

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 15 APRIL 2010
 title: PLANNING APPLICATIONS
 submitted by: DIRECTOR OF DEVELOPMENT SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION NO: 3/2009/0307/P (GRID REF: SD 368347 431656)
 PROPOSED TWO NEW BUILD DETACHED HOUSES AT 17 AND 19 WAVERLEY ROAD,
 WILPSHIRE

PARISH COUNCIL: No comments received.

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

UNITED UTILITIES: Have no objection in principle.

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

1. Object on grounds of the amount of lorries and wagons that will need to use the road when the houses are being built – lack of street parking means cars park on the road and thus wagons will not be able to get through without causing damage.
2. Noise and dust whilst construction works are ongoing.
3. Concerns over increase in traffic on the road.
4. The development is situated within an area of special landscape where there is a strong presumption against new development.
5. If approved it could set a precedent prejudicing a policy of securing a well planned development within this semi-rural area.
6. Question the accuracy of the plans in showing the boundary line and knock on effects for positioning of dwellings.
7. Loss of light to No 15 Waverley Road.

8. Reference to previous litigation regarding surface water and that if further properties are built, further surface water will flow into a neighbours drain.
9. Objects to houses as bungalows had been approved 22 years ago.
10. Houses would be out of line with the surrounding bungalows.
11. This construction has been ongoing since July 1986 – 1987.

Proposal

This application details the proposed construction of two detached dwellings with detached garages to the rear of the properties.

No 17 would have approximate dimensions of 11.2m x 13.1m x 6.9m to the apex of its pitch. It would provide four bedroomed accommodation with the upper floor being within the eaves of the property. Construction materials would be red clay facing brickwork under a grey concrete tiled roof. A garage would be set to the rear of the property in the north eastern corner of the garden with approximate dimensions of 6m x 6m x 4.5m in height in construction materials to match the house.

Plot 19 to its north would have approximate dimensions of 11.2m (with a 1m projection to the front third of the building) x 13.1m x 6.9m in height. Again, four bedrooms are provided within the eaves with construction materials the same as for the other dwelling. A detached garage identical to that outlined above would be provided to the rear of the dwelling.

Site Location

The site lies to the northern extreme of Waverley Road within the settlement limit of Wilpshire/Salesbury as defined in the Districtwide Local Plan. There are properties to its west, south and east and to the north are open fields.

Relevant History

3/87/0479/P – Erection of four detached bungalows. Approved with conditions 15 September 1987.

3/87/0269/P – Erection of four detached bungalows and garage. Refused 9 July 1987.

3/86/0393/P – Erection of four detached dwellings with detached double garages (outline). Approved with conditions 21 August 1986.

3/83/0194/P – Erection of four detached dwellings with detached double garages (outline). Approved with conditions 2 August 1983.

3/80/0685/P – Erection of four single storey detached dwellings with garages. Approved with conditions 5 August 1980.

Relevant Policies

Policy G1 - Development Control.

Policy G2 - Settlement Strategy.

Environmental, AONB, Human Rights and Other Issues

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

In respect of principle, Members are advised that consent was granted under 3/87/0479/P for the erection of four detached bungalows with works having taken place to construct the two bungalows to the opposite side of Waverley Road. Thus, whilst that is an old consent, it remains live as works have taken place in order to establish commencement of development and the two remaining bungalows on this plot of land could still be constructed. However, a different house type is proposed with repositioned garages and hence the need for this submission. Therefore, in terms of principle, I am mindful of this and the fact that the site lies within an established settlement boundary and thus the principle of residential development is acceptable.

With regards to matters of highway safety, notwithstanding the objections received, the County Surveyor has raised no objections and thus I conclude that in this respect the proposal accords with the provisions of Policy G1 of the Ribble Valley Districtwide Local Plan.

Next, it is important to have regard to visual amenity. As stated previously, the site is surrounded on three sides by a residential development. In examining the planning history of the site, it is evident that when outline permission was granted under 3/86/0393/P there was a condition that stipulated the dwellings should be single storey only. The consent granted (and which could still be implemented) denoted dwellings of a single storey nature to a height of approximately 5.5m. It is interesting to note that 3/87/0269/P which was refused denoted living accommodation in the roof space but the overall design that incorporated dormers and orientation of the buildings, was such that they were considered detrimental to the visual amenities of the area and neighbouring amenity. A note was attached to the refusal notice stating that the Local Planning Authority would be likely to look more favourably on an application for more traditional bungalows whose ridge ran parallel to Waverley Road and which substantially followed the existing line of development on Waverley Road. The dwellings put forward here do have ridges that run parallel to the road frontage and are set back an appropriate distance into the site so as not to significantly affect the established front building line of the overall street. It is with regard to the height of the proposed unit that further consideration should be given. The dwellings shown here are have a ridge of approximately 6.87m as opposed to the 5.5m previously approved. However, I am mindful that Nos 9 and 11 Waverley Road have had roof lifts resulting in a ridge line of approximately 6.5m and thus there is not a uniform ridge line running along this street. Thus in terms of street scene, I do not consider that the variation in height of these two proposed dwellings from that previously approved would prove significantly detrimental to the visual amenities of the area.

In respect of residential amenity, there is the relationship between the two new dwellings and No 15 to the south of the site to consider. There will be a distance of approximately 3.5m between the two new dwellings with a driveway running between them to serve the rear detached garage to No 17. The floor layout denotes two windows in the side elevation of No 19 that would face on to the driveway and towards the side elevation of No 17. Given that these

serve an en-suite and bathroom I consider it reasonable to condition that these be obscure glazed (should committee be minded to approve the application) in order to respect privacy levels. Subject to this I am satisfied with the relationship between the new properties. Turning to potential impact on No 15 I am mindful that the new dwelling would be approximately 1m from the boundary with that dwelling and that the plans submitted show No 15 being set approximately 3m from the boundary towards the front of the site and approximately 2.87m at its rear corner. That dwelling has three windows in its side elevation with the boundary division formed by a timber fence to approximately 1m in height. In considering the potential impact on this property, I consider that regard should be had to the development which could already take place and proximity of that to the existing dwelling. The scheme proposed here would result in the built form being approximately 1m closer to No 15 than that approved under 3/87/0479/P and as stated above it would be approximately 1.3m higher. However, I consider the potential for harm over and above that which would be experienced should the remaining parts of the aforementioned consent be built is not so significant as to warrant an unfavourable recommendation. This scheme does relocate the proposed garage from adjacent to the boundary with No 15 to adjoining the boundary with proposed No 17 and thus this element is an improvement over that which has previously been granted permission. Again, a condition would be needed requiring that the en-suite and bathroom windows on the side elevation be obscure glazed. Subject to this, and notwithstanding the objection received regarding potential loss of light to No 15, I conclude for the above reasons that the relationship between that dwelling and proposed No 17 is satisfactory.

Members will note that some of the objections received from neighbours refer to previous litigation over surface water and question the accuracy of the plans in defining the boundary lines. In respect of surface water discharge, the forms state that this will be to an existing water course. There will be surface water run-off whether there is any built form on the site or not, the only difference would be the speed of run-off. Again, Members are reminded that a consent remains live for the erection of two dwellings and comments regarding drainage are noted. In respect of boundary and ownership issues, the comment is the same. The applicant's agent has confirmed that the land within the red edge is owned solely by the applicant and that he is not aware of any ongoing boundary disputes.

Therefore, having carefully considered all the above, I am of the opinion that the dwellings would not have a significantly adverse impact on visual amenity or adjacent residential amenity 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 detailed on drawing 231/02REVD site plan and block plan (revised 27 August 2009); 231/03 proposed floor plans No 17; 231/04REVA proposed elevations No 17; 231/05 proposed floor plans No 19; 231/06REVA proposed elevations No 19; 231/07REVA proposed garage plan and elevations No's 17 and 19.

REASON: For the avoidance of doubt and to ensure that the relevant plans are used.

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 windows on the side elevations of both No's 17 and 19 serving an en-suite and separate 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.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) the building(s) shall not be altered by the insertion of any window or doorway 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. Prior to commencement of development precise details of the boundary treatment/fencing to be used shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be provided in accordance with the details so approved.

REASON: In order that the Local Planning Authority may ensure that the details are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and to protect nearby residential amenity.

NOTES

1. The site must be drained on a separate system with only pool drainage connected into the pool server. Surface water should discharge into the watercourse as stated on the application form.
2. A separate metered supply to each unit will be required at the applicants expense and all internal pipework must comply with current water supply (water fittings) regulations.
3. The applicant should contact United Utilities service enquiries on 0845 7862200 regarding connection to the water mains/public sewers.

APPLICATION NO: 3/2009/0542/P (GRID REF: SD 368178 432574)
PROPOSED DETACHED CHALET BUNGALOW AT LAND ADJACENT TO 47 KNOWSLEY
ROAD WEST, CLAYTON-LE-DALE

- PARISH COUNCIL: No comments received.
- ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR): The revised plans provide satisfactory parking provisions and so have no objection in principle to this application on highway safety grounds.
- UNITED UTILITIES: A revised layout demonstrates that the footprint of the building is not within 5m of the centre line of our main and therefore the development does not present a risk. Based on the revised layout we remove our objection due to the position of a strategic water asset.
- ADDITIONAL
REPRESENTATIONS: Four letters of objection have been received to the originally submitted and subsequently revised drawings as follows:
1. Access/car parking – the number of vehicles parked close to the turning circle and also on the pavement will inevitably increase and cause an obstruction.
 2. Scale/roof line of the proposed new building – the roof line is out of proportion to other properties on the same side of the road, it would be a rather large house on a very small plot and would take light from the side windows of the existing house.
 3. Trees/hedgerow – the plans show a small tree to the right of the front elevation where in fact a very mature chestnut tree is situated.
 4. The development will be adjacent to a 30inch water main which requires access at all times.
 5. Concerns over where contractors traffic will park should consent be forthcoming.

Proposal

Consent is sought for the erection of a detached two bed chalet style bungalow. Approximate dimensions of the dwelling would be 8m x 11m (with a further 1m single storey projection to the kitchen across one third of the front elevation) x 6.3m to the apex of its pitch with construction materials of a brown rustic facing bricks under a tiled roof. The property is set back 5m into the site from the pavement edge and in its revised location is set approximately 2m to the west of No 47.

Site Location

The site presently forms part of the garden area to No 47 which is itself a detached bungalow set to the south of Knowsley Road West. There is currently a garage in situ which will be removed with the land in question being at a higher level than No 47. The site is at the turning head to the cul de sac with an extension to the cul de sac providing an additional four two storey dwellings, one of which is set to the north west of this site.

Relevant History

None.

Relevant Policies

Policy G1 - Development Control.

Policy G2 - Settlement Strategy.

Environmental, AONB, Human Rights and Other Issues

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

In respect of principle, the site lies within the identified settlement limit of Wiltshire with Policy G2 allowing for the development of sites within the settlement boundary and outside the greenbelt. Thus I am satisfied that in principle the provision of one dwelling is acceptable subject to the requirements of Policy G1.

With regard to highway safety, the County Surveyor initially raised concerns regarding off street parking provision but the amended plan has satisfactorily addressed his comments.

Turning to residential amenity, I am mindful of the properties set to either side of the proposed house. I consider that in terms of the two storey dwelling there would be no significant detriment caused in respect of loss of privacy as any views gained from the bedroom window at first floor in the application property would be at an angle across a small section of their rear garden. In respect of No 47, the proposed dwelling in its repositioned location would be approximately 2m from the side elevation of that house. Whilst there are three windows in that elevation, the proposed siting means that the bedroom window would not be significantly affected and the window towards the rear is a secondary lounge window. Thus having regard to the siting of the new dwelling and the fact it will be set on higher ground than No 47, I do not consider there would be a significantly detrimental impact on that property by either loss of light or overbearing/oppressive nature of development.

Next, consideration should be given to the visual impact of the development proposed. The dwelling is set on higher ground than No 47 and is, irrespective of land levels, a higher structure. However, in terms of assessing the impact on the overall street scene, I am mindful that there is a steady incline along Knowsley Road West towards the two storey dwelling that stands above the ridge line of No 47 in existing views. Thus filling the gap in the street scene by a dwelling of a height that echoes the rising contours of the land would not, I consider, provide detrimental on the grounds of its overall height. With regard to its proximity to No 47, I am mindful there will only be a gap of approximately 2m between the two buildings but there are several instances along Knowsley Road West whereby dwellings are either set in similar

proximity or are actually joined by single storey flat roof structures or garages. Thus in terms of street scene, I do not raise any objection on visual amenity grounds.

Therefore, having regard to the above, I am of the opinion that the scheme accords with Policy and would not prove significantly detrimental to highway safety, visual or residential amenity. 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 the 17 December 2009 with drawing Nos 3/2009/0542/SW/1, 2 and 3.

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. 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 dwelling including any development within the 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 Policy G1 of the Ribble Valley Districtwide Local Plan.

NOTES

1. A separate metered water supply to each unit will be required at the applicants expense and all internal pipework must comply with current water supply (water fittings) regulations 1999.
2. The applicant should contact United Utilities services enquiries on 0845 7462200 regarding connection to the water mains/public sewers.

APPLICATION NO: 3/2009/0885/P

(GRID REF: SD 374199 441924)

PROPOSED TWO STOREY OFFICE DEVELOPMENT ON THE SITE OF THE FORMER POLICE STATION CAR PARK AT LAND ADJACENT TO STATION HOTEL, STATION ROAD, CLITHEROE

TOWN COUNCIL: Originally objected but have withdrawn their objection based on the amended plans. No comments on further revised plans.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR): No objections in principle on highway safety grounds. Formal response given but pre-application advice indicated no objections. The development provides 3 spaces and there is a large pay and display car park within 50m and a further provision within 100m so there is no case to require more parking. There is likely to be some additional pedestrian activity but the existing footway width is satisfactory.

ADDITIONAL
REPRESENTATIONS: Seven letters of objection have been received one of which is from the Clitheroe Civic Society as well as two supporting letters. The main issues concern the following points.

- Impact on the effect of the proposed Master Plan to Clitheroe.
- Development gives little benefit of social, economic and leisure facilities for the town.
- Loss of parking.
- They should be able to reuse existing vacant buildings.
- Lack of real consultation.
- Lack of space around the building that does not assist pedestrian movement.
- Consider the scheme as originally submitted in relation to design and inappropriate materials and scale and does not adequately relate to existing buildings (further comments will be reported on the revised scheme). The original scheme as submitted is a poor 1970s design.
- The building is too big and not purely for the Ribble Valley Homes offices.
- Insufficient parking for the development.
- The scheme would lead to congestion as a result of its location.
- More car parking is needed throughout the town.

Civic Society consider the revised plan is a significant improvement but still have concerns that the application is treated in isolation to the Master Plan. Also queries the need for the building and question the parking provision. They also ask whether there is an agreement between Ribble Valley Borough Council and Ribble Valley Homes regarding re-development of offices.

At the time of writing this report no comments have been received on the second amended plan.

Consider the amendments to resolve some of the issues but still have concerns regarding roofscape.

The three letters of support recognise that the new building is in a good location and will enable a better service for users with all facilities in one location.

As well as the above the Council sought the views of Places that Matter which is an independent design panel and they are now satisfied with the final amended plan and impressed by the design.

They consider the saw tooth roof allows for views though its void up to the Castle and because it is no longer a flat roof, it does not compete with the horizontal line of the castle plinth. I consider the scheme now sits comfortably with the adjacent environment and the proportions are correct. Need care over materials and detailing.

Proposal

The scheme is a detailed submission for a three storey office block. Following two redesigns the building is now predominantly stone on the front and rear elevation with a light weight metal cladding on the gable. The building measures approximately 20m x 15m with a maximum height of 11.8m.

The main pedestrian access to the building is off Station Road with vehicular access via the police station and off King Street. There are three parking spaces within the site. There is some soft landscaping at the rear and hard landscaping to the paved area adjacent to the building.

The building is set back 1.3m from the back of the paving of Station Road and is 1.2m wide gated access path along the northern side of the building to allow pedestrian access to the rear, and also access the plant room. There is a garage workshop at the rear of the building which has vehicular access off King Street.

The revised design has echoed some of the form of the adjacent buildings along Station Road and has a vertical emphasis.

The building has a contrast in scale between the front and rear and side elevations. Following the line of the steel grid, the front and rear are split into four equal bays with windows arranged regularly within them. The shorter side elevations employ a much smaller grid, which again highlights the contrast in weight and material but also allows the placement of smaller operable windows. The side facing the market has two storeys touching the edge of the building line, with a louvered balcony at second floor. This elevation is south facing and the smaller windows will allow greater control over direct sunlight entering the building.

The front and rear window module is large and has been determined to allow a pleasing solid to void ratio. These are to be treated as single fixed panes at 2.5m in height from finished floor level. The entrances to the building and the rear store fit into the window module, and the building entrance now tapers subtly in from the street. This angled section of wall is to be used for the display of signage.

Site Location

The building is located in a central part of Clitheroe and has a main pedestrian access on to Station Road, Clitheroe. It is adjacent to the market place and Station Road. Although not in the Conservation Area it is adjacent to the Clitheroe Conservation Area.

Relevant History

None.

Relevant Policies

Policy G1 - Development Control.

Policy G2 - Settlement Strategy.

Policy ENV16 - Development Within Conservation Areas.

Environmental, AONB, Human Rights and Other Issues

The main issues to consider here relate to the land usage ability, highway impact, visual amenity and design issues, and in particular its impact on the Conservation Area and adjacent historic buildings.

Land use issues

The proposal is situated within the central area of Clitheroe and as such the use of the land is suitable for a range of commercial uses including offices and retail. It is clear that given its central location it is accessible by public transport, and as such the principle of the use is deemed appropriate.

I note the concerns regarding the comprehensive re-development in relation to the market renewal plan and I recognise the benefits of a comprehensive scheme. This application has been submitted in isolation and as such the Council has a duty to determine this application. At this point in time I have sought the views of forward planning and I will report any items verbally. However, in relation to the suitability of the site, as previously indicated it is certainly capable of supporting either retail or offices in this location.

Highways

It is clear from the Lancashire County Council response that despite there being a limited number of parking spaces, they have no objection to the proposal. In relation to the parking provisions, regard must be given to its town centre location and accessibility score and as such it is compliant with the requisite standards. A revised plan now details some cycle facilities within the site.

It is evident that there is much concern regarding the loss of parking spaces resulting from the scheme. Although this is regrettable, it is not something that should be considered in relation to the scheme. However, I have requested a voluntary contribution towards maintenance of existing parking spaces or provision of additional spaces. Although no formal response has been received, I have been given verbal advice that they do not wish to contribute to such facilities.

Design issues

It is evident that given the prominence of this location and its location adjacent to Clitheroe Conservation Area, the design and massing of this building is an important consideration. I am satisfied that the various design alterations are a significant improvement on the original scheme.

Some of the key consideration regarding this proposal relate to the views of the site towards and from the Clitheroe Castle. It is evident that the roofscape would be seen from various vantage points from the town centre and as such it is critical that this is dealt with in a sympathetic manner.

I am satisfied that the revised scheme now echoes indirectly the architectural language of the historic buildings along Station Road. The window arrangement references that of the Station Hotel, the overall rhythm creates a legible cohesion to the front façade. This is continued to the rear of the building. The window pattern has a vertical emphasis.

The revised roof style, which although has led to an increase in height, has resulted in the roofline being broken up which allows the roofscape to blend better into the townscape and also allow more glimpses and views of the castle.

In relation to materials, I am satisfied that the revised palette of materials is less fussy than the original scheme but still offers a mixture of modern and traditional materials with a smooth stone finish at the front and rear elevations which will compliment the adjacent buildings.

In order to ensure an appropriate scheme precise details of glazing, opening mechanisms as well as the rainwater goods need to be controlled. The proposal indicates that rainwater goods will be concealed, leaving the walls free of clutter which would enhance the overall appearance.

To conclude and being aware of the concerns relating to design, although this building may be of a modern appearance, I believe it fits in comfortably to the local environment in terms of massing and design. I accept there will be some reduced views of the castle and the environment from certain locations but believe if there is to be some re-development of the Market Place, there would inevitably be some impact to the local environment.

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 locality and adjacent Conservation Area, 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 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 the 25 March 2010 and plan references 09-1483-PO3C, 09-1483-PO4C, 09-1483-PO5D.

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

3. 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.

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.

4. 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.

5. Prior to commencement of development, precise details of all rainwater goods and associated fittings and fenestration details including opening mechanism shall be submitted to the Local Planning Authority and agreed in writing and implemented to the satisfaction of the Local Planning Authority and retained in perpetuity.

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

APPLICATION NO: 3/2009/0889/P

(GRID REF: SD 372978 443901)

PROPOSED VARIATION OF CONDITION 10 OF PLANNING CONSENT 3/2002/0905/P TO ALLOW UNITS 1 AND 2 TO BE USED AS PERMANENT RESIDENTIAL ACCOMMODATION AT ORCHARD COTTAGES, OFF CLITHEROE ROAD, WADDINGTON

PARISH COUNCIL: No observations received.

ADDITIONAL REPRESENTATIONS AND INFORMAL SITE NOTICE:

One letter of objection has been received which states that change of use would make a mockery of conservation planning and control and allow profitable manipulation of the original unwanted development in a Conservation Area located centrally to Waddington. Allowing this application would make a precedent for the remaining cottages. Request that the application be refused.

Proposal

This proposal seeks to vary the condition relating to the use of two buildings of holiday cottages to enable them to be occupied as permanent residential accommodation. Condition 10 states that the units of accommodation hereby approved shall not be let or occupied by any one person or group of persons for a continuous period of longer than three months in any one year and in any event shall not be used as permanent accommodation. A register of persons occupying the unit shall be kept and submitted to the Council for inspection on a yearly basis. It should be noted that this application relates to only two of the four cottages.

Site Location

The site is located in a central area of Waddington and to the rear of the Waddington Arms car park. It is within the Waddington Conservation Area as well as the Area of Outstanding Natural Beauty.

Relevant History

3/20002/0358/P – Erection of five holiday cottages and associated external works. Refused.

3/2002/0905/P – Erection of four holiday cottages and associated external works. Refused. Allowed on appeal.

Relevant Policies

Policy G1 - Development Control.

Policy ENV16 - Development Within Conservation Areas.

Policy G4 - Settlement Strategy.

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy EMP4 – Employment.

Affordable Housing Memorandum of Understanding.

Policy L4 – Regional Housing Provision, Regional Spatial Strategy

PPS3 - Housing.

Environmental, AONB, Human Rights and Other Issues

Matters for consideration in relation to this application are the principle of the development, residential amenity and highway safety. In respect of highway safety the proposal would not generate a significant change in the nature of the use of the building and, as such, I do not consider there to be any highway issues. Members may be aware that originally the scheme for holiday cottages was refused planning permission based on highway safety but on appeal the application was allowed.

In relation to residential amenity I consider that the proposal will not result in any significant harm to adjacent residential amenity given that there is an existing residential use albeit in the form of a holiday cottage. There would not be any more overlooking but one could take the view that the nature of the use may change slightly in that there would be the likelihood of 100% occupation and the rear gardens would be used in a different way. The two units the subject of this application back on to agricultural land and, as such, are a considerable distance away from adjacent residential properties. A revised plan has been submitted which would effectively allow control in relation to a gable window of one of the remaining holiday lets so as to protect residential amenity in relation to these properties.

In respect of the principle of the scheme, and although technically this is for a removal of a condition, it can be seen as a change in the nature of the use of the holiday let to residential without any restriction.

On this basis it may be appropriate to have regard to Policy EMP11 which relates to the loss of employment generating sites and request that details be submitted of attempts to be made to secure alternative employment. I do not consider that this is appropriate in this instance given the small scale nature of this development. Furthermore, the applicant has indicated in a supporting document details regarding the viability of the current business venture. This confirms that the turnover of the business has declined due to a decline in occupancy rates. They have also indicated that the cottages are still widely advertised through the tourist board but consider in the current financial situation the development of the four cottages could not be sustained at this site and, as such, applicants have the need to consider alternative uses. A financial statement has been prepared which confirms this scenario.

In considering the principle of development it is relevant to have regard to recent planning policy as expressed in PPS3, the Regional Spatial Strategy and the Affordable Housing Memorandum of Understanding which are all material considerations. The Regional Spatial Strategy supersedes the Districtwide Local Plan in that it provides more up to date policy in line with PPS3 which, in turn, sets out the underlying objectives in relation to affordable housing and housing in general. In relation to the Housing Memorandum as the proposal only relates to two dwellings it is below the threshold to acquire an element of affordable housing and, as such, regard needs to be given to national policy statements. National guidance requires the Council to demonstrate an ongoing five year supply of housing and specifically paragraph 71 goes on to say that in situation where local planning authorities cannot demonstrate there is a five year supply of deliverable sites they should consider favourably planning applications for housing having regard to policies in the planning policy statement 3 including considerations in paragraph 69. Paragraph 69 details the factors that councils should have regard to when deciding planning applications. Some of the criteria include the suitability of the site for housing which would have regard to environmental suitability and using land effectively. I am of the opinion that this site is in a suitable location within the settlement of Waddington although it could not be regarded originally as an infill plot.

I am fully aware of the concerns expressed by the objector but am of the opinion that in the light of current policy and, in particular the national guidance in relation to housing, that it would be inappropriate and ill advised to resist 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. This permission shall relate to the amendment site dated 29 January 2010, references 3/2009/0889A and 3/2009/0889B.

REASON: For the avoidance of doubt since the proposal has been the subject of specified plans and additional plans.

3. 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 dwelling including any development within the 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 of the Ribble Valley Districtwide Local Plan.

4. The gable window on the adjacent cottages shall be of obscure glaze and shall remain in that manner in perpetuity.

REASON: In order to protect adjacent residential amenity and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2009/1008/P (GRID REF: SD 367679 434018)
PROPOSED REAR AND SIDE EXTENSIONS PROVIDING EXTENDING PORCH, SUN LOUNGE AND KITCHEN/DINING ROOM, ROOF LIFT, DETACHED GARAGE AND INTERNAL ALTERATIONS AT RIBBLESDALE COTTAGE, COPSTER GREEN

PARISH COUNCIL: Having visited the site, the Parish Council objects to the application on the following grounds:

1. The proposed works will cause a significant loss of light

to the property known as Old Manor Cottage. At present Old Manor Cottage has small windows which allows small amounts of light in. By raising the roof of Ribblesdale Cottage, it is envisaged that all light will be blocked out of Old Manor Cottage.

2. Raising the roof at Ribblesdale Cottage will have a detrimental effect upon Old Manor Cottage.
3. Due to the proximity and height of the side lean-to and the rear extension, we deem that the project would be a significantly un-neighbourly development.
4. Due to the proximity and height of the side lean-to and the rear extension, we deem that the project would lead to a loss of what little visual amenity exists at present along these elevations.

ADDITIONAL REPRESENTATIONS:

Two letters have been received from nearby residents who object to the application for the following reasons:

1. The height of the proposed single storey extension replacing the outbuildings will take light away from the side living room window of the adjoining property to the north meaning that the lights would need to be on all day.
2. The proposed extension of the sun lounge could take away views at the back of the cottage to the north of the application site.
3. The proposed replacement garage would cause loss of light to a lounge window of the adjoining property to the south.

Proposal

The application relates to the general extension and renovation of an existing detached dwelling comprising the following:

1. The eaves and ridge height of the main roof of the dwelling would be raised by 400mm.
2. On the front elevation an existing porch would be widened from 2.8m to 3.5m in order to incorporate a downstairs WC.
3. On the rear elevation an existing outbuilding with a height of approximately 2.8m would be replaced with a mono pitched roofed single storey extension with an eaves height of approximately 2.6m and a maximum height of approximately 3.6m.

4. On the eastern side elevation a single storey pitched roofed sunroom extension would be erected. This would have approximate dimensions of 4m x 4.5m with an eaves height of 2.5m and a ridge height of 3.8m.
5. An existing detached garage (5m x 5m with a maximum height of 2.75m) at the south eastern corner of the building would be demolished and replaced with a 6m x 5m garage with an eaves height of 2m and a ridge height of 3.75m

Site Location

The property is on the east side of Copster Green. It is orientated so that its front elevation faces south looking down The Green and partly across the front garden of the adjoining property on that side. The rear elevation faces the adjoining cottage to the north. The western side elevation faces The Green and the eastern side elevation faces the private "rear" garden of the property.

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 considerations that are relevant to this application are the effects of the proposed extensions and alterations upon visual amenity and upon the amenities of the adjoining dwellings to the north and south of the site.

The property had white painted random stone walls and a grey slate roof. As part of the overall refurbishment the paint will be removed to leave natural random stone walls and the new roof will be blue slates. These changes will represent an improvement in the visual amenities of the locality. The slight increase in the height of the roof would not, in my opinion, result in any detriment to visual amenity. The extended porch and the side and rear extensions are all of appropriate design with pitched roofs and would be constructed using matching external materials. Overall, with regards to visual amenity, I consider the proposal to be acceptable.

With regards to the amenities of nearby residents, both of the nearest neighbours have expressed objections to the application. The neighbour to the south considers that the proposed replacement garage, being larger than the existing, and in a different position, would cause a loss of light to a lounge window in his property. The window concerned, however, is a side window in the northern elevation of that property, and it is a secondary window to the room with the main window facing east over the property's rear garden. In view of the orientation (facing north) I consider that any loss of light to the window would be negligible. When added to the fact that it is a secondary window, I do not consider that loss of light to the adjoining property to the south would represent a sustainable reason for refusal of the proposal.

The adjoining property to the north has a side elevation with habitable room windows close to the boundary with the rear elevation of the application property. The main rear wall of the application property and the outbuilding adjoining its northern boundary already have an overbearing and overshadowing effect on the adjoining property. The rear extension, however, would only be slightly higher than the outbuilding that it would replace, and its highest part would be where its single slope roof joins the main rear wall of the dwelling. On the boundary, its eaves height would actually be slightly lower than the maximum height of the existing outbuilding. Even though slightly higher at its maximum point than the outbuilding, the extension would have minimal effects upon the light to the neighbour as it would, itself, be in the shadow of the main two storey part of the building.

The sun lounge extension on the eastern side elevation is set towards the front (southern) elevation approximately 5m away from the northern boundary. This extension would have no effect on light to the adjoining property to the north because of the intervening rear extension.

In her letter of objection, the neighbour to the north does not mention the increase in the height of the main roof (although this is mentioned by the Parish Council). However, I do not consider that an increase of only 0.4m (approximately 1ft 3ins) would have such significant effects upon the neighbour's light to represent a sustainable reason for refusal of the application.

A bat survey report submitted with the application concludes that the building operations, including removal of any roofing material and/or modifications to the main roof and roof void are unlikely to cause any disturbance to roosting bats or result in the loss of a nursery bat roost, resting place or hibernaculum or cause injury or death of a European Protected Species (EPS). The scale of impact on an EPS is likely to be low or negligible.

Overall, I consider the scheme of extensions and renovation work to be acceptable with regards to its effects upon visual amenity and the amenities of nearby residents.

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.

APPLICATION NO: 3/2009/1051/P (PA) & 1052 (LBC) (GRID REF: SD 374369 442013)
PROPOSED NEW CAR PARKING AREA ON LAND TO THE REAR OF VICARAGE PROVIDING 10 NO SPACES FOR RESIDENTS OF THE VICARAGE AND NO'S 15 AND 19 CHURCH STREET AND VISITORS AT ST MARY'S VICARAGE, CHURCH STREET, CLITHEROE

TOWN COUNCIL:	No objections.
LANCASHIRE COUNTY COUNCIL (ARCHAEOLOGY):	No archaeological comments to make.
LANCASHIRE COUNTY COUNCIL (HIGHWAYS):	<p>No objection in principle on highway safety grounds. The proposed layout compensates for the direct loss of public car park spaces necessary to break through the existing boundary wall. As the car park itself is within the control of Ribble Valley Borough Council, they will be party to any agreements concerning rights of access to the proposed residential spaces and the ongoing management and enforcement of their use (original plans).</p> <p>The parking layout has not altered in any significant way. No issues concerning the dimension or accessibility of the proposed car parking spaces. Confirm need to define with great care the rights of access through the Borough Council owned car park (revised plans).</p>
HISTORIC AMENITY SOCIETIES:	Consulted, no representations received.
ADDITIONAL REPRESENTATIONS: RVBC (Community Services)	<p>Surface water is shown to be disposed of via soakaway whereas previous discussions have indicated that a permeable surfacing would be used. The proposed finished levels indicate a fall towards the entry/exit of approximately 1:15 which will be too steep for a permeable surface to be effective. A soakaway may be problematical as it is anticipated that rock head will be near the existing finished ground level.</p> <p>There are no dimensions provided on the plan but the minimum bay size should be 5m x 2.5m. The plan layout of the car park will make manoeuvring into spaces 1 and 10 difficult. There appears to be sufficient space within the car park to turn a vehicle around but signage should be provided which prohibits the reversing of vehicles down the exit ramp (original plans).</p> <p>No additional comments (revised plans).</p>
CLITHEROE TOWN CENTRE PARKING COMMITTEE:	Support proposals as would help in a small way to alleviate the problems of parking in the town centre due to the ongoing erosion of on-street parking. No highway implications. Significantly improve the situation for No's 15, 17 and 19 Church Street who are the only ones to be affected by the proposals.

Proposal

Planning permission is sought to create a 10 space car park (x 3 RVBC replacement spaces for those lost in creating access, x 2 each for No's 15, 17 (vicarage) and 19, and one spare/visitor within the sunken garden of the vicarage's rear garden. Car parking bays are shown to be provided with permeable gravelled/stone chipping surfacing. The central access/traffic area is proposed to be tarmacadam with concrete edging. The site is to be accessed from the Borough Council car park which requires provision of a ramp, the demolition of a section of existing 1.8m high walling and the provision of a new sliding/side opening gate access.

The removal of all trees apart from a mature Holly is proposed and has been agreed by the Borough Council's Countryside Officer. Two selected standard Birch trees are proposed as replacements.

A section of historic retaining wall is suggested to be in poor condition and to have foundations at insufficient depth. It is proposed to rebuild this wall on new strip foundations.

Step accesses are proposed to be created in existing historic boundary walling from the car park to No's 15 and 19 Church Street.

The application form confirms that the site is not within an area at risk of flooding according to the Environment Agency's Flood Map.

Site Location

The Vicarage, No 17 Church Street, Clitheroe is an 18th century Grade II listed building prominently sited within Clitheroe Conservation Area. The adjoining and facing buildings are also Grade II listed, and the list descriptions state that No's 1-23 (odd) form a group with the Parish Church of St Mary Magdalene, No's 7-13 being buildings of local interest only.

The Clitheroe Conservation Area Appraisal (The Conservation Studio 2005; adopted by the Borough Council following public consultation 3 April 2007) states that "Church Street contains Clitheroe's best examples of Georgian buildings and, together with the street's stone paving, trees and well kept historic buildings is the town's best area of townscape culminating in St Mary Magdalene's Church at the top of the rise".

The rear garden of the vicarage slopes down to the adjoining Borough Council car park (allocated spaces) with an abrupt drop in level in the last section down to the area subject of the application. This space is enclosed by modern and historic limestone walling including a retaining wall for the raised part of the vicarage garden which would appear to be part of the listed building by virtue of Section 1(5)(b) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This space appears to be shown on the 1848 and 1886 Ordnance Survey Maps.

There are a number of mature and prominent trees within the site including a grouping immediately adjacent to the Borough Council office building.

Relevant History

3/2004/0752/P – Proposed window and door replacement to rear of vicarage. Replacing casement windows with sliding sash windows due to deterioration (listed building consent). Withdrawn.

3/1999/0918/P – Remove existing large chimney to slate level. Rebuild to match existing with reduced length to serve four flues. Listed building consent granted 25 January 2000.

3/1985/0708/P – Proposed general repairs and upgrading involving internal and external alterations including the removal of existing dormers on the roof. Listed building consent granted 4 February 1986.

Relevant Policies

Planning (Listed Buildings and Conservation Areas) Act 1990.

PPS5 'Planning for the Historic Environment'.

Policy ENV19 - Listed Buildings (setting).

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

Policy ENV16 - Development Within Conservation Areas.

Policy G1 - Development Control.

Policy G6 - Essential Open Space.

Clitheroe Conservation Area Appraisal.

Environmental, AONB, Human Rights and Other Issues

The main consideration in the determination of the listed building consent application is the duty imposed by Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. PPS5 'Planning for the Historic Environment' (March 2010) is replacement government policy for PPG15 and 16 and states at Policy HE9.1 that 'there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. Once lost, heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification..'.

In respect to the issue of setting, the Historic Environment Planning Practice Guide accompanying PPS5 states that 'buildings that are in close proximity but not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each. They should be considered to be within one another's setting' (paragraph 114) and 'the contribution that setting makes to the significance does not depend on there being public rights or an ability to access or experience that setting' (paragraph 117).

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes the same general duty as Section 16(2) in the consideration of planning application affecting a listed building. Additional main considerations in the determination of the planning application are the duty at Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of a

Conservation Area, the impact upon residential amenity, the impact upon the visual amenity value of trees and highway safety issues.

In my opinion the incursion of parked cars and hard standing into the historic garden area will impact upon the setting of the listed buildings and the character and appearance of Clitheroe Conservation Area. Whilst existing walling and the proposed gate will screen much of the area and parked vehicles, site levels will mean that there will be some visibility from the Borough Council's car park. However, I am mindful of the difficulty in reducing levels because of tree roots and the closeness of bedrock to the surface and in my opinion this concern is not of a significance to warrant refusal of the application. In my opinion, the rebuilding and construction of new foundations for the historic walling in disrepair is justified and has an acceptable impact upon the character of the listed building.

No comments have been received from nearby residents and I am also mindful that the car park is of benefit to those residents immediately adjacent to the site. Therefore I do not consider the proposal to have an unacceptable impact upon residential amenity.

Whilst I note the concerns of RVBC Community Services in respect to highway safety and site drainage, I am mindful of the comments of Lancashire County Council (Highways) and also do not consider the drainage of this site to be a significant consideration in the determination of the planning application.

The loss of trees within Clitheroe Conservation Area has an impact upon visual amenity but I note the involvement of the Borough Council's Countryside Officer in scheme preparation, the retention of the mature Holly tree and proposals for new tree planting in the tree group adjacent to the Borough Council's offices.

SUMMARY OF REASONS FOR APPROVAL

The proposal has an acceptable impact upon the character and setting of the listed building, the character and appearance of Clitheroe Conservation Area, highway safety and residential amenity.

RECOMMENDATION 1: 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. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 16 February 2010.

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

3. Precise specifications and samples of walling and gate materials and details of any surface materials (including car park surfacing) to be used including their colour and texture shall

have been submitted to and approved by the Local Planning Authority before their use in the proposed works.

REASON: In order to safeguard the character and setting of the listed building.

4. The proposed timber gate shall be painted in a colour to match the adjoining stonework within one month of its installation and retained as such in perpetuity.

REASON: In order to safeguard the setting of the listed building and the character and appearance of Clitheroe Conservation Area.

5. The approved landscaping 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 Policy G1 of the Ribble Valley Districtwide Local Plan.

6. Prior to the commencement of any site works a tree protection monitoring procedure including a time scale for site visits and remedial tree works shall be agreed in writing with the local planning authority.

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] the details of which shall be agreed in writing.

A protection zone 12 x the DBH covering at least the entire branch spread of the tree/s, [the area of the root soil environment measured from the centre of the trunk to the edge of the branch spread] shall be physically protected and 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.

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/ Conservation area/considered to be of visual amenity, historic or botanical 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.

7. Precise specifications, including cross-sectional drawings of the two rows of parking spaces, of any proposed ground level raising shall have been submitted to and approved by the Local Planning Authority before commencement of the proposed works.

REASON: In order to minimise the impact of the development on the setting of the listed building and the character and appearance of Clitheroe Conservation Area.

NOTE

1. The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.

RECOMMENDATION 2: That listed building consent 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 16 February 2010.

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

3. Precise specifications and samples of walling and gate materials and details of any surface materials (including car park surfacing) to be used including their colour and texture shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works.

REASON: In order to safeguard the character and setting of the listed building.

4. The proposed timber gate shall be painted in a colour to match the adjoining stonework within one month of its installation and retained as such in perpetuity.

REASON: In order to safeguard the setting of the listed building and the character and appearance of Clitheroe Conservation Area.

APPLICATION NO: 3/2009/1061/P (GRID REF: SD 360806 437293)
CONVERSION OF REDUNDANT BARN TO FORM SINGLE, 2 BED DWELLING AT
17 DILWORTH LANE, LONGRIDGE

TOWN COUNCIL: No objections.

- LCC HIGHWAYS OFFICER: No objections to the proposal on highway safety grounds.
- ADDITIONAL REPRESENTATIONS: Two letters have been received from nearby neighbours who wish to raise the following points of objection:
1. If converted, there would be parking issues for the barn and existing house, as no parking aside from the one garage is shown,
 2. No planning notices have been posted in the area regarding the application,
 3. Surface water comes down pipes directly onto South View's drive and discharges onto the drive causing flooding,
 4. Concerns that the applicant is claiming the footpath to be his own, but it is clearly an adopted footpath (copy of deeds for house sent in confirming this), and
 5. In respect of the originally submitted scheme, concern was raised about the position of the front door (now moved to a different position on site – see amended plans).

Proposal

This application seeks approval for the conversion of an existing barn adjacent to no. 17 Dilworth Lane, Longridge, into a single, 2 bed dwelling with an integral garage space.

Site Location

The site lies within the settlement boundary of Longridge, and within the Longridge Conservation Area, as defined by the Ribble Valley Districtwide Local Plan.

Relevant History

None relevant.

Relevant Policies

Policy G1 - Development Control.

Policy G2 – Settlement Strategy.

Policy ENV16 – Development within Conservation Areas.

Policy H15 – Building Conversions – Location.

Policy H16 – Building Conversion – Building to be converted.

Policy H17 – Building Conversions – Design Matters.

Longridge Conservation Area Appraisal 2007.

Environmental, AONB, Human Rights and Other Issues

The keys issues with regards to this proposal are the principle of the development, the visual impact on the character of the building by virtue of the proposed alterations, the visual impact on the Conservation Area and street scene by virtue of the proposed alterations, and potential impact on nearby residential amenity and any potential impact on highway safety.

PRINCIPLE OF THE SITE FOR HOUSING

With regards to the principle of the development, this is a scheme for one new residential unit within Longridge, which is covered by Policy G2 of the Local Plan that allows for development wholly within the built part of the settlement. Therefore, I am satisfied the principle of development is in accordance with plan policy.

VISUAL IMPACT OF BARN CONVERSION

Whilst the principle of the development of the site for a new build dwelling would be acceptable, it is still considered important to look at the relevant Policies in respect of barn conversions to ensure the scheme has a high standard of design and will have minimal impact on the character of the building which is considered of 'Townscape Merit' within the Longridge Conservation Area Appraisal. Therefore, in respect of Policies H15, H16 and ENV16, Policy H15 states that 'Permission will be granted for the conversion of buildings to dwellings in situations where there would be no materially damaging effect on the landscape'. In addition, the Policy also notes that in respect of the re-use of buildings, the Council must also have regard to the contribution the building makes and the effect any proposal would have on the natural beauty of the area. Policy H16 notes that "the building must be structurally sound and capable of conversion, without the need for extensive or major alterations which would adversely affect the character or appearance of the building", and that "the character of the building and its materials are appropriate to its surroundings and the building is worthy of retention".

It is considered that due to the roadside location of the building and the contribution it makes to the Conservation Area, the building is considered to be of architectural and landscape merit, and is of visual benefit to the location, and as such, its retention is considered worthy. The Council must therefore assess whether there will be any harm caused to the location, or indeed the building, by virtue of the conversion of the building.

Details have been supplied to indicate that the building is structurally sound and capable of conversion, and the scheme proposed utilises all the existing openings within the building, without the need for additional large openings. The scheme includes the removal of the large barn door on the front elevation in order to provide a new recessed garage door with a bedroom window at first floor, however the existing opening is utilised to its maximum in order to prevent the need for significant alterations to this main elevation. This will of course have some visual impact on the building, however considering this is the only external alteration required, I am satisfied that the conversion is sympathetic to the building itself, and to the setting of the Conservation Area.

In considering the above, the scheme is considered to comply with Policies H15, H16 and ENV16, in that there will be no materially damaging effect on the character of the building, or on the setting or character of the Conservation Area.

RESIDENTIAL AMENITY

With regards to any potential impact on the residential amenity of the occupiers of the nearby properties, given the extremely small nature of the windows proposed within the tiny existing openings, I do not envisage there will be a significant impact on the amenity of the occupiers of the adjacent property by virtue of overlooking. In respect of the proposed garden area, the land to the rear of the building will be formalised as garden area for the new dwelling and controlled by the removal of normal permitted development rights. Given the close-boarded fence

surrounding the site at present, at approx. 1.7m in height, and the fact it is already used as additional garden area to no. 17 Dilworth Lane, the impact on the amenity of the nearby neighbours will be minimal.

HIGHWAY SAFETY

Following the various amendments to the scheme, the LCC Traffic and Development Engineer has raised no objection to the proposal on highway safety grounds as the 2-bed property provides one off road parking space by virtue of the integral garage, which is considered adequate off-street parking for a dwelling of this size.

Finally, 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 potential for contamination on site due to the previous uses undertaken on site, they would recommend that an investigation and assessment be carried out prior to any work being undertaken. This can be dealt with a suitable planning condition.

Therefore, bearing in mind the above comments and whilst I am mindful of the points of objection from the nearby neighbours, I consider the scheme to comply with the relevant policies, and as such 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 or be to the detriment of highway safety. The scheme also has an acceptable impact upon the character and setting of the Building of Townscape Merit and the Longridge Conservation Area.

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

1. All the external works of the development hereby permitted shall be completed before the expiration of three years from the date of this permission.

REASON: In order that the Local Planning Authority retains effective control over the development and to ensure that there is no significant deterioration in the condition of the building contrary to Policies G1 and H16 of the Ribble Valley Districtwide Local Plan.

2. The permission shall relate to the development as shown on Plan Drawing No's 0368/93/60B, 0368/93/21C and 0368/93/26A.

REASON: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.

3. This permission shall relate to the proposed conversion in accordance with the structural survey submitted as part of the application and dated 21 December 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.

4. This permission shall be implemented in accordance with the proposal as amended by letter and plans received on the 15 January 2010, 18 March 2010 and 23 March 2010.

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

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 Policies G1, ENV1, H15, H16 and H17 of the Ribble Valley Districtwide Local Plan.

6. 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.

7. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2008 (or any order revoking or re-enacting that Order) any future extensions, external alterations to the dwelling including any development within the curtilage as defined in Schedule 2 Part 1 Classes A to HV and Part 2 Class A shall not be carried out without the formal consent of the Local Planning Authority.

REASON: In order that the Local Planning Authority shall retain effective control over the development to ensure compliance with Policies G1 and H18 of the Ribble Valley Districtwide Local Plan.

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

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. Prior to the commencement of development, a site investigation and assessment shall be carried out in order to assess the potential for any contamination on site. The content of the findings shall be subject to the approval in writing by the Local Planning Authority. The development itself will thereafter incorporate any remedial measures shown, or subsequently found, during the development of the site, to be necessary.

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.

APPLICATION NO: 3/2010/0004, 0005, 0006, 0007 and 0008
(GRID REF: SD 377152 450450)

PROPOSED CONSTRUCTION OF TIMBER FRAMED AGRICULTURAL BUILDINGS IN FIVE PHASES AT WYCONGILL FARM, HOLDEN LANE, BOLTON-BY-BOWLAND

PARISH COUNCIL: No observations received at the time of preparing this report.

ADDITIONAL REPRESENTATIONS: No observations received at the time of preparing this report.

Proposal

This proposal is for a new agricultural building measuring approximately 60m x 33m and would have a maximum height of approximately 5m. The building is to be used for livestock purposes as well as a small sand bunker which measures approximately 9m x 5m. The building is to be constructed of vertical timber cladding with the roofing to be dark blue cladded material. The design of the building has resulted in three gables with the main building located in a central position which is 5.1m in height with the other buildings at a lower level of approximately 4m in height. The buildings are to be dug down into the existing land by approximately 1m which will result in the proposed buildings being approximately 1m above the height of the existing agricultural building which are adjacent to the complex.

The building is to be constructed on a vertical timber cladding with the roof to be dark blue cladded material. The open elevation is the south elevation which will face towards the highway but be approximately 100m from the road frontage.

Site Location

The building is located in the Area of Outstanding Natural Beauty and within the proximity of the listed building known as Wycongill. The complex is on the outskirts of Bolton-by-Bowland and other than an existing farmstead the nearest dwellings are approximately 200m away.

Relevant History

3/2007/0984 – Change of use of redundant barn to agricultural worker’s dwelling. Approved with conditions.

3/2007/0363 – Proposed dwelling. Refused.

Relevant Policies

Policy G1 - Development Control.

Policy ENV1 - Area of Outstanding Natural Beauty.

SPG – “Agricultural Buildings”.

Environmental, AONB, Human Rights and Other Issues

The main issues to consider in relation to this application relate to the visual impact of the buildings which are located within the Area of Outstanding Natural Beauty. Furthermore it is right and proper to have regard to the agricultural justification and need for this building.

In relation to the agricultural justification the applicant has submitted details indicating the requirements for this building. I am satisfied that the location of the building and design is requisite for agricultural purposes and, as such, I am confident that there is an agricultural justification for the buildings.

In relation to the visual impact, the building is of a significant size and, as such, would be noticeable in the local landscape. The building is within the Area of Outstanding Natural Beauty and therefore great care must be given to both design and its location. I am satisfied that there is no other location within the farmstead that would be less obtrusive and that the applicant has sought to minimise the visual impact by excavating the building down by approximately 1m so that the roofscape will not be significantly higher than the existing agricultural buildings. The main farmhouse, which is a Grade II listed building, will not be affected in terms of the visual impact resulting from this building.

The applicant has indicated that the existing buildings are to be used and this proposal is to comply with modern standards in relation to animal welfare.

In assessing any application within the Area of Outstanding Natural Beauty it is important to have regard to whether or not there is a need for environmental impact assessment under Schedule 2 Developments. I am satisfied that as this will not result in a significant increase in livestock nor can it be interpreted as an intensive livestock installation as it does not fall within the indicative threshold and criteria as per Schedule 2 of the Environmental Impact Assessment under Circular 02 1999.

In relation to Environment Agency issues, the site is not within Flood Zone 2 or 3 and the overall size of the proposed building is less than 1 hectare of operational development and, as such, there is no need for a formal consultation with the Environment Agency.

I also consider that as the proposal will not involve a significant increase in livestock on the site, the resultant waste can be accommodated within existing buildings.

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 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 relate to the proposal as submitted by plans reference JM3/2010 0004/05/06/ 07 and 08 A and 0004/05/06/07 and 08 B.

REASON: For the avoidance of doubt.

3. 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.

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.

4. 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”.

NOTE(S):

1. The proposed development must comply fully with the terms of the Control of Pollution (Silage, Slurry and Agricultural Fuel Oils) Regulations 1991, (as amended 1997).

APPLICATION NO: 3/2010/0026/P (GRID REF: SD 365560 431075)
PROPOSED ERECTION OF SHEDS TO REAR OF 8 PROPERTIES AT 9-16 WEAVERS FOLD, MELLOR

PARISH COUNCIL: Wishes to specifically object to the positioning of shed on Unit 18 which will block the site on egress from the adjacent property on Abbott Brow.

ADDITIONAL REPRESENTATIONS: Two letters of objection have been received to the originally submitted plans which raise the following points:

1. Reference to the need for the housing development in the first place.
2. The houses do not have proper gardens and therefore is there a need for the sheds.

3. The sheds are in full view of the road around the bend with no pavements to provide a buffer from the eyesore.
4. Loss of light to an adjacent dwelling and feeling of confinement and overbearing nature of development.
5. Highway safety as positioning of shed to No 16 will fully obstruct views of exit from driveway.

Proposal

Consent is sought for the erection of sheds to eight properties on the development at the junction of Abbott Brow and Mellor Lane. The plan has been revised since original submission and now details what is better described as eight cycle sheds with approximate dimensions of 2m x 900mm x 1.4m in height. In respect of plots 15 and 16 these are now to be sited abutting the side walls of the property as is the case for unit No 9. The remaining five would be set to the rear of the dwellings. The cycle sheds are of powder coated metal construction and have a folding door in order to open them.

Site Location

Weavers Fold is set to the north of Mellor Lane with the overall site being L shaped wrapping around housing on Mellor Brow. To its west is an open field, then Methodist Church. The site rises in a northerly direction with the sheds to be provided to dwellings at the northern and eastern site extremes.

Relevant History

3/09/0550/P – Discharge of conditions 3, 5 and 10 of 3/2008/0661/P. Approved 10 July 2009.

3/08/0661/P – Erection of 16 dwellings. Approved with conditions 8 October 2008.

Relevant Policies

Policy G1 - Development Control.

Environmental, AONB, Human Rights and Other Issues

Matters for consideration in the determination of this application are visual and residential amenity. In its originally submitted form, the application detailed traditional sheds in the rear gardens of the properties but negotiations have led to the proposal now before Members.

The cycle stores are of a much reduced scale from the sheds and are now of such a scale whereby I do not consider them to have a significantly detrimental impact on visual amenity. The relocation of those to serve plots 14, 15 and 16 which abut Abbott Brow mean that in terms of street scene there would be no adverse impact. Again, the relocation to the side elevation of unit 16 abutting its gable end will reduce the impact on the neighbouring property and not cause any problems in terms of sight lines when manoeuvring in and out of their driveway. Indeed, the structures are of such proportions that it could be questioned as to whether they would fall within the definition of development at all, and in this respect there are three points to look at, namely size, permanence, and physical attachment. I have been advised that these would have

to be bolted down to the flagged areas on to which they are to be set and this, together with their degree of permanence lead me to conclude that formal consent is required in this instance.

Therefore, having regard to the amended details as received on 31 March 2010, I am satisfied that the cycle stores would not prove significantly detrimental to the visual qualities of the area or neighbouring residential amenity. Whilst I note the concerns of objectors to the originally submitted plans, I consider that the revised plan satisfactorily addresses those points which relate directly to the provision of garden sheds 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.

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 development as amended on drawing No 500/PL/09 proposed sheds received on 31 March 2010.

REASON: For the avoidance of doubt as the scheme has been the subject of agreed amendments and to clarify which plan is relevant.

APPLICATION NO: 3/2010/0073/P (GRID REF: SD 360912 437334)
PROPOSED ERECTION OF A TWO STOREY FOUR BEDROOMED DETACHED PROPERTY
AT LAND ADJACENT 26 DILWORTH LANE, LONGRIDGE

TOWN COUNCIL: No objection providing it meets with LCC highways criteria in relation to access.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): The proposed development provides for the requisite three off road parking spaces and these provide safe access to and from Dilworth Lane in a forward gear. Thus I raise no objections on highway safety grounds.

ADDITIONAL REPRESENTATIONS: Three letters of objection have been received, the comments of which can be summarised as follows:

1. The height of the property will result in a loss of light. There is already a Leylandii type tree that has been allowed to grow which is towering above the adjacent property and is resulting in a loss of light and represents a danger to the house.

2. Surface water drainage is written as soakaway and this will cause problems to the adjacent property which is set at a lower level and already experiencing problems from a new house built on Higher Road.
3. The septic tank for No 26 is partly under what will be the new drive and garden with that tank having another property connected to it.
4. The driveway will be next to a retaining wall.
5. When the adjacent property was built, there was a condition that it should be on mains drainage with sufficient drainage not to cause a nuisance to properties lower than that.
6. Any new house must conform to the current building line of No 26.
7. No garage is shown which is considered unrealistic given the nature of the planning approval. The preference for a house and combined garage design which would make more effective use of the land and prevent the threat of an imposing garage building being erected at some later stage.
8. Clarification is sought regarding the height and from where on site this would be measured from as it is a sloping site.

Proposal

This is an outline application with all matters reserved for future submission for the erection of a single dwelling. The submitted details give an indicative layout, access point and scale parameters of development which show a two storey dwelling with ridge height of 8-8.5m set to the western side of the site (adjacent No 26) with the access point at the eastern boundary (adjacent to No 24). An indicative street scene view was submitted on 31 March in order to give an impression of the existing and proposed views of the site from Dilworth Lane.

Site Location

The land is presently part of the garden area to No 26 and is, like all the other plots, set at a higher level than the roadside. Dilworth Lane rises in a westerly direction with the application site set to the north of this. It is within the identified settlement limit of Longridge with properties to either side and to the opposite side of the road.

Relevant History

None.

Relevant Policies

Policy G1 - Development Control.

Policy G2 - Settlement Strategy.

Environmental, AONB, Human Rights and Other Issues

Matters for consideration at this outline stage are the principle of development, highway safety and effects on amenity – residential and visual.

In respect of principle, the site lies within the identified settlement boundary of Longridge where Policy G2 allows for development wholly within the built part of the settlement or the rounding off of the built up area. Thus I am satisfied that the requirements of Policy G2 are met and that the principle of residential development on this site is appropriate.

The County Surveyor has raised no objection in principle to the development or to the indicative access point shown on the submitted drawing. Thus in highway safety terms the scheme is considered acceptable at this stage.

With regard to amenity (residential and visual) this is an outline submission and thus whilst an indicative layout and height of buildings have been provided, there are no detailed elevational or floor layout details to assess whilst an indicative street scene has been provided this is only illustrative at this stage. The building is shown to be sited approximately 4m from the eastern elevation of No 26 and have a footprint area of approximately 7.5m x 10.5m. It is detailed as having a front building line to match that of No 26 with two parking spaces shown to the front of this. Whilst there are two ground floor side windows in No 26, these are secondary windows to large bay windows to the front and rear and thus I do not consider that building in the position shown would significantly affect that property in terms of light loss. In fact the design and access statement that accompanies the application has stated that these would be blocked up. In respect of potential impact on No 24, that property is set at a lower level with there being two trees on the application site in front of the gable window to that property. These are shown to be retained and as Members will note from the objections received, that property considers themselves to suffer from a loss of light. In terms of the siting of the dwelling, I do not consider that No 24 would be so significantly affected from the property in the location shown as to warrant an unfavourable recommendation.

Turning to street scene the plot does have an unusually large garden area compared to others in the immediate vicinity. A dwelling on this land would not appear unduly out of character with the street scene and the siting put forward would adhere to the existing building line of properties. I note that the parking is shown to the front of the building and this is an area that will be prominent given the elevated setting of the plots from the roadside. However, there is an existing established hedgerow which will be predominately retained and it is not uncommon to find parking areas to the front of dwellings. Subject to appropriate landscaping and boundary treatments, I do not consider this feature would prove unduly dominant in the wider street scene.

A comment has been received from a neighbour questioning the height of the building and from where on site this would be measured as it is a sloping site eastwards towards No 24. As stated previously the dwelling is sited towards the western boundary and should Committee be minded to approve the application, it is suggested that a condition be imposed requesting a contoured site plan as well as slab levels at reserved matters stage. At this stage however, it is

considered that the details provided are sufficient to assess the building with a height of between 8-8.5m would not be over dominant in the street scene at this location.

Concerns have been raised by objectors regarding surface water drainage, the need for mains drainage and location of the septic tank. Whilst these comments are noted, this is not a matter for Committee to concern themselves with as this will be considered in detail at such time as building regulations approval is sought. Therefore, having carefully considered all the above, I am of the opinion that the scheme accords with policy and 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. 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, final approval of the last such matter to be approved.

REASON: In order that the Local Planning Authority shall be satisfied as to the details and because the application was made for outline permission and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

2. Detailed plans indicating the design and external appearance of the buildings, landscape and boundary treatment, parking and manoeuvring arrangements of vehicles, including a contoured site plan showing existing features, the proposed slab floor level and road level (called the reserved matters) shall be submitted to and approved by the Local Planning Authority before development commences.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and in order that the Local Planning Authority should be satisfied as to the details and because the application was made for outline permission.

3. This permission shall be implemented in accordance with the proposal as detailed on drawing GV587/03REVA proposed site plan, and GV587/05 existing and proposed street scene view received on 31 March 2010.

REASON: For the avoidance of doubt to clarify which plan is relevant.

APPLICATION NO: 3/2010/0079/P

(GRID REF: SD 368599 431934)

PROPOSED DEMOLITION OF THE EXISTING BUNGALOW AND REPLACEMENT WITH A DETACHED DORMER BUNGALOW AT 15 KNOWSLEY ROAD, WILPSHIRE

PARISH COUNCIL: The Parish Council is concerned that the new build will be 1 metre higher at the ridge than the existing bungalow, which is only 5.5m in height. The concerns relate to the street scene and whether this will sit comfortably adjacent to smaller properties.

LCC TRAFFIC AND DEVELOPMENT ENGINEER: No observations or comments have been received at the time of the reports submission.

ADDITIONAL REPRESENTATIONS: No additional representations have been received.

Proposal

Planning permission is sought for the proposed demolition of an existing bungalow, and its replacement with a detached dormer bungalow. Permission was granted in June 2008 for a proposed roof lift to the existing bungalow and the insertion of three dormer windows in the front elevation. This proposal sought by this application will provide a new build dwelling of the same dimensions as already approved by the earlier application, minus one dormer window to the front elevation.

Site Location

The site is located to the east of Hurst Green just outside the main settlement boundary and within the Area of Outstanding Natural Beauty with part of the site just within the Hurst Green Conservation Area. Access to the site is from Avenue Road.

Relevant History

3/2008/0368/P – Proposed extension and loft conversion including dormers to front and roof lights to rear – Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.
Policy ENV3 – Development in Open Countryside.
Policy ENV4 – Green Belt.
Policy H10 – Residential Extensions.
Policy SPG – “Extensions and Alterations to Dwellings”.

Environmental, AONB, Human Rights and Other Issues

Planning permission is sought for the proposed demolition of an existing bungalow, and its replacement with a new build, detached dormer bungalow. As noted above, permission was granted in June 2008 for a proposed roof lift to the existing bungalow and the insertion of three dormer windows in the front elevation. This proposal will provide a new build dwelling of the

same dimensions as already approved by the earlier application, minus one dormer window to the front elevation, and as such the principle of the design, scale and form of the replacement dwelling on site has already been accepted. The Agent has noted within the D&A that the approved works cannot be carried out as an 'extension' to the existing dwelling due to the poor foundations in situ, and the requirement for substantial underpinning works. In addition, given the age of the property, the thermal efficiency is poor and lacks insulation, and it is thought more effective and environmentally friendly to create a new build dwelling that complies with all the current building Regulations and the Code for Sustainable Homes.

On this basis, in terms of the visual impact of the scheme, the scale, size and design of the proposals are acceptable and would not dominate the streetscene, especially considering that a similar proposal has been approved on neighbouring property 17 Knowsley Road. With regards to potential impact on neighbouring properties any effects would be minimal as any windows to the side elevations of the neighbouring properties are obscure glazed, the extension to the rear is single storey and therefore would have minimal impact upon the rear of neighbouring properties and there are no properties to the rear.

Therefore, whilst I am mindful of the objection made by the Parish Council, I consider the scheme to comply with the relevant Local Plan Policies, and as such be 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 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 permission shall relate to the development as shown on Plan Drawing No's JH/10/01, JR/10/02 and JR/10/03.

REASON: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.

3. Precise specifications and samples of 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 Policy G1 of the Ribble Valley Districtwide Local Plan.

4. 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 5 February 2010.

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.

APPLICATION NO: 3/2010/0085/P (GRID REF: SD 368066 441935)
PARTIALLY RETROSPECTIVE APPLICATION FOR THE CONSTRUCTION OF A 3M WIDE AGRICULTURAL ACCESS TRACK ON LAND ADJACENT TO CHADSWELL HALL TO INCLUDE THE CREATION OF A NEW ACCESS ONTO THE PUBLIC HIGHWAY AT CHADSWELL HALL, CHIPPING ROAD, CHAIGLEY

PARISH COUNCIL: The Parish Council object on the grounds that the previous plans were not objected to, but feel that the revised plan is dangerous as regards access to the main road.

LCC TRAFFIC AND DEVELOPMENT ENGINEER: I have no objection to this retrospective application in principle on highway safety grounds.

ADDITIONAL REPRESENTATIONS: No additional representations have been received.

Proposal

Partially retrospective planning permission is sought for the creation of a new, 3m wide agricultural track on land adjacent to Chadswell Hall, with a new vehicular access point onto Chipping Road. The new track will lead to a livestock handling facility situated at the end of the proposed track, and will replace the existing field access which is situated adjacent to the boundary with Chapel House, which is considered by the Agent as dangerous due to poor visibility in either direction. This new access has been positioned so as to take advantage of much improved visibility onto the public highway, and in leaving a gated access approx. 15m long the access from the highway's edge, this also allows farm vehicles to pull safely off the highway before having to stop the vehicle to open them. The track is screened from the adjacent highway by virtue of an existing dense boundary of trees, planting and hedgerow and the track itself will be constructed from dark grey, crushed quarry stone with a covering of soil and then spread with grass seed.

Site Location

The site is located on the outskirts of the hamlet of Chaigley, within the Forest of Bowland Area of Outstanding Natural Beauty.

Relevant History

3/2008/0522/P – Amendments to existing driveway route, and relocated access feature to front forecourt – Granted Conditionally.

3/2008/0384/P - Alterations and extension to main entrance off Chipping Rd, to improve visibility for vehicles exiting the drive onto Chipping Rd; to provide entrance feature appropriate for the project and to provide field access gates outside the secure main gates - Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.

Policy G5 – Settlement Strategy.

Policy ENV1 – Area of Outstanding Natural Beauty.

SPG – Agricultural Buildings and Roads.

Environmental, AONB, Human Rights and Other Issues

The main issues to consider in respect of this proposal are the visual impact of the proposed track and any potential highway safety implications by virtue of the new access point off Chipping Road.

With regards to the visual impact of the proposed scheme, it is important to consider the information within the SPG 'Agricultural Buildings and Roads. It notes that in terms of the siting of a new track, it should,

- avoid causing harm to features such as trees, woodland and ponds, and
- where practicable, it should follow established field boundaries and contours to avoid unnecessary scarring of the landscape.

And in terms of materials, it should,

- darker surfaces are less noticeable than light ones, and
- when concrete or crushed aggregate is used, two strips with a central grass verge is preferred.

On this basis, it is considered that the track has been sited to follow existing field boundaries and contours, and takes full use of the existing boundary treatments along the highway boundary edge. With regards to the materials proposed, the use of dark grey crushed quarry stone that will then be covered in soil then seeded in its entirety is considered to comply with the provisions of the above guidance, and as such the proposal is not considered to cause significant detrimental visual harm to the location within the A.O.N.B. or the site in its entirety.

With regards to the impact of the scheme on nearby highway safety, the Traffic and Development Officer from Lancashire County Council raises no objections to the scheme on highway safety grounds based on the following assessment. He notes that the position of the new access provides adequate separation from the existing residential access to Chadswell Hall and secures the best available sightlines on this section of highway, and that the existing arrangements for accessing this field were unsafe and needed to be reviewed. The proposed access also has minimal impact on the adjacent lines of hedgerow and does not affect the condition of established trees, and the sightlines achieved are in excess of 100m to the west

and up to 80m to the east, as defined by the road level and alignment. In addition, the alignment of the service track and the location of the security gate also provides adequate provision for vehicles turning from and emerging onto Chipping Road.

Therefore, whilst I am mindful of the objection made by the Parish Council, I consider the scheme to comply with the relevant Local Plan Policies, and as such be recommended accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposal represents an appropriate form of development and given its design 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 permission shall relate to the development as shown on Plan Drawing No. Ain/431/1084/01.

REASON: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.

2. The existing agricultural access (indicated on plan drawing Ain/431/1084/01) shall be physically and permanently closed and the existing verge shall be reinstated concurrent with the formation of the new access

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to limit the number of access points to, and to maintain the proper construction of the highway.

APPLICATION NO: 3/2010/0180/P (GRID REF: SD 364160 431150)
RENEWAL OF PERMISSION 3/2007/0136/P FOR PROPOSED DEMOLITION OF EXISTING COMMERCIAL PREMISES/SITE CLEARANCE AND ERECTION OF NINE APARTMENTS PLUS ACCESS IMPROVEMENTS AND REALIGNED STREAM TO OPEN CULVERT (AMENDMENT OF PERMISSION 3/2002/0627/P) AT PACK HORSE GARAGE, MELLOR BROW, MELLOR BROOK

PARISH COUNCIL: No objections.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No representations had been received at the time of report preparation.

ADDITIONAL REPRESENTATIONS: At the time of report preparation, one letter had been received from a nearby resident who objects to the application on the grounds of detriment to highway safety and noise nuisance to nearby residents during the construction of the development.

Proposal

Planning permission was granted in 2002 for the demolition of the existing commercial building on this site and erection of nine apartments on the cleared site (3/2002/0627/P).

In 2007, application 3/2007/0136/P was submitted which sought planning permission for the demolition of the existing commercial premises/site clearance and erection of nine apartments plus access improvements and realigned stream to open culvert as an amendment of previous permission 3/2002/0627/P. Permission was granted but, as no works had been carried out on site, the permission would have lapsed on 4 April 2010 had this current renewal application not been submitted before that date.

The approved development for which renewal permission is sought involves the demolition of the existing building and the erection of a three storey building comprising five three bed apartments, three two bed apartments and one, one bed apartment. Four of the apartments would occupy the ground floor whilst the other five are all two storey units occupying the upper two floors.

The building has two main storeys with the top floor accommodation being within the roof space. The properties are to be split on a vertical basis which allows the elevations to reflect the traditional terraced cottages prevalent in the area and floor levels will rise to suit the levels of Mellor Brow, creating a stepped roof line. All the proposed external materials are to match the traditional materials of the area with natural coursed stone to walls with some areas of spar dashed render and natural blue slate to the roofs. Natural stone lintels and sills will be created to all openings with UPVC windows and doors to a traditional sash window appearance.

Vehicular access to the site will be via an improved roadway created over the current substandard unmade Victoria Terrace, retaining the junction position with Mellor Brow and access to the properties of Victoria Terrace. A new turning head will be created to serve the new properties. The new access takes advantage of the applicant's ownership of 87 Mellor Brow and 2 Victoria Terrace to allow the creation of pedestrian footpaths to each side of the new junction whilst maintaining the current alignment of the main carriageway. The new access road and turning space are constructed to dimensions agreed with the County Highway Engineer, and will be to adoptable standards.

Pedestrian access from Mellor Brow is restricted to maintenance access only to avoid the possibility of parking taking place on Mellor Brow itself. All main entrances to the apartments are to the rear and accessed via the adopted road and parking areas. The parking area itself is created on a current hard standing which is to be improved with a tarmac finish to provide 20 parking spaces (ie two spaces per dwelling plus two visitor spaces). Pedestrian access to these areas will be via the adopted roadway or via a pedestrian footpath created on the opposite side of the brook which runs through the site, with new pedestrian bridges to be formed over the brook itself.

The proposal also involves the diversion of a section of Mellor Brook in order to replace an existing culverted section with an open channel at the far southern end of the site beyond the parking area. These works were agreed by the Environment Agency at the time of consideration of application 3/2007/0136/P.

Site Location

The site is located within the village boundary of Mellor Brook on the south side of Mellor Brow to the west of Victoria Terrace and opposite the backs of houses in The Willows.

Relevant History

3/99/0333/P – Conversion of existing building and extensions to provide 11 flats and one house with associated garages and car parking. Refused and appeal dismissed.

3/02/0627/P – Demolition of existing commercial premises and erection of nine apartments on cleared site. Approved 19 December 2002.

3/2007/0136/P – Demolition of existing commercial premises and erection of nine apartments on the cleared site. Approved with conditions 4 April 2007.

Relevant Policies

Policy G1 - Development Control.

Policy G3 - Settlement Strategy.

Policy ENV10 - Development Affecting Nature Conservation.

Policy ENV13 - Landscape Protection.

Affordable Housing Memorandum of Understanding (AHMU).

Environmental, AONB, Human Rights and Other Issues

The original application for a development of nine apartments on this site (3/2002/0627/P) was considered in relation to the relevant policies of the Districtwide Local Plan and was deemed to be acceptable subject to a number of conditions. That application was determined prior to the housing moratorium.

The application for an amended scheme (3/2007/0136/P) was submitted at the time when the housing moratorium was in place. However, as the original permission was still extant, the situation at the time of an over provision of housing was considered to be of no relevance to the determination of the application. Permission was therefore again granted subject to a number of conditions, the first of which required the development to be commenced before 4 April 2010. The development has not been commenced but this renewal application was received prior to that date.

As we are no longer in a position of housing over provision, the application again falls to be considered within the context of the same Local Plan Policies that were applicable to the original application in 2002. As such, the proposal would again be acceptable in principle subject to the same conditions as those that were originally imposed.

Case Law generally indicates that applications for the renewal of existing planning permissions should be approved unless there has been a material change in planning circumstances since the original permission was granted such as a change in some relevant planning policy for the area. Case Law also indicates that the existence of an extant planning permission is a particularly important material consideration for two reasons. These are: a) natural justice as it is not considered to be fair administration to allow one thing and then to turn round and deny

something similar, b) that the development for which permission has been given could be implemented should any later proposal be refused.

In this case, the only change in circumstances since the original permission is the existence of the Affordable Housing Memorandum of Understanding (AHMU) as a 'material planning consideration'. In this case, the AHMU would require two of the proposed nine units to be affordable. However, as this renewal application was submitted whilst the original permission was still extant, and as the AHMU only has the status of a 'material planning consideration' as opposed to an adopted planning policy, I consider that it would be unreasonable to refuse the renewal application for the reason that it does not satisfy the requirements of the AHMU.

However, as it would not significantly change the nature of the development, I consider that it would be reasonable, if the Committee is minded to grant permission, to impose an additional condition relating to renewable materials (in line with our current practice in respect of residential developments).

Due to the passage of time since the original permission was granted, the condition relating to a bat survey will also require amending.

The objections raised in the one letter that had been received at the time of report preparation relate to matters that were fully considered in relation to the original application. These matters therefore do not represent any reasons to refuse this renewal application.

Overall, for the reasons outlined in the report, I can see no sustainable objections to the renewal permission being granted subject to appropriate conditions.

SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on visual amenity, nearby residential amenity, or highway safety; and as there have been no material changes in planning circumstances since the original planning permission was granted in 2007.

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.

3. Prior to commencement of the development precise details of the proposed slab floor level(s) and any appropriate road level shall be submitted to and approved in writing by the Local Planning Authority.

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

4. 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.

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.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) the building(s) shall not be altered by the insertion of any window or doorway 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. Before any building works commence, the site access and footways shall be constructed to full adoption standards as defined in the Lancashire County Council Specification for Construction of Estate Roads and shall be used as the sole means of vehicular access for construction traffic and, thereafter, for development traffic.

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

7. All construction traffic and construction vehicles shall be parked clear of the adopted highway, Mellor Brow, at all times.

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

8. The area of the forecourt between the buildings and Mellor Brow shall be kept clear of any obstructions above road level and be available for pedestrian usage at all times.

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

9. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

REASON: To prevent pollution of the water environment in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

10. No development approved by this permission shall be commenced until a desk study has been undertaken and agreed by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they will be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.

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.

11. No lighting shall be installed in the car parking area unless a further planning permission has first been granted in respect thereof.

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

12. Prior to the first occupation of Unit 9, a wall or fence shall be erected on or adjoining the western edge of the footbridge over Mellor Brook which serves that plot, in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the privacy of an adjoining dwelling and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

13. No site works, including any demolition works of buildings or boundary walls, shall be commenced until a further protected species/ecological survey has been carried out during the optimum time of May to September. The updated survey shall be submitted to the Local Planning Authority for approval in writing prior to any works commencing on site. If roosting bats are detected or suspected a further survey and mitigation measures will be required for submission to and approval in writing by the Local Planning Authority prior to the demolition of any buildings or boundary walls on site, with the works to be carried out in strict accordance with any mitigation measures identified.

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; and due to the passage of time since the original survey was carried out in August 2006.

14. 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 the development and shall be retained thereafter.

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

15. This renewal permission shall relate to the drawings originally approved for application 3/2007/0136/P (ie WRW/10a, 11, 12, 13, 14a and 15b).

REASON: For the avoidance of doubt and to ensure compliance with the submitted plans.

APPLICATION NO: 3/2010/0225/P (GRID REF: SD 368633 432694)
PROPOSED DEMOLITION OF SINGLE STOREY GARAGE AND STUDY AND REPLACEMENT WITH GROUND FLOOR SELF CONTAINED GRANNY FLAT WITH EN-SUITE BATHROOM AND SMALL SINGLE STOREY REAR EXTENSION AT 17 SOMERSET AVENUE, WILPSHIRE

PARISH COUNCIL: No observations at the time of preparing this report.

ADDITIONAL REPRESENTATIONS: No representations at the time of preparing this report.

Proposal

This application seeks to demolish the existing flat roof garage and study at the side of a semi detached property and replace it with a two storey side extension and single storey rear extension. The two storey extension would measure approximately 9.5m x 2.9m with a maximum height of 7.3m. It is to have a pitched roof and will be set lower than the existing dwelling and also set back from the main front wall. The single storey rear extension follows on from the two storey side extension and would measure approximately 4.3m x 3.7m with a maximum height of 3.5m. It is to have a hipped roof. The proposal still allows for a pedestrian gateway at the side of the property. The proposed materials are similar to the existing property namely red brick and rendered walls and blue slate as a roofing material. At first floor and ground floor level, there are windows at the side elevation and at first floor they serve two ensuite toilets and at ground floor a bathroom. The front elevation is to have windows to match the existing front elevation of the property.

Site Location

The site is located within the settlement area of Wilpshire and within a residential area. The property is a semi detached dwelling.

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

This application seeks to demolish the existing flat roof single storey extension and replace it with a two storey side extension and single storey rear extension. The main issues to consider relate to the visual impact of the extension and also any impact on residential amenity such as overlooking or loss of light.

In relation to visual impact, the proposal has a considerable set down from the main roof of the property and although the setback is relatively modest, I am satisfied that the extension would be seen as subservient to the main dwelling house. There are some similar extensions in the locality. The proposal does lead to a loss of a garaging space but there will still be driveway parking available. It is important to ensure that this parking is retained and a planning condition will be imposed for that reason. The resultant extension which is submitted as a granny annex will in essence provide a four bed unit and therefore to comply with the relevant parking standards. The County Surveyor is satisfied that providing the existing driveway is retained that there is sufficient parking for the development.

In terms of residential amenity, I am satisfied that the extension would not lead to any significant loss of light to neighbouring property and that there will be no overbearing impact caused by the extension.

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. This permission shall be implemented in accordance with the proposal as amended by letter and plan dated 31 March 2010, plan ref JR3 and JR2.

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

C APPLICATIONS WHICH THE DIRECTOR OF DEVELOPMENT SERVICES RECOMMENDS FOR REFUSAL

APPLICATION NO: 3/2008/0779/P (GRID REF: SD 372734 445899)
INSTALLATION OF A 10KW WIND POWERED GENERATOR ON A 12M FREESTANDING COLUMN AND ASSOCIATED SWITCHGEAR BUILDING (PENT ROOF DOMESTIC GARDEN SHED) ON FIELD TO EAST OF CUTTOCK CLOUGH BARN, SLAIDBURN ROAD, WADDINGTON, LANCASHIRE

PARISH COUNCIL: The Parish Council has no objection in principle to wind generated electricity, providing the sighting of masts and turbines are unobtrusively positioned and sympathetic with their surroundings. This particular site is within the Forest of Bowland A.O.N.B. and is confirmed as having the highest status of protection in relation to landscape and scenic beauty. On this basis, the Parish Council propose that this application be rejected on the following grounds:

- No consideration has been given to nearby residents,
- The mast is sited nearer to adjacent properties than his own, and will have a detrimental impact on them,
- Noise pollution,
- Impact on wildlife,
- Could set a precedent for further development and additional turbines at this site,
- The structure would be visible over a wide area, and
- Whilst it is appreciated that the size of the mast has been reduced to 12m high, and the turbine reduced from a 20kw to a 10kw, this still has very little advantage over the previous applications.

FOREST OF BOWLAND A.O.N.B. OFFICER (LCC): He concludes that the proposed wind turbine would likely have landscape and visual impacts of slight significance, however providing the following mitigation work is carried out,

- Native planting to the west of the turbine, and
- Wind turbine surface finishing to be light grey (RAL Nr 7035),

He considers that the landscape and visual impacts of the proposed application would be acceptable.

ADDITIONAL
REPRESENTATIONS:

A large number of additional representations have been received since the submission of this application. A full catalogue of these can be seen on the file, however the main points of objection are,

1. Proposal will be a blot on the landscape,
2. Contrary to local and national policy,
3. Concern regarding shadow flicker,
4. Concern regarding the mast and blades being white,
5. Applicant has not consulted with nearby neighbours,
6. Should be sited closer to existing buildings, however there has been no attempt to site the proposed development elsewhere,
7. The Inspector who dismissed the previous planning appeal at this site (regarding 3/2007/0945/P) took on board that 'a mast of this nature in such a position would be visible over a wide area with distant views from Pendle Hill to the south',
8. Also the 'remote location of the mast in relation to the Applicant's house or other buildings',
9. Also that 'The size and location would mark it out as a significant intrusive element of the local and wider landscape, detrimental to the A.O.N.B.'
10. Also that 'The magnitude of benefit relating to this domestic installation fails to demonstrate that the harm that would be caused to this nationally designated landscape would be justified',
11. The major entry points to the Clitheroe area expose this area of Waddington Fell, and we urge the Committee to preserve and protect this view from the unnecessary incursion that this proposal would bring if approved,
12. Case put forward outlining benefits in relation to sustainability is weak,
13. The turbine is designed to serve a group of buildings with extraordinarily high consumption of electricity, but to put it bluntly, is more for the benefit of the Applicant's business that he is active in,
14. External noise measurements at Cuttock Clough and Hambledon View accompany the application, but the Applicant's Agents letter which spells out the deficiencies of noise measurement data and problems associated with vanes, bearings and inverters that appears to be lost in the wealth of paper,
15. Noise impact from the wind turbine has not been adequately assessed,
16. Has a detrimental visual impact on the properties and neighbours adjacent to the site,

17. The area where the turbine will be sited is a quiet one, and there is likely cause for noise nuisance,
18. We observe that the Applicant notes the recommendations of British Horse Society of a 200m exclusion zone around bridle paths, but as it does not suit, is ignored,
19. The additional planting will be inadequate to provide adequate screening due the low levels they will need to be kept at to allow the turbine to operate efficiently,
20. There is nothing new in this application to cause the Council to alter its stance, which it has previously taken in relation to the Applicant in this area, and therefore suggest the application again be refused.

Specific correspondence has also been received in regards to the noise data supplied in regards to this application. One objector has also employed a specialist Environmental consultant to assess the data supplied by the Applicant, and also carry out their own 'on site' noise assessment at the site. The report on the Applicant's data outlines the following issues with the report dated the 12 January 2008,

- It gives details of a 5KW turbine at a different site (it is likely that a 10KW would be noisier),
- No details of the height of which the measurements are taken,
- No measurements taken of on-site noise without the turbine on,
- In summary, these measurements of wind turbine noise do not appear to provide sufficient guidance of the noise impact.

The report on the Applicant's data outlines the following issues with the report dated the 15th of August 2008,

- The assessment period of around 10 minutes is too brief to provide any useful information,
- The measurements provided appear incorrect,
- The range setting for the meter (at 40-110) meant that the lowest noise level that could be measured would be 40dBA. Most of the results are below this.
- In summary, these measurements of wind turbine noise do not appear to provide sufficient guidance of the noise impact.

In conclusion, the view of the Consultant is that the noise reports submitted do not provide sufficient information to assess either noise output of the turbine or the pre-existing background noise levels at the proposed site. Consequently, the ETSU-R-1997 (or any other) assessment methodology cannot be used to assess the likely impact.

Proposal

The application seeks permission for the erection of a 10kw domestic wind powered generator on a 12m high, freestanding mast on land to the east of Cuttock Clough Barn, and a 3m x 3m x 2.8m to the highest point of the roof timber shed to house the switchgear. This application is the second resubmission for a proposed wind turbine, with the first being refused then dismissed at appeal, and the second also being refused.

Site Location

The site is located approx. 240m to the north east of Cuttock Clough Barn, and approx. 30m south of the adjacent Public Right of Way. The land slopes southwards from this P.R.O.W. with sporadic screening along the north, east and west boundaries of the site. The area is designated as being within the Forest of Bowland Area of Outstanding Natural Beauty. The nearest properties to the site include Seedalls Farm, approx. 170m northeast of the site, and Cuttock Clough House, approx. 120m to the west.

Relevant History

3/2007/0945/P – Installation of a 10kw domestic wind powered generator on 12m mast on land to the east of Cuttock Clough Barn, plus 3m x 3m shed for switchgear (Re-submission) – Refused.

3/2007/0333/P - Installation of a 20kw domestic wind powered generator on 18m mast on land to the east of Cuttock Clough Barn plus 3m x 3m shed for switchgear – Refused.

Relevant Policies

Policy G1 - Development Control.

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy ENV24 – Renewable Energy.

Policy ENV25 – Renewable Energy.

Policy ENV26 – Wind Energy.

PPS22 – Renewable Energy.

Companion Guide to PPS22 'Planning for Renewable Energy'.

Environmental, AONB, Human Rights and Other Issues

The main issues to look at with regards to this application are:

- how the proposal compares to the relevant Planning Policies, both Local and National,
- the visual impact the erection of the mast will have on the area, and
- the potential impact the mast may have on the amenity of nearby neighbours.

Within Planning Policy Statement 22: Renewable Energy it states that “In sites with nationally recognised designations (Sites of Special Scientific Interest, National Nature Reserves, National Parks, Areas of Outstanding Natural Beauty, Heritage Coasts, Scheduled Monuments, Conservation Areas, Listed Buildings, Registered Historic Battlefields and Registered Parks and Gardens) planning permission for renewable energy projects should only be granted where it can be demonstrated that the objectives of designation of the area will not be compromised by

the development, and any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by the environmental, social and economic benefits. Small-scale developments should be permitted within areas such as National Parks, Areas of Outstanding Natural Beauty and Heritage Coasts provided that there is no significant environmental detriment to the area concerned.” The scheme has also been assessed against the provisions provided within Section 5 of the Companion Guide to PPS22 ‘Planning for Renewable Energy’.

With regards to the Local Plan Policies, ENV25 states that “In assessing proposals for renewable energy schemes, the Borough Council will have particular regard to the immediate and wider impact of the proposed development on the landscape, and AONB” and Policy ENV26 states that “Development proposals within or close to the Area of Outstanding Natural beauty will not be allowed, unless;

- the proposal cannot be better located outside such statutory designated areas,
- the proposal is acceptable in environmental and landscape terms; and
- any adverse environmental impacts as far as practicable have been mitigated.

The Planning Statement submitted by the applicant aims to show that the proposal complies with the relevant National and Local Planning Policies. Given the change in location of the mast, the change in size of the generator and the landscape mitigation provided on the field boundaries, from a visual point of view, I am inclined to agree. The relevant Local and National Policies all note that proposal of this nature should only be approved where it can be demonstrated that the objectives of the designation of the area are not compromised, and that there are no significant environmental impacts on the area as a whole. The designation of the landscape as AONB is indicative of a high value landscape, and one that may be particularly sensitive to wind energy development. However, many recent wind energy development planning applications within the A.O.N.B. show that small scale wind turbines, like that proposed here, have been given planning consent subject of course to acceptable landscape, noise, access, etc. impacts. It would therefore appear that a precedent is now well established that such development can be considered acceptable in an AONB providing that there are no unacceptable and adverse environmental and amenity impacts.

As identified in the County Council's strategic guidance document, *Landscape Sensitivity to Wind Energy Development in Lancashire (Lovejoy, 2005)* the area's key characteristics do suggest a high sensitivity to wind energy development. This high level of sensitivity to wind energy does not in my view extend to a single wind turbine with an overall height to rotor tip of just 16m. In addition the site's location within fields bounded by hedgerows, hedgerow trees and small woodland copses greatly limits the extent to which the turbine can be seen from near views. The height of this planting is also similar to that of the proposed turbine thus avoiding any likely dramatic conflict of vertical elements in the landscape. The impact on more distant views particularly from elevated land to the north of the site would be limited due to the small scale of the turbine, its lowland location away from prominent ridges, hills, etc. and the inherently well wooded appearance of the Undulating Lowland Farmland landscape character type within which the site is situated. For these reasons it is considered that the likely impacts on landscape character would be of slight significance, and the impacts on landscape fabric of the wind turbine would be minimal and very localised and as such would likely be of almost negligible significance. Whilst the wind turbine would be visible from some of the local footpaths and bridleways the scale of proposed development and the mitigating effects of existing and proposed planting would likely limit the significance of impacts on landscape value and the AONB in particular.

The likely visual impacts of the wind turbine on views can be seen on the applicant's photomontages. The wind turbine would be visible from the adjacent bridleway, and the properties Cuttock Clough House and Seedalls Farm, however it is considered that the visual impact on views from these locations would not be significant. From greater distances, the wind turbine would largely be lost in the landscape particularly when viewed from ground level due to the presence of the numerous hedgerow trees, copses, etc. meaning that the turbine would therefore not be seen as a dominant skyline feature or a major component of the views back towards Waddington Fell. In addition, there would be no significant cumulative effects with other consented or operational wind farms and single wind turbines, given the significant separation between them.

As such, following the positive consultation responses from statutory consultees and that similar turbines have been approved in this particular location within the Area of Outstanding Natural Beauty, on balance it is considered that the objectives of the designated area are not significantly compromised to warrant a refusal based on the visual impact on the area.

However, in order to carefully assess the proposed environmental impact on the amenity of the nearby neighbouring dwellings and the adjacent bridleway/footpath by virtue of noise, it is considered that insufficient details regarding the noise impact created by the turbine have been submitted. In order to assess the scheme, the Council requested detailed information in compliance with that recommended in the Technical Annex to 'Planning for Renewable Energy: A Companion Guide to PPS22', which refers to the document 'The Assessment & Rating of Noise from Wind Farms' (ETSU-R-97). To summarise the ETSU "method", an Applicant would,

1. Measure the background noise level in terms of LA90, 10 min., at nearby properties during the quiet daytime and night time periods. Data from the main "working" part of the week is excluded, and monitoring is conducted over the course of at least a week at each of the main assessment locations.
2. Plot the LA90, 10min measurements against simultaneous wind speed measurements made at the proposed wind farm.
3. Perform a regression analysis to produce a single line of wind speed versus background noise level. This procedure is performed separately for the quiet daytime periods and for the night time.
4. The calculated level of wind farm noise [LA90, 10 min.] is then compared against the measured background noise level, at any given wind speed, i.e. the wind turbine predicted levels for a wind speed of say eight m/s are compared against the background noise level measured when the wind speed is eight m/s.

This information is considered to provide an indicative indication of noise levels at a site that can offer a degree of protection to nearby neighbours, and is something that the Environmental Health Officer, Norman Pedley, considers can provide an appropriate measure of the potential impact. His full assessment of the information provided as part of this application can be found on the planning file.

The data considered acceptable in order to assess the proposal has been made clear to the Applicant on a number of occasions, however the information subsequently supplied, including the data from a turbine at Wiswell (submitted as 'indicative'), is not considered to be comprehensive enough to fully assess the environmental implications on this site when

compared with that recommended. As such, it is considered that the information supplied by the applicant is not of the standard required by the Local Planning Authority, and given the close proximity of the public footpath/bridleway and the nearby neighbouring dwellings, the information is insufficient to assess the likely impact on the surrounding amenity of the area by the noise created by the wind turbine whilst in use. The proposal is therefore not in compliance with the relevant Local and National Policies, as the application does not adequately demonstrate that the objectives of the designation of the area are not compromised.

As such, bearing in mind the above information and facts, and including the siting, height and nature of the development, it is considered that the application is not in accordance with the relevant policies, and it is therefore recommended that this application be refused.

RECOMMENDATION: That planning permission be REFUSED for the following reason:

1. Insufficient information has been supplied to assess the likely impact on the surrounding amenity of the area by the noise created by the wind turbine whilst in use. As such, the application as submitted is not in compliance with Policies G1, ENV1, ENV24, ENV25, ENV26 of the Districtwide Local Plan or PPS 22 – Renewable Energy, as the application is unable to demonstrate that the objectives of the designation of the area are not compromised, and that there are no adverse affects on the nearby residential properties or on the adjacent bridleway.

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

APPLICATION NO: 3/2010/0078/P (GRID REF: SD 372799 435722)
OUTLINE APPLICATION FOR THE DEMOLITION OF AN EXISTING COMMERCIAL BUILDING AND THE REDEVELOPMENT OF THE CLEARED SITE AND ADJOINING LAND FOR RESIDENTIAL DEVELOPMENT INVOLVING THE ERECTION OF 18 NO DWELLINGS TO GO WITH GARAGES AND GARDENS (RESUBMISSION) AT OLD MANCHESTER OFFICES, WHALLEY NEW ROAD, BILLINGTON

PARISH COUNCIL: The Parish Council wishes to repeat the objections made in relation to application 3/2009/0135/P. Even though the two houses which fronted onto Painterwood have now been changed to several terrace type dwellings, the Parish Council still holds its original objections which are:

- the land should be preserved for commercial use;
- there is no variety of house types such as affordable houses for young people;
- larger houses in the area are not in keeping with the local setting;
- the houses will be cramped together and the site will look overdeveloped.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No representations have been received at the time of report preparation.

LCC (PLANNING CONTRIBUTIONS) OFFICER: Comments that there may be a request for a contribution towards sustainable transport costs (although the amount is not yet determined) and that contributions are required of £66,188 towards education (due to a short fall of primary school places) and £8,660 towards waste management.

ENVIRONMENT AGENCY: No objections in principle subject to conditions and informatives to ensure that the development does not contribute to an increased risk of flooding in the locality.

ADDITIONAL REPRESENTATIONS: Ten letters have been received from nearby residents who object to the application for reasons that are summarised as follows:

1. Loss of privacy.
2. Loss of light.
3. Loss of view.
4. Detriment to highway safety.

5. Overdevelopment of the site.
6. The large detached houses are not needed and are not in keeping with the character of the area.
7. Detriment to wildlife including bats due to more people present in the area.
8. Loss of a green open space.
9. Possible blockage of streams running down from Whalley Nab increasing the risk of flooding to existing properties that have basements.
10. The terraced houses on Plots 13 to 18 are an improvement on the previous scheme, but the parking spaces for those houses would result in the loss of a green field and access to that parking area could cause security problems for existing residents and result in a noisier environment.

Proposal

The land that is the subject of the application has two distinct areas. Part is currently in commercial use as a coach builders and associated yard area and the remainder is vacant land which is down to grass.

Previous application 3/2009/0135/P sought outline planning permission for the demolition of the existing commercial building and its associated yard areas and the construction of a development of 14 detached houses, together with garages and gardens. Although precise design details were not included in that application, the properties were all to be two storey houses with internal floor areas ranging from 88m² to 156m². The majority of the development was to be served by an access road off Whalley New Road, although two of the properties would have had individual access onto Painterwood. Although the previous application was in outline it was stated in the submitted Design and Access Statement that all dwellings would be constructed of natural stone with slate roofs and would therefore be in keeping with the locality.

That original application was considered by the Planning and Development Committee on 16 July 2009 when it was resolved that it be refused for the following reasons:

1. In the absence of evidence of any attempts that have been made to secure an alternative employment generating use of the site, the proposal would result in the loss of an employment site contrary to the requirements of Policy EMP11 of the Ribble Valley Districtwide Local Plan.
2. Due to the topography of the site, it is considered that the houses on Plots 13 and 14 would have seriously overbearing effects on the adjoining properties on Whalley Road that are on lower ground to the detriment of the amenities of the occupiers of those neighbouring properties contrary to Policy G1 of the Ribble Valley Districtwide Local Plan.

3. The two large detached houses on Plots 13 and 14 would have a detrimental impact on the appearance and character of the locality contrary to Policy G1 of the Ribble Valley Districtwide Local Plan.

This resubmission has sought to overcome those reasons for refusal of the original application. In response to the first reason for refusal, the premises have been marketed for sale for commercial use since 3 September 2009. The estate agents confirm that they targeted a select number of industrial occupiers within the Ribble Valley/East Lancashire area. This entailed writing to various companies providing them with the details of the property which incorporated full marketing particulars, including details of the accommodation, rateable value and the asking price. The sales information was also included on their website and a more general mail shot was sent to companies whose details had been registered on their company property database. In addition, marketing particulars were forwarded to the North West Development Agency and Lancashire Economic Partnership. The agents say that, during the course of the marketing, they only received a limited number of enquiries, and it is apparent from the feedback they received that many parties considered the property unsuitable for a continued commercial/industrial use.

With regards to the other two reasons for refusal, the two large detached houses on Plots 13 and 14 have been replaced by a terrace of 6 two storey houses sited closer to the site boundary to Painterwood and, therefore, further away from the houses on lower ground on Whalley New Road. These terraced houses would have parking spaces to which access would be gained from the estate road serving the rest of the development. There would be no vehicular access onto Painterwood.

In response the adoption of the Affordable Housing Memorandum of Understanding (AHMU) as a “material planning consideration”, since the refusal of the original application, the six terraced houses (or a number identified by a viability assessment) are offered as “affordable” homes. A draft Section 106 Agreement on that subject has been submitted with the application.

Site Location

The site has an area of approximately 0.76 hectares. It is presently occupied by the buildings and yard areas of a coachbuilders business, with the remainder being land that is grassed.

It is a sloping site with the higher land to the south adjoining Painterwood and the lower ground to the north fronting Whalley New Road.

The majority of the southern boundary of the site adjoins the rear gardens of terraced houses in Painterwood. Approximately half of the northern boundary is directly onto Whalley New Road, whilst the rest is to the back gardens of five properties on Whalley New Road. To the west the site is adjoined by a public footpath, beyond which is agricultural land. Its short eastern boundary adjoins a small piece of open land, beyond which is a row of cottages on the northern side of Painterwood.

The whole of the site is within the settlement boundary of Billington which is defined by Policy G2 of the Local Plan as a main settlement.

Relevant History

Whilst there have been numerous applications relating to the existing business on the site, none are considered to be of any relevance to the consideration of this application for residential development. The only relevant previous application is therefore the following:

3/2009/0135/P – Outline application for demolition of existing commercial building and redevelopment of the site involving the construction of 14 detached dwellings. Refused.

Relevant Policies

Policy G1 - Development Control.

Policy G2 - Settlement Strategy.

Policy EMP11 - Loss of Employment Land.

Policy L4 of the Regional Spatial Strategy.

PPS3 – Housing.

Affordable Housing Memorandum of Understanding (AHMU).

Environmental, AONB, Human Rights and Other Issues

The key issues with regards to this resubmission are the same as those considered in relation to the original application which are discussed below under appropriate headings.

Compliance with Settlement Strategy Policy

Policy G2 of the Local Plan states that development will be directed mainly towards land within the main settlement boundaries. In respect of Billington, the Policy states that the scale of development that will normally be approved comprises “development wholly within the built part of the settlement or the rounding off of the built up area”.

As a development wholly within the settlement boundary, the original application was considered to comply with Policy G2. The same applies to this resubmission.

Compliance with Housing Policy/Guidance

At the time of consideration of the original application, the Affordable Housing Memorandum of Understanding (AHMU) was in draft form and had not been adopted. That application was not, therefore, refused because it did not contribute any affordable dwellings. The AHMU, however, is now a “material planning consideration” and, in response to this, there is now an element of “affordable” housing in the application as previously described. Subject to the completion of an appropriate Section 106 Agreement, the current proposal is therefore in accordance with the relevant housing policy/guidance.

Loss of Employment Land – EMP11

The previous application was refused for a reason concerning non-compliance with Policy EMP11 because the premises had not been marketed for an alternative employment/commercial use. Such marketing has now been carried out and I am satisfied, from the information provided by the estate agents, that the requirements of EMP11 have now been satisfied.

Amenity Considerations

As with the original application, nearby residents have expressed objections regarding issues such as loss of light and privacy in relation to the whole of the development. As the land slopes downwards from Painterwood, it was considered in relation to the original application that the separation distances between the terraced houses on Painterwood and the proposed houses on Plots 10,11 and 12 were acceptable. The position and size of the houses on those plots have not been changed in the current application. Those plots therefore remain acceptable.

In the original application, however, two large detached houses were proposed on Plots 13 and 14 which were considered to have seriously overbearing effects upon adjoining houses on lower ground on Whalley New Road. It was also considered that those two houses would have a detrimental impact upon the appearance of the locality as they would not be in keeping with the adjoining terraced houses on Painterwood. In this resubmission, those objections have been addressed as follows:

- the two houses on Plots 13 and 14 have been replaced by a row of six terraced cottages which will be similar in appearance to those on Painterwood which adjoin this part of the application site;
- the proposed terraced cottages will be accessed from the main development site and therefore will not increase traffic on Painterwood;
- the proposed terraced cottages will be set several metres away from the properties on Whalley New Road, thereby reducing the impact that they would have on those adjoining dwellings;
- a landscaping belt is now shown between the proposed terraced cottages and the properties on Whalley New Road, thereby further reducing the impact that the development will have on those neighbouring dwellings.

I consider that the amended proposal has satisfactorily and fully addressed reasons 2 and 3 for the refusal of the original application.

Conclusion

For the reasons given in the report, I consider that this new application has fully and satisfactorily addressed all the objections to the original application and permission should therefore be granted subject to appropriate conditions following the prior completion of an appropriate Section 106 Agreement.

SUMMARY OF REASONS FOR APPROVAL

The proposed development would provide 18 dwellings including an appropriate element of “affordable” housing without any seriously detrimental effects upon visual amenity, the amenities of nearby residents or highway safety.

RECOMMENDATION: That Committee be minded to grant outline permission 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 financial contributions and to ensure the delivery of an appropriate number of affordable housing units both in the first instance and in the future.

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 outline planning permission shall be read in conjunction with the Section 106 Agreement dated which relates to the delivery of affordable housing and appropriate financial contributions.

REASON: For the avoidance of doubt as the permission is subject to an Agreement.

3. This outline permission shall relate to the proposal as shown on drawing No. WIL/256/1083/01 dated 1.2.10.

REASON: For the avoidance of doubt and to ensure compliance with the submitted plan.

4. Prior to the 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 the development and shall be retained thereafter.

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

5. 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 and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

6. Prior to the commencement of the development hereby approved in outline, (or such other date or stage in development as may be agreed in writing with the Local Planning Authority) the following components of a scheme to deal with the risks associated with contamination of this site shall each be submitted to and approved in writing by the Local Planning Authority:

(1) A preliminary risk assessment which has identified:

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

- (2) A site investigation scheme based on (1) to provide information for a detailed assessment of the risks 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 options appraisal and remediation strategy giving full details of the remediation methods 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 work set out in (3) are completed and identifying any requirements for longer term monitoring of pollutants linkages, maintenance and arrangements for contingency action.

REASON: To ensure that the development does not pose a risk of pollution to controlled waters and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. The development hereby permitted in outline 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.

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. No site works, including any demolition works of buildings or boundary walls, shall be commenced until a further protected species/ecological survey has been carried out during the optimum time of May to September. The updated survey shall be submitted to the Local Planning Authority for approval in writing prior to any works commencing on site. If roosting bats are detected or suspected a further survey and mitigation methods will be required for submission to and approval in writing by the Local Planning Authority prior to the demolition of any buildings or boundary walls on site, with the works to be carried out in strict accordance with any mitigation methods identified.

REASON: To comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan ensuring that no species/habitat affected by the Wildlife and Countryside Act 1981 are destroyed; and due to the passage of time since the original survey was carried out in November 2008.

NOTE(S):

1. Surface water run-off can be managed through the use of sustainable drainage systems (SUDS), and we advocate their use SUDS are a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands that

attenuate the rate and quantity of surface water run-off from a site, and contribute to a reduced risk of flooding. SUDS offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal, which encourages a SUDS approach.

Further information on SUDS can be found in the following documents:

- Planning Policy Statement 25: Development & Flood Risk (DCLG);
- C522: Sustainable Urban Drainage Systems - Design Manual for England and Wales (CIRIA);
- Interim Code of Practice for Sustainable Drainage Systems (SUDS Working Group).

The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS, and is available on both the Environment Agency's website (www.environment-agency.gov.uk) and CIRIA's website (www.ciria.org.uk).

We also recommend that the developer considers the following, as part of the scheme:

- Water management in the development, including, dealing with grey waters;
- Use of sustainable forms of construction including recycling of materials;
- Energy efficient buildings.

APPLICATION NO: 3/2010/0103/P (GRID REF: SD 370016 436544)
PROPOSED APPLICATION TO REMOVE CONDITIONS 5 and 6 WHICH RELATES TO A UNILATERAL UNDERTAKING LIMITING THE RESIDENTIAL ELEMENT OF A LIVE/WORK UNIT SO IT SHALL NOT BE OCCUPIED UNLESS THE WORK UNITS ARE CONSTRUCTED AND IN USE AS A COMMERCIAL UNIT AT LAND OFF CHERRY DRIVE, BROCKHALL VILLAGE, LANGHO

PARISH COUNCIL: No observations received.

ADDITIONAL REPRESENTATIONS: No representations have been received.

Proposal

This application seeks to remove conditions 5 and 6 in that they relate to the use of properties at Eden Gardens to be used as a live/work unit. The purpose of this application would be to enable the six detached units of which some have been completed and some in part construction and some not yet built as purely residential dwellings rather than a mixture of live

and work. The buildings are all detached properties with the work element of the scheme either in a detached annex building or a single storey link building, The work element is approximately 40m² floorspace.

Site Location

Eden Gardens is located in a central position within the Brockhall estate. It is surrounded by residential properties. It is a cul de sac and access via Cherry Drive.

Relevant History

3/2006/0830/P – Erection of 26 live/work units.

Relevant Policies

Policy A2 - Brockhall Area Policy.

Policy G1 - Development Control.

Policy ENV3 - Development in Open Countryside.

Affordable Housing Memorandum of Understanding.

Policy EMP11 - Loss of Employment Land.

PPS3 – Housing.

Policy L4 – Regional Housing Provision – Regional Spatial Strategy.

Policy L5 – Affordable Housing – Regional Spatial Strategy.

Environmental, AONB, Human Rights and Other Issues

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

In respect of the principle, this scheme is for the relaxation of the conditions restricting the properties to live/work units. In essence, this would lead to a situation where there is no restriction on the live/work units which are regarded as sui generis, and involve the units becoming purely residential. On this basis, the proposal needs to be considered in relation to the appropriate policies and guidance informed in other documents, such as the Affordable Housing Memorandum of Understanding.

One of the issues relates to the loss of potential employment land as it is quite clear that part of the overall strategy of the Brockhall Policy was to create a mixed employment and residential area. The approval of this scheme would reduce the amount of employment within the Brockhall site. Policy EMP11 deals with the proposal for conversion or redevelopment of industrial employment generating sites. One of the criteria makes reference to attempts that have been made to secure alternative employment generating use of the site. I would not consider the site suitable for other employment uses with the exception of offices and it is quite clear that in the supporting document, the applicant has indicated since marketing the site, there have been problems in developing the area as live/work units. The applicant has indicated that there has been no demand for live/work units partly due to the additional cost imposed by the business rates and the lack of choice of mortgages available to potential purchasers. The site has been marketed for in excess of two years and there has been no realistic interest.

In relation to highway, visual and residential amenity, there will be no impact that would have a detrimental effect on adjacent residential properties. The scheme would not result in an increase of vehicular movement nor any overlooking issues.

As the proposal seeks in essence to allow unrestricted residential use on six units, the Affordable Housing Memorandum of Understanding needs to be considered. The document has been adopted by the Council as its affordable housing policy and adopted by Planning and Development Committee as a material consideration. In respect of this development, the threshold development for requiring an element affordable housing, is three dwellings or more and the Council would, under the terms of the Affordable Housing Memorandum of Understanding seek one unit to be affordable. I am satisfied that there are no other material considerations and although recognise the loss of potential employment site, I consider that it is acceptable in this instance.

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 subject to a Section 106 Agreement to secure appropriate affordable housing contribution which would consist of an off site contribution.

APPLICATION NO: 3/2010/0183/P (GRID REF: SD 375850 436170)
PROPOSED CHANGE OF USE OF FIVE SHORT TERM LET/HOLIDAY COTTAGES TO RESIDENTIAL, ONE OF WHICH WILL BE AN AFFORDABLE UNIT SUBJECT TO A SECTION 106 AGREEMENT AT GREENBANK COTTAGES, WHALLEY ROAD, SABDEN

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

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No representations have been received at the time of report preparation.

ADDITIONAL REPRESENTATIONS: At the time of report preparation, three letters had been received from local residents who state that they have 'no objections' to the application.

Proposal

In this particular case, I consider it appropriate to describe the proposal within the context of the 'planning history' of the site.

In 1995, planning permission was granted for the erection of five self contained cottages for tourist accommodation (3/1995/0136/P). That permission was subject to a Section 106 Agreement dated 22 August 1995 that restricted the use of the cottages by the following clause:

'Not to allow the cottages the subject of the development:

1. To be occupied as permanent residential dwellings or to be occupied or let other than as holiday accommodation;
2. To be occupied for more than 42 days by any one person or group of persons'.

That Agreement was itself modified by a Deed of Modification dated 11 October 2000. As modified, the restrictions on the use of the cottages were as follows:

'Not to allow the cottages the subject of the development:

1. To be occupied as permanent residential dwellings or to be occupied or let other than as holiday accommodation, and
2. To be occupied for more than three calendar months by any one person or group of persons'.

An application (3/2008/0728/P) for the change of use of the holiday cottages to retirement accommodation was refused by Committee on 7 October 2008 for the following reasons:

1. The proposal, as it does not seek to provide affordable housing to meet an identified local need, represents an inappropriate form of residential development in the open countryside, which would cause harm to the settlement strategy as laid out in the Ribble Valley Districtwide Local Plan. Such an application without sufficient justification is considered contrary to Policies G5 and H20 of the Local Plan.
2. If allowed, the development would set a dangerous precedent for the acceptance of other similar proposals without sufficient justification which would render more difficult the implementation of the established planning policies of the Council.

Application 3/2008/1012/P then sought to modify the Deed of Modification dated 11 October 2000 by the deletion in the first clause of the reference to holiday accommodation. The applicant's reasons (as stated on the application form) for submitting that application were as follows:

1. Economic. A wish to widen the marketing base.
2. Since the original permission in 1995, a further 341 holiday permissions have been granted in Ribble Valley. This has severely affected the business.

To modify the restrictions as requested by the applicant would have given the impression that the cottages were actually being removed from the stock of tourist accommodation. Rather than deleting the reference to holiday accommodation, Committee therefore resolved that the first covenant be changed so that the whole clause read as follows:

'Not to allow the cottages the subject of the development:

1. To be occupied as permanent residential dwellings or to be occupied or let other than as holiday accommodation or as short term lets.

2. To be occupied for more than three calendar months by any one person or group of persons’.

In this way, the units remained available as holiday lets, but the applicant now has more scope in his marketing of the units without them becoming permanent residences.

Permission is now sought for the change of use of the five short term let/holiday cottages to residential units, one of which would be an affordable unit subject to a Section 106 Agreement.

In a draft Section 106 Agreement submitted with the application, it is stated that the occupation of the affordable unit would also be restricted to a person (or at least one person in the event of there being more than one occupier) over the age of 55 years who would also have to have lived in the Parish of Sabden for at least 5 of the last 10 years. In the event that no suitable person could be found within the local parish, then this would be extended to include the Borough of Ribbles Valley.

The affordable unit would be administered by Adactus under a shared ownership sale.

Site Location

The site is in a rural location within the Forest of Pendle Area of Outstanding Natural Beauty on the east side of Whalley Road approximately 1 mile outside the settlement boundary of Sabden. The five properties to which the application relates form a group with the original dwelling, Greenbank Farm, a barn conversion dwelling, and a sixth unit which is being retained in its existing short-term let/holiday let use. Otherwise the site is surrounded by open fields.

Relevant History

3/1995/0146/P – Proposed five self contained cottages for tourist accommodation. Approved with conditions.

3/2000/0411/P – Change of use of garage into single bedroom holiday cottage. Approved with conditions.

3/2007/0954/P – Change of use of holiday cottages to retirement accommodation. Withdrawn.

3/2008/0728/P – Proposed change of use of holiday cottages to retirement accommodation. Refused.

3/2008/1012/P – Modification of Deed of Modification to allow use of the cottages as holiday accommodation or short-term lets. Approved.

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy H2 - Dwellings in the Open Countryside.

Policy H20 - Affordable Housing - Villages and Countryside.

Policy ENV1 - Area of Outstanding Natural Beauty.

Affordable Housing Memorandum of Understanding (AHMU).

PPS3 – Housing.

North West of England Regional Spatial Strategy to 2021.

Environmental, AONB, Human Rights and Other Issues

In October 2008, application 3/2008/0728/P for the conversion of the cottages into retirement homes was refused. The main reason for the refusal was that the dwellings would not have provided affordable housing to meet an identified local need, and, as such, did not comply with the applicable policies at that time.

Since that decision, the Affordable Housing Memorandum of Understanding (AHMU) has been adopted in July 2009 by the Health and Housing Committee and is now a “material planning consideration”.

This current application must be considered within the current policy context.

In practice, what we presently have, is an established built development with a restricted class of residential use. In many ways, there is little difference between this being a form of conversion, and the proposal can be treated as tantamount to a conversion.

The AHMU, in setting the Council’s approach for affordable housing does not distinguish between different forms of development. It is merely concerned with the creation of permanent residential dwellings in whatever form and then sets a threshold against which the level of affordable provision should be made.

In this location, the AHMU would require one of the five units to be affordable, and that is proposed in this current application.

Policies support the creation of additional permanent residential dwellings and within that, a requirement to provide, as part of the tenure, a level of affordable units. PPS3: Housing, the North West of England Regional Spatial Strategy and the AHMU support this approach. This application to create permanent residential units complies with the general intentions of those policies and satisfies the specific requirements of the AHMU. I therefore consider the proposal to be acceptable in principle with regards to the current policy context.

As no building development is involved, the proposal would not have any detrimental effects upon the visual amenities of the locality. The access and parking facilities that presently serve the short-term let/holiday cottages would also be satisfactory to serve the residential units in the event of permission being granted.

Whilst the space and privacy standards may not be what would be provided in a new built development, the purchasers of the units will be aware of the precise nature of what they are buying. I do not therefore consider that this should be put forward as a reason for refusal of the application (and no such reason was given in the refusal of 3/2008/0728/P). Given the existing relationship of the buildings to each other, however, I consider it important that permitted development rights are withdrawn in order that the Local Planning Authority can exercise full control over any future extensions or alterations.

Subject to a condition to remove permitted development rights and a prior appropriate Section 106 Agreement relating to the affordable unit, I consider the application to be acceptable.

SUMMARY OF REASONS FOR APPROVAL

The proposal would provide five residential units (including one “affordable” unit) with no significant detrimental effects upon visual amenity, the amenities of any nearby residents or 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 prior completion of a Section 106 Agreement to control how one of the units will be delivered as an affordable housing unit, both in the first instance and in the future:

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 (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 the Schedule to Part 1, Classes A to E, shall not be carried out unless a further planning permission has first been granted in respect thereof.

REASON: In the interests of the amenities of adjoining residents and the visual amenities of the area in accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan.

ITEMS DELEGATED TO DIRECTOR OF DEVELOPMENT SERVICES UNDER SCHEME OF DELEGATED POWERS AND

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

APPLICATIONS APPROVED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2009/0913/P	Proposed first floor extension above the kitchen and bathroom	5a Long Row, Barker Lane Mellor
3/2009/0934/P	The conversion of two redundant agricultural buildings to form three units to be used for B1 (light industrial) and B2 (general industrial) uses	Fishes and Peggy Hill Farm Henthorn Road Clitheroe
3/2009/0991/P	Two storey side extension	18 King Street, Whalley
3/2009/1048/P	Proposed steel portal framed building for storing tractors	Coal Staithe Garage Old Coal Staithe, Read
3/2009/1070/P	Application for a non material amendment to planning permission 3/2009/0334/P by an alteration to the roof design and the replacement of one of the approved garage doors with a window	Blue Trees Copster Green
3/2009/1073/P	Proposed replacement single storey extensions and conversion of the coach house with extension above the attached garage forming a guest house	The Royds Crow Trees Brow Chatburn
3/2009/1074/P	Removal of conditional planning consent 3/2008/0406 stating that a temporary car park to be removed by 31 December 2009 and to allow the car park to be retained on a permanent basis	Samlesbury Aerodrome Myerscough Road Balderstone
3/2009/1075/P	Partial discharge condition 3 landscaping of planning consent 3/2008/0548/P	Stanley House Preston New Road, Mellor
3/2009/1077/P	Proposed 'P' shaped conservatory to the gable elevation	2 Hereford Drive Clitheroe
3/2010/0014/P	Application to vary condition no.2 of planning consent 3/2004/1082, to allow the surgery to open from 8am to 8pm Monday to Friday and 8am to 1pm on Saturday	83 King Street Whalley
3/2010/0015/P	Proposed extensions and alterations to existing bungalow to form 2-storey, 4-bed house with 1-bed annexe, and proposed new detached garage (Re-submission of 3/2009/0496/P)	Maveril Ribchester Road Clayton-le-Dale

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0017/P	Proposed conversion of the existing domestic garage into a single unit of holiday accommodation	Bowtree House Slaidburn Road, Waddington
3/2010/0018/P	Alterations to previously approved car park layout including provision of emergency gate and personnel gate	Salesbury Hall Salesbury Hall Lane Ribchester
3/2010/0020/P	Amendment to approved consent 3/2009/0663 to incorporate a window to the first floor rear elevation (storage area only)	26 Whalley Road Langho
3/2010/0021/P	Proposed single storey link/garage extension and loft conversion	Oak Barn, Norcross Farm Hothersall Lane, Hothersall
3/2010/0022/P	Proposed single storey rear extension	47 Ribble Lane, Chatburn
3/2010/0025/P	Alterations and extension of existing detached garage to provide improved secure rear car parking space. Proposed fenestration improvements to existing barn conversion as part of remodelling of dwelling into one	Hodgson Barn and Higher Hodgson Barn Slaidburn Road Waddington
3/2010/0028/P	Demolish the outbuildings and rear porch and replace with a single storey rear extension	103 Chatburn Road Clitheroe
3/2010/0029/P	Proposed conservatory to the rear	5 Moorland Avenue Clitheroe
3/2010/0030/P	Application for the discharge of condition 3 (materials), condition 5 (drainage), condition 7 (drainage), condition 7 (contaminated land), condition 8 (landscaping) and condition 9 (tank installation details) of planning consent 3/2008/0549/P	Primrose Garage Whalley Road Clitheroe
3/2010/0031/P	Proposed larger play area and provision of covered area for play in all weathers with a fence at one end	Langho & Billington Community Centre Whalley Road, Langho
3/2010/0037/P	Two-storey side extension and single storey rear extension	Nutwood Dale, Longsight Road, Clayton-le-Dale
3/2010/0038/P	Erection of front and rear extensions; minor external and site alterations	Somerfield Inglewhite Road, Longridge
3/2020/0040/P	Replace corroded/crumbling base stones at the bottom of the jambs of the front door surround and replacement of lead flashings over stone canopy. Also to install proprietary stainless steel wall ties and rods in the front elevation to prevent further lateral movement of the wall in this location	Waddow Hall Clitheroe
3/2010/0042/P	Single storey porch extension	42 Fairfield Drive, Clitheroe
3/2010/0044/P	Proposed conservatory to replace smaller conservatory	88 Ribchester Road Clayton-le-Dale

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0045/P	Proposed two-storey extension to the rear of the property	119 Whalley Road, Sabden
3/2010/0046/P	Single storey rear and side extension to include a garage	16 Crowtrees Brow Chatburn
3/2010/0047/P	Single storey extension to side and rear with front porch	31 Glendale Drive Mellor
3/2010/0051/P	Replacement dwelling (resubmission)	Rowan Cottage Old Clitheroe Road, Dutton
3/2010/0052/P	Proposed single storey rear extension	89 Waddington Road Clitheroe
3/2010/0053/P	Change of use of part bay detached storage building into a granny annex	Redwoods Whitehalgh Lane, Langho
3/2010/0057/P	Proposed domestic garage extension and a first floor extension	Brow Top, Birks Brow Longridge
3/2010/0058/P & 3/2010/0059/P	Demolition of existing single storey kitchen side extension, proposed new orangery and single storey utility room, installation of septic tank and associated fenestration changes	Clerk Hill Clerk Hill Road Whalley
3/2010/0060/P	Proposed single storey rear extension	5 Redwood Drive Longridge
3/2010/0062/P	Proposed pitched tiled roof to replace the existing flat roof on the dormer	2 Hereford Drive, Clitheroe
3/2010/0064/P	Domestic garage to be built at right angles and attached to the existing domestic garage	Lynton, Longsight Road Clayton-le-Dale
3/2010/0066/P	Application for the discharge of condition 2 (materials) and condition 5 (desktop study) of planning consent 3/2009/0374/P	Central Garage Manor Road, Whalley
3/2010/0071/P	Retrospective application for a small domestic storage building to replace an existing shed at land adjacent	8 Mary Street West Longridge
3/2010/0074/P	Single storey side extension with pitched roof	Kemple Down, Birdy Brow Chaigley
3/2010/0076/P	Application for a non-material amendment to planning consent 3/2009/0823P, for areas of the blockwork to be rendered on each elevation leaving brick piers at corners with half brick front elevation	16 Abbey Field Whalley
3/2010/0077/P	Proposed first door bedroom/ bathroom extension to be built on the flat roof single storey extension	14 Buckingham Drive Read
3/2010/0081/P	Non material amendment to planning consent 3/2007/1094 and 3/2007/1093 incorporating additional rooflights and the introduction of glazing on an external link	Browsholme Hall Clitheroe
Cont/		

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
Cont...	and alterations to a design of the single storey lean-to office extension	
3/2010/0082/P	Application for the discharge of condition no. 2 (relating to reclaimed materials) of planning consent 3/2009/0339/P	Field 5800 off the B6478 near Newton Clitheroe
3/2010/0084/P	Application for the discharge of condition No. 4 (layout levels/landscaping) of planning permission 3/2009/0841/P	Denisfield House Rimington Lane, Rimington
3/2010/0092/P	Proposed single storey extension to the side of the existing property, including new build detached stable block and associate landscaping works	The Haddocks Stoneygate Lane Ribchester
3/2010/0096/P	Application for the discharge of condition No 4 (landscaping) of planning permission 3/2009/0400/P	Monks Contractors Ltd Myerscough Smithy Road Mellor Brook
3/2010/0099/P	Proposed single storey side extension	5 Limefield Avenue, Whalley
3/2010/0100/P	Proposed attic conversion with a rear dormer. Re-submission	10 Little Lane, Longridge
3/2010/0102/P	Proposed single storey conservatory extension to the rear of the dwelling	84 Branch Road Mellor Brook
3/2010/1004/P	Demolition of a stone wall behind the police station to permit improved vehicular access on to the site	Clitheroe Police Station King Street, Clitheroe
3/2010/0105/P	Proposed single storey rear extension	11 Newlands Avenue Clitheroe
3/2010/0107/P	Application to discharge condition 3 relating to car parking of planning consent 3/2009/0138	Mount Vale, Lowergate Clitheroe
3/2010/0109/P	Application for the discharge of condition no. 2 (relating to materials) of planning consent 3/2009/0173/P	Northdene 17 Clitheroe Road, Whalley
3/2010/0111/P	Application for discharge of condition 2 in relation to materials on planning consent 3/2008/0548/P	Stanley House Preston New Road, Mellor
3/2010/0121/P	Application for the following non-material amendment to planning permission 3/2008/0808/P, removal of additional lift and staircase to east extension resulting in roof alterations to simplify the works; windows to front elevation (east) extension amended to suit room layout; new staircase to east extension and quiet room, shown to line in with rear wall; dormer construction amended to be slate roof and UPVC horizontal boards to cheeks; and solar panels omitted from roof	Abbeyfield Society Union Street Clitheroe

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0126/P	Re-submission of application 3/2009/1005/P for the provision of new gates and a new boundary fence	The Old Vicarage Lower Lane, Longridge
3/2010/0128/P	Replacement house type (resubmission)	Plot 2 site of former Smithy Garage, Tosside
3/2010/0130/P	Application for the discharge of condition no. 2 (materials) of planning consent 3/2008/1039/P	Station Buildings Berry Lane, Longridge
3/2010/0140/P	Application to discharge condition no. 2 (materials) and condition no. 3 (chimney details) of planning consent 3/2007/0671/P	3 Stanley Close Longridge

APPLICATIONS REFUSED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2009/1024/P	Roof to cover midden	Halsteads Farm Grindleton Road West Bradford	G1, ENV1, ENV19 – Prominent building to the detriment of the visual amenity of the Area of Outstanding Natural Beauty and the setting of an adjacent Listed Building.
3/2009/1026/P	Proposed replacement of the existing single storey Wendy House with a single storey Summerhouse	Pale Farm Barn Moss Lane Chipping	G1, ENV1, H17 – Detrimental impact upon the character of the traditional barn to the visual detriment of the Area of Outstanding Natural Beauty.
3/2009/1040/P	Proposed new dwelling in garden area	56 Chapel Hill Longridge	G1 and ENV16: Incongruous development to the detriment of the visual amenity of the conservation area and the adjacent Buildings of Townscape Merit. Cramped development to the detriment of neighbouring residential amenity.

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2009/1083/P	Proposed demolition of the adjacent pigsty to allow the erection of a two-storey extension	Smithy Cottage Birks Brow Longridge	G1, ENV1 – Dominant and incongruous development to the detriment of the appearance of the property and the visual amenity of the Area of Outstanding Natural Beauty.
3/2010/0027/P	Two storey rear extension (resubmission)	2 Cowper Place Sawley	Policies G1, ENV1, ENV16, H10, SPG Extensions and Alterations to Dwellings, Extension by virtue of its design is detrimental to visual amenities of streetscene AONB and Conservation Area.

SECTION 106 APPLICATIONS

<u>Plan No:</u>	<u>Proposal/Location:</u>	<u>Progress:</u>
3/2008/0526/P	Primrose Mill Woone Lane, Clitheroe	Signed 24/3/2010
3/2010/0054/P	Former EA depot and adjacent land to rear of Primrose Mill, Woone Lane, Clitheroe	Signed 24/3/2010
3/2010/0055/P	Land to rear of Primrose Mill Woone Lane, Clitheroe	Signed 24/3/2010

AGRICULTURAL NOTIFICATIONS WHERE PLANNING CONSENT WILL **NOT** BE NECESSARY

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0075/N	Wooden open fronted shed for the storage of feed and equipment for flock of sheep	Moorcock House Slaidburn Road, Waddington

APPLICATIONS WHERE SECTION 106 HAS NOW BEEN ISSUED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2008/0826/P	Erection of 29 dwellings comprising a mix of 2-5 bedroom houses	Land at Calderstones Hospital, Mitton Road Whalley

APPLICATIONS WITHDRAWN

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2009/0585/P	2 internally illuminated fascia signs and 1 internally illuminated hanging sign	Kitchen Green Farm Preston Road Ribchester
3/2010/0072/P	Discharge of conditions 3 and 7 of application 3/2006/1004	Ribblesdale Park Mill Lane Gisburn

APPEALS UPDATE

<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>
3/2008/0674 & 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	APPEALS DISMISSED 3.3.10
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	—	APPEAL ALLOWED/ DISMISSED 3.3.10
3/2009/0079 D	25.9.09	Mrs Christine Verity Proposed single storey garden room to front elevation Holkers Cottage Whins Lane Read	WR	—	APPEAL DISMISSED 2.3.10

<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>
3/2009/0383 & 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	-	APPEALS DISMISSED 10.3.10
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 – due to be held 4 May 2010 (re-arranged date)	
3/2009/0730 D	11.1.10	Mrs Judy Bateman Change the use of part of existing front garden to provide off-road car parking for one vehicle, steps to join existing garden path to house and to provide storage area for 3no. wheelie bins and housing for meters (Resubmission) 4 Greendale View Grindleton	Householder Appeal	-	APPEAL DISMISSED 5.3.10
3/2009/0844 D	19.1.10	Mr Mark Haston Construction of a single garage for domestic use Carr Meadow Barn Carr Lane Balderstone	Householder Appeal	-	APPEAL DISMISSED 5.3.10

<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>
3/2009/0135 C	22.1.10	Messrs R Wilkinson & Sons Outline application for demolition of existing commercial building and redevelopment of cleared site and adjoining land for residential development comprising 14no. detached dwellings together with garages and gardens Old Manchester Offices Whalley Road Billington	-	Hearing to be held 13 April 2010	AWAITING DECISION
3/2009/0955 D	27.1.10	Ms Emma James First floor side extension over lounge to form bedroom The Old Spout House Whinney Lane Mellor	Householder Appeal -		APPEAL DISMISSED 5.3.10
3/2009/0945 D	3.2.10	Mr Philip Thompson Install a drop kerb at the property 9 Edisford Road Clitheroe	Householder Appeal -		AWAITING DECISION
3/2010/0951 D	17.3.10	Mrs Julia Eventhall First floor extension above existing kitchen with new window in gable wall and construction of new doorway 13 Main Street Bolton-by-Bowland	Householder Appeal -		Notification letter sent 22.3.10 Questionnaire sent 22.3.10 AWAITING DECISION

LEGEND

D – Delegated decision
C – Committee decision
O – Overtun