The extension cannot be built without the need to enter and walk around our property, which we may not allow,
5. Building works will cause a lack of privacy, and
6. The proposal is out of keeping with other properties.

Twelve letters of objection were received in respect of the previous application, with the following other points of objections also being raised:

7. Scale is out of keeping with adjacent properties,
8. Visual impact on the streetscene,
9. Proposed dormer will look directly into our bedroom windows,
10. Loss of mature trees, and
11. Traffic issues, as a larger house is likely to increase traffic to the property.

### **Proposal**

Planning permission is sought to erect a two-storey side extension to the property in order to provide an additional stairway to allow access to the loft space, the insertion of a dormer window on the rear elevation of the roof and the incorporation of a new front entrance and bay window. This is a re-submission of a previously refused scheme.

### **Site Location**

The property in question is a semi-detached property within the residential settlement of Whalley, as defined by the Ribble Valley Districtwide Local Plan.



## **Relevant History**

3/2009/0673/P - Proposed part two storey extension to side elevation to provide additional staircase to allow access to proposed loft/dormer alterations and to incorporate new front entrance – Refused.

3/2002/0367/P – Reconstruction of existing single storey ground floor kitchen and dining room to increase their size and extension of existing first floor bathroom to accommodate shower – Approved with conditions.

## **Relevant Policies**

Policy G1 - Development Control.

Policy G2 - Settlement Strategy.

Policy H10 - Residential Extensions.

Policy SPG – “Extensions and Alterations to Dwellings”

## **Environmental, AONB, Human Rights and Other Issues**

This is a re-submission of a previously refused scheme. The proposal has been altered significantly to that previously refused, however there are still objections from both nearby neighbours and the Parish Council. Given these objections, the main considerations in relation to the scheme are the design of the proposal and its visual impact on the streetscene and any possible loss of light or affect the proposed extension may have on the residential amenity of the adjacent neighbours.

In regards to the design, style and massing of the proposed extensions, it is considered sensible to first assess the current characteristics of the property and indeed the street on which the property resides. Limefield Avenue consists of a mixture of house types, both semi-detached and detached, however the semi-detached properties all maintain a sense of symmetry as viewed from the streetscene. The property in question mirrors almost exactly the adjoining semi-detached property at present, resulting in a property of symmetrical character that sits well within the streetscene. The SPG ‘Extensions and Alterations to Dwellings’ states “It is generally advisable to follow the existing roof profile (angle of slope) if this in keeping with the area”, and that “if your property has a hipped roof try to repeat this feature in the extension”. It also states, “Any extension should reflect the character of the original house and the wider locality”. The scheme has been significantly altered from that previously refused, as the two storey side extension is now more in keeping with the existing shape and form of the dwelling, and includes a roof of a similar shape and pitch to that on the main dwelling. As such, the simple, symmetrical character of the properties is retained allowing a front elevation that compliments the character of the existing streetscene at this location, and the proposal is considered to comply with the relevant Policies and the SPG note ‘Extensions and Alterations to Dwellings’. The proposed new bay window on the front elevation sits on the same footprint as the existing porch for the property, and as such I do not consider this element to have a detrimental impact on the streetscene.

In regards to the dormer window on the rear, the SPG states “Dormer windows should be designed to harmonise with the original dwelling in terms of size”, and that “Dormer windows should compliment the character of the original building, with the main roof remaining the dominant feature with dormers set into it”. The dormer window has been reduced in size to a more traditional size, and as such is considered a sympathetic addition to the property that will

cause no significant loss of privacy to the adjacent dwellings, in compliance with the relevant Policies and the SPG note 'Extensions and Alterations to Dwellings'. The scheme also includes an additional window in the rear elevation of the two-storey side extension, which provides additional light to part of the enlarged no. 3 bedroom. Given the close proximity of this window to the boundary with no. 22 Limefield Avenue, I consider it appropriate to condition that this window be obscure glazed to reduce the perception of overlooking.

With regards to the potential impact on the adjacent neighbours in respect of amenity and loss of light, the nearest dwelling affected is no. 22 Limefield Avenue. Following a visit to the site, it was noted that the only 'habitable' room potentially affected by the scheme was a dining room window in the side elevation facing no. 20. The Council's SPG: Extensions and Alterations to Dwellings notes 'Extensions can have an effect on neighbouring properties due to the shadow, which they cast. The larger the extension and the closer to the neighbours property, the greater the effect. Any proposal which reduces the level of daylight available to habitable rooms in neighbouring properties is likely to be refused.' Therefore, having assessed the scheme against the BRE 45 degree test, the proposal is considered to be acceptable. In addition, given that the extension faces northeast and is towards the front of the property and, that the dining room window considered to be affected faces southwest and is towards the rear of the property, it will be afforded more natural daylight than other windows in the property. It also benefits from borrowed light from the conservatory to the rear of the property. As such, bearing in mind the above, it is considered that the proposal will not cause a significant amount of light to be lost to any habitable rooms, and will therefore have no significant, detrimental impact on the amenity of the occupiers of the adjacent dwelling.

Bearing in mind the above, and whilst I am mindful of the points of objection by the Parish Council and the nearby neighbour, the proposal is not considered to have a detrimental impact on the visual amenity of the streetscene, it will cause no significant loss of light to the adjacent property, nor will its approval cause significant detriment to the enjoyment or residential amenity of the occupiers of the adjacent or adjoining dwellings. As such, this application is recommended accordingly.

#### SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity nor would it have an adverse visual impact.

RECOMMENDATION: That planning permission be granted subject to the following conditions.

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990J04.

2. Unless otherwise agreed in writing with the Local Planning Authority, the development shall be carried out in strict accordance with the recommendations of the bat survey and report submitted with the application dated 13 August 2009.

REASON: To comply with policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan ensuring that no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed.

3. Notwithstanding the details submitted on Drawing no. PA-0075, the two storey side extension hereby approved shall be constructed with its rear elevation window at first floor, obscure glazed, details of which shall be submitted to, and agreed in writing, by the Local Planning Authority before development commences; and also fitted with restrictors limiting the degree of opening of each opening light to not more than 45°. Thereafter it shall be maintained in that condition in perpetuity to the satisfaction of the Local Planning Authority.

REASON: In order to protect nearby residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2009/0960/P (GRID REF: SD 383250 446650)  
PROPOSED APPLICATION FOR THE VARIATION OF CONDITION NO 2 OF PLANNING CONSENT 3/2006/0620/P TO ALLOW IT TO READ "THE CHALETS SHALL BE USED FOR THE PURPOSE OF HOLIDAY ACCOMMODATION ONLY AND NOT AS A PERMANENT RESIDENCE" AT TODBER CARAVAN PARK, BURNLEY ROAD, GISBURN

PARISH COUNCIL: No comments received at time of report preparation.

ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR): No object on highway safety grounds.

ADDITIONAL  
REPRESENTATIONS: No comments received at time of report preparation.

### **Proposal**

Consent is sought to vary the occupancy period of 22 timber clad twin units on Todber Caravan Park. Condition 2 of planning consent 3/2006/0620/P states: "*The period of occupancy of the caravan site shall be limited to a maximum date of 1 March to 6 January in any succeeding year with none of the units being occupied outside of these dates. They shall be used as holiday accommodation only and under no circumstances whatsoever shall they be occupied as a persons primary residence*". This application seeks to alter this to read: "*The chalets shall be used for the purpose of holiday accommodation only and not as a permanent residence*".

### **Site Location**

The caravan site is situated to the northeast of the A682 within land designated open countryside. The land subject of this application is within the overall established site area to the east of the clubhouse.

### **Relevant History**

Various applications dating from the 1960's and 1970's regarding the original layout and subsequent extension of the site with the most recent as follows:

3/06/0620/P – Application for utilization of a previously unused area to accommodate 22 timber clad twin units. Approved with conditions 15 September 2006.

3/05/0289/P – Proposed extension to operating period to allow for use of the site for 10½ months each year, running from 1 March to 15 January. Approved with conditions 26 July 2005.

3/04/0287/P – Variation of planning condition restricting occupancy of site. Withdrawn.

3/99/0662/P – Change of use of part of caravan park from touring caravans to static holiday homes. Approved with conditions 4 November 1999.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV3 - Development in Open Countryside.

Policy RT1 - General Recreation and Tourism Policy.

Policy RT5 - New Static Caravan Sites and Extensions to Existing Sites.

RVBC Caravan Compendium – A Guide to Policy and Implementation.

DCLG – Good Practice Guide on Planning for Tourism.

### **Environmental, AONB, Human Rights and Other Issues**

Given that the application in seeking to modify the condition in relation to occupancy, the key consideration is whether or not the revised wording would still achieve the same aim as the original condition.

The Caravan Compendium was produced in June 2005 to draw together the Council's Policies and the principal statutory regulations that applied to caravan development at that time including sites used for holiday use, second homes and residential use. It is sought to help the interpretation of the relevant regulation and clarify how the Council would approach issues such as site occupancy, responsibilities of site operators and individual owners. It provided a vehicle for discussion and a starting point for a better understanding between all those involved in the issues surrounding caravans. It was drawn up at a time when the Lancashire Structure Plan was still in force, as indeed was PPG21 Tourism.

In respect of conditions, the Compendium concluded that the length of season would be restricted to 10 months and 6 days based on agreements that had been made in connection with a legal appeal on the open period issue. This provided for a break in occupancy, thereby avoiding the creation of permanent residential use whilst allowing the growth of this form of holiday accommodation. Significantly however it provided an important means by which the use of the unit could be monitored and subsequently enforced to ensure compliance. This document has formed the basis for discussions on a number of sites throughout the borough that have sought to extend their occupancy restrictions since its adoption and is the reason why condition 2 was imposed on 3/06/0620/P ie the condition sought for variation under this application.

In support of this application, it is stated that the marketing of the timber units has proved more difficult than originally envisaged in part due to the general economic downturn. However another reason given is that Todber is at a disadvantage in terms of marketing, given the restricted occupancy condition when compared to the development at Ribblesdale Park, some

1½ miles to the north which has year round occupation. For Committee's information, the latter development was approved by a Planning Inspector on appeal in 2003 with occupancy governed by condition 12 of the Inspector's decision which states: *"the mobile homes hereby permitted shall not be occupied as permanent dwellings and shall be used for holiday purposes only"*.

Since the Inspector's decision and indeed this Council's Caravan Compendium, PPG21 has been superseded by the Good Practice Guide on Planning for Tourism (2006) which recognises that the nature of holidays in this country has become increasingly diverse in location, in season and in duration. It acknowledges that the demand for accommodation may occur in areas where the provision of permanent housing would be contrary to policies that seek to restrict development in order to safeguard the countryside but states: *"the planning system can reconcile these two objectives through the use of occupancy conditions designed to ensure that holiday accommodation is used for its intended purpose"*. Annex B makes reference to holiday occupancy conditions – *"the aim of such conditions is generally to ensure that the premises are only used by visitors and do not become part of the local housing stock"*. The three principal reasons given for using such condition are:

- in order that national/local policies on development of the countryside are not compromised;
- to strengthen tourism in a particular area by ensuring there is a wide range of properties available to encourage visitors to come there on holiday;
- to avoid occupation by permanent households which would put pressure on local services.

Conditions such as this will need to be framed by local authorities according to local circumstances but they should be reasonable and fair and framed in such a way that they can be readily enforced and are not unduly intrusive for either owners or occupants.

The Compendium set out that a seasonal occupancy condition would be the norm having regard to a number of factors. At that time principal concerns emerging were inconsistencies of approach between planning controls and site licensing, the growing use of caravans as a main residence, enforcement over closed periods, health and safety issues and the clarification of the planning approach to new sites and extensions to existing sites. Officers have sought to bring a consistency of approach via planning permissions and site licences (issued through the Council's Environmental Health Service) since that time but trends in this form of holiday accommodation have moved on. In particular there has been a significant increase in the construction standards of such units with high levels of insulation, central heating etc – these are far removed from the early designs that originally led to the issues of closed periods due to health and safety. The Good Practice Guidance refers to the use of seasonal occupancy conditions to protect the local environment eg protection of important species of birds during breeding seasons not in particular to restrict permanent residential occupation. Advances in construction technology, changes in the nature of holiday demand and the emergence of more up to date Government guidance lead me to conclude that to resist the principle of extending the period of occupancy on this particular part of the overall site may prove difficult to substantiate on appeal. Whilst I consider a relaxation could be justified I do not believe the wording suggested by the applicant could be readily enforced. I am of the opinion that the condition used by East Riding of Yorkshire Council (provided as an example in Annex B to the Best Practice Guidance) would offer this Council a more manageable approach to development as this not only outlines that the units cannot be a person sole or main residence and be occupied for holiday purposes only it requires that a register of persons main home addresses

are kept and made available for inspection. Members will be aware that when considering applications for holiday let accommodation, a condition is imposed requiring the keeping of a register of lettings to prevent permanent residential occupation and this would be seen as serving a similar purpose in terms of monitoring. It is interesting to note that even though the Highway Engineer at LCC has not objected to the development, he has suggested that it would be useful to require the owner/operator of a site to maintain an appropriate register of the names and permanent addresses of all occupants for enforcement purposes. He does not however see the additional traffic over what was the closed period to represent a hazard to the local highway network.

Therefore having very carefully assessed all the above, I am of the opinion that to resist the proposed variation of condition would prove unreasonable. Any visual harm has already taken place by allowing the units to be positioned on site in the first place. It is occupancy alone that is the consideration and subject to a suitably modified condition, I do not believe the approved and saved settlement strategy of the Districtwide Local Plan would be compromised as a result of this scheme. I thus recommend accordingly.

#### SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity, nor would it have an adverse visual impact or be to the detriment of highway safety.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

1. Notwithstanding the submitted details, the period of occupancy of the 22 chalets on the red edged approved plan shall be as follows:
  - (i) The chalets shall be occupied for holiday purposes only.
  - (ii) The chalets shall not be occupied as a persons sole or main place of residence.
  - (iii) The owners/operators shall maintain an up to date register of the names of all owners/occupiers of individual chalets on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

REASON: In accordance with Policies G5 and RT5 of the Ribble Valley Districtwide Local Plan in order to ensure that the approved holiday accommodation is not used for unauthorised permanent residential accommodation. The register required in (iii) above shall normally be collected by the caravan site licence holder or his/her nominated person.

## **C APPLICATIONS WHICH THE DIRECTOR OF DEVELOPMENT SERVICES RECOMMENDS FOR REFUSAL**

APPLICATION NO: 3/2009/0952/P (PA) & 3/2009/0953/P (LBC) (GRID REF: SD 373321 436096)  
PROPOSED CHANGE OF USE OF PART OF GROUND FLOOR TO A HAIR SALON, WITH  
INTERNAL ALTERATIONS AND A NEW REAR ENTRANCE AT 35 KING STREET, WHALLEY

PARISH COUNCIL: Whalley Parish Council have no observations.

LANCASHIRE COUNTY COUNCIL (HIGHWAYS): No objections on highway safety grounds.

LANCASHIRE COUNTY COUNCIL (ARCHAEOLOGY): The alteration of a feature such as a stair window and changes to the way the building can be accessed and moved around is not particularly desirable.

ADDITIONAL REPRESENTATIONS: None received.

### **Proposal**

It is proposed to change the use of the ground floor of number 35 from residential (part of a dwelling-house providing residential letting accommodation) to a hair salon and to link this (through the reopening of a historic internal doorway) to the existing adjacent hair salon (historically once also part of number 35). A fake ceiling, to provide 1-hour fire resistance, is shown to be inserted to all ground floor rooms of number 35. It is also proposed to block the historic stairs, preventing access from the ground floor of number 35 to first and second floor residential accommodation. New access to these floors is proposed via alteration of the rear historic stair window (ie dropping of the cill at the stair half – landing by 0.35m with the loss of internal panelling, removal of historic window framing and glazing, and the insertion of a door) and provision of a steel staircase.

The number of on-site parking spaces is proposed to remain as existing (0). The number of employees at this site is shown on the application forms to be increased from 5 to 10 (ft) and 2 to 4(pt) although the agent has subsequently confirmed (e-mail 1 December 2009) that these are not new employees but are relocated from the applicant's other hair salon in King Street, Whalley.

### **Site Location**

33 and 35 King Street, Whalley is a Grade II listed row of town houses and shops of the mid 18<sup>th</sup> century prominently sited in Whalley Conservation Area. The row of double-pile (two rooms deep) and, originally double fronted properties. is distinct and imposing in the street scene because of its height, historic brick construction (rare in the Ribble Valley) and relatively "polite" design. The Whalley Conservation Area Appraisal refers to No's 33 and 35 King Street as a 'pair of substantial matching townhouses' and suggests 'at this time, bricks would have been brought some distance and were therefore too expensive to be used for anything other than the more prestigious buildings' (page 9). The list description notes a similarly interesting and intact historic interior "number 35 has several oak panelled doors of 18<sup>th</sup> century type, and an oak dog-leg stair with open string, turned balusters and wreathed handrail". The stair is lit by a

multi-paned (with stained glass in the margin lights) stair window from the half-landing up to the first floor.

### **Relevant History**

3/2008/0354/P – Replace 7 number (historic) internal doors with half fire doors. Listed building consent granted 19 June 2008.

3/2005/0973/P – Installation of 49cm diameter satellite dish at rear of building. Listed building consent granted 4 January 2006.

3/1999/0791/P – Domestic detached garage to rear. Listed building consent refused 30 November 1999.

3/1999/0761/P – Domestic detached garage. Planning permission refused 30 November 1999.

3/1991/0565/P – Replacement of existing railings. Listed building consent granted 1 October 1991.

3/1989/0532/P – Replace front door, fit French casement in rear kitchen window, demolish two “lean-to” buildings and erect garage. Listed building consent granted 28 November 1989.

3/1988/0837/P – Replacement of front elevation doors, repair and replacement of sash windows to front and rear elevation. Velux windows in roof at rear at 33A and 35 King Street. Listed building consent granted 20 January 1989.

6/10/1667 – Adaption of rear of shop to accommodate sub-post office. Planning permission granted 4 October 1968.

### **Relevant Policies**

Planning (Listed Buildings and Conservation Areas) Act 1990.

Policy ENV20 - Proposals Involving Partial Demolition/Alteration of Listed Buildings.

Policy ENV19 - Listed Buildings (Setting).

Policy ENV16 - Development Within Conservation Areas.

Whalley Conservation Area Appraisal (The Conservation Studio, 2006; adopted by the Borough Council following public consultation, 3 April 2007).

Policy G1 - Development Control.

Policy S4 - Shopping Policies - Longridge and Whalley.

### **Environmental, AONB, Human Rights and Other Issues**

The main considerations in the determination of the listed building consent application are the requirements of Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 for the Borough Council to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

Planning Policy Guidance Note 15 (1994) “Planning and the Historic Environment” suggests that consideration may also be given to the extent to which proposals would bring ‘substantial benefits for the community.



Additional main considerations in the determination of the planning application are the requirements of Section 72(1) of the Act for the Borough Council to pay special attention to the desirability of preserving or enhancing the character or appearance of Whalley Conservation Area, the acceptability of the proposed new use at this location, the impact upon nearby residential properties and the impact upon highway safety.

PPG15, paragraph C.2 states that: "Each historic building has its own characteristics which are usually related to an original or subsequent function. These should as far as possible be respected when proposals for alterations are put forward".

PPG15, paragraph C.9, Openings, states that: "Door and window openings establish the character of an elevation; they should not generally be altered in their proportions or details, especially where they are a conspicuous element of the design ... historic cill and lintel details should be retained".

PPG15, paragraph C.8, Walls, states that: "... alterations to wall surfaces are usually the most damaging that can be made to the overall appearance of a historic building".

PPG15, paragraph C.4, Old Glass, states that: "All old glass is of interest, whether it be stained, painted or etched glass or early plain glass such as crown glass. Great care should be taken to protect old glass during building works ...".

PPG15 paragraph C.23, Fire escapes, suggests that exterior stairs do not enhance the character of listed buildings: "Fire escapes can be very damaging to the external appearance of a building ... in many cases there may be alternative ways of ensuring adequate fire protection and means of escape that would require less physical alteration".

PPG15, paragraph C.58 states that: "The plan of a building is one of its most important characteristics. Interior plans and individual features of interest should be respected and left unaltered as far as possible. Internal spaces, staircases, panelling ... are part of the special interest of a building and may be its most valuable feature".

PPG15, paragraph C.62, Staircases, states that: "The removal or alteration of any historic staircase is not normally acceptable. The stair is often the most considerable piece of design within the building ...".

RW Brunskill, "Vernacular Architecture" (1978, pages 120 – 121) notes that: "From the late 17<sup>th</sup> century onwards, and gradually passing down the social scale, the framed timber staircase appeared in vernacular houses and was a prominent part of the "double pile" plan ... in the double pile plan the half landing encouraged invention in window design".

The stair window is at the rear of the property but it is noted that listed buildings and their features are protected for their intrinsic value rather than because of their prominence or conspicuousness. The Planning Inspector for an appeal at Rodhill Lodge, Bolton-by-Bowland commented that: "I accept that views of the proposed conservatory from the public realm would be very limited but listed buildings are protected for their intrinsic value. The fact that the conservatory would be barely visible to anyone but the appellants is not a matter to which any great weight can be attached, therefore".

PPG15, paragraph 3.13 warns that the character and integrity of a listed building can be lost by the cumulative impact of even minor works. "Many listed buildings can sustain some degree of

sensitive alteration or extension to accommodate continuing or new uses ... nevertheless, listed buildings do vary greatly in the extent to which they can accommodate change without loss of special interest ... some listed buildings are the subject of successive applications for alteration or extension: in such cases it needs to be borne in mind that minor works of indifferent quality, which may seem individually of little importance, can cumulatively be very disruptive of a building's special interest”.

The Whalley Conservation Area Appraisal recognises the Threat to the Whalley Conservation Area (see SWOT analysis) of the continuing loss of original architectural details and the use of inappropriate modern materials or details. Note is also made of English Heritage's Heritage at Risk: Conservation Areas (2009) which found that 1 in 7 conservation areas in the country have deteriorated in the last three years and 9% are expected to deteriorate over the next three years.

World Class Places: the Government's Strategy for Improving Quality of Place (HM Government 2009) acknowledges at paragraph 1.4 that: “Local Authorities face pressure to approve poor quality schemes partly because of the short-term investment and jobs they will bring ... but it is right and important that we not only encourage development but help ensure that it is of a universally high standard and helps create successful and sustainable places”.

At paragraph 2.5 of World Class Places it is also stated that: “our historic environment is vital to our self understanding, sense of connectiveness to the past and to the future and is a valuable asset in creating a sense of place. Local people value it as do tourists and investors ...”.

Pre-application discussion of proposed work to the interior of No 35 King Street was undertaken on 15 May 2007 (prior to purchase) and 28 June 2007.

In my opinion the proposed alteration of the historic stair window, which includes removal of historic framing and glazing, removal of internal panelling integral to staircase design, enlargement and change in proportion of the historic opening and insertion of a 'flying' first floor doorway and modern external stairway, would be very harmful to the character of the listed building and the character and appearance of Whalley Conservation Area. The stair window is the most distinguished feature of the historic rear elevations of numbers 33 and 35 King Street and is fundamental to staircase design.

The redundancy of the staircase blocking of access to the upper floors from the ground floor and insertion of false ceilings, effect the character (particularly plan form) of the listed building but are potentially reversible and do not result in a loss of historic fabric. However, mindful of the warning at PPG15, paragraph 3.13 I am concerned at the cumulative impact of modern alterations to the character of this listed building. In particular, I note the recent disruption to the otherwise intact 18<sup>th</sup> century interior from the relocation of historic doors and their replacement with modern fire doors (3/2008/0354/P); listed building consent was granted mindful of the insistence of the fire officer that the applicant undertake swift action in respect to fire safety and the letting accommodation; the Ancient Monuments Society commented on the application that: “taking the doors off and fixing them to the walls as museum exhibits seems a pretty unsympathetic thing to do”; I note that the applications now under consideration do not include proposals to re-hang the historic doors in their original locations. In respect of the proposed blocking off and redundancy of the staircase, I am mindful of the comments of a Planning Inspector in respect to similar planform issues at 58 Moor Lane, Clitheroe. “Internally, the proposed provision of an en suite bathroom within the front first floor bedroom would be uncomfortably close to the existing fireplace and would distort the original shape of the room.

Insufficient measured detail has been submitted to reassure me that this could be satisfactorily achieved without a physical conflict with this attractive original fitting”.

#### SUMMARY OF REASONS FOR REFUSAL

The proposed alterations to the historic stair window and interior plan form would be harmful to features integral to the character of 35 King Street as a building of special architectural and historic interest, and to the character and appearance of Whalley Conservation Area.

RECOMMENDATION 1 (3/2009/0952): That planning permission be REFUSED for the following reason(s):

1. The proposed alterations to the historic stair window and interior plan form would be harmful to features integral to the character of 35 King Street as a building of special architectural and historic interest, and to the character and appearance of Whalley Conservation Area. This would be contrary to Policies ENV20 and ENV16 of the Ribble Valley Districtwide Local Plan.

RECOMMENDATION 2 (3/2009/0953): That listed building consent be REFUSED for the following reason(s):

1. The proposed alterations to the historic stair window and interior plan form would be harmful to features integral to the character of 35 King Street as a building of special architectural and historic interest.

**D APPLICATIONS ON WHICH COMMITTEE 'DEFER' THEIR APPROVAL SUBJECT TO WORK 'DELEGATED' TO THE DIRECTOR OF DEVELOPMENT SERVICES BEING SATISFACTORILY COMPLETED**

APPLICATION NO: 3/2009/0646/P (GRID REF: SD 360019 437256)  
DEMOLITION OF EXISTING INDUSTRIAL BUILDING ALONG THE VICTORIA STREET FRONTAGE OF CAREFOOT PLC WORKS SITE AND CONSTRUCTION OF A RESIDENTIAL DEVELOPMENT COMPRISING :- 4 NO. 3 BED NEW BUILD TERRACED HOUSES, 1 NO. PAIR NEW BUILD 3 BED SEMI-DETACHED HOUSES, 1 NO. PAIR OF 3 BED SEMI-DETACHED HOUSES IN A CONVERTED EXISTING STONE BUILDING, 3 NO. 2 BED APARTMENTS IN A CONVERTED EXISTING STONE BUILDING (AFFORDABLE HOUSING). ASSOCIATED GARDENS, COMMUNAL AREAS AND CAR PARKING FACILITIES. WALTER CAREFOOT & SONS LTD, BLACKPOOL ROAD, LONGRIDGE, LANCASHIRE.

TOWN COUNCIL: No objections providing the properties are affordable housing.

LCC HIGHWAYS OFFICER: No objections in principle to the application on highway safety grounds.

UNITED UTILITIES: Following the submission of more detailed site plans indicating an easement for the public sewer that crosses the site; United Utilities raise no objection to the proposed development.

LCC PLANNING OFFICER (ARCHAEOLOGY): No objections subject to a building recording and analysis condition, given the historical interest of the buildings to be converted.

LCC PLANNING CONTRIBUTIONS OFFICER: On the basis of the details provided within the application, LCC have made a request of a £5280 contribution towards Waste Management, based on the Policy Paper methodology. There may be a request for a contribution towards sustainable transport measures, however this has not yet been determined.

ADDITIONAL REPRESENTATIONS: One letter has been received from an adjacent neighbour who wishes to raise the following points of objection:

1. The building of more houses on Victoria Street would add to the parking problems;
2. Increased parking would hinder emergency vehicle access;
3. Increased impact on highway safety, especially children playing;
4. Our house would be overlooked; and
5. The existing buildings are asbestos, and there will be a health risk if they are not taken down safely.

**Proposal**

This application seeks approval for the demolition of various industrial buildings along the Victoria Street frontage of Carefoot plc works site, in order to create space for the construction of a residential development that includes the:

- erection of 4 no. three bed terraced houses (adjacent to the existing terraced housing on the south side of Victoria Street);
- erection of 1 no. pair of 3 bed semi-detached houses (opposite the existing garages on the north side of Victoria Street and adjacent to the new terraced properties);
- conversion of an existing two storey, stone building into 1 no. pair of 3 bed semi-detached houses (opposite the block of four existing dwellings on the north side of Victoria Street); and
- conversion of an existing three storey, stone building into 3 no. 2 bed affordable apartments (opposite the block of four existing dwellings on the north side of Victoria Street).

The application also includes details of associated garden areas, communal areas and car parking facilities for the proposed new dwellings.

### **Site Location**

The site is located within the settlement boundary of Longridge, on the outskirts of the Longridge Conservation Area, as defined by the Ribble Valley Districtwide Local Plan. The site sits on the southern side of Victoria Street, opposite a mixture of residential properties.

### **Relevant History**

3/1996/0675/P – Supermarket with Car Park (Amended Highway Works Drawing) – Withdrawn.

3/1993/0052/P – Application for a Certificate of Lawfulness for an Existing Use 1) Building & Civil Eng. Contractors Yard & Premises, Offices and Car Park 2) Building Material Sales & Public Weighbridge – Approved.

3/1989/0739/P – Extension to Storage Building – Approved.

3/1989/0738/P - New Two Storey Office Block on the site of Existing Office Block – Approved.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G2 – Settlement Strategy.

Policy EMP11 – Loss of Employment Land.

Policy ENV16 – Development in Conservation Areas.

Policy H15 – Building Conversions – Location.

Policy H16 – Building Conversion – Building to be converted.

Policy H17 – Building Conversions – Design Matters.

Policy H19 – Affordable Housing – Large Developments and Main Settlements.

Policy H21 – Affordable Housing – Information Needed.

Policy T1 – Development Proposals – Transport Implications.

Policy RT8 – Open Space Provision

Policy L4 of the Regional Spatial Strategy 2008 (RSS).

Policy L5 of the RSS 2008.

Policy EM18 of the RSS 2008.  
Affordable Housing Memorandum of Understanding (AHMU).  
PPS3 – Housing.

### **Environmental, AONB, Human Rights and Other Issues**

The keys issues with regards to this proposal are the principle of the development (including both the loss of employment land and the use of the land for housing), the visual impact of the development on the streetscene (including the visual impact on the character of the building to be converted to apartments), the impact on the residential amenity of nearby neighbours and the impact on highway safety. With regards to the principle of the proposed development, we must assess the scheme against the following relevant Planning Local Plan Policies G1, G2, EMP11, H19 and H21, the AHMU, Policies L4 and L5 of the RSS and PPS3 - Housing. More specifically, there are considered to be three issues in respect of the principle of development, which are:

- the use of the site for housing;
- the loss of part of an employment site; and
- the level of Affordable Housing on site and the type proposed.

### **PRINCIPLE OF SITE FOR HOUSING**

The proposal is for eleven new residential units within Longridge, and we must assess this against Policy G2 of the Local Plan as well as the AHMU. Policy G2 allows for development wholly within the built part of the settlement of Longridge, and as such, I am satisfied the principle of development is in accordance with Local Plan policy. The RSS supersedes the Local Plan document, and Policy L4 'Regional Housing Provision' of this document states "Local Authorities should monitor and manage the availability of land identified in plans and strategies and through development control decisions on proposals and schemes, to achieve the housing provision set out. In doing so they should work in partnership with developers to address the housing requirements (including local needs and affordable housing needs)." Policy L5 of the RSS covers the requirement for 'Affordable Housing', and mentions 'Plans and strategies to deliver mechanisms to secure the provision of affordable housing'. As such, another material consideration in respect of housing on this site is the AHMU which was subject to public consultation, and then formally approved by the Health and Housing Committee in July 2009. Within this document it notes that 'The Council will negotiate the provision of affordable housing on all qualifying housing developments as follows: In Longridge and Clitheroe on housing developments of 10 or more dwellings, the Council will require 30% affordable units on site. As such, given that the proposal is for eight market value properties and three affordable apartments within Longridge, the proposal is considered to comply with the requirements of the above document, and the principle of the development of this site for housing is accepted.

### **LOSS OF EMPLOYMENT SITE**

With regards to the loss of part of an employment site, Policy EMP11 of the Local Plan states 'Proposals for the conversion or redevelopment of industrial or employment generating sites in the Plan area will be assess with regards to the provisions of G1, the compatibility of the proposal with other Local Plan Policies, the environmental benefits gained by the community, potential economic and social damage caused by job losses and any attempts made to secure

an alternative employment use for the site.' The Agent notes, within the Design & Access Statement (DAS), that the application site forms the northern most part of the Carefoot Site, and is currently home to large steel framed buildings and stone buildings, that have been unused by the company for a number of years. Indeed, the yard area behind these buildings is mainly used for the parking of wagons and other works vehicles. He notes that given the space available to the site owner, and the cost required to redevelop these buildings to a usable standard, it is envisaged that the owner will not require this area of the site. On the same note, the buildings themselves are also considered to be unsuitable for other employment uses, due to the work required to make them habitable, the unsuitability of separating the site so access is gained from Victoria Street and the impact of more intensive industrial use facing onto Victoria Street. As such, considering there is no impact on job losses as the site is an unused portion of the existing business, that the site is not considered suitable for another employment generating use (see above), due to the environmental benefits gained by removing the industrial use away from the existing residents of Victoria Street and that the use of the site for housing complies with the other relevant planning policies, I consider the scheme to comply with Policy EMP11.

#### LEVEL AND TYPE OF AFFORDABLE HOUSING ON SITE

With regards to the level and type of Affordable Housing proposed on site by the Applicant, the scheme must comply with Policies H19 and H21 of the Local Plan. The Section 106 Agreement submitted, states that the three apartments within the three storey converted building will be those classed as 'Affordable', and will be available for rent subject to a 10% reduction on that set by the Local Housing Allowance. Anyone renting them will also be subject to the criteria outlined within Policy H19, to ensure that they will meet the current 'local need'. Having discussed this with the Council's Housing Officer, the details submitted within the Section 106 are considered to comply with the relevant Local Plan Policies, and will help meet the current local need in the Longridge area.

#### VISUAL IMPACT OF THE DEVELOPMENT

As the principle of housing this location is considered acceptable, consideration must be had as to how the proposed development will fit in with the existing streetscene and whether the visual impact will be acceptable. At present, Victoria Street includes a mixture of housing types, including terraced properties, groups of town houses and semi-detached dwellings. As noted above, the development proposed includes the conversion of two existing buildings on site to dwellings, a row of four terraced properties, following on from the terraces to the east of the site, and a pair of semi-detached properties in-between the converted buildings and the new terraces. The two new-build elements of the scheme have been designed to blend in with the existing residential development adjacent to, and opposite the development site, by virtue of the design and positioning of the window and door openings and the simple frontages. Whilst they are slightly taller in height (by 0.65m) compared to the existing dwellings, and include partially recessed frontages, these elements are considered to have little visual impact on the streetscene, and add an element of interest as opposed to being to its detriment.

With regards to the proposed conversion works involved with the development, following a response from the Archaeologist at LCC, the importance of retaining the character of the buildings to be converted (previously a 19<sup>th</sup> Century Bobbin Mill) were made clear. The initial scheme included far too many new openings in the three-storey building, with no consideration made to re-using the previously blocked up openings. Following numerous discussions with the Agent, amended plans were submitted showing the existing blocked up openings to the front elevation have now been re-used with a limited number of new openings in the side elevation,

and simplified the fenestration in the rear elevation. In doing so, the character of the property is retained by the sympathetic nature of the design and detail, with the wider landscape impact also minimised, as the building is not over-domesticated in appearance. In addition the flat roof design of the stairway/link building compliments the historical elements of the building whilst also providing a modern link extension without dominating the retained stone buildings.

Finally, with respect to the proposed car park area, the area in question is currently home to a row of run down garages and is also used to store various pieces of machinery. The newly created, formalised parking area will provide safe and easily accessible parking space for the residents of the development to limit the requirement for on-street parking, and will also tidy up a run-down area of the site. Therefore bearing in mind the above, and the relevant amended plans, the scheme is now considered to comply with the relevant Local Plan Policies and will have a minimal visual impact on the streetscene.

## RESIDENTIAL AMENITY

With regards to any potential impact on the residential amenity of the occupiers of the nearby properties, given the position of the proposed residential units on site in relation to the existing dwellings on Victoria Street, it is considered that the existing terraced dwellings on the opposite side of Victoria Street across the road from the new build terraces will be those most affected. The guideline for spacing standards with regards to development is approx. 21 metres between habitable room windows at a distance of approx. 9.2m on site, this is clearly considerably below the usual guideline but it should be noted there is a highway between the existing and proposed dwellings. However, what we must consider is the existing use on site and the suitability of the proposed development as an improved alternative. It is clear that the existing terrace properties at either side of Victoria Street have reduced privacy distance and this scheme is similar to the existing arrangement. The existing building opposite the row of terraces is a two storey, industrial building, with a metal roof painted in a bright yellow colour. In removing the industrial building and replacing it with residential properties, there is considered to be a marked improvement from an environmental and visual perspective, with domestic properties and a residential use clearly being more appropriate to the site. As such, given the use proposed is more suitable, the layout is considered acceptable in the circumstances of the application as it will create a short addition to the row of terrace on Victoria Street, not out of keeping with the existing streetscene and urban grain. With regards to the other aspects of the scheme, there is distance of over 18m between the front elevations of the buildings to be converted and the dwellings opposite, which is considered to be more than acceptable due to the number of openings to the front elevation have been kept to a minimum. As such, I do not consider there will be a significant detrimental impact on the amenity of the occupiers of the adjacent properties by virtue of the proposed development.

## HIGHWAY SAFETY

The LCC Traffic & Development Engineer notes the improved number of car parking spaces shown on the amended plans submitted, which complies with the requirements stipulated by the North West of England Plan RSS to 2021 for development of this nature. On this basis, there is no objection to this proposal on highway safety grounds.

## OTHER ISSUES

Having discussed the proposal with our Environmental Health Department, whilst they have no objections to this application, it was considered that in view of the previous/existing use on site,



they would recommend that an investigation and risk assessment, in addition to any assessment provided with the planning application, be completed to assess the nature and extent of any contamination of the site. This can be dealt with a suitable planning condition.

With regards to Lancashire County Council's request for planning contributions relating to transport and waste management, the Applicant has noted he is happy to make the contribution of £5,280.00 in respect of waste management issues. However, given the very accessible location of the site, as demonstrated in the Design and Access Statement submitted as part of this application, he does not feel that it would be appropriate to make any contribution towards transport issues. Indeed, given the site is located within walking distance of the centre of Longridge and is very close to bus stops on Derby Road and Kestor Lane, and that it is also very close to National Cycle Route No 90 which runs through the centre of Longridge, I do not consider there to be any requirement to include this requested contribution as part of the proposed Section 106 Agreement.

It should also be noted that the site does not offer any public open space facilities, nor does it suggest a contribution towards off-site facilities within the planning application. Policy RT8 of the Local Plan states "On all residential site of over a hectare, the layout will be expected to provide adequate and usable public space. The Council will also negotiate for provision on smaller sites, or seek to secure a contribution towards provision for sport and recreational facilities or public open space within the area'. Given the location of the site close to the nearby recreation ground and playing fields off Kestor Lane; I do not consider that there is a requirement for on-site public open space. However, Members are referred to a report on 18 December 2008 on 'The Use of Planning Obligations' which notes "Obligations will be negotiated on a site by site basis, however, in practice it is suggested that Committee agree the following as areas where this Council will seek to negotiate contributions as a priority overall; affordable house, transport safety (which cannot be reasonably covered by condition), open space and education". The application does provide 30% of the units on site to be 'Affordable' in line with the AHMU, however no viability study has been provided in connection to the application indicating how this is achieved. Members of the Planning Committee may therefore wish to consider whether or not the Applicant also be asked for a contribution towards the future provision and maintenance of the nearby recreational facilities through the Section 106 Agreement.

Finally, in line with Policy EM18 of the RSS which states "all residential development comprising 10 or more units should secure at least 10% of their predicted energy requirements from decentralised and renewable and low-carbon sources". I have attached an appropriate condition to enable this to be achieved.

Therefore, whilst I am mindful of the points of objection from the nearby neighbour, bearing in mind the above comments, I consider the scheme to comply with the relevant policies, and as such recommended accordingly.

#### SUMMARY REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity, nor would it have an adverse visual impact or be to the detriment of highway safety.

**RECOMMENDATION:** That Committee be minded to approve the application subject to the following conditions and therefore DEFER AND DELEGATE to the Director of Development Services to negotiate the satisfactory completion of a Section 106 Agreement to deal with the

requested contributions and how the three units proposed will be delivered as affordable housing units in the future.

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 26 of November 2009.

REASON: For the avoidance of doubt since the proposal was the subject of agreed design and layout amendments.

3. This permission shall be read in accordance with the Section 106 Agreement dated...

REASON: For the avoidance of doubt as the permission is subject to an agreement in relation to the low cost/affordable housing approved and the requested contribution towards Waste Management by Lancashire County Council.

4. This permission shall relate to the proposed conversion in accordance with the structural survey submitted as part of the application and dated July 2009. Any deviation from the survey may need to be the subject of a further planning application.

REASON: To comply with Policies G1 and H16 of the Ribble Valley Districtwide Local Plan since the application is for the conversion of the building only.

5. Precise specifications and samples of walling and roofing materials and details of any window and door surrounds including materials to be used shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

6. Prior to the commencement of development, an investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by a competent person and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- 1) a survey of the extent, scale and nature of contamination;
- 2) an assessment of the potential risks to:  
human health, property (existing or proposed) including buildings, crops, livestock, pet, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.
- 3) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11."

REASON: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the dwellings including any development within the curtilage as defined in Schedule 2, Part 1, Classes A, B, C, D, and F, and Part 2, Class A, shall not be carried out without the formal written permission of the Local Planning Authority.

REASON: In the interests of the amenity of the area in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

8. All new and replacement door and window head and sills shall be natural stone to match the building to be converted.

REASON: To comply with Policies G1, H16 and H17 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

9. Unless otherwise agreed in writing with the Local Planning Authority, the development shall be carried out in strict accordance with the recommendations of the bat survey and report submitted with the application dated 14<sup>th</sup> of August 2009, with special regard had to the section, 'Creation of roosts', on page 19 of the document.

REASON: To comply with policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan ensuring that no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed.

10. Before the units hereby permitted become occupied, the car parking area indicated on the approved plans shall be completed and clearly marked out in accordance with a scheme, including details of any proposed landscaping, to be submitted to and approved in writing by the Local Planning Authority.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan to ensure the effective use of parking areas and to ensure adequate visibility for the drivers of vehicles entering and leaving the site.

11. No works (including demolition of buildings) shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building/site.

12. No part of the development, hereby approved, shall be occupied until the approved scheme referred to in Condition 10 has been constructed and completed in accordance with the scheme details.

REASON: To comply with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan and in order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the development.

13. Prior to commencement of development a scheme identifying how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be provided in accordance with the approved details prior to occupation of development and thereafter retained.

REASON: In order to encourage renewable energy and comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

NOTE(S):

1. If any part of the proposed development encroaches on to neighbouring property the approval of the adjoining owners must be obtained before the development is commenced.
2. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning Area Surveyor East 01254 823831 or writing to the Area Surveyor East, Lancashire County Council, Area Office, Riddings Lane, Whalley, Clitheroe BB7 9RW quoting the planning application number.

APPLICATION NO: 3/2009/0791/P (GRID REF: SD 373 794 438 190)  
PROPOSED MIXED USE DEVELOPMENT COMPRISING OF A VOCATIONAL LEARNING CENTRE, CHILDREN'S NURSERY, COMMERCIAL ELEMENTS 10 LIVE/WORK UNITS AND 70 RESIDENTIAL UNITS AT LAND AT BARROW BROOK, BARROW

PARISH COUNCIL: Make the following observations:

**Disposal of sewage and surface water**

Still concern at lack of any firm assurances that the sewerage and top water drainage systems in Barrow could cope with the development. They request that the Council should obtain assurances from United Utilities that the systems are or will totally adequate.

### **Affordable Housing**

The development should comply with the Borough Council's Policy concerning the provision of affordable housing.

### **Section 106 Agreement**

Paragraph 3.1 should specify that the Public Open Space is owned by the Parish Council. The commuted sum should be paid to them accordingly or utilised for purposes specified by them in connection with the playing fields.

### **Protection of Environment**

Stress the need to protect the ecology and wildlife habitat, particularly around The Lodge and Barrow Brook corridor and the footpath to the rear of the print works.

### **Playing Field Access**

New access to the Parish Council playing field must be available for maintenance vehicles and passage by members of the public for disabled access requirements. Needs to be protected by a legal agreement.

### **Design of Houses**

The more conventional design of the dwellings is welcomed.

### **Parking of vehicles – Whalley Road**

Express concern relating to highway safety caused by visitors parking on Whalley Road, as it would be more convenient than going around the A59.

### **A59 Roundabout**

The development would intensify the use of the roundabout junction which is very busy and there is concern whether it is adequate for the use.

LANCASHIRE COUNTY  
COUNCIL HIGHWAYS:

No objection in principle but have some concerns over parking spaces in relation to double tandem parking on plots 1-5 and 42 and 43.

CHIEF PLANNING  
OFFICER  
LANCS COUNTY COUNCIL:

The acting Director of Strategic Planning and Transport does not wish to comment. It should be assessed against the provisions of the North West of England Plan- Regional Spatial Strategy 2021 and other relevant development plan policies. previous concerns.

No formal views of County Ecology but previously stated that in terms of landscaping, consider that the scheme sits well within the landscape area but have some reservations regarding the modern buildings.

Recommend that the following be explored:

1. Create a stronger design concept for the landscape areas.
2. Create building clusters around courtyards, not just car parking areas.
3. Employ the use of local materials.
4. Create more substantial areas of mature tree and shrub planting.
5. Restrict development in the triangular shaped area between Barrow Brook and the southern site boundary to minimise the impact on wildlife.

PLANNING OBLIGATION  
OFFICER LCC:

No formal views on this application but previously stated on application 3/2007/1144 the following:

Education: No contribution necessary as there are sufficient places in existing schools. However, should the scheme change wish to be re-notified as there are limited secondary school places.

Transport: Based on the policy paper request £35,000 towards improvements to public transport facilities to serve this development.

Public Transport: Development should address the need to provide attractive access via public transport to include covered waiting facilities and raised boarding areas (typical costs £10,000 to upgrade bus stops and £5,000 for a community sum to allow for future maintenance).

Business Travel Planning: The development is in excess of the DFT Guideline at which a travel plan is required. An outline travel plan should be secured via a Section 106 and include the following:

- Appointment of a travel plan coordinator;
- Details of cycling and pedestrian to links through the site;
- Provision of secure covered cycling storage and parking for those residential properties a suitable storage space is not available;
- Details of car parking and cycle parking for the education and commercial elements of the development;
- Commitment to develop a final travel plan, action plan and monitoring review of the travel plan for a five-year period.

Recommend that the provision of maps, timetables for travel information packs should be provided and a total cost of £7,150 should be allocated for them.

NATURAL ENVIRONMENT: Consider there should be a possibility of providing additional funding towards obtaining records on biological sites.

WASTE MANAGEMENT: Every district in the County is being provided with advance treatment facilities to treat waste prior to land filling, either directly or via purpose designed transfer stations. Since each and every new house whenever it is in the County has to be provided with this basic service and the Council has to comply with significant new requirements relating to the management of waste, consider that the Council is justified in requesting a contribution towards waste management.

Based upon the Policy Paper Methodology for Waste Management the request is £41,280.

### **Conclusion**

The County would request a total contribution of £76,280 for improvements to and maintenance of existing services. This needs to be entered into a Section 106 Agreement.

LCC ARCHAEOLOGICAL  
UNIT:

Not consulted on this application but previously stated no objection.

- UNITED UTILITIES: No objection providing the site is drained on a separate system with any foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Environment Agency. The applicant should contact the owners of the site regarding easements and connection to the foul and surface water sewers. The Water mains will need extending to serve the development and a capital contribution will be required.
- ENVIRONMENT AGENCY: Following amended plans and the submission of additional information no longer object subject to the imposition of conditions requiring further details on contamination report; details of scheme for surface water regulation system and a scheme for disposal of foul surface water showing a boundary treatment to adjacent to the watercourse which is normally a minimum of 4m.
- ADDITIONAL REPRESENTATIONS: Three letters have been received which cover the following issues:
1. concern over changes to wildlife and flora;
  2. concern over future flooding;
  3. question whether the sewage system is adequate;
  4. height and style of buildings out of character to the locality.

### **Proposal**

This application is a resubmission of a previously approved scheme with the main changes being a more traditional design in relation to the housing and commercial elements of the scheme and a reduction in the number of live work units from 31 to 10 and an increase in residential units from 55 to 70. The applicant has also asked for various modifications in the draft Section 106 Agreement to allow more flexibility in relation to how the affordable housing is to be offered and the phasing of the development. It should also be noted that the applicant is now only willing to offer no more than 30% affordable units rather than the previous scheme which technically was 100% affordable comprising some on site with the majority being an off site financial contribution.

The residential element 4 two-bed houses, 39 three-bed houses, 6 four-bed houses and 21 two-bed flats contained within two separate apartment blocks. With the exception of one block of 3 terraced dwellings all of the other houses are semi detached. The house types are 2 storey with only the 4 bed houses having garages with the other units having either curtilage parking or a parking courtyard adjacent to the units. The materials comprise a mixture of stone, render and brick with slate and concrete tile as a roofing material.

The apartment blocks are situated adjacent to the watercourse and wooded area that backs on to the existing detached houses on Chestnut Crescent Barrow. The dimensions of the block (Unit B) which is adjacent to the existing houses is approximately 25m x 16.5 and a maximum height of 11.1 metres. It is to be constructed of render and brickwork and has a predominantly



glazed lobby area situated at the front of the building. The massing of the building has been broken up by various set backs with the roof which is hipped at varying heights. The other block (Unit A) is of similar materials and is approximately 18m x 18m and a maximum height of 11metres.

The live work element of the scheme comprises of one large live work nursery block and a separate 5-unit live work block. These buildings are of a modern design and are of flat roof appearance and use a range of materials including render, colour cladding panels and timber. The live work units have both the residential and office accommodation on the same floor. The maximum height of the building is approximately 11 metres.

The commercial units comprise a block of two eight-unit buildings with individual floorspace of 83m<sup>2</sup>. The dimension of each block is approximately 34m x 15m and a maximum height of 8.9metres.

The Aspire Centre is approximately 1300m<sup>2</sup> and is part single and part two-storey building. The building is to have a curved roof with a maximum height of 8.5 metres.

The scheme also includes a contribution to the adjacent public open space and its ongoing maintenance.

Access to the site is from the A59 and there is a pedestrian and cycle way access on to Whalley Road. Vehicular access as indicated is via the existing A59 access with the Aspire and commercial components of the scheme served via separate spurs off the access road. The internal access continues to the proposed residential area and live work areas, with a carriageway that reduces from 7.3m to 5.5m and then to 4.5m with a shared footway cycle path. A separate footway cycle path connects on to Whalley Road.

The proposal also incorporates a mixture of hard and soft landscaping throughout the site and allows parking spaces for the commercial and residential elements of the scheme.

### **Site Location**

The site is the former Barrow Printworks which is now marketed as Barrow Brook. The land in question is to the south of the existing office building and borders onto Whalley Road, Barrow. Access to the site is via the A59 roundabout and an internal road with pedestrian access is also available from Whalley Road.

### **Relevant History**

3/1989/0405 – Development of 19 hectare site for offices, light industrial use, hotel conference centre, housing and social access roads and car park. Approved with conditions and Section 52 (now 106) Agreement.

3/93/0316 – Renewal of outline consent for offices, light industrial, hotel, conference, housing and infrastructure. Approved with conditions.

3/99/0743 – Renewal of outline consent.

3/2002/0878 – Approval of reserved matters.

3/2005/0568 – Certificate of Lawfulness in relation to office blocks. Approved.

3/2007/1144 – Mixed-use development comprising vocational learning centre, children's nursery, commercial elements, 31 live/work units and 55 residential units- Approved with Section 106.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G4 – Settlement strategy

Policy H1 - Housing Sites.

Policy SPG – Housing.

Policy H20 - Affordable Housing - Villages and Countryside.

PPS1 – Sustainable Development.

PPS3 – Housing.

PPS13 – Transport.

Regional spatial Strategy, Policy DP1 Regional Development Principles.

Regional Spatial Strategy, Policy DP3 Quality I New Development.

### **Environmental, AONB, Human Rights and Other Issues**

This application is a resubmission of a previously approved scheme which was determined on the 12 May 2009. The main changes have already been highlighted in the report but to reiterate I consider the main alterations to be a reduction in the live work units, an increase in the number of residential units and a reduction in the amount of affordable units being offered.

The issues which are similar to the previous scheme can be summarised under the following headings:

- Highway and Infrastructure Issues.
- Loss of Employment Land.
- Landscape Issues.
- Residential Amenity Issues and design.
- Housing issues.

The report will deal with these issues accordingly.

#### 1. Highway and Infrastructure

In assessing the highway safety the proposal has been the subject of extensive pre-application consultation with the highway surveyor. Members may be aware that the previous proposal showed access from Whalley Road but it has now been considered that all the development should be served from the A59.

A detailed transport statement from the applicant has been submitted and fully assessed by Lancashire County Council Highway Authority.

In assessing the highway impact, regard must be given to the fact that the site already benefits for significant commercial development and access from the A59 roundabout. In relation to the commercial element, the scheme is now approximately 1100m<sup>2</sup> less than the previous scheme.

In terms of accessibility the site is within 500m of a local primary school and there are bus tops close to residential elements of the site located on Whalley Road. It is has been concluded that the site has a reasonable accessibility profile.

The transport assessment indicates that the site has good accessibility for non-car modes and this has been confirmed by Lancashire County Council who have previously stated that the site has a medium accessibility score.

In relation to trip generations, Lancashire County Council are satisfied that given the existing consent, the proposal would not lead to highway issues.

The county surveyor has no objection but has requested some modification to the internal parking layout for the residential element of the site.

In relation to other infrastructure issues, United Utilities are aware of the concerns expressed by adjacent residents in relation to capacity of the drains but are satisfied with the proposal. Similarly, the Environment Agency are satisfied in relation to contaminated land issues, disposal of foul surface water and ecological concerns. This is on the basis of appropriate conditions being imposed.

## 2. Loss of Employment Land

In evaluating this aspect, it is important to emphasise that the proposal does not lead to a total loss of employment land but would lead to a further reduction of employment land with the introduction of more dwellings and a loss of live work units.

It is also important to emphasise that there is still significant employment elements within the scheme which include the Aspire project, the commercial building as well as some live work elements.

The loss of some live work units reduces the potential employment space but I do not consider this sufficient to warrant a recommendation of refusal given all other material considerations.

## 3. Landscape Issues

It is clear that the scheme will result in the loss of some tree cover within the site. The Council's Countryside Officer is still of the opinion that the trees adjacent to blocks 65-70 will be affected and likely to be lost in due course. However, the applicant has indicated that any landscaping management plan would include such areas and as such they would not be under the control of the individual occupiers. Whereas I am fully aware that this does not guarantee the protection in the long term, I am satisfied that the overall landscaping measures proposed are acceptable.

It also needs to be noted that the existing scheme for office developments has been part implemented and this consent would result in the loss of more trees than the current submission.

In relation to the habitat survey, these have been provided and agreed by all parties.

#### 4. Residential amenity and Design Issues

In evaluating the design, regard should be given to both the site layout, massing and the materials as well as the exiting landscape. The commercial element which also includes live work part of the scheme are located in the upper section of the site near the existing Printwork building. This extends the business character and I consider it to be an acceptable location. The residential element is located near Whalley Road where there is a strong residential character with housing on three sides.

The residential element is predominantly a mixture of traditional semi detached units and two apartment blocks. The proposed materials are similar to that used elsewhere in the locality.

The commercial units are two storey buildings with the live work units being of a more modern construction and 3 storey.

The Aspire centre building is approximately 1300m<sup>2</sup> and is a contemporary design part single and part two-storey building.

In relation to amenity issues I am satisfied that the layout has been designed to safeguard residential in terms of overlooking and privacy.

#### 5. Housing issues

In assessing the principle of housing regard must be given to national, regional and local plan policy and other relevant guidance notes.

PPS3 Housing requires local planning authorities to have a rolling five year land supply against the strategic requirement. It is clear that currently there is a shortfall of housing and as such the site would help to meet the shortfall. It is evident that this site could be regarded as deliverable and developable and therefore in accordance with Paragraphs 69 and 71 of PPS3.

PPS3 in this instance should be seen as the starting point and it is then appropriate to have regard to policies and guidance documents at local level. Although Policy G4 and Policy H20 would require 100% affordable housing the Affordable Housing Memorandum of Understanding would accept 30%. This has been offered by the developer who I understand has been in negotiation with the Councils strategic housing officer to finalise the draft section 106 agreement that would deal with the provision of affordable housing. I understand that the developer wanted various options to be included in a revised Section 106 that would vary the numbers and type of tenure dependent on the availability of funding.

As far as I am informed it was agreed the Section 106 should be drafted to include 3 potential scenarios. Those being:

Delivery of 36 affordable units dependant on kick start funding(12 shared ownership,9 social rent and 15 homebuy direct) if not successful then the developer will:

Deliver 21 affordable units dependant on grant aid through the Affordable Homes Programme HCA grant (4 intermediate rent, 8 new build homebuy and 9 social rent) if not successful then the developer will:

Undertake a financial viability assessment to demonstrate the amount of affordable units the site can support and deliver them in consultation with the LPA to agree tenure and type of property.

The developer requested that there be no phasing restriction and although this could be deemed appropriate if the funding mechanism was in place there is a danger that without a phasing condition incorporated in the Section 106 it could lead to no affordable housing being provided. Unfortunately at the time of preparing this report I am not fully aware what has been agreed by the relevant officers or Strategic Housing Group.

## 6. Other issues

It is evident that no viability assessment has been submitted with this application on the basis that it complies with the Affordable Housing memorandum with the provision of 30% affordable housing. It is recognised in the Planning Obligation report approved by Committee on the 18 December 2008 that affordable housing is the key priority, then transport, open space and education. It is difficult to assess without a viability report whether or not the Council should request additional funding for further public open space and or highway contributions.

## SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity nor would it have an adverse visual impact or be to the detriment of highway safety nor have an adverse impact in relation to the loss of employment land.

**RECOMMENDATION:** That the application be Deferred and Delegated to the Director of Development Services in consultation with the Chairman of Planning and Development to negotiate a Section 106 Agreement which shall including affordable housing contributions, public open space contributions and other appropriate contributions and the following conditions:

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

**REASON:** Required to be imposed in pursuance to Section 91 of the Town and Country Planning Act 1990.

2. This permission shall be implemented in accordance with the proposal as amended by letter received on 2/11/09 and drawing number 1506-300A as well as drawing numbers:

1506-310A Prop Apartment Block A/Plans & Elev; 1506-320A Prop Apartment Block B/Plans & Elev; 1506-330 Prop House Type G/Plans & Elev; 1506-331 Prop House Type H1, H2/Plans & Elev; 1506-332 Prop House Type J1, J2/Plans & Elev; 1506-333 Prop House Type K/Plans & Elev; 1506-334 Prop House Type H3/Plans & Elev; 1506-335 Prop House Type J3/Plans & Elev; 1506-340 Prop Commercial Unit/Option 1; 1506-341 Prop Commercial Unit/Option 2; 1506-350 Prop Site Plan-Areas; 1506-370 L/W and L/W Nursery, Prop Plans & Elev; R-03 Ground & First Floor & Section A-A; R-04 Prop Roof Plan; R-05 Prop Elevations

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments and to clarify what plans are relevant.

3. Precise specifications or samples of walling and roofing materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

4. No development shall take place until the scheme for the boundary treatment adjacent to the watercourse has been approved by the Local Planning Authority. The scheme shall include the removal of the path serving the amenity space adjacent to plot LW-5 and the scheme shall be completed in accordance with the approved plans and prior to occupation of any of the buildings unless otherwise agreed in writing.

REASON: To preserve the integrity of the habitat provided by the watercourse and to comply with Policies G1 and ENV10 of the Districtwide Local Plan.

5. Prior to commencement of development approved by this planning permission (or such other date or a stage in the development that may be agreed in writing with the Local Planning Authority) the following components of the scheme to deal with the risk associated with the contamination of the site shall be submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has been identified:

- all previous uses;
- potential contamination associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors;
- potentially unacceptable risks arising from the contamination at the site.

2. The site investigate scheme based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an option appraisal and remediation strategy given full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identify any requirements for longer term monitoring of pollutants, leakages, maintenance and arrangements for contingency action.

REASON: To prevent pollution of controlled waters from potential contamination on site and to comply with Policy G1 of the Districtwide Local Plan.

6. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved by

the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

REASON: To reduce the increased risk of flooding in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

REASON: To ensure a satisfactory means of drainage in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

8. Prior to commencement of development details of a secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented before occupation of the units for which cycle storage facilities are to be allocated.

REASON: In the interest of providing adequate cycle storage to assist a sustainable transport and comply with Policy G1 of the Districtwide Local Plan.

9. Prior to commencement of development details of the renewable energy provisions within the site shall be submitted to and implemented to the satisfaction of the Local Planning Authority. Any such scheme shall incorporate a phased implementation of renewables to be agreed in writing by the Local Planning Authority.

REASON: In the interests of promoting sustainable development and to comply with Policy G1 of the Districtwide Local Plan.

10. This permission shall relate to a Section 106 Agreement dated \_\_\_\_\_ which includes a mechanism for the delivery of affordable housing and community provision for public open space facilities and appropriate contributions if deemed necessary.

REASON: For the avoidance of doubt and to comply with Policy G1 of the Districtwide Local Plan.

11. Prior to commencement of development or the time to be agreed, details of the management plan for the landscaped areas shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of visual amenity and to comply with Policy G1 of the Districtwide Local Plan.

12. Prior to commencement of development precise details of a new entrance gateway to the adjoining public open space shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In order to ensure there is adequate access to the adjoining public open space and in the interests of visual amenity.

13. Unless otherwise agreed in writing by the Local Planning Authority no more than 25 of the market dwellings hereby permitted shall be completed until either the construction of the Aspire centre has commenced or until the proposed 2 blocks of commercial units shown as C on site plan drawing 1506-300 A use has been completed.

REASON: In order to ensure that there is appropriate phased development and that elements of employment usage are implemented before completion of the residential element of the sites to ensure that there is a mix use development of the site and to comply with Policy EMP11 of the Districtwide Local Plan.

14. This permission shall relate to the bat survey ecological report and arboricultural report submitted with the application. All details shall comply fully with the report. The landscaping details including hard landscaping where appropriate shall be submitted to and agreed in writing by the Local Planning Authority.

The approved landscaping scheme shall thereafter be implemented in the first planting season following occupational use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than five years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies or is seriously damaged or diseased by a species of similar size to those originally planted.

REASON: In the interests of the amenities of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

15. Within 6 months of the occupation of any individual commercial unit a travel plan with measurable and enforceable outcomes for its implementation, including a robust strategy for reducing single occupant car journeys shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented to its satisfaction.

REASON: In the interests of highway safety and to reduce the need for vehicular traffic generation and to comply with Policy G1 of the Districtwide Local Plan.

APPLICATION NO: 3/2009/0995/P (GRID REF: SD 360587 43771)  
PROPOSED TWO STOREY SIDE EXTENSION INCLUDING CAR PORT AND UTILITY ROOM AND PROPOSED REBUILDING OF EXISTING CONSERVATORY IN THE SAME FOOTPRINT WITH A SLATE/TILE ROOF TO MATCH THE EXISTING AT 3 HAZEL GROVE, LONGRIDGE

TOWN COUNCIL: No observations received at the time of report preparation.

ADDITIONAL REPRESENTATIONS: No representations received at the time of report preparation.

**Proposal**

This application seeks planning permission for a two storey side extension and the rebuilding of an existing conservatory which is at the rear of the property. The rebuilding of the conservatory would necessitate changes in the gable elevation with the appearance of a patio door



arrangement and at the rear the conservatory would no longer be predominantly glazed but have two normal domestic sized window openings and brickwork detailing. It is to have a tiled lean-to roof rather than the existing polycarbonate roof. At the side of the property the proposal is to have a two storey extension which is set back from the main wall approximately 1½ m and it would incorporate an open car port on ground floor with utility room and a master bedroom and en-suite at first floor. The approximate size would be 7.9m x 2.4m and would have a maximum height of 6.5m and is designed to be lower than the existing roof of the property.

### **Site Location**

The application is within the settlement boundary of Longridge and is a semi-detached property constructed of brick and tiled roof.

### **Relevant History**

None.

### **Relevant Policies**

Policy G1 - Development Control.

Policy SPG – “Extensions and Alterations to Dwellings”.

Policy H10 - Residential Extensions.

### **Environmental, AONB, Human Rights and Other Issues**

The main consideration in the determination of this application relates to the design and visual impact of the proposal as well as any amenity considerations that relate to the adjacent properties. In relation to design, I am satisfied that the extension is subservient to the main building and in many respects the alterations to the sunroom would visually enhance the property. In relation to residents' amenity, the main consideration relates to privacy issues and whether or not the extension would create an over bearing impact on the adjacent property and in particular leading to loss of light to number 5 Hazel Grove which has a conservatory at the rear of the property. In terms of privacy distances, the proposal does not lead to any significant differences in that currently exist and at the rear of the property there is a significant hedgerow and trees which help reduce privacy impact and also that the properties do not face directly on to each other. I do not consider there are any privacy issues resulting from the master bedroom as there is adequate distance between this property and the one across the road.

The extension would project close to the boundary of the adjoining property and it would be difficult to envisage how the gable end of the extension could be maintained without the need to have access from the rear gardens of the adjacent property. However, this is a civil matter and the main consideration in relation to the extension's proximity to the adjoining properties would be whether or not the two storey extension would have an over bearing impact on the amenities associated with the adjacent property. Notwithstanding this proximity to the adjacent property, and the impact it would have on the single storey rear extension, I am still satisfied that the massing would not lead to adverse amenity considerations.

In order to ensure adequate parking exists within the site, it is important to impose a condition to prevent the car port being blocked up and used for purposes other than car parking.

## SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity nor would it have an adverse visual impact.

**RECOMMENDATION:** That the application be Deferred and Delegated to the Director of Development Services to await consultation period lapsing and on the basis that no new material planning issues referred to in this report are received regarding this application.

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

**REASON:** Required to be imposed in pursuance to Section 91 of the Town and Country Planning Act 1990.

2. Precise specifications or samples of walling and roofing materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

**REASON:** In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance – “Extensions and Alterations to Dwellings”.

3. The proposed garage shall not be used for any purpose (including any purpose ordinarily incidental to the enjoyment of the dwelling house as such) which would preclude its use for the parking of a private motor vehicle.

**REASON:** In the interests of visual amenity and to facilitate adequate vehicle parking and/or turning facilities to serve the dwelling in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance “Extensions and Alterations to Dwellings”.

**The following proposals have been determined by the Director of Development Services under delegated powers:**

APPLICATIONS APPROVED

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2009/0554/P	Construction of new underground pumping main pipe from existing reed bed lagoons to river	Castill Laithe Sawley
3/2009/0644/P	Alterations and extensions to existing house, incorporation of former agricultural buildings (including alterations) within residential curtilage and adjustment to curtilage to create rear garden area	Watery Gate Farm Watery Gate Lane Bleasdale Chipping
3/2009/0677/P	Extension to side and conservatory to rear garden area, shed to rear garden area, and solar panels to roof	4 St Nicholas Avenue Sabden
3/2009/0728/P	Single storey rear extension	95 Clitheroe Road, Sabden
3/2009/0748/P	First floor dormer extension	8 Whittam Crescent, Whalley
3/2009/0762/P	Create two, one bed roomed flats from the existing property	22 Corporation Street Clitheroe
3/2009/0778/P	Proposed loft conversion with new roof construction forming a steeper pitched roof. Dormer windows to the north elevation and Velux rooflights to the south elevation	61 Glendale Drive Mellor
3/2009/0787/P	Two part externally illuminated fascia signs and the retention of the existing hanging sign with new non-illuminated design	Boots, 15-19 Castle Street Clitheroe
3/2009/0788/P	Side extension	39 Abbey Fields, Whalley
3/2009/0798/P	Listed building consent to display two new externally illuminated fascia signs and one non-illuminated hanging sign	Boots, 15-19 Castle Street Clitheroe
3/2009/0800/P	Rear single storey extension and first floor extension over the garage	12 Bradyll Court Brockhall Village Old Langho
3/2009/0820/P	Proposed two-storey extension on north elevation	Lower Dutton Farm Gallows Lane, Ribchester
3/2009/0822/P	Creation of a vehicular access	Knott End Farm, Leagram
3/2009/0831/P	Extension and alterations to an existing detached bungalow with increased roof pitch to form additional bedrooms in the roof space at	1 Windermere Avenue Clitheroe
3/2009/0832/P (PA)	Erection of new garage following demolition of existing garage	32 The Sands Whalley
3/2009/0835/P	Erection of agricultural building for Alpacas	2 Pinfold Farm Barn Preston Road, Ribchester

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2009/0837/P	Proposed demolition of existing dwelling and construction of replacement dwelling including associated external works	Greenfields, Neddy Lane Billington
3/2009/0840/P	Proposed porch and two-storey side extension	15 Mellor Lane, Mellor
3/2009/0845/P	Proposed rebuilding of existing outbuilding and construction of new 'link' and porch extensions	Pinfold Farm, Pinfold Lane Longridge
3/2009/0851/P	Alterations to existing loft conversion to provide dormer windows to front and rear elevations	Shenstone off Lovely Hall Lane, Copster Green
3/2009/0852/P	Extension to existing cottage known	Keeper's Cottage Wolfen Hall, Chipping
3/2009/0853/P	Demolition of the existing garage	32 The Sands, Whalley
3/2009/0857/P	Erection of new or replacement 3.5m high fencing with gated access and eaves protection fencing	Kemple View Hospital Longsight Road, Langho
3/2009/0859/P (LBC)	Extension to existing cottage known	Keeper's Cottage Wolfen Hall, Chipping
3/2009/0864/P	Non-material amendment for alteration to glazing and roof detail	Stanley House Further Lane, Mellor
3/2009/0860/P	Erection of tile-roofed timber framed structure to display sign	St Marys R C Church York Lane, Langho
3/2009/0865/P	Proposed single storey rear kitchen extension including demolition of sun lounge and utility	Ratcliffe Farm Cottage Lower Road Longridge
3/2009/0869/P	Erection of a upvc 'Orangery' type conservatory on the side elevation	The Bungalow Back Commons, Clitheroe
3/2009/0870/P	Application for the discharge of condition no.3 (relating to containment/storage of manure) and condition no.6 (relating to disposal of foul and surface waters) of planning consent 3/2007/1061/P	Newlands, Ribchester Road Hothersall Preston
3/2009/0872/P	Outdoor play canopy	St Mary's RC Primary School, Longsight Road Osbaldeston
3/2009/0874/P	Renewal of planning consent 3/2006/0845/P, for a two storey extension and a single storey double garage	Cuthbert Hill Garstang Road, Chipping
3/2009/0881/P	Single storey extension to rear	11 Hodder Grove, Clitheroe
3/2009/0888/P (LBC)	To repaint the exterior of the building, redecorate internally and replace soft furnishings. Remove the modern anaglypta wall coverings and to replace the modern floor tiles. Strip and polish the modern timber floor boarding. Remove the lobby into the restaurant which acts as a barrier	The Parkers Arms Newton-in-Bowland

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2009/0892/P	Replacement non-illuminated fascia sign and replacement hanging panel to existing projecting bracket utilising the existing external illumination	8 Townley Parade Berry Lane Longridge
3/2009/0898/P	Proposed first floor extension over existing single storey garage	23 Browgate Sawley
3/2009/0908/P	Creation of a garden room extension to the rear. Proposed extension of the existing single storey garage and stores/utility space to the rear elevation and a new first floor to be built over the garage. Proposed chimney formed on the lounge gable wall. The existing flat roofed dormer windows to have pitched roofs and a new half glazed entrance porch to be added to the front elevation	6 Shays Drive Clitheroe
3/2009/0919/P	Lean-to conservatory to rear	64 Chatburn Road, Clitheroe
3/2009/0929/P	Replacement porch, new gable elevation windows, new velux roof windows and new sliding folding doors in adjusted opening (Re-submission)	Oaktree Farm Barn Preston Road Alston

#### APPLICATIONS REFUSED

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>	<b><u>Reasons for Refusal</u></b>
3/2009/0735/P	Proposed wooden agricultural storage shed for storage of tractor and hay/straw on land adjacent	Manor Croft Glen Avenue Knowle Green	G5, ENV3 and SPG “Agricultural Buildings and Roads – No agricultural justification resulting in further development to the detriment of the Open Countryside.
3/2009/0846/P	Proposed new dwelling within existing garden area (Re-submission of 3/2009/0214/P)	34 Green Lane Longridge	Inappropriate design and siting, impact on streetscene and loss of privacy. Contrary to Policy G1.
3/209/0862/P	Re-rendering west facing gable of the property with a 1-2-9 mix cement – lime – sand mortar with a spa finish	35 Lowergate Clitheroe	The proposal would have a harmful impact upon the character (including fabric) and setting of the listed building because of the

Cont/

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
Cont....			application of a non-traditional render of modern appearance and form.
3/2009/0871/P	Side conservatory	40A Knowsley Road Wilpshire	Policies G1, H10, SPG-Extensions and Alterations to Dwellings – the proposed extension by virtue of its design considered detrimental to visual amenities of street scene.
3/2009/0880/P	Two storey rear extension	2 Cowper Place Sawley	Policies G1, ENV1, ENV16, H10, SPG “Extensions and Alterations to Dwellings” – extension by virtue of scale, design and massing detrimental to visual amenities, street scene, AONB and Conservation Area.
3/2009/0905/P	Rear hardwood lean-to conservatory	Byre Barn Edisford Road Clitheroe	Policies G1, ENV3 and H17 – Unsympathetic extension to the detriment of the character of the building and visual amenity of the area.

SECTION 106 APPLICATIONS

<u>Plan No:</u>	<u>Proposal/Location:</u>	<u>Progress:</u>
	None	
AGRICULTURAL NOTIFICATIONS WHERE PLANNING CONSENT WILL <b>NOT</b> BE NECESSARY		
<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2009/0920/N	Lean-to off an existing building to cover a cattle feed yard	Dairy Barn Farm Green Lane, Leagram Chipping

AGRICULTURAL NOTIFICATIONS WHERE PLANNING CONSENT **WILL** BE NECESSARY

<b><u>Plan No:</u></b> 3/2009/0916/N	<b><u>Proposal:</u></b> Steel portal framed building to cover the existing midden	<b><u>Location:</u></b> Halsteads Farm Grindleton Road West Bradford
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APPEALS UPDATE

<b><u>Application No:</u></b>	<b><u>Date Received:</u></b>	<b><u>Applicant/Proposal/Site:</u></b>	<b><u>Type of Appeal:</u></b>	<b><u>Date of Inquiry/Hearing:</u></b>	<b><u>Progress:</u></b>
3/2009/0025 D	28.7.09	Mr C Thorne Retrospective application for a garden fence 6 Queen Street Clitheroe	WR	–	APPEAL DISMISSED 12.11.09
3/2008/1029 D	10.8.09	Withgill Farm Ltd Construction of 2no. agricultural workers dwellings, extension of farm track and alterations to access and parking layouts Withgill Farm Mitton	–	Hearing held 27.10.09	APPEAL DISMISSED & APPLICATION FOR COSTS FAILED 11.11.09
3/2009/0463 Not yet determined	26.8.09	East Lancashire Developments Ltd Erection of three terraced houses, one detached dormer bungalow with private car park and diversion of existing sewer (Resubmission) Land at Greenacres/Tenny-son Avenue Read	WR	–	AWAITING DECISION
3/2008/0674 & 0675 D	27.8.09	John Reilly Civil Engineering Ltd Proposed alterations to listed boundary wall including the creation of a new access point and track to serve stud farm The Stud Farm Woodfold Park Further Lane Mellor	WR	Now to be determined under the written reps procedure	Awaiting site visit

<u>Application No:</u>	<u>Date Received:</u>	<u>Applicant/Proposal/Site:</u>	<u>Type of Appeal:</u>	<u>Date of Inquiry/Hearing:</u>	<u>Progress:</u>
3/2009/0466 D	10.9.09	Mr John Bailey & Miss Kirsty Sellers Erection of two storey rear extension and additional accommodation for dependent relatives Dean Slack Head Smalden Lane Grindleton	WR	–	Site visit 11.12.09  AWAITING DECISION
3/2009/0321 O	16.9.09	Mr Terry Griffiths Erection of a new industrial unit (class B2 use) at the rear of the existing industrial unit Unit 3 90 Berry Lane Longridge	WR	–	Site visit 14.12.09  AWAITING DECISION
3/2009/0079 D	25.9.09	Mrs Christine Verity Proposed single storey garden room to front elevation Holkers Cottage Whins Lane Read	WR	–	Awaiting site visit
3/2009/0383 & 0384 C	8.10.09	Individual Inns Ltd Extension to first floor to form bedrooms and associated works (Resubmission) The Spread Eagle Hotel Sawley	WR	–	Awaiting site visit
3/2009/0352 D	2.11.09	Mr H Berry Retention of agricultural workers dwelling and residential curtilage for temporary period of three years Lower Monubent Farm Hellifield Road Bolton-by-Bowland	–	Hearing – to be held 23.2.10, commencing at 10am	
3/2009/0631 D	5.11.09	Mr & Mrs J Hayes First floor extension to side of dwelling Seedalls Barn Easington Road Cow Ark	Householder Appeal	–	Site visit 15.12.09  AWAITING DECISION

#### LEGEND

D – Delegated decision  
C – Committee decision  
O – Overtake