

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 9 SEPTEMBER 2010
 title: PLANNING APPLICATIONS
 submitted by: DIRECTOR OF DEVELOPMENT SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION NO: 3/2010/0303/P (GRID REF: SD 363563 445875)
 PROPOSED ERECTION OF REPLACEMENT PORTAL FRAME BUILDING, COVERED MIDDEN SLURRY PIT AND 6 TON FEED HOPPER AND LAYING OUT OF ACCESS TRACK AND ASSOCIATED LANDSCAPING (RE-SUBMISSION) AT HIGHER LICKHURST FARM, BOWLAND-WITH-LEAGRAM, CHIPPING, LANCASHIRE.

PARISH COUNCIL: No comments or objections.

LCC TRAFFIC AND DEVELOPMENT ENGINEER: No objection in principle to this application on highway safety grounds.

LCC FOREST OF BOWLAND A.O.N.B. OFFICER: No observations or comments received within the statutory 21-day consultation period.

ENVIRONMENT AGENCY: No objection in principle to the proposed development.

LCC RURAL ESTATES: Not consulted on this application. However, no objections in principle to previously withdrawn application for building of similar size.

ADDITIONAL REPRESENTATIONS: No additional representations have been made.

Proposal

The application seeks permission for the proposed erection of a replacement portal frame building, a covered midden slurry pit, a 6-ton feed hopper and the laying out of an access track with associated landscaping. The application is a re-submission of a previous application for a similar sized building on site that was withdrawn by the Applicant. It is proposed to erect this steel portal frame building measuring 59m x 22.2m x 4.6m (eaves) height (although one section of the building measures 6.1m to the eaves), as a replacement for an existing, smaller agricultural building and three more traditional barns adjacent to the Grade II Listed Farmhouse, that are no longer fit for purpose due to their relatively small size and restricted access. The proposed covered midden sits to the northeast of the large building and measures 6m x 8m x 3.2m to the highest point. In terms of the agricultural enterprise, the farm is seeking to continue its livestock farming but with the activity focussed in one purpose built building.

The buildings will be constructed using a mixture of concrete panels and Yorkshire boarding on the elevations, and will be roofed using dark green sheeting. Internally, the building will be subdivided into a livestock housing area on either side of a central feed passage (with an

underground slurry store, a general store area and a silo store area. The silo store section is the section of the building with a higher eaves height, and this will be at the end furthest from the farmhouse. The building is sited to the south west of the existing farmhouse and buildings, and its position is within a slight hollow that runs along a field boundary. The building will be constructed on of a man-made plateau, formed by re-grading the land, and then partially screened by the creation of an earth bank bund, constructed from soil moved during the construction of the plateau, then further screened by additional planting.

The Agent has noted that that site and orientation of the buildings have been chosen with regards to a number of factors namely: 1) a need to protect the amenity of occupiers of the farmhouse and Lower Lickhurst Farm; 2) to avoid conflicts of interest and in the interest of safety; 3) the need to protect the setting of the Grade II Listed farmhouse; 4) in order to protect the character o the A.O.N.B. and incorporate it into the landscape; 5) local topography; 6) operational requirements and 7) land ownership boundaries.

Site Location

Higher Lickhurst Farm is situated in the Forest of Bowland Area of Outstanding Natural Beauty (A.O.N.B.) between Chipping and Whitewell, and is approached from the road to the east via a lane, which is a no through road. The farm is located in the valley of a tributary of the River Hodder, which flows, to the east, but elevated above the valley bottom on a north-facing slope. Land in the vicinity is rolling in character and predominantly in agricultural use, although interspersed with areas of woodland.

Relevant History

3/2009/1038 – Extension and alteration of ancillary building and erection of single storey side extension, insertion of 3no. rooflights and internal alterations (Listed Building Consent) – Refused.

3/2009/1037 - Extension and alteration of ancillary building and erection of a single storey side extension, insertion of three roof lights and internal alterations – Refused.

3/2009/0575 - Change of use of three barns to form 5no. holiday lets – Withdrawn.

3/2009/0546 - Erection of replacement portal frame building, covered midden, slurry pit and 6 ton feed hopper and laying out access track – Withdrawn.

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy ENV19 – Listed Buildings.

SPG – Agricultural Buildings and Roads

Environmental, AONB, Human Rights and Other Issues

The main considerations with regards to this application are the visual impact of the large building proposed at that location on both the wider A.O.N.B. and from nearby vantage points, the impact on the setting and character of the Grade II Listed Farmhouse and any potential

impacts on the amenity adjacent neighbouring dwellings. Having read the report from the LCC Land Agent in relation to Application No. 3/2009/0546/P, an application for a building of a similar size, and by virtue of the building in question replacing existing buildings on the site, I am satisfied that there is sufficient agricultural justification for an agricultural building of this size.

VISUAL IMPACT ON A.O.N.B.

With regards to the visual impact on the Forest of Bowland Area of Outstanding Natural Beauty, it must be noted that the existing farmhouse and buildings on site are all relatively close together and screened from nearby vantage points such as the nearby highway and public rights of way at present by intermittent woodland vegetation and by virtue of the rolling landscape, however they are visible from these certain viewpoints within the surrounding area. The location of the building to the south east of the main group of buildings will create a gap of approx. 95m, however as a working farm this is still considered practicable given the need for a building of this size and that there is no solution to solve the issue by locating it nearer to the existing Grade II Listed farmhouse, without causing conflict contrary to other Local Plan Policies. At this proposed location, it will be within a slight hollow that runs along a field boundary, and will be constructed on of a man-made plateau, formed by re-grading the land, and then partially screened by the creation of an earth bank bund, constructed from soil moved during the construction of the plateau. The building will then be further screened by additional planting along the bunds to the north and south of the site. Given the above, the building will mainly be viewed through new tree planting and partially viewed against the backdrop of the rolling landscape to the rear, from both the nearby highway and the public rights of way that run close to the site. The proposed site is considered to provide the most appropriate location given the topography of the surrounding land and the unsuitability of land closer to the main farmhouse, and whilst the proposal will create further development into an open area outside the existing nucleus of existing buildings, I do not consider it will be unduly prominent, or be to the detriment of the visual amenity of the Forest of Bowland Area of Outstanding Natural Beauty. However, given the requirements of Policy ENV1, I do not consider the materials proposed for the two buildings to be entirely appropriate. The landscape and character of the AONB must be protected, conserved and enhanced, and as such I consider that the midden and the front elevation of the portal frame buildings should be faced in natural stone, and this information/detail can be consider via an appropriate condition.

VISUAL IMPACT ON LISTED FARMHOUSE

As noted above, the Agent has noted that the site of the proposed building has been chosen so that it will not materially affect or impact upon the setting or character of the Grade II Listed Farmhouse, and I am inclined to agree. A building of this size, or indeed two buildings of a smaller size closer to or in place of the existing buildings adjacent to the farmhouse, would have a detrimental visual impact upon the setting and character of the Grade II Listed building. As such, I am satisfied that the scheme proposed is acceptable and in compliance with the relevant plan policies.

IMPACT ON RESIDENTIAL AMENITY

In regards to any potential impact on the residential amenity of the nearby neighbouring dwelling, by moving the working aspects of the farm away from the existing group of buildings, the impact on residential amenity will be significantly reduced for both the applicant and the occupiers of Lower Lickhurst Farm.

Therefore, bearing in mind the above, I consider the scheme to comply with the relevant policies, and recommend the application accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. The permission shall relate to the development as shown on Plan Reference No's LOWE/03 Dwg 01D, LOWE/03 Dwg 02A, LOWE/03 Dwg 03A and LOWE/03 Dwg 04A.

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

3. Precise specifications or samples of the materials to be used for the walls and roof of the approved building, 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 that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan ensuring a satisfactory standard of appearance given the location of the site within the Forest of Bowland Area of Outstanding Natural Beauty.

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 16 June 2009.

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

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

The root protection zone shall be 12 x the DBH and must cover at least the entire branch spread of the trees, [the area of the root soil environment from the trunk to the edge of the branch spread] and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

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

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

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

6. 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.

7. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 13 August 2010.

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

8. Within 3 months of the building works hereby approved being completed the existing agricultural buildings indicated on the approved plans to be demolished, shall be demolished.

REASON: Permission would not have been given for the proposed development but for the fact that the existing buildings are redundant.

INFORMATIVES

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

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

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

The below ground slurry tank must comply with the Water Resources (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010. Further guidance on the construction of slurry reception pits and in-situ or above-ground slurry stores or tanks is available on the following website www.environment-agency.gov.uk/static/documents/Business/SSAFO_Factsheet_1.pdf

Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency may be required for any discharge of sewage or trade effluent into water including groundwater and may be required for any discharge of surface water liable to contamination of such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant or into waters which are not controlled waters. Such consents must comply with the requirements of the Groundwater Regulations 1998 including prior investigation, technical precautions and requisite surveillance and may be withheld. (Controlled waters include rivers, streams, groundwater, reservoirs, estuaries and coastal waters).

The proposed covered midden does not fall under the Water Resources (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010. The applicant must notify the Environment Agency at least 14 days before the new/altered structure is brought into use using Form WQE3.

The Council considers that the proposed midden and the front elevation of the portal frame building shall be faced in natural stone, given their location within the AONB.

APPLICATION NO: 3/2010/0424/P (GRID REF: SD 368478 432571)
PROPOSED 2 NO NEW DWELLINGS WITHIN THE GROUNDS OF CLAYTON MANOR,
WILPSHIRE

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

COUNTY SURVEYOR: No observations received at the time of writing this report.

ADDITIONAL REPRESENTATIONS: Three letters of objection have been received from nearby residents who wish to object to the application, summarised as follows:

- Overlooking resulting in loss of privacy
- Overbearing impact
- Impact upon highway safety
- Increase in run-off resulting in pressure upon the drainage and sewer system

- Noise disturbance
- Does not fall within the councils remit to provide affordable housing
- Lack of parking provision leading to the overflow of cars onto neighbouring streets
- Materials are not in keeping with the existing house.

Proposal

Permission is sought for the removal of the existing detached garage to the south of the main entrance to the site and the erection of two detached dwellings sited towards the south-eastern corner of the grounds in the ownership of Clayton Manor with detached single garage to the southern corner of the site measuring approx. 6m x 6m x 3.5m in height to the ridge with a pitched roof.

Initial plans were submitted which detailed the erection of a singular 'L-shaped' building to accommodate two separate residential properties in which the eastern side elevation facing Ribchester Road measured approx. 11.8 metres in length, the southern elevation facing Glendene Park measured approx. 22.9 metres in length with an overall height of approx. 6.2 metres. External chimneys were also incorporated to the western and northern gable elevation. The main alterations to the initial scheme include the removal of the external chimneys, the construction of two separate dwellings with amendments to their size and design with the distance from the southern boundary wall to the southern elevation of the properties increased from 5.9 metres to 7.4 metres to maximise the protection of the trees adjacent to and outside the curtilage of Clayton Manor which are protected by a Tree Preservation Order. The first of the two dwellings is orientated north to south, measuring approx. 10.3m x 6m x 6.6m in height to the ridge with a hipped roof and attached single garage to its western elevation measuring approx. 6m x 3.6m x 3.6m in height to the ridge with a sloping roof. Distance at the nearest point from this property to the eastern boundary wall facing Ribchester Road is approx. 1.8 metres.

There is a separation distance of approx. 1m from the above property to the second, which is orientated west to east, measuring approx. 10.6m x 6m x 7.4m in height with a pitched roof design to its eastern gable elevation and a pitched gable roof to its western elevation. There is a distance of approx. 7.4 metres from the southern elevation of this property to the boundary wall facing Glendene Park and a distance of approx. 1.6 metres at the nearest point from the side elevation of the detached garage from the side elevation of Glendene Coach House. Materials to be used in their construction are rendered walls with stone quoins, roof slates to match the main property with white upvc windows.

Site Location

The site lies within the grounds of Clayton Manor, a large three storey building which is visually prominent on approach from Ribchester Road at the junction with Knowsley Road within the main settlement of Wilpshire.

Relevant History

None.

Relevant Policies

Policy G1 – Development Control.

Policy G2 – Settlement Strategy.

Policy ENV13 – Landscape Protection.

Environmental, AONB, Human Rights and Other Issues

The scheme is for two new residential units within Wilpshire, which is covered by Policy G2 of the Local Plan that allows for development wholly within the built part of the settlement. I am therefore satisfied that the principle of development is in accordance with plan policy.

The main considerations in the determination of this application are the design, visual impact, effect on trees, and any potential impact upon neighbouring residential amenity.

In terms of visual impact Policy G1 of the Ribble Valley Districtwide Local Plan states that *'development should be sympathetic to existing and proposed land uses in terms of its size, intensity and nature.....the density, layout and relationship between buildings is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings as well as the effects of development on existing amenities'*.

I consider that the relationship between Clayton Manor and the proposed dwellings, towards the south-eastern corner of the site is appropriate. The distance between the main dwelling and the proposals coupled with their orientation will not significantly mask the design features to the front elevation of Clayton Manor on approach to the site north-westwards on Ribchester Road. With regards to the visual impact of the proposals land levels will ensure that the height of the dwellings to the ridge are no more than Clayton Manor Lodge, which had an approved extension attached to the southern side of Clayton Manor of modern design and materials with a hipped roof. In addition, the site is surrounded by an existing high boundary stone wall which will mask the majority of the eastern side elevation of the 'I-shaped' two-bed roomed dwelling to the south of the entrance to the site. The bulk of the development has been reduced from what was previously submitted by virtue of a 1-metre separation distance between the two properties. The distance at first floor level will be approx. 4.6 metres when looking northwards towards the properties on Knowsley Road, which will provide a visual break due to the introduction of a single storey garage to the western side elevation of the two-bedroomed property. In addition, the existing mature trees aside the southern boundary wall, which are protected by a Tree Preservation Order will offer screening.

I note the concerns of a neighbouring resident with regards to the materials used in the proposals. I consider that as the materials and design of the dwellings are of relatively modern construction they will reflect and compliment the existing two-storey extension to the main property, and due to their orientation, as previously discussed, will not detract from the appearance and character of the predominantly stone built Clayton Manor.

I note the concerns of neighbouring residents with regards to the potential of overlooking, the overbearing impact of the development and noise disturbance. I consider that the distance of approx. 7.4 metres from the southern rear elevation of the proposals to the southern boundary wall is sufficient to ensure that any overbearing impact of the development and potential noise disturbance is minimal. I also consider that the distance of approx. 1.6 metres from the side elevation of the proposed detached garage and the side elevation of Glendene Coach House,

which has a blank elevation, is sufficient to ensure that any impact of this part of the development upon the residents of Glendene Coach House is minimal. Their privacy is also safeguarded as the western gable elevation of the three bedroomed property which faces Glendene Coach House is blank. I consider that an appropriate condition restricting the further insertion of windows and doors to this elevation as well as any future extensions to the properties without the prior approval of the Local Authority is appropriate to safeguard the privacy of neighbours.

Due to the orientation of residential properties on Glendene Park to the south, any views from the first floor rear elevation windows will be oblique and will not directly overlook the properties. Views will also be restricted by the presence of mature trees to the southern boundary, which are protected by a Tree Preservation Order, ensuring their longevity.

I note the concerns of a neighbouring resident with regards to the effects further development on the site would have upon highway safety and existing parking pressures on neighbouring streets. Whilst I have not received any comments from the County Surveyor I consider that as the two-bedroomed property has an attached single car garage with block paving to the front to facilitate further parking and the three-bedroomed property has a detached two car garage, again with the potential for more parking to the front, I consider that the development provides the adequate availability of parking provision which should not necessitate the need to park off site.

Effects of the development upon existing drainage and sewerage systems is not classed as a material consideration in the determination of this application. Whilst I note the comments from a neighbouring resident with regards to the provision of affordable housing, the development of two residential properties only, within a main settlement is less than the affordable housing threshold and as such there is no requirement that any of the dwellings are to be affordable.

Therefore, having regard to all the above I am of the opinion that the works would not prove significantly detrimental to either visual or residential amenity 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.

RECOMMENDATION: That planning permission is 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. This permission shall be implemented in accordance with the proposal as amended by plan received on the 26 July 2010 and 24 August 2010 – drawing no. 2101-02 Revision B relating to the proposed site plan, drawing no. 2101-03 relating to proposed floor plans, drawing no. 2101-04 relating to proposed elevations and drawing no. 2101-05 relating to finished floor levels.

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

3. The proposed garages shall be for private and domestic purposes only and no trade or business whatsoever shall be carried out from within the building.

REASON: In order to safeguard nearby residential amenities as provided for within policies G1 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 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’.

5. 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 and/or alterations to the dwellings 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.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) the western gable elevation of the three-bedroomed property facing the side elevation of Glendene Coach House 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 Policies G1 and H10 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance – ‘Extensions and Alterations to Dwellings’.

7. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees growing on adjacent land and included in the Glendene Tree Preservation Order shall be protected in accordance with the BS5837 [Trees in Relation to Construction] the details of which shall be agreed in writing and all tree protection measures inspected by the local planning authority before any site works are begun.

The root protection zone shall be 12 x the DBH + 20% [9.36m] and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spill 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 without prior written consent, which will only be granted when the local authority is satisfied that it is necessary, will be in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development and included in a Tree Preservation Order/considered to be of visual, historic or botanical value are afforded maximum physical protection from the adverse affects of development in accordance with Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2010/0589/P (GRID REF: SD 369649 450440)
APPLICATION TO REMOVE CONDITION NO. 5 OF PLANNING CONSENT 3/2008/0091/P,
TO ALLOW THE HOLIDAY LET TO BE SOLD AS A SEPARATE PROPERTY AT
DEERSTONES, NEWTON-IN-BOWLAND, LANCASHIRE

PARISH COUNCIL: No observations or comments received within the statutory 21-day consultation period.

LCC TRAFFIC AND DEVELOPMENT ENGINEER: No objection in principle to the application on highway safety grounds.

ADDITIONAL REPRESENTATIONS: One letter has been received from a nearby neighbour who raises the following points of objection:

1. Newton is a very small village where parking is a problem, especially in this area. If there is a new dwelling created here, where will they park?
2. Parking is currently on the road/junction corner, however this space is small and with an additional dwelling, will get busier in terms of parked cars. Once they are both sold, where will the cars park?

Proposal

This application seeks permission to remove Condition no. 5 of planning consent 3/2008/0091/P, in order to allow the holiday let previously approved, to be sold as a separate property. Condition 5 is the standard, restrictive holiday let condition placed on all applications where planning permission is approved for new holiday let accommodation.

Site Location

The site is located within the Forest of Bowland Area of Outstanding Natural Beauty, and within the village boundary and Conservation Area of Newton, as defined by the Ribble Valley Districtwide Local Plan.

Relevant History

3/2008/0091 – To convert one dwelling house into a dwelling house and a holiday let cottage (Re-submission) – Granted Conditionally.

3/2007/1084 – To convert one dwelling house into a dwelling house and a holiday let cottage – Refused.

3/2001/0749 – Change of use of former agricultural storage area to create domestic extension – Granted Conditionally.

3/1999/0894 – Conversion of Barn to Dwelling (Amended Scheme) - Granted Conditionally.

3/1999/0010 – Alterations & Improvements to existing building for use as a dwelling – Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.

Policy G4 – Settlement Strategy.

Policy H15 – Building Conversions – Location.

Policy H16 – Building Conversion – Building to be converted.

Policy H17 – Building Conversions – Design Matters.

Policy H23 – Removal of Holiday Let Conditions.

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy ENV16 – Development within Conservation Areas.

PPS3 – Housing (June 2010).

Environmental, AONB, Human Rights and Other Issues

The site is located within the Forest of Bowland Area of Outstanding Natural Beauty, and within the village boundary and Conservation Area of Newton, as defined by the Ribble Valley Districtwide Local Plan. Permission was granted in 2008 to convert Deerstones from a single dwelling into two units, a smaller property and a separate holiday let. This application seeks permission to remove Condition no. 5 of planning consent 3/2008/0091/P, in order to allow the holiday let previously approved, to be sold as a separate property. Condition 5 is the standard, restrictive holiday let condition placed on all applications where planning permission is approved for new holiday let accommodation.

In order to assess the principle of this proposal, it is important to consider Policy H23 which states that 'Proposals seeking the removal of conditions which restrict the occupation of dwellings to tourism/visitor usage will be refused unless the proposal conforms to the normal development control policies. Prior to September 2008, the Council had previously operated a Policy of housing restraint given the 'over supply' of housing the borough had when measured against targets set against the Joint Lancashire Structure Plan 2001 – 2016. This was lifted following the introduction of the Regional Spatial Strategy which noted that the Borough as a whole now had a significant 'under supply' of housing. As such, it was now considered that proposals for housing would now be considered acceptable in principle providing they comply with the limits of the development as identified in the saved settlement hierarchy of the Districtwide Local Plan. Therefore this is a scheme for one new residential unit within Newton-in-Bowland, which is covered by Policy G4 of the Local Plan that allows for the re-use or

rehabilitation of buildings or infill plots development wholly within the built part of the settlement. Therefore, I am satisfied the principle of development is in accordance with plan policy.

In addition Policies H15, H16 and H17 of the Districtwide Local Plan all support the conversion of appropriate buildings to dwellings, subject to there being no unacceptable harm to conservation interests. The proposal seeks permission for the removal of the Condition only, so there is no impact on the character or setting of the building, or on the A.O.N.B. or Conservation Area. As such, the principle of converting the property into two separate dwellings is accepted in accordance with the relevant Policies.

With regard to the points of objection raised by the nearby neighbours, the LCC Traffic and Development Engineer has no objections to this proposal from a highway safety point of view, as he notes that its removal will not have a detrimental impact on the immediate local highway network. In addition, it is worth noting that the Application Ref. No. 3/2008/0091 is still controlled by the following Condition, No. 6, which states,

'Prior to commencement of use for holiday purposes a scheme allocating a parking space per unit shall be submitted to and approved in writing by the Local Planning Authority. It shall thereafter be retained in perpetuity.'

This Condition was added in order to ensure adequate parking facilities are allocated per unit, and providing the correct parking spaces are allocated per unit, and whilst I am mindful of the points of objection from nearby neighbour, I consider the scheme to comply with the relevant policies. The application is therefore recommended accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposal represents an appropriate form of development, will not be significantly detrimental to the visual amenity of the area, to the character of the building or on the setting and character of the Conservation Area and the Forest of Bowland Area of Outstanding Natural Beauty and will not be to the detriment of highway safety.

RECOMMENDATION: That planning permission be GRANTED and that Condition 5 is removed.

APPLICATION NO: 3/2010/0599/P (GRID REF: SD 359508 435242)
REPLACEMENT PORCH, NEW GABLE ELEVATION WINDOWS, NEW VELUX ROOF WINDOWS AND NEW SLIDING DOORS IN ADJUSTED OPENING INVOLVING VARIATION TO PORCH AND CHANGE TO WINDOWS ON SIDE ELEVATION (RE-SUBMISSION) AT OAK TREE FARM BARN, PRESTON ROAD, LONGRIDGE, LANCASHIRE, PR3 3BL.

TOWN COUNCIL: No objections.

**ADDITIONAL
REPRESENTATIONS:**

One letter has been received from the adjacent neighbour who wishes to raise the following points of objection;

1. The proposed application basically seeks to remove Condition no. 3 of applications no's 3/2009/0218 and 3/2009/0929, which was applied by full planning committee to the first application when it came before the members at the April 2009 Committee;
2. It was decided to approve the four window in the gable end of the property facing mine, subject to conditions that all are obscure glazed, with the ground floor windows to be fixed pane as well, The windows have now been in place for some 3 months and are clear panes that open, which surely shows a disregard for the planning conditions originally proposed;
3. As with previous objections, due to the difference in the ground levels between the two properties, having clear glass in the ground floor windows will allow direct overlooking into main rooms of the front, south facing elevation of the house and into those at first floor; and
4. We therefore request that Planning Committee reject these proposed changes to the windows.

Proposal

This application is a re-submission of a previous approved alteration to a scheme originally approved in April 2009. This application seeks approval for the insertion of three velux windows in the roof of the approved replacement porch to the front elevation of the property, and the retention of the two windows at ground floor in the north facing elevation of the property, which are clear glazed, opening windows. This will be at variance with the condition imposed by Committee on the previous application, 3/2009/0218 which was considered by Committee on 30 April 2009. This condition stated

The windows on the ground floor windows facing towards Tipping Farm shall be fixed pane and shall be obscure glazed of a type to be agreed, in writing by the Local Planning Authority. Thereafter, it shall be maintained in that condition in perpetuity.

The reason Committee imposed this condition was due to concerns regarding overlooking/loss of privacy, with the view that the condition would therefore protect residential amenity, in compliance with Policy G1 of the Districtwide Local Plan.

Site Location

The site is located outside the settlement boundary of Longridge, within open countryside as defined by the Ribble Valley Districtwide Local Plan.

Relevant History

3/2009/0929/P - Replacement porch, new gable elevation windows, new Velux roof windows and new sliding folding doors in adjusted opening (Re-submission) – Granted Conditionally.

3/2009/0218/P - Replacement porch, new gable elevation windows, new Velux roof windows and new sliding doors in adjusted opening – Granted Conditionally.

3/1993/0810/P – Detached Double Garage – Granted Conditionally.

3/1985/0043/P – Convert garage to study and erection of detached garage – Granted Conditionally.

3/1977/0407/P - Detached domestic dwelling on site of existing barn – Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.

Policy G5 – Settlement Strategy.

Policy ENV3 – Development in Open Countryside.

Policy H10 – Extensions and Alterations to Dwellings.

SPG 'Extensions and Alterations to Dwellings'.

Environmental, AONB, Human Rights and Other Issues

As background to the site, the property in question is a two storey, detached dwelling with an attached garage. This dwelling was approved and constructed in the late 1970s, and had permitted development rights removed as part of the approval. This is the reason that the new velux windows within the roof, and indeed all the new windows within the side elevations, require planning permission. The key issues with regards to this re-submitted proposal is relation to the impact on the residential amenity of the adjacent neighbours by virtue of the ground floor windows being clear glass and opening. The visual impact on the character of the property by virtue of the proposed alterations has already been accepted.

With regards to any potential impact on the residential amenity of the occupiers of the nearby properties, the property itself lies approx. 10m from the boundary with the property of the objector, and is separated by an approx. 1.7m high Leylandii hedge and various other plants and trees. The neighbour to the north of the property has objected to the alterations to the ground floor windows on the basis of loss of privacy, however having visited the site and assessed the current boundary treatment between the two properties, providing this boundary treatment is retained in perpetuity, I do not consider there will be a significant impact on the amenity of the occupiers of the adjacent properties by virtue of these two small windows being opening and non-obscured.

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.

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's 04 Revision D and 05 Revision C.

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

2. All new first and second floor windows within the side elevations of the property hereby approved shall be obscure glazed, details of which shall be submitted to, and agreed in writing, by the Local Planning Authority before the development is completed; and also fitted with restrictors limiting the degree of opening of each opening light to not more than 45°. Thereafter they shall be maintained in that condition in perpetuity to the satisfaction of the Local Planning Authority.

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

3. The Leylandii hedge, trees and planting located between the points marked A and B on the plan marked 'Retained boundary treatment', shall be retained and maintained at a height of no less than 1.8m in height, in perpetuity.

REASON: In order to create an effective boundary screen and minimise any potential impact on the residential amenity of the occupiers of the adjacent dwelling.

APPLICATION NO: 3/2010/0612/P (GRID REF: SD 362758 444580)
CHANGE OF USE AND RE-BUILD FROM AN AGRICULTURAL STORAGE BUILDING TO AN EDUCATION BUILDING FOR FARM VISITS AT LAUND FARM, BOWLAND-WITH-LEAGRAM, CHIPPING, LANCASHIRE

PARISH COUNCIL: There have been no formal comments or observations received within the statutory 21 day consultation period.

LCC TRAFFIC AND DEVELOPMENT ENGINEER: No objections to the application in principle on highway safety grounds.

LCC PLANNING OFFICER (ARCHAEOLOGY): No archaeological comments to make.

ADDITIONAL REPRESENTATIONS: No additional representations have been received.

Proposal

The application seeks permission for the change of use and extension of a lean-to storage building attached to Laund Farm, Chipping, to allow the expansion of the current farming set up, in collaboration with Natural England, to provide a permanent visitor facility on site for use by mainly visiting school parties. The building proposed will include space for an office, W.C. facilities, changing rooms, a kitchen area and classroom, and will be constructed using the existing stone on site with additional stone to match, and will have a slate roof to match the roof of the attached property. The building has been sited at the 'safer' end of the farm away from the busier Beef and Sheep Housing buildings, and away from the larger vehicular turning area opposite the Feed Store (as marked on the proposed site plan drawing).

Site Location

Laund Farm is a large farm holding (approx. 500 Acres) situated within the Forest of Bowland Area of Outstanding Natural. The site location, farm and buildings lay approx. 1 mile north of the village of Chipping.

Relevant History

3/2009/0221/P - Storage building for farm use – Granted.

3/2007/0935/P - Extension of existing sheep housing and proposed new manure store – Granted Conditionally.

3/2006/0739/P - To roof over current feeding area and to extend height 3m to eaves – Granted.

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy EMP12 - Agricultural Diversification.

Policy RT1 - General Recreation and Tourism Policy.

Environmental, AONB, Human Rights and Other Issues

The application seeks permission for the change of use and extension of a lean-to storage building attached to Laund Farm, Chipping, to allow the expansion of the current farming set up, in collaboration with Natural England, to provide a permanent visitor facility on site for use by mainly visiting school parties. The main issues concerning this application are with regards to the visual impact of the proposal on the area, and that this is new business as part of a farm diversification scheme.

With regards to the scheme complying with Policies related to Rural Diversification, the agent notes that the new facilities will seek to create a permanent visitor/education attraction for the farm/area that will provide education for schools and groups in and around the North West region, in conjunction with Natural England, to allow school children to gain an insight to farming and rural life. In addition, by the approval of this application, Laund Farm will be able to create an additional part-time position for employment in the local area. Policies G5, EMP12 and RT1

of the Districtwide Local Plan, all support the diversification of farming enterprises, providing that;

- the proposal is appropriate in both scale, character and nature to a rural area,
- it will not compromise its natural beauty, and
- the infrastructure and environment can accommodate the visitor impact.

As such, I consider the proposal complies with the relevant Policies regarding diversification.

With regards to the visual impact on the area by the proposal, the site itself is in an isolated location and can only be partially seen from long distance views. With regards to the scale of the buildings on site, the existing lean-to building on site will be renovated and extended to create the desired floor area using traditional materials to match those of the main dwelling. As such, bearing in mind the distance of the site to the nearest highway and residential dwellings, and the materials and design proposed, it is considered that the proposed building will not be visually detrimental to the surrounding area.

Therefore considering the above points, it is recommended that this application be granted conditionally.

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. The permission shall relate to the development as shown on Plan Drawing No's 189/201 and 189/202.

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

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

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

REASON: To comply with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

5. 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 21 July 2010. Should bats be found, all work shall cease until further advice has been sought from a licensed ecologist.

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: 3/2010/0626/P (GRID REF: SD 377647 435644)
CONVERSION OF FORMER COACH HOUSE TO A TWO-BEDROOM RESIDENTIAL DWELLING AT THE COACH HOUSE, HIGHER TRAPP FARM, TRAPP LANE, SIMONSTONE, LANCASHIRE

PARISH COUNCIL: No objections.

LCC TRAFFIC AND DEVELOPMENT ENGINEER: No objections to this application on highway safety grounds.

LCC PLANNING OFFICER (ARCHAEOLOGY): No objections.

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

1. As owner of the livery, stables, a dwelling opposite the site and the road down to the site, as any additional traffic will be detrimental to highway safety due to the poor condition and width of the private road.
2. The site is already over-developed with houses.
3. The Coach House is only 2.5m from my house and I will be overlooked and lose privacy.

Proposal

This application seeks approval for the conversion of a former Coach House to the rear of the Higher Trapp Hotel into a two-bedroom property with garden areas to the front and rear. The building at present is structurally sound and capable of conversion without the need for major demolition, rebuilding or extension. The building is presently used by the applicant for domestic and garden paraphernalia storage, and has been so for a number of years.

Site Location

The site in question is part of a group of properties located to the rear of the Higher Trapp Hotel on the outskirts of the village of Simonstone. Access to the Coach House itself is from a private

road off Trapp Lane, and it sits opposite a row of residential properties. The site is located within the open countryside, as designated within the Ribble Valley Districtwide Local Plan.

Relevant History

3/2003/0454/P – Conversion of former Coach House to form dwelling and holiday cottage – Refused.

3/2002/0085/P – Change of use to form holiday cottage, craft workshop/office and living accommodation (Re-submission) – Refused.

3/2001/0080/P – Change of use to form holiday cottage, craft workshop, dwelling and erection of detached garage – Refused.

Relevant Policies

Policy G1 - Development Control.

Policy ENV3 – Development within Open Countryside.

Policy H2 – Dwellings in the Open Countryside.

Policy H15 – Building Conversions – Location.

Policy H16 – Building Conversion – Building to be converted.

Policy H17 – Building Conversions – Design Matters.

PPS3 – Housing (June 2010).

Environmental, AONB, Human Rights and Other Issues

The key 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 and the potential impact on nearby residential amenity.

PRINCIPLE OF THE CONVERSION FOR HOUSING

With regards to the principle of the development, this is a scheme for the conversion of an existing building into one new residential unit. The existing building sits adjacent to existing dwellings, and within an existing group of buildings on the site. Policy H2 of the Local Plan notes “Outside the settlement boundaries, residential development will be limited to the appropriate conversion of buildings to dwellings, provided they are suitably located and their form, bulk and general design are in keeping with their surroundings. Also, that they structurally sound and capable of conversion without the need for complete or substantial reconstruction”. Advice is also provided within Policies H15, H16 and H17, with Policy H15 noting that “The conversion of appropriate buildings within settlements or which form part of already defined groups is acceptable”, and Policy H16 noting 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”. Policy H17 discusses the finer points of the conversion of a building, noting that it must be of a high standard and in keeping with the local tradition. Given the site's location within the open countryside, Policy ENV3 must also be considered which states that ‘development will be required to be in keeping with the character of the landscape area and should reflect local vernacular, scale, style, features and building materials.’

It is considered that due to the location of the building close to other dwellings and buildings, and the contribution it makes to the setting of the adjacent dwellings, the building is considered to be of architectural and landscape merit, and as such its retention is considered worthy in line with the above Policies. The plans and details submitted indicate that the building is structurally sound and capable of conversion, and that the scheme will utilise all of the existing openings in the building, with the insertion of only two additional window openings on the side facing the car park of the Higher Trapp, and the loss of two door openings facing the adjacent properties. On this basis, the principle of the conversion of this building to a residential property is considered to be acceptable, subject to compliance with the other relevant Plan Policies.

VISUAL IMPACT OF BARN CONVERSION

In respect of Policies H15 and H16, 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 development must ensure that "the character of the building and its materials are appropriate to its surroundings and the building is worthy of retention".

Whilst only being visible from the adjacent sites/buildings, given the style, materials and design of the existing Coach House, it is considered to be of significant architectural and landscape merit, and its retention is considered to be of visual benefit to the location. 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.

The plans and details submitted indicate that the building is structurally sound and capable of conversion, and that the scheme will utilise all of the existing openings in the building, with the insertion of only two additional window openings on the side facing the car park of the Higher Trapp, and the loss of two door openings facing the adjacent properties. On this basis, the impact on the character and setting of the building and the adjacent properties is considered acceptable and the proposal is considered to be a sympathetic conversion. By virtue of the level of detail supplied, the wider landscape impact is also minimised, and its design will compliment both the adjacent Hotel and the neighbouring properties.

RESIDENTIAL AMENITY

The three previous applications to convert the building in question into a dwelling/living accommodation/holiday let/workshop were all refused for similar reasons. These were namely that the principle of a residential use at this site was not in compliance with current Plan Policies (i.e. the moratorium on house building at the time), the lack of justification and the impact on the amenity of the neighbouring properties. As noted above, I am satisfied that the principle of the conversion of the property is now acceptable in principle, and that there is no justification now required. As such, the main consideration with this scheme is with regards to the impact of the scheme on the residential amenity of the occupiers of the adjacent properties.

Clearly the main difference between this scheme and those previously refused (and dismissed on appeal), is the final use of the building, which will be as a two-bedroom property, and not a five-bedroom property with attached holiday let accommodation. By keeping the size of property to a relatively small property, the potential impact on the amenity of the adjacent properties is significantly reduced by virtue of the reduction in potential vehicular/pedestrian movements to and

from the site, and given the main access to the site will be from the existing access to the south west of the site, the main traffic will be to what is the rear of the building. To combat the potential for overlooking, the two large windows on the north west elevation of the building will be fixed panes and obscure glazed, and the two velux windows proposed in the roof (only one of which provides light to a room) will be set closer to the ridge than the eaves. In addition, the existing doorways and windows will be replaced by two small, obscurely glazed windows (one for a W.C. and one for the stairwell), which will be top hung and limited at 45% to provide ventilation. Given the above, 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 private garden space to the north east of the building, I am inclined to agree with the view of the Planning Inspectorate (Appeal Decision APP/T2350/A/04/1137235) who notes that "in the context of the noise that is likely to arise from the current use of the area to the north east of the building as parking space along with that resulting from activity in the hotel car park directly to the south east, the proposal is unlikely to result in an unacceptable increase in noise or disturbance". This formalised garden area for the new dwelling will of course be controlled by the removal of normal permitted development rights. Therefore, despite the previous reasons for refusal on similar schemes, I am now satisfied that these concerns have been dealt with by the careful layout and design of the proposed dwelling, and the scheme is considered to have an acceptable impact on the amenity of the occupiers of the nearby dwellings.

Therefore, bearing in mind the above comments and whilst I am mindful of the points of objection from the nearby neighbour, 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.

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 10.12/04 Rev. A, 10.12/05 Rev. A, 10.12/06 Rev. A and 10.12/07 Rev. A.

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

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

4. Notwithstanding the details shown upon the approved plans, the proposed Velux roof lights shall be of the Conservation Type, recessed with a flush fitting, details of which shall be further submitted to and approved by the Local Planning Authority before development commences upon the site.

REASON: In the interests of visual amenity in order to retain the character of the barn and to comply with Policies G1, H16 and H17 of the Ribble Valley Districtwide Local Plan.

5. The conversion hereby approved shall be completed with all the windows in the north west facing elevation being obscure glazed, details of which shall be submitted to, and agreed in writing, by the Local Planning Authority before development commences (the two large windows shall be fixed, with the smaller windows fitted with restrictors limiting the degree of opening of each opening light to not more than 45°. Thereafter it shall be maintained in that condition in perpetuity to the satisfaction of the Local Planning Authority.

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

6. 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 or external alterations to the dwelling, including any development within the curtilage, hard standing or fences, as defined in Schedule 2 Part 1 Classes A to H, and Part II 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, H16 and H17 of the Ribble Valley Districtwide Local Plan.

7. 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.

8. 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 1 July 2010. Demolition and development work shall be implemented in accordance with the details of mitigation measures included in the mitigation notes attached to the protected species survey.

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.

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

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

APPLICATION NO: 3/2010/0659/P (GRID REF: SD 365069 435282)
APPLICATION FOR THE RENEWAL OF PLANNING CONSENT 3/2007/0701, FOR A FIRST FLOOR EXTENSION ABOVE AN EXISTING GARAGE AND UTILITY ROOM AT 22 WATER STREET, RIBCHESTER, LANCASHIRE, PR3 3YJ.

PARISH COUNCIL: The Parish Council objects to this application for the following reasons:

- The street also forms part of the Ribchester Conservation area that in previous appraisals was considered to have townscape merit.
- No.22 is, by comparison, a recent addition built on the site of a one-story building and its adjacent garden area, and is somewhat out of character with the existing street scene, and the Parish Council believes that the proposed extension to No. 22 would add to this disparity.
- Also, by its scale and massing it is likely to dominate its immediate neighbours.
- It is the relationship between the property and the remainder of the street that causes the Council most concern, and the Council believes that the proposal would have an unacceptable affect on the existing amenity of neighbouring properties such as to compromise the long-term enjoyment of them.
- The proposed extension is also likely to increase the 'overshadowing' of neighbouring properties.
- Finally, extra consideration ought to be given to those local residents who have lived in the village for a considerable number of years and who are likely to suffer loss of amenity, against the wishes of a property owner who neither visits frequently nor takes any part in village life.

LCC PLANNING OFFICER (ARCHAEOLOGY): No comments or observations received within the statutory 21-day consultation period.

LCC TRAFFIC AND DEVELOPMENT ENGINEER: No comments or observations received within the statutory 21-day consultation period.

ADDITIONAL REPRESENTATIONS: Six letters of objection have been received from nearby neighbours who raise the following points of objection;

- Loss of light to the all surrounding properties,
- Given the existing building is on higher land than those surrounding it, this will further exacerbate the problem,
- House is only used as holiday accommodation the majority of the year,

- The proposal is a selfish, money-making exercise, with no thought for those nearby,
- It will extend above the natural height of properties on Greenside and will look out of place,
- Due to ill health, the loss of natural light to my house will have a detrimental impact on my medical condition,
- In 1987, a pair of semi-detached properties were refused on this site due to the over bearing impact. If this is approved, we will have the same unwelcome presence,
- Upstairs windows will overlook the garden and kitchen windows of no. 23,

- Upstairs windows will look directly into the bedrooms of numbers 31 & 32 Water Street, invading privacy,
- Larger houses attract more vehicles, and parking is already at saturation point in this area,
- Loss of view,
- Visual impact on the Conservation Area,

The elevation of an elevated, modern box-like structure at the junction of two well-used streets will detract from the style and integrity of the village. Water Street deserves protection from this.

Proposal

This application seeks the renewal of an extant permission to create a first floor extension over an existing single storey garage, which will create an additional bedroom with en-suite at first floor level at no. 22 Water Street, Ribchester.

Site Location

The site is located within the village boundary of Ribchester, and within the Ribchester Conservation Area, as defined by the Ribble Valley Districtwide Local Plan (adopted June 1998).

Relevant History

3/2007/0701/P - First floor extension above existing garage and utility room – Granted Conditionally.

3/1989/0432/P – Conversion of shop to residential dwelling and extension – Granted Conditionally.

3/1987/0561/P – Erection of one pair of semi-detached cottages – Refused.

3/1987/0560/P – Demolition of shop and garage and erection of one pair of semi-detached cottages (LBC) – Refused.

Relevant Policies

Policy G1 - Development Control.

Policy G4 - Settlement Strategy.

Policy ENV16 - Development Within Conservation Areas.

Policy H10 - Residential Extensions.

Policy SPG – “Extensions and Alterations to Dwellings”.

Environmental, AONB, Human Rights and Other Issues

This application seeks the renewal of an extant permission to create a first floor extension over an existing single storey garage adjoining no. 22 Water Street, Ribchester, which will create an additional bedroom with an en-suite. There have been no significant changes to the current saved planning policies, and as such the same policy considerations must be applied for this application.

The property is situated within the Ribchester Conservation Area, and as such Policy ENV16 is applicable. The main issues concerning this application are the same as the previous application, with regards to the potential impact on the street scene; the potential impact on the Ribchester Conservation Area and the potential loss of light or privacy the extension may have to adjacent properties.

With regards to the impact on the street scene, I refer back to my previous report written in respect of Application No. 3/2007/0701/P. The dwelling itself is modern in comparison to those adjacent in that its construction was granted as recently as 1989, and whilst being noted as a building of townscape merit within the recent Conservation Area appraisal, I consider the proposed extension to have been designed to blend in with the existing property, I have no objections to it from a design point of view. In addition, advice contained within the Council's Supplementary Planning Guidance (SPG): Extensions and Alterations to Dwellings, Paragraph 5.2, notes the need for extensions to be set back from the frontage of existing dwellings, extensions that will not dominate existing dwellings and extensions to match the form and shape of the existing dwelling. The proposal shows the extension to be set back from the front elevation of the existing dwelling, and as such it is considered that bearing in mind that;

- the proposed extension follows the roofline of the existing dwelling,
- the property has not been extended previously,
- the street is predominantly made up of two storey terraced properties,
- the proposed extension does not dominate the original dwelling, and
- the design of the proposed side extension blends in with the original form and character of the existing dwelling,

I consider the proposal to be acceptable, and the renewal of the application will again have no significant affect on the street scene or on the setting of the Conservation Area.

With regards to any potential loss of light to adjacent properties, bearing in mind the proposal is more than 8m away from any of the adjacent properties, using the BRE 45 degree ruling, there will be no significant loss of light caused to any of the surrounding windows of any of the nearby properties.

With regards to any potential loss of privacy to adjacent properties, it must be noted that there are already windows at first and ground floor in the front elevation of the property that currently overlook the nearby houses. As such, bearing in mind the new window on the new extension will be set back from the front elevation, I do not consider that this will cause a significant increase in the overlooking of the adjacent properties. However, with regards to the new window in the side extension at first floor, there may be some weight behind the objection made by no. 23 Water Street in regards to overlooking by this window as the current window is for a stairwell. As such, and in order to be consistent, it shall be conditioned that there is to be no window in this elevation.

Finally, with regards to the other 'material' points of objection raised, I do not consider the development will cause any significant impact on highway safety or on parking in the area, as there will be sufficient parking spaces provided on site.

Therefore, whilst I am mindful of the points of objection raised by both the Parish Council and the occupiers of adjacent dwellings, in considering the above points, it is recommended that the previous consent be renewed and subsequently that this application be granted.

SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant visual impact on the building or adverse affect upon the setting of the Conservation Area nor have a significant impact on residential amenity.

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 number 616 SK 01E.

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

3. Precise specifications and samples of walling and roofing materials and details of any window and door surrounds including materials to be used shall have been submitted to and approved 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".

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

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

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

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

6. Notwithstanding the submitted plans, there shall be no windows in the side elevation of the proposed extension at first floor level, and the building 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 Policies G1 and H10 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance –“Extensions and Alterations to Dwellings”.

7. The windows in the rear elevation of the extension at first floor level 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 Policies G1 and H10 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance - "Extensions and Alterations to Dwellings".

C APPLICATIONS WHICH THE DIRECTOR OF DEVELOPMENT SERVICES RECOMMENDS FOR REFUSAL

APPLICATION NO: 3/2010/0305/P (GRID REF: SD 375889 445842)
PROPOSED CONVERSION OF METHODIST CHAPEL INTO SIX ONE AND TWO BEDROOM AFFORDABLE FLATS INCLUDING PROVISION OF ADDITIONAL AMENITY AND CAR PARKING SPACE AT METHODIST CHAPEL, LOWER CHAPEL LANE, GRINDLETON

PARISH COUNCIL: Object on the following grounds:

1. Only 3 parking spaces are allocated and to allow six flats with a potential of 12 extra cars would create an unworkable situation. Insufficient parking spaces exist nearby and spaces around Sawley Road, Main Street and Chapel Lane are occupied.
2. Entrance to Chapel Lane is only suitable for one car to enter or leave at a time and the extra cars would create an unsafe situation.
3. Access via Back Lane is not practical as it is an un-made by way.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

I am recommending refusal of this application on highway safety grounds as it does not provide satisfactory off street parking provisions and the approaches to the site demand safety improvements that cannot be achieved from within land under the applicant's control.

1. There are three existing off street parking places shown on the application running along the north side of the property.
2. Some minor alterations have been made on the north side to improve pedestrian access and secure car parking spaces of suitable dimension, 2.4m x 5.0m.

A previous application 3/09/0532 provided a total of six car parking spaces but these did not provide a safe means of access. Limiting the dedicated provision to the three existing spaces and allowing the remaining requirements of the new residents to be met from on street is not ideal. However, it avoids the establishment of parking arrangements and manoeuvres that would be detrimental to road safety.

3. The creation of a small parking area on farm land immediately to the east of the existing building and served by an existing field gate would be the most desirable solution. This would minimise highway safety concerns by reducing the potential manoeuvring and subsequent conflict at the front of the church and provide for vehicular access in a forward gear, to and from the site.
4. The junction of Back Lane with Main Street offers restricted visibility and Back Lane is of limited width back towards the church. I do not consider that any local widening of the lane is feasible and there is no prospect of securing the necessary third party land to improve access onto Main Street.

In this case, a residential development of up to 6 properties provides an opportunity to plan for and manage the number of movements with a degree of confidence, while some of the alternative uses available are potentially more problematic.

5. There are already 18 residential properties being accessed off Lower Chapel Lane and the addition of 6 properties will have a significant impact on the operation of this limited access and increase the opportunity for conflict. The width of the lane limits its use to single lane traffic and there are no passing locations over the 70m length between Main Street and Back Lane. There is a potential for conflict where a vehicle is committed to turning off Main Street but meets an emerging vehicle and that vehicle is obliged to reverse for a considerable length along Back Lane.
6. There is minimal impact visibility to the right for motorists exiting Lower Chapel Lane onto Main Street due to the alignment of the junction and the proximity of an adjacent boundary wall. There is no prospect of securing a physical improvement at this location that would change this situation significantly.

The introduction of six new properties to Lower Chapel Lane with their associated vehicle movements and without the provision of appropriate highway safety measures would be to the detriment of highway safety in this vicinity. In view of this detrimental impact I am recommending refusal of this application on highway safety grounds.

LANCASHIRE COUNTY
COUNCIL (ARCHAEOLOGY):

It is one of the Government's stated objectives conserve England's heritage assets in a manner appropriate to their significance and PPS5 (Policy HE6, HE7 & HE9) is quite clear in the need for applications that affect heritage assets to provide an assessment of the effects of the proposed development on the significance of those assets as part of the planning application.

LCAS is of the opinion that the submitted application fails to identify which elements of the building could be considered to be of significance, and how such significance is to be retained by the current proposals. This should apply to beyond merely a consideration of the changes to the buildings external appearance and any external surface treatments and boundary changes, but must also include the building's internal arrangement.

LCAS would therefore recommend that determination of this application be deferred until such a time as the applicants have submitted such an assessment, in order that a reasoned and informed decision can be made on the suitability of the current proposals.

However, should the Borough Council consider that the above approach is unreasonable, or that other circumstances make such an approach unfeasible, then I would request that LCAS is contacted in writing outlining the Borough Council's position. At that point the Archaeology Service will then form an opinion as to how best to proceed addressing the remaining archaeological issues such as those outlined in PPS5, Policy HE12.

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. Concerns over highway safety with access from Chapel Lane onto Main Street difficult to manoeuvre especially by large vehicles, eg refuse collection vehicles as well as inadequate width of track and lack of parking.
2. Concerns over relationship with land immediately to the south of the building where there are graves and the fact that people should be allowed to visit the graves in a degree of privacy and peace. Is it appropriate to have windows opening directly onto the graveyard?
4. Consider that the building is unlikely to be used for a commercial use and as such the argument about alternative higher trip generating uses is not valid.

5. Over intensive development which will compromise the amenities of nearby householders including noise issues.
6. Privacy not only for existing residents but for the new residents of the flats as access into the building is limited and thus there will be pedestrian activity directly outside of lounge windows of the flats.
7. A recognition that the building must be put to an active use but it would be far better suited to a community role or less intensive residential development – single dwelling.

Proposal

This application is a resubmission of a previously refused scheme with the main changes being a reduction in the number of car parking spaces to address the design issues and in particular the retention of the wall and gateway at the front of the building.

Consent is sought for the conversion of the Methodist Chapel in Grindleton to six apartment style units (5 four person and 1 two person unit). All properties would be affordable for rental and in order to achieve the required sizes it is necessary to incorporate a new first floor within the building to accommodate bedroom and bathrooms for each unit.

Physical Alterations to Building

With regard to works to the external fabric of the building, whilst no new window openings are shown the existing windows would be replaced with double glazed casement windows of either painted timber or powder coated galvanised steel. In order to conceal the new first floor structure obscure glazed panels would need to be inserted to roughly the mid point of the tall windows of the Chapel and Sunday School and to the top rounded heads of the two ground floor front elevation windows and glazed door panels above the doorway. The existing doors would be replaced by hardwood veneer doors to the front elevation. A total of five velux are shown in the southern elevation and three to the northern elevation. Painted red cement rendering to the main Chapel will be removed and replaced with a lighter lime render with brick elevations cleaned and repointed.

Amenity provision and boundary treatment

Part of the development involves the separation of the existing Chapel and immediate external areas from the graveyard located to its southern side. In order to do this a 1200mm high galvanised steel boundary fence would be provided along the southern boundary approximately 1.3m distant from the rear wall of the building. The boundary to the south east corner of the site between the graveyard and communal amenity area for the proposed units would have a 1.8m high timber post and hit and miss boarded fence. An external store is shown in an existing outbuilding to the east of the site with bin storage areas shown immediately in front of this.

Parking Provision

Parking for the development is shown as three spaces to the north of the building - the existing parking area for the Chapel and a remodelling of the area to the west of the building which currently provides entrance to both the building and graveyard.

Graveyard Access

A new public access would be provided to the graveyard located adjacent to the junction with Back lane on the southern part of the existing entrance wall. This will require partial removal of an existing random rubble retaining wall and the creation of new concrete steps up to the graveyard level and a new wrought iron gate.

Site Location

Grindleton Methodist Chapel and Sunday School lie at the junction of Back Lane and Lower Chapel Lane within the settlement limit of Grindleton, its Conservation Area and land designated Area of Outstanding Natural Beauty. The building itself is identified as both a building of townscape merit and focal building in the Grindleton Conservation Area Appraisal with a graveyard to its immediate south. The land falls away to the south.

Relevant History

B01147 – Form a car park. Approved
3/2009/0532 Proposed conversion of chapel to 6 flats - Refused

Relevant Policies

Policy G1 - Development Control.
Policy G4 - Settlement Strategy.
Policy ENV1 - Area of Outstanding Natural Beauty.
Policy ENV16 - Development Within Conservation Areas.
Policy ENV17 - Details Required with Proposals in Conservation Areas.
Policy H15 - Building Conversions - Location.
Policy H16 - Building Conversions - Building to be Converted.
Policy H17 - Building Conversions - Design Matters.
Policy H20 - Affordable Housing - Villages and Countryside.
Policy H21 - Affordable Housing - Information Needed.
Affordable Memorandum of Understanding
Grindleton Conservation Area Appraisal and Associated Management Guidance
PPS 5 Planning for the Historic Environment

Environmental, AONB, Human Rights and Other Issues

Matters for consideration in the determination of this application are the principle of development, effects on highway safety and visual and residential amenity.

Principle of Development

The site lies wholly within the identified settlement limit of Grindleton and thus Policy G4 applies which allows for the rehabilitation and reuse of rural buildings and proposals which contribute to

the solution of a particular housing problem. Proposals for the latter are then expected to conform to Policy H20 which goes into more detail about affordable housing. The scheme before Members is the conversion of an existing building to provide six affordable rental properties with a draft Section 106 Agreement submitted outlining nomination procedures and priorities for occupation. The Council's Housing Strategy Officer has been consulted on this application and has stated that the scheme does meet identified needs in Grindleton. The housing waiting list for social housing is a total of 69 households that have registered an interest in housing in Grindleton. Of these 69 households, 20 have requested two bedroom accommodation and 30 have requested one bed. The proposal to deliver social rented units as outlined would also meet the identified need contained within the Ribble Valley Strategic Housing Market Assessment 2008.

I am mindful that one of the objectors has questioned whether the proposal is mismatched to actual village needs and in this matter I must be guided by the Housing Strategy Officer. The Housing Needs survey for Grindleton undertaken in 2006 identified a total of 14 households in housing need within the next five years. The tender preference from the Housing Needs Survey was discounted sale. This type of affordable housing would be difficult to achieve in Grindleton where the identified affordable mortgage is for £74,000. The discount required to be applied to any scheme to meet this level of affordability would render the scheme unviable. Housing Associations would not consider delivering a discounted sale scheme and therefore there would be no Homes and Community Agency funding to support a discounted sale scheme.

Therefore, on the basis of this I consider that the actual principle of conversion to six affordable rental units would be acceptable subject to the provisions of other policies of the Districtwide Local Plan which are explored in detail below.

Highway Safety

It is evident from the advice of the County Surveyor that he considers the scheme to be substandard in relation to provision of parking spaces and also the poor visibility at the junction from Chapel Lane and Main Street would be unacceptable and result in conditions to the detriment of highway safety. It is clear the additional dwellings and their associated vehicular movements without appropriate highway safety measures would be detrimental to highway safety. Highway consideration is a material issue and as such needs to be given significant weight in the determination of this application.

There is a difference of opinion between the supporting highway statement submitted by the applicant and one on behalf of the objectors. One concludes that on the basis of anticipated traffic generation and having regard to the local highway network it would not cause significant harm whilst the other concludes that there will be a 35% increase in traffic, inadequate off street parking which would both cause harm to the highway situation.

Visual Impact/Effect on Character of Building

The revised scheme now retains the boundary treatment and as such has removed this element of concern in relation to design and visual impact.

The Grindleton Conservation Area Appraisal defines the Chapel as both a building of Townscape Merit (thus confirming its positive contribution to the character and appearance of the Conservation Area) and a focal building. The buildings defining features are stated as

chapel rendered with tall round headed light windows, the Sunday school of Accrington brick, all with original boundary wall, gate and railings.

Turning to the works the building itself, I am mindful not only of the Conservation Area and AONB setting (Policies ENV1, ENV16, ENV17) but also the fact that this is a conversion of an existing structure and thus conclude that Policies H15, H16 and H17 are equally applicable. Policy H15 allows for the conversion of appropriate buildings within settlements, H16 requires the building to be structurally sound and of sufficient size to provide for minimal living accommodation without the need for further extensions and Policy H17 offers guidance on design matters. Whilst I acknowledge that these saved policies are more readily associated with the conversion of more rural buildings, they fall within the section of the Districtwide Local Plan that concerns itself with the conversion of barns and other buildings to dwellings and thus offer important guidelines for building conversions.

As stated previously, in order to enable the provision of six two storey units within the shell of the existing building, a new first floor structure is proposed and this will have an impact on the character of the internal space. However, the building is not listed and thus such an objection to the development would prove difficult to substantiate on appeal. The type of window openings have been changed and are now consistent and 3 of the existing openings are now retained as sash windows. The number of rooflights have also been reduced to an acceptable level not to have an impact of the roof and the wider landscape.

Replacement doors are shown and are similar to the existing. The front door no longer has a glazed element which I now consider acceptable.

Amenity Space and Boundary Treatment to a Graveyard

The plans denote a small amenity/drying area to the east of the building – an area measuring approximately 7m x 7m and formed by paving from Marshall's Heritage range. This area will be separated from the graveyard by a 1.8m high timber fence with there being a pavement to the south and west of the building and again to the north eastern corner where an external bin store area is shown. The scheme also allows for an amenity area at the front which measures approximately 8m x 8m which is to be part landscaped. Comments have been received from objectors on the basis that the amount of amenity space is insufficient for the number of units proposed. In response to this I would remind Committee that historically where a scheme elsewhere in the Borough was refused on the lack of amenity space the Planning Inspector commented that this is very much a matter for the individuals concerned to decide for themselves in choosing whether to live in a respective location. The plans do provide for limited amenity space and I consider that a refusal on this ground would prove difficult to substantiate on appeal.

The boundary treatment proposed to separate the development site from the graveyard is a 1.2m wrought iron railings along the site's southern boundary. The railings would be approximately 200mm from the backs of existing gravestones. There are two issues to consider here – the visual impact of such a fence and impact on the graveyard/stones. No specific elevational details have been submitted of the proposed fencing but it is indicated that it would match the existing. In respect of relationship to gravestones the fence is to the rear of the gravestones and thus provided the posts for the fence are inserted between the gravestones there should not be any significant detriment caused even though the space for the fence is only minimal.

The plans show a repositioned entrance to the graveyard with the reuse of the existing gate posts and gate. The new steps would run parallel to the wall fronting the lane and whilst I am mindful that the grassed mound that is to be dug into to facilitate the parking and in part the access has people's ashes interned there is no evidence to suggest that the works proposed would interfere with those. Thus I consider the new graveyard entrance acceptable.

Impact on residential amenity

There are existing dwellings to the north west, west and south of the site. Given that the works are, except for the amenity and bin area to the east of the building, within the existing structure, I am of the opinion that the main considerations on residential amenity are potential overlooking and disturbance from comings and goings from the site. Having regard to the relationship between buildings I do not consider that the conversion works would result in a significant degree of overlooking so as to warrant an unfavourable recommendation. The properties to the north west of the building that are set to the south of Lower Chapel Lane would have their amenity space, (that in the main is used for parking) overlooked – there being approximately 20m between the application building and nearest property. However, these areas are already open to public view from those on Lower Chapel Lane and thus I consider the relationship satisfactory.

Reference has been made by objectors to privacy issues for residents of the new units as a result of people walking past habitable windows to access the amenity area but I do not consider that to be an issue and again is a matter for potential residents to consider prior to occupation.

Noise nuisance has been mentioned but I do not consider that the use of the building for residential occupation in itself would be injurious to surrounding amenity. I am also mindful that it is a building with an existing use that has potential for a considerable amount of both vehicular and pedestrian movements with their resulting impact on surrounding properties. When balancing this against the proposed residential use I conclude that potential disturbance from comings and goings to the building would not be so significant so as to warrant an unfavourable recommendation. Thus, on residential amenity grounds I consider the scheme to be acceptable.

In relation to visual impact and to the character of the building and Conservation area I am satisfied that this revised scheme overcomes the design and visual based objections on the previous scheme.

In relation to the comments relating to Lancashire County Council Archaeological and the bat survey, I am satisfied that appropriate conditions could be imposed should the Council be minded to approve the application. However, given the objections on highway grounds, I consider that this reason itself is sufficient to resist the development.

RECOMMENDATION: That planning permission be REFUSED for the following reason(s):

1. The proposal, by virtue of the additional dwellings would result in conditions detrimental to highway safety due to the substandard junction arrangement and lack of off street parking and as such be contrary to Policy G1 of the Ribble Valley Districtwide Local Plan.

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

APPLICATION NO: 3/2010/0573/P (GRID REF: SD 372810 437885)
PROPOSED APPLICATION TO MODIFY CONDITION 15 RELATING TO A UNILATERAL UNDERTAKING AND TO MODIFY CONDITION 16 TO ALLOW THE PROPERTY TO BE USED AS A PERMANENT RESIDENTIAL ACCOMMODATION AT PEAR TREE COTTAGE, BROOK HOUSE FARM, MITTON ROAD, WHALLEY

PARISH COUNCIL: More permanent residential development will have a negative impact on existing educational, medicinal and traffic infrastructure.

ADDITIONAL REPRESENTATIONS: One letter of objection has been received outlining that if this is approved, it will be regarded as the norm for anyone owning holiday cottages with a flood of applications from owners seeking to have the restrictions lifted. This will increase the commercial value of properties.

Proposal

Consent is sought to vary two conditions of planning consent 3/2002/0832/P which concerned itself with the change of use of existing farm buildings to form 8 dwellings, three holiday cottages, erection of detached garages and erection of animal feed building, agricultural buildings and livery buildings at Brook House Farm.

Condition 15 states that the application shall be read in conjunction with a unilateral undertaking dated 4 October 2002 which restricts use of the farm buildings and land, refers to a countryside stewardship scheme, selling/leasing land for a rural community car park and not to allow the three holiday lets to be used as permanent accommodation. Condition 16 specifies that the holiday units shall not be used as permanent accommodation.

The application seeks to modify these conditions to allow Pear Tree Cottage to be used as permanent residential accommodation. It is a two-storey cottage converted from a former agricultural building and is within the group of buildings that formerly comprised Brook House Farm.

Site Location

The property is within a complex of buildings that lie to the east of Mitton Road. The overall site is outside any defined settlement limit lying within land designated open countryside in the Ribble Valley Districtwide Local Plan.

Relevant History

3/2004/0050/P – Conversion of barn to form 1 dwelling, two holiday cottages and garaging with store room over for units 4, 7, 5 – resubmission. Approved with conditions 23 March 2004.

3/2002/0832/P – Change of use of existing farm building to form 8 dwellings, 3 holiday cottages, erection of detached garages and erection of animal feed building, agricultural buildings and livery building. Approved with conditions 20 February 2003.

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV3 - Development in Open Countryside.

Policy H2 - Dwellings in the Open Countryside.

Policy H15 - Building Conversions - Location.

Policy H23 - Removal of Holiday Let Conditions.

Environmental, AONB, Human Rights and Other Issues

The key issue for consideration is the principle of allowing the holiday let to become permanent residential accommodation.

The property is the result of a barn conversion and forms part of an established group of buildings – mix of residential, holiday let, agricultural and livery. It lies within land designated open countryside with the saved policies of the Districtwide Local Plan, of most relevance being H23, H2 and H15. Policy H23 concerns itself with the removal of holiday let conditions stating:

“proposals seeking the removal of conditions which restrict the occupancy of dwellings to tourism/visitor usage will be refused unless the proposal conforms to the normal development control policies of the Local Plan. Policies G5, H2, H15, H16 and H17 will be particularly relevant in any assessment”.

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 the conversion of a rural building.

Policy H2 concerns itself with dwellings in the open countryside and allows for:

“the appropriate conversion of buildings to dwellings provided they are suitably located and their form, bulk and general design are in keeping with their surrounds ... (see Policies H15, H16 and H17 for further advice).

The property the subject of this application had already undergone one conversion scheme in a manner which is in keeping with its surroundings in terms of form, bulk and general design. Therefore it is the question over whether it is a suitable location that warrants further consideration. When assessing the conversion of rural buildings to dwellings regard is had to their location with Policy H15 of the Districtwide Local Plan offering detailed criteria on this matter. The supporting text to the Policy makes clear that: *“the conversion of appropriate buildings within settlements or which form part of an already defined group is acceptable. Problems arise however where isolated buildings in the landscape such as barns are proposed for conversion”*.

As stated previously the building the subject of this application forms part of a defined group of buildings and thus I conclude that the locational requirement of H15 is met.

Given no building development is involved, the proposal would not have any detrimental effects on the visual amenities of the locality and thus the requirements of Policies G1 and ENV3 are met.

The application has been submitted with a revised draft unilateral undertaking but on advice from the Council's Legal Section, the applicant's agent has been informed that should Committee be minded to approve the application, a Section 106 Agreement will need to be entered into to cover this property with the existing unilateral undertaking that covers the remainder of the overall development remaining in place. This would need to be dealt with via a separate planning application for the modification of the existing legal agreement. At such time as that application is determined this consent with the revised wording of conditions to reflect that could be granted. On the basis of this I recommend accordingly. For Committee's information, this permission should refer to all the terms of the original permission to avoid the possibility of this new permission being interpreted as having no conditions or only those that were amended.

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 Committee be MINDED TO APPROVE the application subject to the following conditions and therefore DEFER AND DELEGATE to the Director of Development Services to negotiate the satisfactory completion of a Section 106 Agreement to specify the revisions to the existing unilateral undertaking in respect of Pear Tree Cottage.

1. This permission 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 in relation to access shall be implemented in accordance with the proposal as amended by letter and plan received on the 8 November 2002.

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 Policies G1, and H17 and 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) any future additional structures, hard standing or fences as defined in Schedule 2 Part I Classes E, F and G, and Part II 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 in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and in the interests of safeguarding any adjacent residential amenity or visual amenity.

6. No works can begin until a survey has been conducted by a person, the identity of whom has been previously agreed in writing by the English Nature Species Protection Officer and the Local Planning Authority, to investigate whether the barn is utilised by bats or any other protected species, and the survey results passed to English Nature and the Local Planning Authority.

If such use is established, a scheme for the protection of the species/habitat shall be submitted to and agreed in writing by English Nature and the Local Planning Authority before any work commences on site.

REASON: To comply with Policies G1, ENV7 and H16 of the Ribble Valley Districtwide Local Plan ensuring that no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed.

7. 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.

8. This permission shall relate to the proposed conversion in accordance with the structural survey submitted as part of the application and dated 6 February 2002. 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.

9. Notwithstanding the details shown upon the approved plans, the proposed Velux roof lights shall be of the Conservation Type, recessed with a flush fitting, details of which shall be further submitted to and approved by the Local Planning Authority before development commences upon the site.

REASON: In the interests of visual amenity in order to retain the character of the barn and to comply with Policies G1, H16 and H17 of the Ribble Valley Districtwide Local Plan.

10. Before any part of the development hereby approved is brought into use, the Mitton Road junction bell mouth shall be improved in accordance with the scheme to be agreed with the Local Planning Authority.

REASON: To ensure that satisfaction access is provided to the site before the development hereby permitted becomes operative in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

11. Before any part of the development hereby approved is first brought into use, a 1.5m minimum width surfaced footway shall be provided in permanent pavement materials along one side of the access road between Mitton Road and the residential units.

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

12. There shall not, at any time in connection with this development, be any obstructions whatsoever above road level between the adjacent field boundaries and the nearside carriageway edge of Mitton Road within 150m either side of the centre line of the access road.

REASON: To ensure adequate visibility at the street junction or side access in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

13. No development approved by this permission shall be commenced until a scheme for the containment and storage of manure has been approved by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with approved plans.

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

14. No work shall take place on the site until the applicant, or their agent or successors in title, has secured the making of a detailed record of the building. This must be carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building in accordance with Policies G1, ENV14 and ENV15 of the Ribble Valley Districtwide Local Plan.

15. This permission shall be read in conjunction with the unilateral undertaking dated 4 October 2002 and Section 106 Agreement dated ... which outlines that Pear Tree Cottage can be occupied as permanent residential accommodation.

REASON: For the avoidance of doubt as the site is subject of a unilateral and Section 106 Agreement.

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

REASON: In order to comply with Policies G1, G5, ENV3, RT1 and RT3 of the Ribble Valley Districtwide Local Plan. The building is located in an area where the Local Planning Authority would not normally be minded to grant the use of building for a permanent residential accommodation.

17. The agricultural feed store building shall inure for the personal benefit of the Townson's and only retail seed/pet products and not for any other retail use within Part A1 of the Town and Country Planning Use Class Order.

REASON: The Council would not normally seek to permit a retail use within this area other than exceptional circumstances in this case.

NOTE(S):

1. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning Area Surveyor East 01254 823831 or writing to the Area Surveyor East, Lancashire County Council, Area Office, Riddings Lane, Whalley, Clitheroe BB7 9RW quoting the planning application number.
2. The granting of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpath numbers 2, 3 and 5 affects the site and footpath number 7 emerges at the boundary of the site.
3. The applicants attention is drawn to the Environment Agency letter dated 13 March 2002 which has been forwarded direct to the agent and he has advised of the need to comply with their requirements.

APPLICATION NO: 3/2009/0975/P (LBC) (GRID REF: SD 377641 448621)
PROPOSED DEMOLITION OF TALL STONE BARN WITHIN THE CURTILAGE OF BOLTON PEEL FARM. THIS IS FOR SEVERE STRUCTURAL AND SAFETY REASONS AS THE BARN IS IN A DANGEROUS STATE AT BOLTON PEEL FARM, BOLTON-BY-BOWLAND

PARISH COUNCIL: No representations have been received.

ENGLISH HERITAGE:

(14 June 2010) To the south west of the farmhouse is a second traditional barn. Built in a combination of slate and local grit stone, this structure probably dates to the early 19th Century or earlier. It has been altered in the past presumably to reflect changing agricultural practices and requirements.

Although not individually listed, the barn to the south west of Bolton Peel Farmhouse contributes strongly both to the group value of the evolved farmstead and to the character of the local area. It may be deemed to lie within the curtilage of the Grade II* listed farmhouse and certainly to contribute both to the setting of the farmhouse and to the understanding of the immediate landscape. The barn represents a significant element of the farmstead through its local vernacular style and traditional materials.

The HELM website advises about the value of historic farmbuildings and the contribution they play both to our understanding of this finite and threatened resource, and to our locally distinctive landscape:

“Historic farm buildings make a fundamental contribution to the landscape character and local distinctiveness of rural areas and are vital to our understanding of the development of agriculture and today’s settlement patterns.”

Historic farm buildings also provide an important economic asset to modern farm businesses, often continuing in use on the farm. Where they have become redundant, they can provide a high quality environment for new businesses or housing through adaptive reuse, helping to alleviate build pressure on green field land and reducing the demand for new buildings in sensitive rural areas.”

It is the responsibility of owners of statutorily protected historic buildings (and associated structures) to maintain their property in a state that is not detrimental to the future survival of the building or to its architectural and historical significance. Condition is therefore not necessarily taken into account in applications for demolition.

If deemed to lie within the curtilage of either of the listed structures then it would be necessary to undertake a valid and thorough marketing exercise to establish whether an alternative owner or use for the building could be found prior to permission being granted for demolition as stated in PPS5 HE9.3. English Heritage understands that the condition of the barn has prompted this application and it notes the submission of the structural report by RG Parkins and Partners Limited. English Heritage would, therefore, appreciate the opportunity for a English Heritage structural engineer to visit the site to make an independent assessment of the condition of the barn.

Importantly, English Heritage note that no financial assessment of the barn has been included in the application. The structural report contains assertions that “*the costs.. are considered to be potentially quite considerable*” and that “*such a scheme, in our view, would prove to (sic) prohibitively expensive.*”

However, before permission for demolition is granted on the grounds of the cost to repair the barn in its current condition, English Heritage would expect the submission of a schedule of repair works and full associated costings. Again, English Heritage would like to request the opportunity to have these figures assessed by an English Heritage quantity surveyor.

English Heritage does not support the application for the demolition of the barn at this stage. English Heritage wish to engage with the applicant in making an independent assessment of both the condition of the barn and the potential repair costs.

(Informal comments 28 July 2010) The English Heritage barn specialist, listing team and legal team have now been consulted.

The English Heritage legal team are doubtful whether it could be argued that the barn is within the curtilage of the farmhouse – which turns its back on the working farm buildings and has a clearly defined garden curtilage wall. It may be possible to argue that the barn is in the curtilage of the listed barn – which was apparently altered around the same time, but this is not assured. Would be hard pressed to ask the listing team to invest resources in looking at this case as a priority.

The barn, known as the Tall Barn is a good example of a (probably early) 19th century embanked barn. This type of structure originated in Cumbria in the 17th century but gradually spread south into Lancashire. By the 17th Century they were found widely throughout northern Lancashire but were less common in the south of the county. The watershot masonry is a traditional local feature, however the outside stair to the north elevation is unusual. The internal brick piers and stall separators all appear to be original. The barn forms an integral part of the historic farmstead at Bolton Peel and is of architectural and historic interest as a good example of its type of traditional farm building. Its loss would be regrettable in terms of the individual building, in terms of being detrimental to the setting of the listed farm buildings, and in terms of being detrimental to the traditional agricultural landscape of this part of Lancashire. This effect is particularly pertinent as the Tall Barn is highly visible from the adjacent road.

The Tall Barn is currently unlisted.

Embanked barns are not that uncommon in north Lancashire, however only 3 are currently listed meaning that as a building type they are not well protected. This particular example may be considered for listing if it could be demonstrated that the barn is pre-1840 in date (for example from map evidence) however its current condition would not weigh in its favour.

It is doubtful whether it could be argued that the barn is within the curtilage of the farmhouse which turns its back on the working farm buildings and has a clearly defined garden curtilage wall. It may be legitimate to view the barn as in the curtilage of the listed barn – which was apparently altered around the same time – but this would depend upon the function of the Tall Barn being demonstrably ancillary to the role of the listed cruck barn.

English Heritage's structural engineer does not have any fundamental disagreement with the structural report provided by the applicant. He observed signs of cracking and/or distortion on all four walls associated with lateral movement of the walls due to insufficient restraint and confirmed that concern about the structure's overall stability is justified. Glass telltales are present on a number of cracks, and while some are fractured with hairline cracks, others are not. This might indicate that movement is ongoing but at an almost insignificant rate. In its current condition he concluded that the building has the potential to collapse although putting a timescale to such a collapse is not possible.

While English Heritage recognise the issues faced by the current condition of the barn, for the reasons of significance outlined above, English Heritage would not wish to see this building lost.

The English Heritage engineer suggests installing a system of monitoring for any further movement to the outwardly bulging south wall. If any signs of movement are detected, then it is recommended that the area be vacated immediately and barriers erected to secure an exclusion zone.

It is also advised that if the walls are to be prevented from collapsing at some time in the future, they need to be secured to a new internal frame. If scaffolding companies are willing to enter the barn it should be possible to insert a fully braced scaffold to which the exterior walls could be tied using push-pull props secured through the walls. However, while removing the risk of collapse, this scaffold would effectively prevent any use of the barn.

A more permanent frame might comprise a braced structural steel frame supporting at least two internal floor levels (first floor, second floor, and eaves level bracing). Such framing may take the form of 12 columns inter-connected by a rectangular grid of beams with cross braced bays to each elevation and floor plate. The assembly would be on a reinforced concrete raft slab. This would have to be undertaken with the scaffold in place.

Tied back to this internal frame, walls could be repaired (the bulge to the south wall would have to be rebuilt after the rest of the building has been restrained) and grouted as necessary.

Such work would require a consultant engineer with vast experience of working with historic buildings, or a demolition contractor familiar with propping damaged buildings.

The cost of undertaking this work has been estimated by English Heritage's quantity surveyor. A significant cost relates to the temporary support required whilst the floor slab and steel work is inserted. No cost has been allowed for any exceptional risk additions that may be included by the tenderers for this work. Based upon current rates (3rd Quarter 2010), excluding fees and VAT, the budget cost is in the order of £125,000 with a potential risk element of an additional £16,000 depending upon the detailed analysis of the temporary support required.

It is recognised that the Tall Barn is considered by the tenant farmer to be unsuited to modern mechanised farming methods. The location of the barn (essentially at the heart of the farmyard) makes other uses such as residential, office or holiday let, problematic. Funding for the repair will therefore be difficult to locate.

English Heritage would, however, strongly urge the owner to take up the offer of applying for an HLS grant from Natural England which is designed to step in in exactly these sorts of cases, ie where a building is a good local example of a traditional farm type but does not necessarily meet the criteria for designation and its repair costs will not readily be met by economic viability or other funding sources. In this way it may be possible to repair the Tall Barn and to retain it as a feature of the local area until such time as a viable use may be found for it.

LCC (ARCHAEOLOGY):

A building of a similar size and orientation as that proposed for demolition can be seen on the 1st Edition 1:10560 Ordnance Survey surveyed in 1847 (Yorkshire Sheet 165). The building is therefore considered to be of some historical interest, most likely dating from the first half of the 19th Century or earlier, having undergone a number of changes in response to changes in agricultural practice and economics.

The Council for British Archaeology “An Archaeological Research Framework for North West England: Volume 2, Research Agenda and Strategy” has indicated that “*there is an urgent need for all local authorities to ensure that farm buildings undergoing adaption are at least considered for recording*” (Page 140) so that “*original dates of farm buildings can be derived and variations across the region examined*”. (Ibid).

Consequently, should the local planning authority be minded to grant planning permission to this or any other scheme, Lancashire County Archaeology Service would recommend that an archaeological record of the building be secured (a condition is suggested).

THE SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS:

Note that there was no design and access statement included with the submitted application.

This barn forms a distinct and robust element to the grouping of the buildings within the historic farmstead and especially provides a strong visual presence to the group as viewed from the road travelling north. Its construction with local materials and in a local style adds to its interest.

The structural engineer's report highlights telltale markings on the building, which suggests that the cracking and movement of the barn was being monitored previously. If the owner has this information then it should be reviewed to understand whether the movement in the building's structure is ongoing or historic. The report does not appear to rule out repair as an option but rather suggests that it would be prohibitively expensive to do so. Demolition appears to have been justified predominantly for economic reasons. The owner may be interested to know that grant aid may be available from Natural England for the repair of this barn.

In the application it proposes demolition must be considered fully against the criteria set out in PPS5. Section HE9.1 requires clear and convincing justification for the loss of a heritage asset and Section HE9.2 sets out the criteria against which loss of the heritage asset must be demonstrated.

It is vital to ensure that all possibilities of preserving the historic fabric of the building are investigated fully first. Demolition must be considered as the last and only option available. The Society believes that demolition of the barn is not justified and therefore objects to the application.

ANCIENT MONUMENTS SOCIETY:

The tall barn is an impressive structure and part of an important group. Although not listed in its own right it perhaps ought to be considered for listing. In any event its demolition would mean the loss of a building of some intrinsic interest and damage to the significance of the group as a whole.

Therefore, the Ancient Monuments Society object to this proposal. The structural engineer's report is noted which suggests that repair would be expensive. This opinion ought to be tested by considering all possible repair options and the means by which they could be part of a scheme for reuse. Without compelling evidence that there really is no other option to demolition, the Ancient Monuments Society cannot advise your Council to approve this application.

RVBC (COUNTYSIDE OFFICER):

A species protection condition is suggested.

ADDITIONAL
REPRESENTATIONS:

No representations have been received.

Proposal

Listed building consent is sought for the demolition of the bank barn. The application form states that this is for health and safety reasons because the building forms part of a working farm. The application includes a structural report which concludes that:

1. It appears that at some stage in its history the whole barn has had its height raised by approximately 2m. This has resulted in the upper level having an unusually high "first" floor to eaves level. In order to maintain this configuration then all walling requires to be in reasonable condition. The higher/greater the height to wall thickness ratio then the more vulnerable the structure becomes to the stress caused by cracking/movement.
2. The gable wall is in very poor condition and the bulging is at the stage where any further outward movement may lead to catastrophic collapse.
3. To attempt tie back the west gable wall and to restrain against further outwards movement is not practical in this structure. A major problem is the lack of lateral restraint currently and the difficulty in attempting to provide a system to allow such restraint.
4. If the gable wall is taken down then the roof will have to be removed first, the side walls adjacent will need propping before this as the extent of the cracking therein may lead to collapse of those side walls.

The structural report concludes that:

1. The west gable wall to the barn is in such a condition that something requires to be done urgently to ensure against the danger of collapse.
2. The costs involved in taking the roof off, rebuilding the gable wall, wholesale propping and partial rebuilding of the side walls and the provision of a new upper floor are considered to be potentially quite considerable.
3. The barn and the west gable in particular should not be left in the current condition. It is recommended that a controlled demolition of possibly the whole barn is undertaken in order to make the area safe. Otherwise, if part demolition is carried out then this should be with significant temporary works protecting the remaining structure. A scheme to part rebuild and make good should be agreed in outline before proceeding to demolition, in order to agree its viability. Such a scheme in our view would prove too prohibitively expensive.
4. Take down the barn and rebuild/replace the structure.

Site Location

Bolton Peel Farm is a very prominent and interesting historic farmstead immediately adjacent to the Sawley/Bolton-by-Bowland road and within the Forest of Bowland Area of Outstanding Natural Beauty. Bolton Peel Farmhouse is a Grade II* listed building of the 17th Century. 13m to the north of Bolton Peel Farmhouse is a Grade II listed barn with walls possibly from the early 19th Century and containing crucks of the 17th Century or earlier (the list description states this

barn is “*listed for group value only*”). To the front of Bolton Peel Farmhouse is the Grade II listed Bolton Peel Cross (medieval base). Immediately to the west of the farmstead is a moated site which appears on the County Sites and Monuments Record.

The bank barn is at one extremity of an “L” shaped collection of historic farm buildings immediately to the south of the farmhouse and the cruck barn. Historic maps suggest these ranges formed two sides of a square courtyard up until the demolition of other wall enclosures in the 20th Century. The bank barn is the most prominent feature of the farmstead on the public approach from Sawley.

Relevant History

3/2009/0396/P – Demolition of lean-to livestock building within the curtilage of the listed building. Listed building consent granted 14 July 2009.

3/2007/0601/P – New build general purpose agricultural building. Planning permission granted 24 August 2007.

3/2002/0563/P – Proposed livestock building. Planning permission granted 15 August 2002.

3/98/0523/P – Extension to steel portal frame building to convert remainder of silage clamp into livestock accommodation. Planning permission granted 10 September 1998.

3/98/0394/P – Erection of steel portal frame roof over existing silage barn to convert to livestock accommodation. Planning permission granted 20 July 1998.

3/94/0471/P – Provision of additional slurry store. Planning permission granted 9 September 1994.

3/94/014A – Open concrete walled/concrete floored slurry store. No objections issued 25 May 1994.

Relevant Policies

Planning (Listed Buildings and Conservation Areas) Act 1990

Planning for the Historic Environment (PPS 5).

Heritage Environment Planning Practice Guide (HEPPG).

Policy ENV19 - Listed Buildings (Setting).

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

Environmental, AONB, Human Rights and Other Issues

The main consideration in the determination of this application is the status of the bank barn with respect to the grade II* and grade II listed buildings on the site and Section 1(5)(b) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The latter states that:

(5) In this Act ‘listed building’ means a building which is for the time being included in a list compiled or approved by the Secretary of State under this section; and for the purposes of this Act –

(a) any object or structure fixed to the building;

(b) any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1 July 1948,

shall be treated as part of the building.

Whilst apparently straight forward this section has been subject to considerable legal interpretation. The now defunct PPG15 (1994) stated that:

3.33 The listing of a building confers protection also on any object or structure within its curtilage which forms part of the land and has done so since before 1 July 1948. Following recent case law, the Secretary of State for National Heritage has attempted to consider individually all the structures and buildings on a site which can be construed as separate buildings and to list those which qualify for listing. There will still be circumstances, *however, where a structure or building forms part of land which surrounds or is connected to or serves a listed building, and landowners and local planning authorities will need to consider on the facts of each case whether it forms part of the land and falls within the curtilage of the listed building.*

3.34 *The principal tests as to whether an object or structure is within the curtilage of a listed building relate to the physical layout of the land surrounding the listed building at the date of the statutory listing and the relationship of the structures on the surrounding land to each other. Changes in ownership, occupation or use after the listing date will not bring about the delisting of a building which formed part of the principal building at the date of listing. The courts have held that for a structure or building within the curtilage of a listed building to be part of a listed building it must be ancillary to the principal building, that is it must have served the purposes of the principal building at the date of listing, or at a recent time before the date of listing, in a necessary or reasonably useful way and must not be historically an independent building. Where a self contained building was fenced or walled off from the remainder of the site at the date of listing, regardless of the purpose for which it was erected and is occupied, it is likely to be regarded as having a separate curtilage. The structure or building must still form part of the land, and this probably means that there must be some degree of physical annexation to the land.*

3.35 *Considerations which may assist local planning authorities in forming their own views, or giving advice if requested, include:*

- *The historical independence of the building;*
- *The physical layout of the principal building and other buildings;*
- *The ownership of the buildings now and at the time of listing;*
- *Whether the structure forms part of the land;*
- *The use and function of the buildings, and whether a building is ancillary/or subordinate to the principal building.*

3.36 *It is always necessary to recognise, however, that the question of whether a building, structure or object is within the curtilage of, or is fixed to, the principal building, unless specifically included in the listing, is in any particular case a matter of fact and ultimately a matter for the courts. Great caution must, therefore, be exercised in attempting to extrapolate any general principles from recent decisions and this guidance does not purport to be definitive.*

A recent High Court decision is very relevant to the consideration of whether farmstead buildings are part of a farmhouse listing. Mike Harlow, Legal Director of English Heritage, comments on R v Taunton Deane Borough Council (2008) All ER (D) (Oct) in English Heritage's Conservation Bulletin, Issue 61: Summer 2009.

The high court examined Jews Farmhouse (Grade II) Near Wiveliscombe in Somerset and its nearby Mill Barn (not separately listed but pre-1948)... The key point of interest was the way the judge approached function and use.

Mill Barn was being used as a farm building at the date of listing. The farmhouse was used as a house and the hub from which the agricultural business of the farm was being conducted...

The judge rejected the argument that the farmhouse and Mill Barn were functionally so close that the curtilage should be drawn around all the farm buildings at the heart of the farm. He accepted that the farm was being run from the farmhouse at the date of listing, but did not believe the whole of the farm and all of the agricultural buildings could be sensibly regarded as being within the curtilage of the farmhouse on that account.

The primary use of the farmhouse was as a house. The primary use of Mill Barn was agricultural business. It was not being used, for example, to garage the farmer's car, to store his domestic items, as a children's playroom or staff quarters etc.

So Mill Barn was outside the curtilage and not listed...

Although the layout of the buildings, their distance apart and the existence of physical boundaries between them were also factors in this decision, it is hard to see why this functional distinction would not weigh heavily in all farm cases, even where the buildings were very much closer and no boundaries between them existed.

I am in total agreement with the comments of English Heritage, the Ancient Monuments Society, the Society for the Protection of Ancient Buildings and Lancashire County Council (Archaeology) in respect of the importance and significance of the bank barn to this historic site. However, the case for considering the bank barn to be listed appears weak. Mindful of the working farmyard location and potentially dangerous structural condition of the barn I would not, therefore, recommend refusal of the listed building consent application. The Borough Council's Conservation Officer has discussed the case and potential funding sources with Natural England and subsequently encouraged (unsuccessfully) the agent to reconsider application for Higher Level Scheme grant funding.

In my opinion, the extent and nature of the proposed demolition and the objections from English Heritage and the historic amenity societies will require an intended grant of listed building consent to first be referred to the Secretary of State (Government Office North West).

SUMMARY OF REASONS FOR APPROVAL

The bank barn itself does not appear to be listed and there would be no significant harm to the setting of the listed buildings and the local environment.

RECOMMENDATION: That the Director of Development Services be authorised to grant listed building consent for approval of demolition following referral of the application and proposed decision to the Secretary of State and 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. All recommendations contained in paragraphs 5.1 and 5.2 shall be followed in accordance with the details submitted in the bat survey undertaken on 5 May 2010 by Envirotech.

REASON: In order to minimise potential risk of harm to a protected species and to compensate for the loss of potential bat roosts.

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

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

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>
3/2010/0134/P	Installation of decking, seating and planting to create outdoor dining area	Piccolino's Moor Lane, Clitheroe
3/2010/0263/P	Extension to existing light engineering units	Clitheroe Light Engineering Units A-D Up Brooks Industrial Estate Clitheroe
3/2010/0334/P	Proposed conversion of first floor store into a flat for disabled occupants	St Ann's Court, High Street Low Moor
3/2010/0348/P	Proposed two-storey side extension to create annex accommodation	Chilsey Green Farm Stoneyhurst, Clitheroe
3/2010/0381/P	Demolish the existing garage. Rebuild the garage attached to house with a second storey above and a single storey extension to the rear	Rock Mount Main Street Grindleton
3/2010/0397/P	Remove the existing conservatory. Proposed construction of a two storey side extension, rear conservatory and rebuild the front porch	21 Moorland Avenue Clitheroe
3/2010/0429/P	Improvements and alteration to the existing garage/store to provide ancillary guest accommodation	Dovesyke Farm Eaves Hall Lane West Bradford
3/2010/0436/P	Demolition of redundant agricultural sheds. Conversion and extension of existing barns to 2no. new dwellings and improvements to existing access (Resubmission)	Lawson House Farm Bolton-by-Bowland
3/2010/0442/P	Internal alterations at ground floor between no's 32 and 34 to create retail shop at ground floor and separate offices at first floor	32-34 Berry Lane Longridge
3/2010/0443/P	Proposed animal barn	Stables Cottage Wolfen Hall, Chipping
3/2010/0451/P	Proposed single storey Edwardian type conservatory to the rear of	28 Chesterbrook Ribchester
3/2010/0452/P	Proposed construction of a rear two-storey extension	10 Whalley Road Hurst Green
3/2010/0470/P	Erection of welfare facility, associated landscaping and car parking	Samlesbury Aerodrome Myerscough Road Balderstone

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0471/P	Remove existing conservatory to side elevation and build new garden room	1 Cockhill Cottages Accrington Road, Whalley
3/2010/0476/P (LBC)	Insertion of two no conservation roof lights into the west (rear) elevation of the roof, reformation of original gable window in south elevation and associated works	Eaves House Farmhouse Waddington Road West Bradford
3/2010/0478/P	Proposed two-storey rear extension, single storey side extension and internal alterations	2 Masefield Close Brockhall Village Old Langho
3/2010/0479/P (LBC)	Repair the existing roof	Eaves House Farmhouse Waddington Road West Bradford
3/2010/0481/P	Application for the discharge of condition No 5 (materials) of planning permission 3/1994/0025/P	The Old Farmhouse Rimington Lane, Rimington
3/2010/0494/P	Proposed conversion of garage into living accommodation (P.D. removed)	1 Bowland Close Longridge
3/2010/0495/P	Proposed construction of an all-weather multi use-playing surface with 3m high weld mesh fencing, consolidation and extension of existing footpath and associated landscaping	Bowland County High School, Sawley Road Grindleton
3/2010/0497/P	Two extensions including first storey extension over garage to form new internal rooms, ground floor and first floor extension to principal entrance to form new staircase. External envelope to be rendered, new balcony formed at first floor to rear elevation. Minor internal amendments to existing spaces	9 Bosburn Drive Mellor Brook
3/2010/0502/P	Proposed change of use of A2 office accommodation at first floor to form a single residential flat	1 New Market Street Clitheroe
3/2010/0504/P	Application for the discharge of condition No 3 (historic building report) and condition No 4 (ground investigation report) of planning permission 3/2009/0664/P	Watery Gate Farm Watery Gate Lane Bleasdale, Chipping
3/2010/0505/P	Three gable signs on a proposed food store and one flagpole type sign at entrance to the proposed car park, all with static internal illumination	Shawbridge Mill Shawbridge Street Clitheroe
3/2010/0515/P	Application for the discharge of condition 5 (building record) of planning consent 3/2005/0434/P	Craven Fold Farm Dinckley
3/2010/0519/P	Construction of a ménage adjacent to the proposed stables – see planning consent 3/2009/0692/P	Higher Birks House Birks Brow Thornley-with-Wheatley

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0522/P	Application to convert no. 10 back to two separate dwellings (no's 8 and 10 original)	10 Windy Street Chipping
3/2010/0529/P	Conversion of an existing detached barn to form a dwelling	The Barn (No 2) High House Farm Dilworth, Longridge
3/2010/0530/P	The removal of an existing masonry parapet wall to a previously built single storey garage extension to be replaced with a Mansard effect slate roof above the flat garage roof	106 Ribchester Road Clayton-le-Dale
3/2010/0533/P	Works including the removal of existing previous extensions and outbuildings, plus the re-presentation of the existing two storey house. Proposed extensions provide a lounge, kitchen/dining room, additional bedrooms plus ancillary accommodation	Withgill Lodge Withgill Fold Withgill Clitheroe
3/2010/0535/P	Proposed construction of a lift shaft, ground floor lobby with associated disabled access, accessible W.C facility and ground floor bedroom with an en-suite	Beech Grove Residential Home St Pauls Street, Clitheroe
3/2010/0541/P	Retrospective application for the erection of a replacement garage in the rear garden	East Bank, 78 Whalley Road Wilpshire
3/2010/0543/P	Application for the discharge of condition no. 4 (containment of manure) of planning consent 3/2008/0694/P at land adjacent	Beechwood Osbaldeston Lane Osbaldeston
3/2010/0546/P	Proposed conservatory to be erected on the side elevation of the dwelling and insertion of first floor window	Delph Rock Bowland Gate Lane West Bradford
3/2010/0547/P	Installation of slurry lagoon to serve the dairy enterprise	Mason Green Farm Clitheroe Road Bashall Eaves, Clitheroe
3/2010/0551/P	Proposed formation of a first floor self-contained flat and ground floor alterations to form a travel agency with a single storey rear extension	54 Derby Road Longridge
3/2010/0552/P	Proposed two-storey side extension and single storey rear extension	11 Meadowlands Low Moor
3/2010/0553/P	Two storey side extension	5 Higher Road Longridge
3/2010/0558/P	Change of use and alteration to attached barn to form dwelling (Resubmission)	Pages Farm Woodhouse Lane, Slaidburn
3/2010/0559/P	Demolition of the existing conservatory and erection of a two-storey rear extension on the conservatory footprint	29 Redwood Drive Longridge
3/2010/0560/P	Single storey extension to rear of an existing attached garage	24 Willows Park Lane Longridge

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0563/P	Proposed erection of golf practice bay shelter	Longridge Golf Club Fell Barn, Jeffrey Hill Longridge
3/2010/0569/P	Proposed conversion of a barn to one residential dwelling.	Barn adjacent to Shays Cottage, Tosside, Skipton
3/2010/0571/P	Application for the discharge of condition 4 (materials) and condition 8 (containment/storage of manure) of planning consent 3/2009/0933/P	Salesbury Hall Farm Salesbury Hall Road Ribchester
3/2010/0580/P	Install a drop kerb	72 Padiham Road Sabden
3/2010/0586/P	Demolition of the existing dwelling and replacement with a new dwelling (Resubmission)	The Chalet Lower Newhouse Farm Cross Lane, Waddington
3/2010/0601/P	Proposed extension of existing front and rear dormers and construction of garden wall on boundary with George Lane	9 George Lane Read
3/2010/0614/P	Application for a non material amendment to planning permission 3/2009/0677/P. The applicant wishes to reduce the length of the proposed conservatory to 4000mm in line with permitted development rights, so as not to have to fit obscure glazing to the boundary line	4 St Nicholas Avenue Sabden
3/2010/0622/P	Application for a non-material amendment to planning consent 3/2009/0566/P – relocation of the detached garage to comply with critical roof exclusion zone over the established oak tree; substitution of two garage doors instead of the three approved and variation to size and location of velux roof lights on house.	Shire Lane Farm Shire Lane Hurst Green
3/2010/0628/P	Resubmission of an application to convert a redundant cottage and adjacent barn into a residential dwelling	Moornook Farm Clitheroe Road, Dutton
3/2010/0638/P	Application for a non-material amendment to planning consent 3/2009/0107/P – to move the position of the front door approx. 1.8m to the west and provide additional windows to the east elevation	Sandybank Cottage Folly Lane Chipping
3/2010/0664/P	Application for a none material amendment to planning permission 3/2009/0841/P comprising revisions to fenestration, alterations to chimneys/roof lights and alteration to basement size	Dennisfield House Rimington Lane Rimington
3/2010/0668/P	Application for non-material amendment to planning consent 3/2009/0646/P, to allow revision of rear boundary of properties from	Bobbin Mill Terrace Victoria Street Longridge
Cont/		

<u>Plan No:</u> Cont....	<u>Proposal:</u> 2m high (on garden side) brick wall to concrete post and timber panel fence; revision of rear access to properties to improve privacy of rear gardens and revision of communal space to the apartments from grass to paving to reduce maintenance issues	<u>Location:</u>
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APPLICATIONS REFUSED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2010/0002/P	Proposed erection of 2no. affordable dwellings in the garden of the existing house, demolition of outbuilding, re-aligning of vehicular access to Cherry Hall and removal of part of wall to site	Cherry Hall Grindleton	Contrary to Policies G1, ENV1 and ENV16 of the Ribble Valley Districtwide Local Plan and PPS5 as the proposed new dwellings by virtue of their design, scale, size, massing and location on site would be harmful to the character and appearance of both the Forest of Bowland A.O.N.B. and the Grindleton CA. Contrary to Policy H20 by virtue of the submitted S106, as the development proposed would not meet a proven local need. Insufficient information.
3/2010/0321/P	Change of use from empty shop to walk-in taxi booking office and airport, minibuss and disabled vehicle hire	84 Lowergate Clitheroe	Policy G1 – detriment to highway safety and nearby residential amenity.
3/2010/0418/P	Removal of outbuildings and building of a two storey extension onto the side of the existing building. Reinstate double height	The Old School Room Walker Fold Chaigley	Policies G1, ENV1, H10 and SPG: Extensions and Alterations to Dwellings – over
Cont/			

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
Cont....	windows to front of existing building. Create drive from existing road access point. This will require a change of use from agricultural to domestic for the access drive		prominent and discordant feature to the detriment of the appearance of the property itself and the appearance and character of the Forest of Bowland Area of Outstanding Natural Beauty.
3/2010/0503/P	Single storey rear extension	9 Bramley View Barrow	G1, H10, and SPG "Extensions and Alterations to Dwellings" – Loss of light and overbearing impact to the detriment of neighbouring residential amenity
3/2010/0585/P	Proposed new porch on the ground floor and dormers to the front and rear roofslope	2 Timbrells Avenue Sabden	G1 and ENV16 - Incongruous development to the detriment of the visual amenity of the conservation area.

SECTION 106 APPLICATIONS

<u>Plan No:</u>	<u>Proposal/Location:</u>	<u>Progress:</u>
None		

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

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/062/P	All weather housing for pigs	Sedgwicks Farm Grunsaigill Road, Tosside

CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0512/P	Application for a Certificate of Lawfulness for the proposed building of an aviary within the curtilage of a residential dwelling	26 Mitton Road Whalley

APPLICATIONS WITHDRAWN

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2009/0286/P	Loft conversion with three flat roof rear dormers and removal of rear apexes to accommodate loft living	6 Hammond Drive Read
3/2009/0868/P	Variation of condition	Hawkshaw Farm Longsight Road Clayton-le-Dale
3/2009/0877/P	Application to vary condition 2 of planning consent 3/2008/0945 to allow longer opening hours	Genos 39 Berry Lane, Longridge
3/2009/0878/P	Balcony	3 Bridge End Billington
3/2009/1034/P	Change of use from industrial to leisure use	Units 12-15 Primrose Mill Primrose Road Clitheroe
3/2010/0168/P	Outline application for agricultural workers dwelling	Brockthorn Farm Wigglesworth Road Tosside
3/2010/0261/P	5 two bedroomed terraced houses (including one affordable house)	Former Village Hall site Kirklands, Chipping
3/2010/0369/P	Confirmation as to whether all obligations in the Section 106 Agreement 12-9-1994 have been complied with	7 Colthirst Drive Clitheroe
3/2010/0372/P	New poultry building – phased development	The Hills Farm Higher Road Longridge
3/2010/0463/P	Four new residential dwellings to the rear	Hazelmere, Pimlico Road Clitheroe
3/2010/0558/P	Dormer extension to first floor	9 Homeacre Avenue Sabden
3/2010/0567/P	Retrospective application for approval of new garage	32 The Sands Whalley

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>
3/2010/0327	6.7.10	Mr J Parkinson Proposed conversion of an existing integral garage into a dining room 33 Copperfield Close Clitheroe	Householder appeal	–	APPEAL DISMISSED 16.8.10

<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>
3/2009/0261	6.7.10	Chaigley Farms Limited Resubmission of outline application for farm worker's dwelling, including siting with all other matters reserved Old Dairy Farm Chipping Road Chaigley	-	Hearing – date to be arranged	
3/2009/1040	8.7.10	Mr Paul Hodson Proposed new dwelling in garden area 56 Chapel Hill Longridge	WR	-	Awaiting site visit

RECENTLY ISSUED ENFORCEMENT NOTICES

<u>Ref No:</u>	<u>Type:</u>	<u>Activity:</u>	<u>Location:</u>
3/2010/095E	BCN	Closing off vehicular access contrary to planning condition	1 Rock Cottage Whalley Old Road, Billington

LEGEND

D – Delegated decision
C – Committee decision
O – Overturn