

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 7 OCTOBER 2010
 title: PLANNING APPLICATIONS
 submitted by: DIRECTOR OF DEVELOPMENT SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION NO: 3/2010/0283/P (GRID REF: SD 361175 441485)
 PROPOSED TWO BAY WORKSHOP AND OFFICE FACILITY FOR COACH BUSINESS AT
 MILL LANE DEPOT, MILL LANE, HESKETH LANE, CHIPPING

- PARISH COUNCIL: No observations received at the time of writing this report.
- COUNTY SURVEYOR: I have no objection in principle to this application on highway safety grounds subject to a number of conditions.
- ENVIRONMENT AGENCY: Raised an objection to the original scheme, which proposed to culvert the watercourse. In response, amended plans have been received which indicate that the watercourse is to remain as existing. The Agency has seen sight of these plans and has confirmed the withdrawal of their initial objection.
- COUNTY ARCHAEOLOGY: The site lies on a former mill building. Request that works are secured by means of a condition requesting that no works shall take place until the applicant or their agent has secured the implementation of a programme of archaeological work.
- AONB OFFICER (LCC): No objection to the proposal as submitted. However does raise concern regarding the remoteness of the site from the village if it were to grow larger and the ability of the planning system to monitor and contain it.
- ADDITIONAL REPRESENTATIONS: Four letters have been received from neighbouring residents who wish to raise the following objections summarised as follows:
- Impact upon highway safety
 - Light Pollution
 - Impact upon existing ecology
 - Potential pollution of watercourse
 - Not in-keeping with rural nature of area
 - Impact upon existing archaeology

Proposal

Permission is sought for the erection of a proposed two bay workshop and office to be used by Brethertons coach business currently located in the centre of Chipping. The building would be sited towards the north-eastern corner of the site and will measure 6.2m x 15.7m with a

maximum height to the ridge of 6.1 metres. It is to be constructed of a 1m high random coursed stone base with stone quoins to the sides with timber boarding above to the southern, eastern and western elevations with rendered walls to the northern elevation and a grey box profile roof. Two 4.5 metre high steel roller shutter doors are proposed to the southern elevation with a window and door sited to the western side of the building to this elevation, four windows are to be inserted directly above the random stone base to the western side elevation and two sited just below the eaves height to the eastern side elevation. The eaves of the building to the western elevation will measure 3.4 metres and to the eastern side 4.3 metres, thus ensuring that the highest part of the building is sited to the north-eastern corner. An area to the western side of the building will be concreted and utilised for the washing of vehicles. Gravel is proposed to the western corner of the site closest to the culvert and tarmac will be laid forward of the entrance to the building and up to the site entrance. The business will employ 5 full-time and 7 part-time staff and will cater for 6 vehicles (two large single deck coaches and four midi and mini buses). Hours of opening are proposed as 6.30am to 8.30pm Monday to Friday, 6.30am to 8.30pm Saturday and 7.30am to 6.30pm Sunday and Bank Holidays.

The existing access to the site is to be retained but would necessitate the raising of the 28 metre access road from Hesketh Lane to the bottom of the site by a maximum of 1.2 metres and the re-alignment of an approx. 9 metre length of hedge to the east of the site entrance and the realignment of a 5 metre length of hedge to the west of the site entrance in order to provide adequate sightlines which satisfy LCC standards.

Currently a public footpath runs north to south through the site. It is proposed to divert this footpath from the existing entrance on the western side of the site to exit onto the main road. The footpath will be constructed of tanilised timber, and will sit above the existing landform with a timber bridge 1m in height and 0.5 metres wide to be erected across the existing culvert.

Site Location

The site is a former LCC depot most recently used for the storage of road salt and plainings, which has been vacant for a number of years on Hesketh Lane sited 1 mile south of the main settlement of Chipping in an Area of Outstanding Natural Beauty. The land falls sharply from the site entrance and levels out to the bottom. Mature trees and a hedgerow that sits on a high banking is present to both sides of the site entrance. In addition, an open culvert runs in parallel to the existing footpath and a high stonewall borders the northern side of the site.

Relevant History

None

Relevant Policies

Policy G1 – Development Control
Policy ENV1 - Area of Outstanding Natural Beauty
Policy EMP8 – Extensions/Expansions of Existing Firms
PPS4 – Planning for Sustainable Economic Growth

Environmental, AONB, Human Rights and Other Issues

The nearest residential property to the entrance of the site is located 120 metres eastwards down Hesketh Lane and as such the main considerations in the determination of this application

is the principle of a commercial business in this location, the impact the development would have upon the visual amenity of the Area of Outstanding Natural Beauty and impact upon highway safety.

Land Use Issues

In relation to the principle of development I have received no formal comments from Forward Planning. However, PPS4 'Planning for sustainable Economic Growth' sets our policies for economic development and the proposal should therefore be assessed against the policies contained within this document. Policy EC6 of PPS4 'Planning for Economic Development in Rural Areas' states that Local Planning Authorities should:

- Strictly control economic development in open countryside away from existing settlements;
- Locate most new development in or on the edge of existing settlements;
- Support the conversion and reuse of appropriately located and suitable constructed existing buildings;
- Set out the permissible scale of replacement buildings and circumstances where replacement of buildings would not be acceptable.

The site is isolated and outside of the main settlement of Chipping and whilst there is evidence of buildings on plan, a visit to the site confirmed that these are derelict and substantially demolished, thus there is no capability of their reuse. Thus the proposal would not comply with the criteria of the above policy.

However, a supporting statement submitted as part of the application clearly illustrates that the existing building at Chipping is no longer fit for purpose and there is limited parking. It is the intention for the applicants business to remain closely linked to Chipping as the services they provide include before and afterschool busses to schools located in the area and in addition their staff will easily be able to relocate with them. Policy EC11 of PPS4 'Determining planning applications for economic development (other than main town centre uses) not in accordance with an up to date development plan' states that local planning authorities should 'weigh market and other economic information alongside environmental and social information and 'take full account of any long term benefits, as well as the costs, of development, such as job creation or improved productivity including any wider benefits to national, regional or local economies'.

I consider that whilst the development is considered contrary to some aspects of PPS4 the benefit of retaining the business within the Borough should be supported in accordance with Policy EMP8 of the Ribble Valley Districtwide Local Plan which states that 'the expansion of established firms on land outside main settlements will be allowed provided it is essential to maintain the existing source of employment and is not contrary to the other policies of this plan'.

Visual Impact

With regards to the visual impact of the building within an Area of Outstanding Natural Beauty Policy G1 and ENV1 of the Ribble Valley Districtwide Local Plan advises that 'development should be sympathetic to existing and proposed land use in terms of its size, intensity and nature', that 'materials used should be sympathetic to the character of the area' and 'the protection, conservation and enhancement of the natural environment will be the most important considerations in the assessment of any development proposals'. I consider that the size, scale and design of the main workshop is acceptable and the materials used ensure that it will viewed

from any vantage point as agricultural in nature. In addition, the site is well screened on approach from the east by dense mature trees and a high hedgerow. The hedge to the west of the access is intermittent, however as the land falls significantly lower than Hesketh Lane and the building is to be sited to the north-eastern corner approx. 31 metres back from the main road it is considered that it will not significantly impact upon the protection of this Area of Outstanding Natural Beauty and its visual impact will be minimal.

I note the concerns of the AONB officer with regards to the impact the expansion of the business may have upon the visual amenity of the area, however, any future application at the site will be considered on its own merits.

Highway Safety

The County surveyor has raised no objection in principle to the application on highway safety grounds subject to a number of conditions detailed at the end of this report.

Ecology Issues

I note the concerns regarding the potential impact of the proposal upon the ecology of the area, especially the impact upon the trees and hedgerow. As discussed above, the only works that are proposed as indicated by the submitted plans together with additional clarification from the agent in writing, is the relocation of the hedge to the western and eastern side of the entrance. No other works which involve the removal of trees, hedgerows or the regarding of banking is proposed at the site, which satisfies any concerns regarding the impact of the development upon the existing ecology.

Other Issues

Regarding the potential contamination of the culvert the Environment Agency have been consulted and do not raise any objection on this basis. The applicant has also stated in the application that waste will be stored within the premises and trade oil will be collected for recycling and a number of appropriate conditions will address any concerns regarding the potential of pollutants entering the watercourse.

Any potential impact of the development upon the archaeology of the site will be addressed through an appropriate condition requested by County Archaeology for a programme of archaeological work which must be carried out in accordance with a written scheme of investigation and shall have first been submitted to and agreed in writing by the Local Planning Authority.

With regards to light pollution the applicant has not specified the precise location, size and design of the proposed external lighting at the site. Therefore I consider that an appropriate condition is placed on the decision notice requesting further details of the external lighting, which shall first be approved by the Local Authority prior to its installation if committee are minded to approve the application.

To conclude, I consider that the scale, size and design of the proposed workshop are appropriate and will not significantly harm the visual amenity of the Area of Outstanding Natural Beauty as it will be well screened by existing mature trees and hedgerow. In addition, the economic and community benefit of retaining this well-established business within the Ribble

Valley is considered to be of significant importance and thus recommend approval of 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 Area of Outstanding Natural Beauty, nor would its use have an adverse impact on highway safety or nearby 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. This permission shall relate to the proposal as amended by plan received on 29 July 2010 – plan reference 174/201 in relation to the proposed floor plan and elevations of the building, plans received on 23 September 2010 – plan reference 174/105 & 174/203 in relation to the proposed cross section of the road and proposed site plan, plus plan reference 174/102 in relation to the existing site plan, plan reference 174/103 in relation to the existing site plan with trees plotted, plan reference 174/104 in relation to existing site levels and plan reference 174/206 in relation to the footpath and bridge and plan reference 174/204 in relation to the fence detail.

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

3. Precise specification 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 and ENV1 of the Ribble Valley Districtwide Local Plan.

4. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 4.0 measured along the centre line of the proposed access from the continuation of the nearer edge of the carriageway of Mill Lane to points measured 70m in each direction along the nearer edge of the carriageway of Mill Lane, from the centre line of the access.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to ensure adequate visibility at the site access.

5. The area of land between the visibility splay indicated above the nearside carriageway edge of Mill Lane shall be kept clear of any obstructions whatsoever more than 1m above adjacent road level.

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

6. The access shall be constructed as indicated on the submitted plan, amended on 23 September 2010, drawing no. 174/105 and have a gradient not exceeding 1 in 20 for the first 12m back from the nearside carriageway edge of Mill Lane.

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

7. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned a minimum of 8m behind the nearside edge of the carriageway. The gates shall open away from the highway and be fully open at all times the site is in use.

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

8. Before the access is used for vehicular purposes, that part of the excess extending from the highway boundary for a minimum distance of 30m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

9. No materials or equipment shall be stored on the site outside the building except for waste materials contained within bins for periodic removal unless otherwise agreed in writing.

REASON: To comply with Policy G1 and ENV1 of the Ribble Valley Districtwide Local Plan in the interests of the visual amenity of the area. 1

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

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site in accordance with Policy HE12 of PPS5.

11. Before the use of the premises commences the location, size and design of any external lighting shall be submitted and approved in writing by the Local Planning Authority.

REASON: In accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and in the interests of the general amenity of the area and to safeguard, where appropriate neighbouring residential amenity.

12. The use of the premises in accordance with this permission shall be restricted to the hours between 06.30am to 20.30pm on weekdays, 06.30am to 20.30pm on Saturdays and 07.30am to 18.30pm on Sundays and Bank Holidays.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan. The use of the premises outside these hours could prove injurious to the character of the area and in order to safeguard residential amenities.

13. No development approved by this permission shall be commenced until a scheme for the installation of the package treatment plant has been submitted and approved by the Local Planning Authority. No part of the development shall be brought into use until such treatment plant has been constructed and completed in accordance with the approved plans.

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

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

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

15. This permission and the use of the building shall inure for the benefit of Bretherton Coaches only in connection with its use as a coach business, and not for the benefit of the land nor any other person or persons whether or not have an interest in the land.

REASON: Permission would not have been given for the proposed development but for the personal circumstances applying in this case, as the development would otherwise be contrary to Policy EC6 of Planning Policy Statement 4 'Planning for the Economic Development in Rural Areas'.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any Order revoking or re-enacting that Order) any future extension to the building as defined in Part 8 Class A to C 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 ENV1 of the Ribble Valley Districtwide Local Plan.

17. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface water has been approved in writing 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.

APPLICATION NO: 3/2010/0285/P

(GRID REF: SD 360736 437564)

PROPOSED ERECTION OF ONE TWO-STOREY DWELLING IN THE GARDEN OF
5 HORNBY ROAD, LONGRIDGE

TOWN COUNCIL: No objection in principle although they do question the
massing of this site.

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

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

1. Should the proposed work go ahead, this will attract more vehicles to the site increasing the existing parking problems at the site.
2. Caton Close and the junction with Hornby Road is used as an overspill parking area already for the residents of Hornby Road, causing problems at evenings and weekends already.
3. Cars currently park on the pavements causing problems for pedestrians.
4. Whilst the outlook from my house is not brilliant, it would be degraded further should this building be erected.

Proposal

This application seeks permission for the erection of a two-storey, three bedroom dwelling within the garden of no. 5 Hornby Road, Longridge. The dwelling will be attached to the existing side elevation of no. 5 Hornby Road, and the existing garden area will be split to provide amenity space for both properties. In addition, following the submission of an amended site plan, two off-street parking spaces will be provided for each property.

Site Location

The site is located within the Longridge settlement boundary, as designated by the Ribble Valley Districtwide Local Plan.

Relevant History

No relevant history.

Relevant Policies

Policy G1 - Development Control.

Policy G2 – Settlement Strategy.

Policy T7 – Parking Provision.

SPG – “Extensions and Alterations to Dwellings”.
PPS1 - Delivering Sustainable Development.
PPS3 - Housing (June 2010).
Affordable Housing Memorandum of Understanding (AHMU).

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application involve an assessment of the application in relation to the currently applicable housing policy, the effects of the development on visual amenity, the amenities of nearby residents and highway safety.

PRINCIPLE OF THE DEVELOPMENT

As Committee will be aware, applications for new housing are now determined in accordance with the Saved Settlement Strategy Policies of the Local Plan which, for this development within the Settlement Boundary of Longridge, is Policy G2. That policy defines as acceptable, development, which is wholly within the built part of the settlement or rounding-off of the built up area. As the application site is surrounded by development, I consider that it complies with Policy G2. In addition, as a single dwelling within the Settlement Boundary of Longridge, there is no requirement under the terms of the Affordable Housing Memorandum of Understanding (AHMU) for the dwelling to be ‘affordable’. The proposal is therefore acceptable in principle when considered in relation to the current housing policies and guidance.

VISUAL IMPACT OF THE DEVELOPMENT

No. 5 Hornby Road sits on the corner of a row of five terraced properties on Hornby Road, with the front elevation facing no’s 12 and 14 Hornby Road, and the rear elevation facing the rear elevation of no. 2 Halton Place. Whilst the property sits within the group of properties on both Hornby Road, Caton Close and Halton Place, it is Hornby Road that the property is considered to be most closely related to in terms of its principle elevations. The plans indicate the new dwelling being erected within the existing tall boundary hedge that surrounds the site, and that it will be constructed in materials to match. On this basis, as the scale, design and massing of the proposed new dwelling follows the existing roofline, height and width of the properties to which it will be attached on Hornby Road, the proposed dwelling subject to this application is considered to be visually acceptable within the streetscene, and will form a suitable addition to an existing row of terraced properties.

IMPACT ON RESIDENTIAL AMENITY

In accordance with the guidance provided within the SPG – “Extensions and Alterations to Dwellings”, given that there is over 21m between the habitable room windows of existing surrounding properties, and the front and rear elevations of the proposed dwelling, there is not considered to be an impact on the residential amenity of these adjacent neighbouring properties. Whilst there is less than 21m between the side elevation of the new property and no. 3 Hornby Road, as there are no windows proposed within the side elevation of the new property, I do consider this to be an issue.

HIGHWAY SAFETY ISSUES

The site layout and parking arrangements for the new and existing properties has been the subject of lengthy discussions between the Applicant and the LCC Traffic and Development

Engineer, as previous schemes were considered to be unacceptable. However following the submission of the revised plan in July, there are now no objections in principle to the proposal on highway safety grounds. The revised plan, drawing no. 005-SP Rev. B, shows four parking spaces, two tandem spaces per property accessed from Caton Close, that utilise the rear garden area of the existing property. The spaces are of a suitable dimension, and the height of the boundary fencing has been reduced to 1.0m for a distance of 4.0m to achieve suitable visibility splays for both motorists and pedestrians.

Bearing this in mind, it is considered that the scheme submitted complies with the relevant Local, Regional and National Policies. Therefore, bearing in mind the above comments and whilst I am mindful of the points of objection from the nearby neighbour, I recommended the scheme accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposal is in accordance with the relevant policies and guidance relating to new residential development and would not have any seriously detrimental effects upon visual amenity, the amenities of nearby residents or highway safety.

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

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

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

2. The permission shall relate to the development as shown on Plan Drawing No's 005-SP Rev. B, 005-01 and 005-02.

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

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

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

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

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

5. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2008 (or any order revoking or re-enacting that Order) 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 Policy G1 of the Ribble Valley Districtwide Local Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) the new dwelling hereby approved shall not be altered by the insertion of any window or doorway without the formal written permission of the Local Planning Authority.

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

7. 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 April 2010.

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

8. The existing hedge and proposed new boundary fence as indicated on revised site plan, drawing no. 005-SP Rev. B, shall be retained and maintained at the maximum heights indicated on the approved plan, in perpetuity.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to ensure adequate visibility at the vehicular site access.

9. The car parking spaces indicated on plan drawing no. 005-SP Rev. B shall be surfaced/paved and marked out in accordance with the approved plan, and made available for use prior to the occupation of the dwelling hereby.

REASON: To comply with Policies G1 and T7 of the Ribble Valley Districtwide Local Plan and to allow for the effective use of the parking areas.

INFORMATIVES

If bats are found or disturbed, work shall cease until further advice has been sought from the Bat Conservation Trust.

APPLICATION NO: 3/2010/0288/P (GRID REF: SD 373945 440682)
PROPOSED REGENERATION OF FORMER STALWART RESERVOIR BASIN FOR
RESIDENTIAL DEVELOPMENT (8 DWELLINGS) INCLUDING IMPROVEMENTS TO
PRIMROSE ROAD AND ANCILLARY LANDSCAPING AT FORMER STALWART RESERVOIR
BASIN, PRIMROSE WORKS, PRIMROSE ROAD, CLITHEROE

TOWN COUNCIL:	Object as the site falls outside the settlement boundary and having regard to paragraph 3.1 first bullet point of the Affordable Housing Memorandum of Understanding the proposed development should include 30% of the units for affordable housing.
ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):	<p>Has no objection on the grounds of highway safety to the layout and alignment of the new section of footway and alterations to the carriageway of Primrose Road. These changes will provide some additional carriageway width while securing a safe dedicated section of footway.</p> <p>I would suggest that the necessary conditions and details relating to the construction of the footway can be agreed on the basis of these revised drawings.</p>
COUNTY ARCHAEOLOGY:	Do not wish to make any comments.
ENVIRONMENT AGENCY:	Have no objection in principle to the proposed development subject to the imposition of conditions.
ADDITIONAL REPRESENTATIONS:	<p>Four letters have been received which raise the following concerns:</p> <ol style="list-style-type: none"> 1. Due to the presence of otters in the river the ecology report should be fully adhered to, particularly with regards to access of the river bank. 2. Question the connections to the main sewer and whether the pipe that services the Stalwart Dyeing site is in good condition. 3. Concerns over traffic movement at the junction with Whalley Road. 4. Developer should consider renewable energy and sustainable building systems wherever possible. 5. The footpath should be widened in the interest of road safety. 6. Surface water from the development will increase the amount of diffuse pollution and the rate at which water levels rise in the brook. Both of these can cause significant damage to protected species.

Proposal

Consent is sought for the erection of 8 detached five bedroomed dwellings on the site of the former Stalwart Reservoir basin. The application proposes the filling of the lodge to bring the

level back to that of Primrose Road. In doing so all eight plots can front onto Primrose Road with individual access points onto that highway network.

As part of the proposal the existing stone wall that fronts Primrose Road will be demolished and the footway widened to approximately 2m. A new stone wall 1.25m high would be built with stone entrance piers to each driveway.

At the point where Primrose Road meets Whalley Road the kerb line to the south would be adjusted to give extra width to that turn. In terms of footway provision it is proposed to redirect the footway to the rear of the existing tree at the junction corner and this will enable the aforementioned widening, ie the land currently footway will become roadway.

In terms of the houses to be built, the street scene is broken up by using four different design of house type with three of them having a strong single storey element. Plots 2 and 8 have attached double garages at 90° to Primrose Road forward of the building line, Plot 1 has a detached garage set back behind the build line and Plots 4, 5, 6 and 7 have an integral double garage fronting the road.

All dwellings and detached garages will be constructed of natural stone and slate with windows and doors in black UPVC. Boundary treatments to garden areas would be formed by a 1.8m high close boarded timber fence with bound gravel drives. The height of the dwelling on Plot 5 would be approximately 8.7m with all other plots being approximately 8.5m.

Site Location

Stalwart Lodge is located at the junction of Whalley Road and Primrose Road and extends westwards from Whalley Road immediately behind the stone wall that forms the highway edge to Primrose Road. The southern boundary to the site is formed by a belt of trees bordering Pendleton Brook and to the north beyond Primrose Road are the elevated rear aspects of the large dwellings on Beverley Drive and their gardens. To the west lie the Stalwart factory buildings and to the east Whalley Road.

The red edge of the application site has an area of approximately 0.48 hectare with the river and green field beyond being within the same ownership (an additional area of approximately 0.61 hectare edged blue on the submission).

The site lies outside the settlement boundary of Clitheroe as defined in the Districtwide Local Plan within land designated open countryside.

Relevant History

3/2008/0526/P – Regeneration of sites around and including Primrose Mill residential development, improved site access, highway improvements and provision of public open space. Approved with conditions 24 March 2010.

3/1995/0690/P – Erection of warehouse and laying out of car park. Approved with conditions 4 January 1996.

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.
Policy ENV3 - Development in Open Countryside.
Policy ENV7 - Species Protection.
Policy ENV13 - Landscape Protection.
Policy H2 - Dwellings in the Open Countryside.
Affordable Housing Memorandum of Understanding.
PPS3 – Housing.

Environmental, AONB, Human Rights and Other Issues

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

Principle of Development

In terms of establishing whether the principle of development is appropriate it is important to have regard to the site's location outside any defined settlement limit, saved policies of the Districtwide Local Plan, the decision taken by Planning and Development Committee on 17 June regarding how the Regional Spatial Strategy was to be taken into account from hereon in and the revised PPS3 published in June this year. Policy G5 forms part of the Saved Settlement Strategy of the Districtwide Local Plan and offers a somewhat restricted approach to residential development outside defined settlement limits – agricultural/forestry workers' dwellings or 100% affordable. However, having regard to material considerations, namely PPS3, I conclude that the development would be acceptable in principle for the following reasons. Whilst the RSS was revoked on 6 July 2010 and therefore no longer forms part of the Development Plan, DCLG stated that local planning authorities should continue to have regard to material considerations and that the evidence that informs the preparation of the revoked spatial strategies may be such a consideration. As mentioned previously, Planning and Development Committee have resolved to use the RSS land supply figure, including the calculation of five years of supply. It is evidenced that we cannot demonstrate a five year supply of deliverable sites and therefore due to this and the fact that the development of this site (which immediately abuts the settlement boundary of Clitheroe) would accord with the provisions of PPS 3, I conclude that, in principle, the scheme accords with plan policy.

In terms of assessing the development under the requirements of the Affordable Housing Memorandum of Understanding the threshold for development within Clitheroe is 10 or more. Whilst I am mindful of the fact that the site lies in open countryside it is closely related to the settlement limit of Clitheroe and, as such, the threshold of 10 or more should be applied. As the proposal details 8 new dwellings there would be no requirement for any affordable housing provision as the result of this scheme.

Highways

Members will note from the observations of the Highway Engineer that no objection is raised to this development which involves the removal of the stone wall fronting Primrose Road and widening of the existing footway. Members may recall that a financial contribution towards the footway widening has been agreed by the Section 106 Agreement that covers the development of the wider Primrose Mill site (3/2008/0526/P). Negotiations throughout the progression of this application led to the rerouting of the footway at the junction of Whalley Road/Primrose Road

around the southern side of the tree to enable a minor widening of Primrose Road at the junction where the footway currently is.

Nature Conservation

As stated previously there is a bank of mature trees to the south of the development site that lie between it and Pendleton Brook and a detailed tree survey has been submitted as part of this application. The Council's Countryside Officer has examined the details and, given the proximity of the trees to proposed rear garden areas and potential tree resentment issues in the future from occupants of those dwellings, a TPO is being drafted for the site to ensure the protection of this belt of trees which are considered to be of visual and biodiversity value.

With regard to the works involved in the footway rerouting and removal at the junction of Whalley Road/Primrose Road there is the need to ensure that non of those works would adversely affect the trees at that junction. It is considered that appropriately worded conditions would ensure this.

As part of the submission ecological surveys have been carried out to record the potential for protected species to be present on the site and suggest appropriate mitigation measures to ensure that the development complies with the relevant bio diversity legislation and policy. Again the Council's Countryside Officer has examined the surveys and suitably worded conditions have been drafted to ensure the protection of identified species should Committee be minded to approve the application. One of these provides for mitigation measures on the blue edge of the application site, ie land to the south of Pendleton Brook in the form of a replacement water body.

Visual Amenity

The scheme details the erection of 8 dwellings – all of which are detached with 6 having integral /detached garages and two with detached garages. As submitted they are to be constructed of stone with slate roofs at distances ranging from 2m to 7m gable to gable. The development site adjoins various residential schemes and, as a consequence, has no obvious form to follow. The bungalows to the north are the most prominent on the approach to Clitheroe with their impact accentuated by their elevated setting. To the east of the site across Whalley Road is Millersdene, which is a two storey dwelling with strong elevated presence to Whalley Road. Thus, in terms of visual impact I do not consider that the 8 dwelling would appear significantly out of keeping/character on the approach into the town centre along Whalley Road and that the visual amenities of the area would not be significantly compromised as a result of this scheme's implementation.

Residential Amenity

Having regard to the relationship between the proposed dwellings, I am satisfied that the layout put forward would not lead to any significant issues in terms of overlooking or light loss.

In respect of the relationship with properties to the north that front onto Beverley Drive, these are set approximately 40m away and at a higher level. Whilst they have rear gardens that are stepped down towards Primrose Road and the outlook for those properties will change, I do not consider that their privacy levels would be significantly compromised from the scheme. In respect of concerns raised by objectors not already covered within this report, the Environment Agency has been consulted and whilst they have made detailed observations on species

protection they are satisfied at this stage that a condition requiring the submission of surface water drainage and regulation is appropriate. In relation to renewable energy, I have imposed a condition requiring measures to be incorporated within the site. As regards to the capacity of the main sewer, this is a matter to be explored further at such time as building regulations approval is sought either from the Council's inspectors or from approved inspectors.

Therefore, having very carefully considered all of the above I am of the opinion that the scheme represents an appropriate form of development and recommend accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. This permission shall be implemented in accordance with the proposal as detailed on drawings BD/SL/001A Planning Layout as amended 1 July 2010; 3806.01A Landscape Proposal; BD/SL/002 Floor Plans Plot 1; BD/SL/003 Elevations 1 Plot 1; BD/SL/004 Elevations 2 Plot 1; BD/SL/005 Floor Plans Plots 2 and 8; BD/SL/006 Elevations 1 Plots 2 and 8; BD/SL/007 Elevations 2 Plots 2 and 8; BD/SL/008 Floor Plans Plot 3; BD/SL/009 Elevations 1 Plot 3; BD/SL/010 Elevations 2 Plot 3; BD/SL/014 Floor Plans Plot 5; BD/SL/015 Elevations 1 Plot 5; BD/SL/016 Elevations 2 Plot 5; BD/SL/020 Floor Plans and Elevations Double Garage and amended plans BD/SL/011a Floor Plans Plot 4; BD/SL/012a Elevations 1 Plot 4; BD/SL/013a Elevations 2 Plot 4; BD/SL/017a Floor Plans Plots 6 and 7; BD/SL/018a Elevations 1 Plots 6 and 7; BD/SL/019a Elevations 2 Plots 6 and 7, received on 14 September 2010.

REASON: For the avoidance of doubt to clarify which plans are relevant.

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

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

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

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

5. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

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

6. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

REASON: To reduce the increased risk of flooding by showing the provision of a satisfactory means of surface water disposal in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. No development shall take place until a scheme for the provision and management of compensatory habitat creation has been submitted to and approved in writing by the Local Planning Authority and implemented as approved. The scheme shall include the details of timing and thereafter the development shall be implemented in accordance with the approved scheme.

REASON: To ensure that there is no net loss to bio diversity as a result of the proposed development in accordance with Policies ENV7 and ENV13 of the Ribble Valley Districtwide Local Plan.

8. Prior to commencement of any site works, including delivery of building materials and excavations for foundations or services all trees identified shall be protected in accordance with the BS5837 [Trees in Relation to Construction] and tree details attached to this decision notice.

The protection zone must cover 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 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/ Conservation area/considered to be of visual, historic or botanical value are afforded maximum physical protection from the adverse affects of development.

9. Prior to commencement of development a detailed mitigation plan shall be submitted to and approved in writing by the Local Planning Authority to detail how the recommendations of the Thomson Ecology Report, Sections 4.5 and 5.4 will be implemented. The plan shall include details of timing of works and thereafter the development shall be implemented in accordance with the approved scheme.

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

10. Prior to commencement of development precise details of the method of construction of the re-routed footway leading from Whalley Road to Primrose Road and the works involved in the removal of the existing footway to Primrose Road and subsequent road widening shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall detail appropriate tree protection measures, any excavation works necessary and proposed surfacing materials to be used and shall be implemented in accordance with the details so approved.

REASON: In order to ensure that the trees affected by the development considered to be of visual amenity value are afforded maximum protection in accordance with Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan.

11. No trees shall be removed or pruned without the formal written approval of the Local Planning Authority. Only those trees that are proven to propose a danger to life and property will be considered for removal or pruning.

REASON: In order to ensure that the collective bio diversity and visual amenity value/integrity of the tree cover identified A2/T1 – T35 inclusive in the survey details for trees at Stalwart Lodge is maintained in the interests of the visual amenities of the area in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

12. Prior to commencement of development details of the rear fencing/screening/boundary treatment to the garden areas shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall thereafter be provided in accordance with the details so approved.

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

13. Unless otherwise agreed in writing with the Local Planning Authority, all construction traffic involved in the infilling of the reservoir basin shall enter the site via the existing gated access to the west of the site. they shall not access directly off Primrose Road whilst those works are being undertaken.

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

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

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

NOTE

1. The grant of planning permission will require the applicant to enter into an appropriate legal Agreement with the County Council as Highway authority, and this is limited to the Section 106 Agreement that forms part of the consent for 3/2008/0526/P. The Highway Authority may also wish to implement their right to design all works within the highway related to this proposal.

APPLICATION NO: 3/2010/0387/P (GRID REF: SD 369951 436694)
PROPOSED ERECTION OF TWO SIX BEDROOMED HOUSES AND ONE FOUR BEDROOMED HOUSE ON LAND AT HILLSIDE, BROCKHALL VILLAGE

PARISH COUNCIL: Objects to the application as we believe that this development would increase the properties allowed to be built in this area and go over the original limit agreed on previous applications. This development is also encroaching into green space.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): Has no objections to the application on highway safety grounds.

The access to Plot 1 offers visibility of approximately 30m to the south when measured from 2.4m back from the edge of the carriageway.

However, this is a lightly trafficked residential road and the observed vehicle speeds are broadly appropriate for this setting. I am aware that Hillside also serves the Blackburn Rovers FC Academy and this does generate additional traffic. The sightline can readily be improved to 40m with a slight alteration to the proposed tree planting to the south of the access, setting them back approximately 2m from the positions shown on the site plan.

I would welcome details of the gradient from Plot 1 to Hillside as the maximum recommended is 1:25.

I have no objections to the layout or design of the access to Plots 2 and 3.

ADDITIONAL
REPRESENTATIONS:

Six letters have been received from nearby residents who object to the application on the following grounds:

1. Detriment to the amenities and outlook from properties on the north side of Dickens Court.
2. Loss of light and privacy to adjoining houses on Dickens Court.
3. Contrary to saved policy A2 of the Local Plan.
4. The access to Plot 1 is detrimental to highway safety.
5. The felling of trees is harmful to the local landscape.
6. Frogs and newts inhabit the application site.
7. When we bought our properties we were assured that there would be just one two-storey property built on this land.
8. The house and garage on Plot 2 will have a seriously overbearing effect on adjoining properties in Dickens Court.
9. The size of the garage on Plot 2 is excessive.
10. The proposed tree planting scheme would benefit only residents of the new dwellings, not existing adjoining residents.
11. Other recent developments in the vicinity have involved the requirement for a workspace within the dwellings but no such space is included in these proposed dwellings.
12. Previous conditions attached to the extension of development at Brockhall Village (such as the provision of a village hall and other amenities) have failed. Will future development of the site be required to fulfil this requirement or at least be required to add to the existing village.

Proposal

Permission is sought for the erection of three large detached houses.

The house on Plot 1 is a two-storey four-bedroomed house with a double single storey garage that is attached to the southern side elevation of the main dwelling by a single storey utility room. This dwelling has an eaves height of 6m and a ridge height of 9.8m and does not contain any accommodation within the roof space.

The houses on Plots 2 and 3 are of the same design, and both have detached double garages also of the same size and design. These are six bedroomed houses with two of the bedrooms being provided at second floor level. The eaves height of this house type is 6m and the ridge height of the main roof is 9.4m. There is, however, a section of roof with front and rear facing gables, within which the second floor level bedrooms are to be provided. The ridge height of this section of roof is 10.6m.

The detached double garages on Plots 2 and 3 have dimensions of 9.6m x 6.6m with an eaves height of 2.7m and a ridge height of 5.9m. They each have an external stone staircase on one of the side elevations to give access to a proposed workspace within the roofspace.

Site Location

The application relates to an area of undeveloped land to the north of the three storey dwellings on Dickens Court. There are other existing dwellings to the north of the site.

The site is within the Generally Development Area (GDA) as defined in Saved Policy A2 (Brockhall Area pOLICY) of the Local Plan.

Relevant History

3/2005/0315/P – Redevelopment of remaining areas of former hospital to provide employment uses, 38 dwellings, village hall and associated open space. Approved with conditions.

3/2006/0008/P – Erection of 26 live/work units and extensions of domestic gardens over existing open space. Approved subject to conditions. This permission included the erection of one live/work unit on the land that is the subject of this current application.

Relevant Policies

Policy A2 - Brockhall Area Policy.

Policy G1 - Development Control.

Policy G4 - Settlement Strategy.

PPS3: Housing.

Affordable Housing Memorandum of Understanding (AHMU).

Environmental, AONB, Human Rights and Other Issues

There are numerous matters to be considered in the determination of this application which are discussed below under appropriate sub headings.

Compliance with relevant housing policy and guidance

In terms of establishing whether the principle of development is appropriate, it is important to have regard to the site's location within the Generally Developed Area (GDA) as defined in Saved Policy A2 of the Local Plan, the decision taken by Planning and Development Committee on 17 June regarding how the RSS was to be taken into account from hereon in and the revised PPS3 published in June of this year.

As Brockhall Village is a significantly built up area, I consider it appropriate to determine applications on sites within the GDA under the requirements of Policy G4 which relate to most of

the other villages in the Borough. One of the categories of development permissible under Policy G4 is “the use of infill sites not defined as essential open spaces”. In the explanatory text infill development is defined as:

“The filling of small gaps within small groups of houses where:

- (i) the site is not designated as essential open space;
- (ii) proposals which would not lead to ribbon development or a fragmented pattern of development;
- (iii) development would reflect the character of the village in terms of scale, design and density and not have any detrimental visual impact on the locality”.

As permission has previously been granted for a live/work unit on this site, it cannot, in my opinion, be regarded as an essential open space. The development does not constitute ribbon development and I consider that the proposed relatively large detached houses are in keeping with the general character of Brockhall Village.

In a proposed development of three dwellings, the AHMU would require one of the units to be ‘affordable’. However, the permission for the live/work unit on the site remains extant by virtue of other units covered by the permission having been erected. The proposal therefore relates to a net increase of two dwellings. For this reason and as an affordable unit would not be appropriate in this location, I do not consider that the proposal would contravene the requirements of the AHMU.

For these reasons, and as the Council cannot presently claim a five year housing land supply, and as the development would accord with the provisions of PPS3, I conclude that the proposed development is acceptable in principle (without any requirements for the units to be “live/work”).

Effects upon the amenities of nearby residents

A number of nearby residents have expressed objections relating to the size/height of the dwellings and garages and their proximity to their dwellings.

I do not consider that the dwelling on Plot 3 would have any material effects upon the amenities of existing residents.

The houses and garages on the other two plots are closer to the existing dwellings in Dickens Court. In my opinion, however, they have been sited on their plots, and their window positions have been arranged, so that they would not have any seriously detrimental effects upon the light or privacy of existing adjoining dwellings.

Effects upon trees and wildlife

An Arboricultural Implications Assessment Report and a Great Crested Newt Suitability Assessment (both prepared by suitably qualified persons) have been submitted to support this application. The Council’s Countryside Officer has been fully involved in the consideration of these aspects of the application.

The Great Crested Newt Survey concluded that the site is of low potential value as a habitat for the species due to the vegetation being short and colonised over compacted hardstanding. In the light of this low risk of amphibians being present at the site, the following safeguards were recommended:

- Vegetation on site should be kept short (approx 10-15cm) in length. Strimming to be undertaken with hand held trimmers.
- If construction of track or hardstanding is required then it should be kept throughout the construction period to avoid the creation of voids which might attract amphibians.
- Any open trenches should be backfilled/covered (so that there are no gaps) each night to prevent amphibians being trapped.

The Countryside Officer concurs with the findings of the report and considers the development to be acceptable in relation to this particular consideration subject to the above recommendations being followed.

The Arboricultural Report showed a number of trees to be felled and gave reasons for this course of action. It also identified a number of important trees to be retained. The Countryside Officer, however, was concerned that some of the trees shown for retention would suffer harm due to the proximity of the proposed dwellings. This has been addressed by the submission of an amended plan that shows greater separation distances between the retained trees and the proposed dwellings. The Countryside Officer is now satisfied with the proposal subject to the imposition of appropriate tree protection conditions.

Effects on highway safety

Subject to there being no landscape planting that would impair visibility from the access to Plot 1, and the subject of the driveway on that plot not having a gradient in excess of 1:25, the County Surveyor has no objections to the proposal on highway safety grounds.

Effects on visual amenity

The proposed development is low density in comparison to the adjoining Dickens Court. Important existing trees are to be retained and there will be additional planting in accordance with the landscaping scheme. The dwellings are to be finished in render with stone detailing and natural slate roofs.

Overall, I consider the proposal to be appropriate to the site and do not consider that it would have any adverse effects upon the visual amenities of the locality.

SUMMARY OF REASONS FOR APPROVAL

The proposed development is appropriate for the site and would not have any seriously detrimental effects upon visual amenity, highway safety or the amenities of nearby residents.

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

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

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

2. This permission shall relate to the proposal as shown on drawing Nos BVB/03/04/05 and 10A.

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

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) (Amendment) (No 2) (England) Order 2008 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the dwellings on Plots 1 and 2 including any developments within the curtilages as defined in the Schedule to Part 1 Classes A-E shall not be carried out unless a further planning permission has first been granted in respect thereof.

REASON: In the interests of the amenities of nearby residents in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

5. 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.

6. Prior to commencement of any site works, including delivery of building materials and excavations for foundations or services all trees identified shall be protected in accordance with the BS5837 [Trees in Relation to Construction] and tree details attached to this decision notice.

The protection zone must cover 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 all trees identified in the application for retention are afforded maximum physical protection from the adverse effects of development in order to comply Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan.

7. The gradient of the driveway on plot 1 shall not exceed 1:25 and there shall be no planting or walls/fences above 0.9m high within 3m of the front boundary of this plot.

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

8. At all times during development works the following measures shall be followed:
 - Vegetation on site should be kept short (approximately 10-15cm) in length. Strimming to be undertaken with hand held trimmers.
 - If construction of track or hard standing is required then it should be kept throughout the construction period to avoid the creation of voids which might attract amphibians.
 - Any open trenches should be back filled/covered (so that there are no gaps) each night to prevent amphibians from being trapped.

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

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

ENVIRONMENT
DIRECTORATE
COUNTY SURVEYOR: I have no objections or comments concerning the highway safety implications of this proposal.

**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 approximately 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 approximately 11.8 metres in length, the southern elevation facing Glendene Park measured approximately 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 approximately 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 approximately 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 approximately 1.8 metres.

There is a separation distance of approximately 1m from the above property to the second, which is orientated west to east, measuring approximately 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 approximately 7.4 metres from the southern elevation of this property to the boundary wall facing Glendene Park and a distance of approximately 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
Policy H10 – Residential Extensions
Policy SPG – ‘Extensions and Alterations to Dwellings

Environmental, AONB, Human Rights and Other Issues

Committee are reminded that this application was deferred at the last planning committee pending further clarification of the finished floor level of the proposal. Subsequently the applicant has submitted an amended site layout plan (drawing no. 2101-02 Rev. B) confirming that the finished floor level is approximately 145.60m, which corresponds with the submitted drawings detailing the elevational setting (drawing no. 2101-05 and 2105-06).

I note the concerns raised by the public participation at the last planning committee regarding the level of detail in the submitted plans, however I remain satisfied that the plans are sufficient to make an adequate assessment of the application as follows;

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 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’.*

With regards to scale and size the Councils SPG ‘Extensions and Alterations to Dwellings’ states that *‘as a general rule any extension should not dominate the original house.....the development should be appropriate to the plot size and not result in a cramped appearance’.*

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 was 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 'l-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 approximately 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 approximately 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 obscure 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 plans received on the 26 July 2010 - drawing no. 2101-03 relating to proposed floor plans and drawing no. 2101-05 relating to the elevational setting of the proposal in relation to Clayton Manor, plan received on the 24 August - drawing no. 2101-04 relating to proposed elevations, plan received on the 14 September – drawing no. 2101-02 Revision B relating to the proposed site plan indicating finished floor levels and drawing no. 2101-06 relating to the elevational setting of the proposal in relation to Glendene Coach House.

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 and H10 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance 'Extensions and Alterations to Dwellings'.

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: 3/2010/0472/P (GRID REF: SD 373767 440827)
PROPOSED TO AMEND THE POSITION OF THE ESTATE ROAD ON TO WOONE LANE
AND AMENDED PARKING ARRANGEMENTS FOR BLOCKS 1 AND 4 AT LAND TO REAR
OF PRIMROSE MILL, WOONE LANE, CLITHEROE

TOWN COUNCIL: No objection.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

No objection to the application in principle on highway safety grounds.

ADDITIONAL
REPRESENTATIONS:

No comments received.

Proposal

This application details the proposed amendment to the estate road onto Woone Lane and revised parking arrangements for Blocks 1 and 4 of Phase 1B of the Primrose Residential Project.

The detailed access approved under application 3/2010/0055/P was set approximately 3m to the north of Primrose Mill (approximately 10m to its centre line) and this scheme seeks to relocate it to approximately 10m to its north (approximately 15m to its centre line).

In respect of the parking revision, as approved Block 1 was to be served by a car port with approximate dimensions of 9m x 5.5m x 4.5m in height with all three spaces accessed via the elevation facing directly down the estate road access towards Woone Lane. Now it is proposed to redesign this to have approximate dimensions of 9m x 6m x 4.7m in height with one of the spaces accessed via the elevation facing Woone Lane and the other two off the side elevation facing into the development site. Construction materials would be the same as previously approved, ie stone under a slate roof.

The second set of revisions to the parking from the previously approved scheme is the deletion of the triple car port to serve Block 4 which lies to the rear of the mill building and replacement with courtyard parking.

Site Location

The access and parking revisions are to the application site that occupies land that is to the west of Woone Lane between Primrose Mill (former Government building) and a site that was approved under 3/2010/0054/P as an extension to the existing Contour housing scheme. It lies within the settlement limit of Clitheroe as defined in the Districtwide Local Plan and is also covered by the Saved Primrose Area Policy.

Relevant History

3/2008/0526/P – Proposed regeneration of sites around and including Primrose Mill for residential development including improved site access, highway improvements and provision of public open space. Approved with conditions 24 March 2010.

3/2010/0054/P – Proposed regeneration of open land (including former EA Depot-Part) for residential development (25 affordable units) to form part of wider Primrose Housing Scheme (application 3/2008/0526/P) including access link to existing Contour housing scheme. Approved with conditions 24 March 2010.

3/2010/0055/P – Proposed regeneration of the existing commercial site(s) for residential development (25 units) being Phase 1B of the Primrose Residential Project including improved

vehicular access to Woone Lane (6 home buy affordable units and 19 market/for sale units). Approved with conditions 24 March 2010.

Relevant Policies

Policy G1 - Development Control.

Environmental, AONB, Human Rights and Other Issues

Matters for consideration in determination of this application are highway safety and visual impact. In respect of highway safety the County Surveyor has commented that the slight relocation of the access is consistent with comments made in a previous response to the 2008 application on the same matter, namely *there is ample land available within the scope of the access to secure a slight repositioning of the access to the north, something in the order of 5m that would secure beneficial sightlines to the south and provide a more balanced junction design*. On the basis that the scheme now submitted meets those requirements he is satisfied with the details provided and raises no objections.

Turning to the visual impact of the works I do not consider that the relocation of the access onto Woone Lane from that previously approved under 3/2010/0055/P would prove significantly detrimental to the streetscene. The redesign of car port to Block 1 would not adversely affect visual amenity and removal of the car port to Block 4 would give a greater sense of openness at this point of the development. Thus, on visual grounds I am satisfied that no significant detriment would be caused by these revisions.

Therefore, having carefully assessed the above I am of the opinion that the works are appropriate 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 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. Permission shall be implemented in accordance with the proposal as detailed on drawings 6371/15A car port details Block 1 and 6371/01B planning layout.

REASON: For the avoidance of doubt to clarify which plans are relevant.

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

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

4. The new estate road shall be constructed in accordance with the Lancashire County Council's specification for construction of estate roads.

REASON: To comply with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan and to ensure that satisfactory access is provided.

5. Prior to commencement of development facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site. Details of which shall have been first submitted to and approved in writing by the Local Planning Authority.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to avoid the possibility of the highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

6. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall have first 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 site in accordance with Policies G1, ENV14 and ENV15 of the Ribble Valley Districtwide Local Plan.

7. Prior to commencement of development approved by this planning permission (or such other date or stage in development as maybe agreed in writing with the Local Planning Authority) the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority.

1. A site investigation scheme, based on desk duty report, Primrose Mill, Primrose Road, Clitheroe, Lancashire for Beck Developments Ltd, GEA, June 2008, Ref J07352 to provide information for a detailed assessment of the risk to all receptors that maybe affected, including those off site.

2. The site investigation results and the detailed risk assessment (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (2) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

REASON: To prevent the pollution of controlled waters from potential contamination on site in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

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

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

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

9. Prior to commencement of development road and parking levels shall be submitted to and approved in writing by the Local Planning Authority with works completed in accordance with the details so approved.

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

NOTE

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

APPLICATION NO: 3/2010/0485/P (GRID REF: SD 366084 432905)
PROPOSED CHANGE OF USE OF LAND TO EXTEND THE EXISTING CARAVAN AND CAMPING SITE TO INCLUDE NEW STATIC CARAVANS, ALTERATIONS TO EXISTING ACCESS AND ALTERATIONS TO EXISTING GARAGE/OUTBUILDINGS AT NORTHWOOD, LONGSIGHT ROAD, CLAYTON-LE-DALE

PARISH COUNCIL: No representations have been received.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): Has no objection to the application in principle on highway safety grounds

The applicant outlines a visibility splay of 215m measured from 2.4m back from the edge of the carriageway.

From my observations on-site I have some concern that the view to the west can only be achieved across third party land. Therefore, I would be grateful if a more detailed layout could be provided that confirms the proposed 215m splays.

It is necessary to fulfil these visibility splay requirements in view of the speed of traffic on the A59, a road of regional significance and the introduction of additional, slow moving turning traffic. A number of physical improvements to the access are proposed and these will facilitate the safe movement of vehicles to and from the site. The location of the reception area and the on-site management of caravan traffic is designed to minimise any potential queuing back towards the A59 and any delays to movement must be retained within the site.

ADDITIONAL
REPRESENTATIONS:

Three letters have been received from nearby residents who express objections to the proposal on the following grounds:

1. Increased noise and general disturbance to nearby residents.
2. Such a large number of caravans, including eleven static caravans, will adversely affect the appearance and character of the locality.
3. Eleven static caravans is tantamount to a residential housing estate and could set a precedent for other property owners in the area to also apply for some form of development on their land.
4. Although screened to some extent in the summer, the caravans will be visible from the road and from neighbouring properties in the winter.
5. This is a small enclave of residential properties and any business development here should be limited. There are ample other business sites on Longsight Road.
6. The proposed septic tank sewerage system could lead to smells and pollution.
7. The increase in the number of vehicles entering and leaving the site will be detrimental to highway safety in view of the volume and speed of traffic on the A59.
8. Pedestrian safety will be compromised as there is no pavement on the opposite side of Longsight Road that could be used by pedestrians as an alternative when vehicles are entering and leaving the site.
9. There is no evidence of the demand for touring pitches as claimed by the applicant and, if there was such demand, it seems illogical to take up some of the site with static caravans as there is ample existing provision for static caravans in the locality.

10. The increased number of visitors could adversely affect and disrupt farming practices on adjoining farmland.
11. Due to lack of screening on the northern boundary of the site, the static caravans would be intrusive in the landscape.

Proposal

The applicants presently operate a certified caravan and camping site for five touring caravans and ten tents on this approximately 1 hectare (2.3 acre) site at the rear of their home.

The proposal is to increase the number of touring caravans/camping pitches up to 28 with space also being made available for up to 11 static caravans.

An existing domestic garage/outbuilding would be adapted to provide a reception area, laundry room and ladies and gents toilets and shower facilities.

An internal one way road system would be formed, there would be a recreation area and it is stated that additional landscaping/screen planting would be carried out.

Site Location

The site is located on the north side of Longsight Road (A59) in Clayton-le-Dale. There are other residential properties close to the road frontage. The land to which the application relates, however, extends northwards and is generally surrounded to the north, west and east by open land.

The site is within the open countryside.

Relevant History

None of any relevance to this application.

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV3 - Development in Open Countryside.

Policy RT1 - General Recreation and Tourism Policy.

Policy RT5 – New Static holiday caravan sites and extensions to existing sites.

Policy RT6 - New Touring Caravan Sites and Extensions to Existing Sites.

Environmental, AONB, Human Rights and Other Issues

The factors relevant to the determination of this application concern compliance with the “saved” policies of the Local Plan and the effects of the proposal on visual amenity, the amenities of nearby residents and highway safety.

Land Use/Policy considerations

Policy ENV3 of the Local Plan requires development in the open countryside to be in keeping with the character of the landscape area and states that it should reflect local vernacular, scale, style, features and building materials; and states that proposals to conserve, renew and enhance landscape features will be permitted provided regard has been given to the characteristic landscape features of the area.

There are other caravan related developments, and other commercial/business developments in the locality. I consider that, subject to additional screen planting to enhance the already substantial tree and hedge screening, this proposal would not seriously detract from the landscape features of the area.

Policy G5 states that outside the main settlement boundaries and the village boundaries, planning permission will only be granted for small scale developments within five specified categories, one of which allows, in principle, small scale tourism developments and small scale recreational developments appropriate to a rural area subject to Policy RT1.

Policy RT1 is supportive of proposals which extend the range of tourism and visitor facilities in the Borough subject to:

1. The proposal being physically well related to an existing main settlement, village or group of buildings.
2. Respecting the character, quality and visual amenities of the locality.
3. The proposal being well related to the existing highway network and not generating additional traffic movements of a scale likely to cause undue problems or disturbance. Where possible the proposal should be well related to the public transport network.
4. The site should be large enough to accommodate the required parking spaces, service areas and landscaped areas.

The site is within the general ribbon of development along the A59; the proposal will not seriously harm the visual amenities of the locality; the site is on the A59, the main road through the Borough; and appropriate parking and manoeuvring facilities are to be provided within the proposal.

Policies RT5 and RT6 relate to the provision of new or the extension of existing static and touring caravan sites respectively. They state that such proposals will normally be approved subject to the similar amenity, highway safety and locational criteria as comprised in Policy RT1. With regards to touring caravan sites the policy contains a requirement for a closed period in the winter months of not less than eight weeks.

Overall, as a site that is not within the Area of Outstanding Natural Beauty or Green Belt; that is located on a major road with an access that can easily be made satisfactory; that has existing good natural screening that can be supplemented; and that is not immediately adjoined by residential properties, I consider that the proposal complies with the requirements of the applicable policies.

Visual amenity considerations

As previously stated, the site benefits from substantial existing natural screening, especially down both side boundaries. At the front, the caravan site area is screened from the A59 by the applicant's dwelling and the garage/outbuilding that is to be converted into an amenities block. At the rear, the northern site boundary is presently defined by a post and rail fence. Beyond this, however, is a small field that has woodland bordering its northern edge. Therefore, except from the immediately adjoining field to the north, the site is well screened from all directions. A condition can be imposed to require additional screen planting close to all boundaries of the site, but specifically along the northern boundary.

Even if the site was not so well screened, the proposal would not appear particularly incongruous as there are other caravan related businesses and other commercial enterprises along the A59.

I consider the proposal to be acceptable with regards to its impact upon visual amenity.

The amenities of nearby residents

Although the locality is characterised by residential properties intermingled with commercial businesses, in my opinion, there are no residential properties so close to this site that the amenities of their occupiers would be seriously harmed by the proposed intensification of the existing caravanning and camping use of the site. Neighbour's amenities are further protected by the existing and proposed screening.

Highway Safety

The County Surveyor has no objections to the application subject to the provision of an appropriate visibility splay. The applicant has provided evidence that the provision of the required splay is achievable by proposed alterations to the existing access and by the maintenance/cutting back of the existing hedges on the front boundary of the site. I propose, however, that a condition be imposed that requires the splays to be physically identified at the site to be agreed by the Local Planning Authority/County Highway Authority prior to the commencement of development.

Other issues

A concern has been expressed by a nearby resident about possible pollution and smells arising from the proposed drainage facilities. These will include the installation of a sewage treatment plant and the controlled discharge of treated water and surface water largely on site and also to the adjoining ditch which carries water to the stream to the west, as is presently the case. The system will need to meet the requirements of the Environment Agency and should not affect any adjoining land or landowners. The concern about the static caravans becoming permanent residences will be addressed by appropriate conditions restricting their use to holiday use only and imposing an 8 week closure period during the winter months.

Conclusion

Overall, subject to appropriate conditions, I consider that the proposal will provide a tourist facility in an appropriate location without any undue harm to visual amenity, highway safety or the amenities of nearby residents.

SUMMARY OF REASONS FOR APPROVAL

The proposed development will provide a new tourist facility in an appropriate location with no seriously detrimental effects upon visual amenity, the amenities of nearby residents or highway safety.

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

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

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

2. This permission shall relate to the development as shown on Drawing Nos. 777.01, 01B, 03A, 04 and 05.

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

3. Prior to the commencement of any development a visibility splay of 215m in both directions, measured 2.4m back from the carriageway edge shall be physically marked out at the site to be inspected and agreed in writing by the Local Planning Authority (in consultation with the County Highway Authority).

REASON: To ensure that the sightlines are fully achievable before any other development works are commenced, in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

4. Prior to the first use of the site for the purposes hereby permitted, the improvements to the site access shall be carried out in accordance with the details shown on the submitted plans, and a visibility splay of 215m in both directions, measured 2.4m back from the carriageway edge shall be provided. Thereafter, the access in its improved form and the visibility splay shall be permanently retained. Nothing in excess of 0.9m above carriageway level shall be placed, constructed or grown within the visibility splay.

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

5. Prior to the formation of the internal site roads, precise details of their proposed surface materials shall be submitted to and approved in writing by the Local Planning Authority.

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

6. None of the additional touring caravan pitches hereby permitted shall be used and no static caravans shall be brought to the site until details of the scheme of landscaping and supplementary boundary screen planting 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/screen planting 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 visual amenity and the amenities of nearby residents and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. The terms of occupancy of the 11 static caravans hereby permitted shall be as follows:
- i) The caravans shall be occupied for holiday purposes only.
 - ii) The caravans shall not be occupied as a persons sole or main place of residence.
 - iii) The owners/operators of the site shall maintain an up to date register of the names of all owners/occupiers of the static caravans on the site, and their main home address, and shall make this information available at all reasonable times to the Local Planning Authority.

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

8. The period of occupancy of the site shall be limited to 7 March to 6 January in any succeeding year. Outside these dates, there shall be no touring caravans on the site and no static caravans shall be occupied.

REASON: In accordance with Policy RT6 of the Ribble Valley Districtwide Local Plan to ensure that the site is for short stay visitor usage only.

APPLICATION NO: 3/2010/0527/P (GRID REF: SD 376908 436071)
ERECTION OF A WIND TURBINE TO GENERATE ELECTRICITY (RE-SUBMISSION OF APPLICATION 3/2010/0256/P) AT WHITTAKERS FARM, BACK LANE, READ, LANCASHIRE, BB12 7SA

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

FOREST OF BOWLAND
A.O.N.B. OFFICER (LCC): The Officer objects to the proposal noting that despite the mitigating factors outlined, the local landscape character and visual impacts arising from the proposed wind turbine would be significant and unacceptable for an area within the AONB. Clearly the area does have some capacity for localised wind energy development but any proposals would have to involve a turbine that was of a scale appropriate for the landscape and have a strong functional relationship with the farm that it was intended to serve.

ADDITIONAL
REPRESENTATIONS:

No additional representations have been received.

Proposal

The application seeks permission for the erection of a micro wind generator for the domestic use of the applicant. The proposed micro wind generator would be a Gaia 11kW with a hub and two blades. For information, the turbine is compliant with British Standards and is listed on the Renewable Energy Assurance Limited website, which was set up by the Renewable energy Association to guarantee quality. It would be erected on a lattice, free standing, 18m high, galvanised mast, with the total height of the tower and generator including blades being 24.8m. This mast is the smallest supplied for this type of turbine. The proposal is a re-submission of a previously refused application for the same turbine and mast, however the Agent has attempted to address the concerns and reasons for refusal of the previous application by moving the position of the turbine down the slope and further towards Whittakers Farm. The Agent considers that the siting also takes into account the setting of the existing buildings on site, and that it is now more part of this existing group of farm buildings.

Site Location

The site lies within an area designated as being within the Forest of Bowland Area of Outstanding Natural Beauty. The proposed turbine is positioned approx. 150m from Back Lane, and less than 50m from Whittakers Farm. The land drops away slowly from Back Lane down towards the farm and associated buildings, and the position of the turbine will be on land approx. 10m lower than Back Lane. There are two dense copse of trees to the east and west of the site, adjacent to Back Lane, that provide some screening of the site when viewed from Back Lane, however there are partially obstructed, long distance views of the site from across the valley on Whalley Road and from the top of Pendle Hill.

Relevant History

3/2010/0256/P – Installation of an 11kW Gaia Turbine on an 18m high mast – Refused.

Relevant Policies

Policy G1 - Development Control.
Policy G8 – Environmental Considerations.
Policy ENV1 - Area of Outstanding Natural Beauty.
Policy ENV24 – Renewable Energy.
Policy ENV25 – Renewable Energy.
Policy ENV26 – Wind Energy.
PPS22 – Renewable Energy.
Companion Guide to PPS22 ‘Planning for Renewable Energy’.

Environmental, AONB, Human Rights and Other Issues

Given the application is a re-submission of a previously refused application; the main consideration is how the proposed revised scheme negates the reasons for the refusal on the previous application. The two reasons for refusal were as follows:

1. The scheme is considered at variance with Policies G1, ENV1, ENV24, ENV25 and ENV26 of the Districtwide Local Plan and PPS22. The proposed wind turbine, by virtue of its location, siting and height, would be an isolated, incongruous feature, remote from its associated farm buildings, and its approval would be to the detriment of visual amenity thereby prejudicing the aims and enhancement of the Area of Outstanding Natural Beauty.
2. The proposed wind turbine by virtue of its size, siting and location so close to the adjacent Public Right of Way would impact on the enjoyment of walkers, and for these reasons the scheme is considered at variance with Policy G1 of the Districtwide Local Plan.

Therefore, the proposal must be compared to the relevant Planning Policies, both Local and National, and that whether by virtue of its location, siting and height, it would still be considered an isolated, incongruous feature, remote from its associated farm buildings, and whether approving it would be to the detriment of visual amenity thereby prejudicing the aims and enhancement of the Area of Outstanding Natural Beauty. In addition, given the two turbines recently granted permission within 500m of this site, the cumulative impact of three wind turbines in this area must also be considered.

PRINCIPLE OF DEVELOPMENT

Within Planning Policy Statement 22: Renewable Energy it states that “In sites with nationally recognised designations (Sites of Special Scientific Interest, National Nature Reserves, National Parks, Areas of Outstanding Natural Beauty, Heritage Coasts, Scheduled Monuments, Conservation Areas, Listed Buildings, Registered Historic Battlefields and Registered Parks and Gardens) planning permission for renewable energy projects should only be granted where it can be demonstrated that the objectives of designation of the area will not be compromised by the development, and any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by the environmental, social and economic benefits. Small-scale developments should be permitted within areas such as National Parks, Areas of Outstanding Natural Beauty and Heritage Coasts provided that there is no significant environmental detriment to the area concerned.” The scheme has also been assessed against the provisions provided within Section 5 of the Companion Guide to PPS22 ‘Planning for Renewable Energy’.

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

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

The relevant Local and National Policies all note that proposal of this nature should only be approved where it can be demonstrated that the objectives of the designation of the area are not compromised, and that there are no significant environmental impacts on the area as a whole. The designation of the landscape as AONB is indicative of a high value landscape, and one that may be particularly sensitive to wind energy development. However, many recent wind energy development planning applications in A.O.N.B.s show that small wind turbines like that

proposed here have been given planning consent subject of course to acceptable landscape, noise, access, etc. impacts. As such, the proposal is considered, in principle, to comply with planning policy subject to there being no adverse visual impact.

VISUAL IMPACT

With regards to the visual impact of the scheme, and in addition to the detail provided by the Agent within the application, I am also mindful of the recent Appeal Decision at Readwood Stables approx. 450m from the site, Application Ref. No. 3/2009/1012/P, for an 11kW turbine on an 18m mast. The Inspector noted that the wind turbine proposed would be clearly visible in views across the A.O.N.B. from Back Lane and from the adjacent footpath. However, in these views he notes that the eye is drawn to the high telecommunications mast on top of Clerk Hill on the opposite side of the valley, and that although the wind turbine would be much closer in the views across the A.O.N.B. it would only feature for a short time whereas, although further away, the mast is a constant feature. With regards to distant views of the allowed turbine, the Inspectorate noted that the appeal turbine would be seen close to the turbine currently being constructed to the south of the site on the hill, however it would be seen below the horizon, although in these views, he concluded that it would have no greater effect on the landscape, character and visual amenity of the AONB, either on its own or cumulatively, than the permitted turbine. In conclusion, the Inspectorate notes that the appeal turbine would be glimpsed in views from other locations, but it is not likely that it would be prominent or intrusive in these views. He also notes that the turbine would be prominent in near views from Back Lane and the adjacent footpath, however it would not be significantly visible over a wider area and as such its effect on the landscape, character and visual amenity of the A.O.N.B. would not be significant. Finally, he notes that whilst the appeal turbine would be prominent from the adjacent footpath, this would only be for a short part of its length, and would not thus have any significant impact on the enjoyment of walkers and would not thus conflict with Policy G1 of the Local Plan.

With regards to this proposal, the turbine has now been moved nearer to the existing farm buildings than as previously submitted, and as such there is a more strong and functional relationship between the farm and the wind turbine, and is now less remote. By repositioning the mast, the proposal now also benefits from being sited on lower land levels ensuring that the turbine itself is now viewed more in relation to the existing areas of woodland adjacent to the site. Therefore, and in considering the above views of the Planning Inspectorate, the proposal is now considered to comply with the relevant National and Local Planning Policies in that it is visually more acceptable. In addition, despite the mast still being close to an existing right of way, I again concur with the view of the Planning Inspectorate that he notes that whilst the appeal turbine would still be visually prominent from the adjacent footpath, this would only be for a short part of its length, and would therefore have no significant impact on the enjoyment of walkers and would not thus conflict with Policy G1 of the Local Plan.

The LCC Specialist Advisor (Landscape) has raised objections to the scheme, noting that a wind turbine of this height would be much taller than surrounding landscape scale comparators such as trees and farm buildings which are also some of the key features of the area's landscape character, and that this significant height differential would, in his opinion, emphasize the discordant scale and overall presence of the turbine in the landscape detracting from the area's landscape character. In addition, he is concerned that the lattice construction of the support tower would have a fussy mini 'pylon' like appearance that lacks the elegant simplicity of the frequently used solid type support tower. However, it is considered that the lattice type tower and the location of the turbine well down the slope from Back Lane and the summit of Black Hill will ensure that from viewpoints on the other side of the valley the whole of the structure would

be seen against a green backdrop which will therefore negate its appearance and intrusion in the landscape.

CUMULATIVE IMPACT

Section 5 of the Companion Guide to PPS22 'Planning for Renewable Energy' provides guidance on assessing the cumulative landscape and visual effects of wind turbine developments, and notes that landscape effects and visual effects should be considered separately. The former refers to effects the development will have on the fabric, character and quality and so concerns the degree to which renewable energy becomes a significant or defining characteristic of the landscape. Cumulative visual effects concern the degree to which renewable development becomes a feature in certain views, and the effect this has upon people experiencing these views. The Guide notes that cumulative effects may arise where two or more of the same type of renewable energy are visible from the same point, and having viewed the site in question from both near and long distance viewpoints, it is only from long distance views that you are able to see all three sites. The impact on the landscape character of this location has been accepted individually, and the question is whether as a group there is sufficient harm caused to these long distance views. Therefore, given the scale, location and position of the three turbines within the existing landscape, and the other more visible features of other sites in and around the Sabden area (such as the Victoria Mill Chimney) I do not think that the turbines will be a significant or defining characteristic of the landscape, and as such I do not consider there to be significant visual harm caused and that there will be no cumulative impact in this instance.

As such, whilst I am mindful of the views of the Lancashire County Council, AONB Officer, it is considered that given the distance from nearby properties and from nearby highway viewpoints, that the turbines landscape and visual impacts are now mitigated by the position of the turbine on lower land levels to a significant extent, and that there is a closer relation between the mast and Whittakers Farm, the proposal is considered acceptable. On this basis, and in considering the guidance within PPS22 that 'new development must generate 10% of their own energy from on-site renewable sources', I am happy to recommend the application accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposal represents an acceptable form of development and given its design, size and location would not result in visual detriment to the surrounding countryside, nor will it have a significant detrimental impact on the amenities of any nearby residents.

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 RLP/WF/01 and WF/GWT/GT/01.

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

3. Notwithstanding the approved details submitted as part of this application, details of the colour of the blades, rotor head and mast shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. Development shall be carried out in accordance with the approved plans.

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

INFORMATIVES

1. The preferred colour for the blades, rotor head and mast is Light Grey RAL COLOUR 7035.

APPLICATION NO: 3/2010/0544/P (GRID REF: SD 370082 436657)
PROPOSED CHANGE OF USE FROM CLASS D2 (VILLAGE HALL) TO B1 (OFFICE USE) AT
THE VILLAGE HALL, FRANKLIN HILL, BROCKHALL VILLAGE, BLACKBURN, LANCASHIRE.

PARISH COUNCIL: No observations or comments have been received at the time of the reports submission.

COUNTY SURVEYOR (LCC): No objections to the proposed change of use from a highway safety point of view.

ADDITIONAL REPRESENTATIONS: Eight letters of objection have been received from residents of Brockhall Village, and the points of objection have been summarised as follows,

1. Noise – Not only from the increase in visitors to the site but also the vehicles turning on the chipped parking area,
2. Loss of community facilities - The Village Hall was built for residents of Brockhall Village and was never handed over. The only reason it has stood unused is because residents were never allowed to use it. Retaining it as a Village Hall would be of more benefit to the community,
3. Highway Safety – Increase in traffic to/from the site which could be dangerous considering the close proximity to the children’s play area and nursery,
4. Increase in traffic will cause further wear and tear to the roads, which will cause an increase in maintenance charges to the Villagers,
5. Permission was approved on basis of there being a Village Hall, has this permission not been breached?
6. No need for office units in this area,

7. When built it was used as a sales office for the site, it should not be considered as a 'Village Hall' in its present situation. The developer never allowed the villagers to use or take ownership of the building, and therefore we urge the Council to refuse this permission,
8. The Conference Centre at the entrance to the site has been advertised for months with no interest, however this office space should satisfy any need in this area,
9. The village does not have public access, with the roads and facilities private for use by the residents. It is unjust and unfair that residents should fund facilities for businesses that will make a profit,
10. As Brockhall Village is a gated community, introducing a routine public business to the site will go against the purpose and objectives of a gated community. It is not a business park,
11. The building cannot be considered redundant as stated in the report,
12. Whilst you state that the scheme complies with PPS1 and EC13, PPS1 also states that 'Planning should seek to provide improved access to leisure and community facilities', and Policy EC13 states that 'account should be made of the importance of leisure facilities to the community', and
13. Perhaps Ribble Valley's concern for providing community facilities for people should turn to this site and procure this facility?

Proposal

The application seeks permission for the proposed change of use of The Village Hall, Franklin Hill, Brockhall Village, from a Class D2 (Village Hall) Use to a Class B1 (Office) use.

Site Location

The site is located within the Brockhall Village Development to the northern end of the site. The building sits adjacent to the grounds of the residential property The Old Zoo, and opposite the Nursery and the recent housing developments off Cherry Drive and Dickens Court.

Relevant History

3/2010/0544/P – Proposed change of use from D2 (Village Hall) to Class A1 (Retail) – Report on this Committee Agenda.

3/2005/0315/P - Redevelopment of remaining areas of former hospital to provide employment uses (B1, C1, C2, D1 and D2), 38 dwellings, village hall and associated open space, kick-about area, formal garden area and garden store – Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.

Policy G4 - Settlement Strategy.

Planning Policy Statement (PPS) 1 – Delivering Sustainable Development.

PPS4 – Planning for Sustainable Economic Growth.

PPS7 – Sustainable Development in Rural Areas.

Environmental, AONB, Human Rights and Other Issues

This application was deferred at the August Planning and Development Committee to enable further discussion between the applicant and the local residents. The Applicant has advised that a meeting was scheduled in August where Brockhall Village Limited (BVL) offered the building to the Brockhall Village Residents Association (BVRA) at a discount of 10% below the lowest valuation of the building. The building was valued in July by a local Surveyor. The Applicant has given the BVRA until the end of September to make a decision regarding this offer. The Applicant also emphasises that he is of the view that his company is under no legal obligation to handover the building, and as such, unless an agreement is reached between the two parties and this application is withdrawn, the application in question must therefore still be considered on its own merits. As such, the report below again outlines the view of the Planning Department.

The main concerns with regards to this proposal are the principle of the development, the potential impact on highway safety, parking and any potential impact on the amenity of nearby neighbours. There are no alterations planned for the building itself. Should any further alterations be required, these would be subject to a further application unless they are allowable under Part 41 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010.

PRINCIPLE OF DEVELOPMENT

When considering the principle of the development, as well as the relevant Local Plan Policies, it is worth considering the guidance provided within the National Planning Policy Statements.

PPS1 states that “Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community” (Para 5) and that “Planning authorities should ensure that infrastructure and services are provided to support new and existing economic development and housing” (Para 23 (viii)). PPS1 also states that “Planning authorities should seek to provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car” (Para 27 (v)). On the basis of the above, I consider the proposed provision of additional B1 office space within Brockhall Village would comply with the provisions of this PPS.

Policy EC12 within PPS4 gives advice on determining planning applications for economic development in rural areas. It states, “In determining planning applications for economic development within rural areas, local planning authorities should support small-scale economic development where it provides the most sustainable option in villages, or other locations, that are remote from local service centres, and approve planning applications for the conversion and

re-use of existing buildings in the countryside for economic development, where the benefits outweigh the harm in terms of local economic and social needs and opportunities". Policy EC13 in referring to shops and services in local centres and villages, and its states "Local planning authorities should take into account the importance of the shop, leisure facility or service to the local community if the proposal would result in its loss or change of use, and that they should refuse planning applications which fail to protect existing facilities which provide for people's day-to-day needs". On the basis of the above, I consider the proposed provision of B1 office space within Brockhall Village would comply with the provisions of this PPS, as it will provide a sustainable alternative for residents looking at either starting or creating a new business close to home. With regards to Policy EC13, the building in question has an existing approved use as a Village Hall, however, it has never been formally used as such. Therefore, I do not consider that the loss of a facility that has never been used for that 'use' can be contrary to the provisions of Policy EC13.

The provisions of the above two Policy Statements are also supported by the text contained within PPS7, in particular paragraph 17 which states that "The Government's policy is to support the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives, with re-use for economic development purposes being preferable".

Therefore, on the basis of the guidance provided within the above National PPS's, and the guidance contained within Local Plan Policies G1 and G4, I consider the proposed use of the currently redundant building, The Village Hall, to provide B1 office space is considered an appropriate and sustainable development, in compliance with both Local and National Planning Policy.

HIGHWAY SAFETY AND PARKING

The LCC Traffic and Development Engineer has verbally raised no objections to the proposed change of use from a highway safety point of view.

IMPACT ON AMENITY

The premises in question is approx. 30m from the curtilage of the nearest adjacent residential properties on Dickens Court, and is separated by the existing access road down to the Blackburn Rovers Reserves Training Academy. Concern has been raised that the proposed use would attract additional vehicles to the site than the present use, which would be to the detriment of the amenity of nearby neighbours. However, the existing use would also attract the present designated use for the building. There are no hours of use proposed for the B1 use, however this could be carefully controlled by a relevant planning condition, and I have recommended one accordingly. On this basis, whilst I accept that the proposed use may attract additional visitors to this particular location within Brockhall Village than at present, this is mainly due to the lack of activity on site at present. This aside, I do not consider that the impact of the proposed change of use will be to the detriment of the amenity of those nearest neighbours to the site. Indeed, given the potential for the creation of jobs for local people from the introduction of new employment facilities within Brockhall Village, I consider that the benefits will outweigh the loss of a disused building.

In response to the material considerations raised within the large number of objections to this proposed development, I consider the proposal to fully comply with the provisions of both National and Local Planning Policies. I am aware of the history of this site, and there is a wealth

of correspondence on this issue between the Council and residents since the completion of the building in question. The Council consider that the development approved by 3/2005/0315 was completed in accordance with the relevant Conditions, however the dispute over the failure of the facility to be handed over to the residents by the private developer, is one that the Council has had, and will have, no control over. This issue is therefore not considered to be a material consideration.

As such, bearing in mind the above and whilst I am mindful of the points of objection from nearby neighbours, on the basis of the above, I consider the proposed provision of an A1 Retail use within Brockhall Village would comply with the provisions of not only the National PPS's but also the Local Plan Policies, without being to the detriment of the amenity of the nearby neighbouring properties. As such, I recommend the application 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. 433/2.

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

3. The use of the premises in accordance with this permission shall be restricted to the hours between 0800 to 1800 Monday to Saturday only, and there shall be no opening on Sundays or bank holidays. There shall be no deliveries to the premises outside of these times.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan. The use of the premises outside these hours could prove injurious to the character of the area and in order to safeguard residential amenities.

4. Prior to use of the building in association with this approval, further details of bin storage areas and the access arrangements for such areas shall be submitted to the Local Planning Authority and approved in writing and thereafter maintained in perpetuity.

REASON: To ensure adequate bin storage and to comply with Policy G1 of the Districtwide Local Plan.

5. The development hereby permitted shall be used for B1 'office use' only and for no other purpose, including any use falling within Class B1 of the Town and Country Planning (Use Classes) Order 1987 (As Amended).

REASON: The permission granted is for a specific use, and it is considered that other uses within the same Use Class may give rise to adverse effects on the locality, contrary to the provisions of Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2010/0545/P (GRID REF: SD 370082 436657)
PROPOSED CHANGE OF USE FROM CLASS D2 (VILLAGE HALL) TO CLASS A1 (RETAIL)
AT THE VILLAGE HALL, FRANKLIN HILL, BROCKHALL VILLAGE, BLACKBURN

PARISH COUNCIL: No observations or comments have been received at the time of the reports submission.

COUNTY SURVEYOR (LCC): No objections to the proposed change of use from a highway safety point of view.

ADDITIONAL REPRESENTATIONS: Twenty three letters of objection have been received from residents of Brockhall Village, and the points of objection have been summarised as follows,

1. Noise – Not only from the increase in visitors to the site but also the vehicles turning on the chipped parking area,
2. Anti-social behaviour – The shop will attract young people to the area/site and will cause an increase in potential for anti-social behaviour. There is a need for a youth club/toddler group but there are no facilities to carry this out within the Village,
3. Loss of community facilities - The Village Hall was built for residents of Brockhall Village and was never handed over. The only reason it has stood unused is because residents were never allowed to use it. Retaining it as a Village Hall would be of more benefit to the community,
4. Highway Safety – Increase in traffic to/from the site which could be dangerous considering the close proximity to the children's play area and nursery,
5. The village is a gated community and this will increase security fears by allowing people from outside to enter and use the shop,
6. Increase in traffic will cause further wear and tear to the roads, which will cause an increase in maintenance charges to the Villagers,
7. Increase in litter on the site,
8. When built it was used as a sales office for the site, it should not be considered as a 'Village Hall' in its present situation. The developer never allowed the villagers to use or take ownership of the building,

9. The Conference Centre at the entrance to the site has been advertised for months with no interest, and a previous shop operated within the village but was closed due to it being unsustainable. There is no need for this use, and the residents will boycott it,
10. Permission was approved on basis of there being a Village Hall, has this permission not been breached?
11. This should not be changed unless the Council will provide us with alternative facilities,
12. The building cannot be consider redundant as stated in the report,
13. Whilst you state that the scheme complies with PPS1 and EC13, PPS1 also states that 'Planning should seek to provide improved access to leisure and community facilities', and Policy EC13 states that 'account should be made of the importance of leisure facilities to the community', and
14. Perhaps Ribble Valley's concern for providing community facilities for people should turn to this site and procure this facility?

One letter of support for the proposed development has been received, with its author noting that,

1. The proposed change of use would greatly benefit the village community and create employment on the site,
2. To suggest that the villagers would boycott the use is simply not a reflection of the feeling in the village,
3. The village hall has not been used and I would say it is a white elephant that will never be used, and
4. My property borders this building and I do not feel it will cause a nuisance.

Proposal

The application seeks permission for the proposed change of use of The Village Hall, Franklin Hill, Brockhall Village, from a Class D2 (Village Hall) Use to a Class A1 (Retail) use.

Site Location

The site is located within the Brockhall Village Development to the northern end of the site. The building sits adjacent to the grounds of the residential property The Old Zoo, and opposite the Nursery and the recent housing developments off Cherry Drive and Dickens Court.

Relevant History

3/2010/0544/P – Proposed change of use from D2 (Village Hall) to B1 (office use) – Report on this Committee Agenda.

3/2005/0315/P - Redevelopment of remaining areas of former hospital to provide employment uses (B1, C1, C2, D1 and D2), 38 dwellings, village hall and associated open space, kick-about area, formal garden area and garden store – Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.

Policy G4 - Settlement Strategy.

Planning Policy Statement (PPS) 1 – Delivering Sustainable Development.

PPS4 – Planning for Sustainable Economic Growth.

PPS7 – Sustainable Development in Rural Areas.

Environmental, AONB, Human Rights and Other Issues

This application was deferred at the August Planning and Development Committee to enable further discussion between the applicant and the local residents. The Applicant has advised that a meeting was scheduled in September where Brockhall Village Limited (BVL) offered the building to the Brockhall Village Residents Association (BVRA) at a discount of 10% below the lowest valuation of the building. The building was valued in July by a local Surveyor. The Applicant has given the BVRA until the end of September to make a decision regarding this offer. The Applicant also emphasises that he is of the view that his company is under no legal obligation to handover the building, and as such, unless an agreement is reached between the two parties and this application is withdrawn, the application in question must therefore still be considered on its own merits. As such, the report below again outlines the view of the Planning Department.

The main concerns with regards to this proposal are the principle of the development, the potential impact on highway safety, parking and any potential impact on the amenity of nearby neighbours. There are no alterations planned for the building itself. Should any further alterations be required, these would be subject to a further application unless they are allowable under Part 42 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010.

PRINCIPLE OF DEVELOPMENT

When considering the principle of the development, as well as the relevant Local Plan Policies, it is worth considering the guidance provided within the National Planning Policy Statements.

PPS1 states that “Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community” (Para 5) and that “Planning authorities should ensure that infrastructure and services are provided to support new and existing economic development and housing” (Para 23 (viii)). PPS1 also states that “Planning authorities should seek to provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car” (Para 27 (v)). On the basis of the above, I consider the proposed provision of an A1 Retail use within Brockhall Village would comply with the provisions of this PPS.

Policy EC12 within PPS4 gives advice on determining planning applications for economic development in rural areas. It states, "In determining planning applications for economic development within rural areas, local planning authorities should support small-scale economic development where it provides the most sustainable option in villages, or other locations, that are remote from local service centres". Policy EC13 in referring to shops and services in local centres and villages, states "Local planning authorities should take into account the importance of the shop, leisure facility or service to the local community if the proposal would result in its loss or change of use, and that they should refused planning applications which fail to protect existing facilities which provide for people's day-to-day needs". On the basis of the above, I consider the proposed provision of an A1 Retail use within Brockhall Village would comply with the provisions of this PPS. In respect of Policy EC12, the nearest similar facility to that proposed can only be found in either Billington or Langho which is over a mile away, and as such the provision of a local shop (A1 use) for this community is considered to fully comply with the sustainable requirements of this National Policy, and can only be supported. With regards to Policy EC13, the building in question has an existing approved use as a Village Hall, however, it has never been formally used as such. Therefore, I do not consider that the loss of a facility that has never been used for that 'use' can be contrary to the provisions of Policy EC13. Indeed the provision of a facility that would provide for people's day-to-day needs is something that can only be supported.

The provisions of the above two Policy Statements are also supported by the text contained within PPS7, in particular paragraph 6 which states that "Planning authorities should support the provision of small-scale, local facilities to meet a communities needs outside local service centres, particularly where they would benefit those rural residents who would find it difficult to use more distant service centres".

Therefore, on the basis of the guidance provided within the above National PPS's, and the guidance contained within Local Plan Policies G1 and G4, I consider the proposed use of the currently redundant building, The Village Hall, as an A1 retail use within the Brockhall Village complex is considered an appropriate and sustainable development, in compliance with both Local and National Planning Policy.

HIGHWAY SAFETY AND PARKING

The LCC Traffic and Development Engineer has verbally raised no objections to the proposed change of use from a highway safety point of view.

IMPACT ON AMENITY

The premises in question is approx. 30m from the curtilage of the nearest adjacent residential properties on Dickens Court, and is separated by the existing access road down to the Blackburn Rovers Reserves Training Academy. Concern has been raised that the proposed use would not only attract additional vehicles to the site, creating noise in itself, but also that it would attract youths to congregate outside, which would be to the detriment of the amenity of nearby neighbours. I am aware that there is a children's playground near to the site, and would safely assume that this too attracts young people to congregate in that area at present. However, the existing use would also attract youths to this area, as they would travel to here to use the facilities. There are no hours of use proposed for the A1 use, however this could be carefully controlled by a relevant planning condition, and I have recommended one accordingly. On this basis, whilst I accept that the proposed use may attract additional visitors to this particular location within Brockhall Village than at present, this is mainly due to the lack of activity on site

at present. This aside, I do not consider that the impact of the proposed change of use will be to the detriment of the amenity of those nearest neighbours to the site, and given the added benefits this facility would bring to the residents as a whole, I consider that the benefits will outweigh the loss of a building with a community based designation.

In response to the material considerations raised within the large number of objections to this proposed development, I consider the proposal to fully comply with the provisions of both National and Local Planning Policies. I am aware of the history of this site, and there is a wealth of correspondence on this issue between the Council and residents since the completion of the building in question. The Council consider that the development approved by 3/2005/0315 was completed in accordance with the relevant Conditions, however the dispute over the failure of the facility to be handed over to the residents by the private developer, is one that the Council has had, and will have, no control over. This issue is therefore not considered to be a material consideration.

As such, bearing in mind the above and whilst I am mindful of the points of objection from nearby neighbours, on the basis of the above, I consider the proposed provision of an A1 Retail use within Brockhall Village would comply with the provisions of not only the National PPS's but also the Local Plan Policies, without being to the detriment of the amenity of the nearby neighbouring properties. As such, I recommend the application 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. 433/2.

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

3. The use of the premises in accordance with this permission shall be restricted to the hours between 0800 to 2000 Monday to Saturday, and 1100 to 1700 on Sundays and bank holidays. There shall be no deliveries to the premises outside of these times.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan. The use of the premises outside these hours could prove injurious to the character of the area and in order to safeguard residential amenities.

4. Prior to use of the building in association with this approval, further details of bin storage areas and the access arrangements for such areas shall be submitted to the Local Planning Authority and approved in writing and thereafter maintained in perpetuity.

REASON: To ensure adequate bin storage and to comply with Policy G1 of the Districtwide Local Plan.

5. The development hereby permitted shall be used for A1 'retail' use only and for no other purpose, including any use falling within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (As Amended).

REASON: The permission granted is for a specific use, and it is considered that other uses within the same Use Class may give rise to adverse effects on the locality, contrary to the provisions of Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2010/0561/P (GRID REF: SD 373067 436571)
PROPOSED ERECTION OF A COMMERCIAL BUILDING FOR B1 BUSINESS USE WITH DESIGNATED CAR PARKING AND CYCLE STORE AT LAND ADJACENT TO UNITS 7 AND 8 THE SIDINGS, WHALLEY

PARISH COUNCIL: No observations to make on this application.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR): No objection to the application in principle on highway safety grounds. The proposed development will result in the loss of some general parking, but will provide sufficient parking for the efficient operation of the proposed commercial unit.

ADDITIONAL
REPRESENTATIONS: None received.

Proposal

Full planning permission is sought for the erection of a building for B1 Business use within the existing industrial park at The Sidings, Whalley.

The building, which would provide accommodation on two floors, has maximum dimensions of 15.5m x 8.4m with an eaves height of 5m and a ridge height of 6.75m. The external materials would be facing bricks of a colour and texture in keeping with existing adjoining buildings, and goose wing grey coloured profiled roof sheets.

Four new parking spaces would be formed by extending the existing tarmac surface and two further spaces would be marked out on the existing hard surfaced area.

Site Location

The site is within the existing industrial park within the settlement boundary of Whalley.

The proposed building would be constructed on an existing grassed area between Units 7 and 8 and adjoined at the rear by the building that contains Units 10 to 14.

Relevant History

Although there were numerous applications relating to the original formation of this industrial park, there are no previous applications of any particular relevance to this current application.

Relevant Policies

Policy G1 - Development Control.

Policy EMP7 - Extensions/Expansions of Existing Firms.

Environmental, AONB, Human Rights and Other Issues

As an application for an industrial unit on an industrial park, the proposal is acceptable in principle. The County Surveyor is satisfied with the proposed parking provision. The proposed external materials and general size and design of the building are compatible with the existing adjoining buildings. The building would not have any detrimental effects upon any of the adjoining units. There are no residential properties in the immediate vicinity of the proposed buildings. I can therefore see no objections to the proposed development.

SUMMARY OF REASONS FOR APPROVAL

The proposed building is appropriate for this location and would not have any detriment effects upon visual amenity, highway safety or the amenities of any nearby residents.

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

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

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

2. This permission shall relate to the proposal as shown on drawing numbers PH/AR/100, 200, 300, 400, 500 and 600.

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

3. Prior to the first use of the building hereby permitted, six car parking spaces shall be formed in accordance with the submitted plans and shall be available for use. Thereafter, these spaces and their associated access and manoeuvring areas shall be retained permanently clear of any obstruction to their designated use.

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

APPLICATION NO: 3/2010/0576/P

(GRID REF: SD 376896 456026)

PROPOSED AMENDMENT TO APPROVED HOUSE TYPE INVOLVING SITING, MOVING GARAGE FORWARDS, EXTENSION OF LEAN-TO ROOFED AREA AT REAR TO FORM KITCHEN/DINER, ALTERATION TO WEST GABLE WINDOW TO FORM FRENCH DOORS, ALTERING KITCHEN WINDOW TO THREE LIGHT, ADDITIONAL WINDOW TO EN-SUITE BATHROOM REAR ELEVATION, CHANGING WINDOW TO DOOR ON EAST GABLE TO PROVIDE ACCESS TO UTILITY, RE-SITING OF CONSERVATION ROOF WINDOW FROM NORTH TO SOUTH ROOF SLOPE AND REVISED CURTILAGE BOUNDARY AT SMITHY COTTAGE, TOSSIDE

PARISH COUNCIL:

The building appears to be the tallest building in Tosside and appears to dominate the village with its imposing size.

The plans show the property has moved forward which may explain why it looks so big.

The new application extends the property further.

The size and position of the property is concerning some local residents who feel it is altering the general appearance of the village in a detrimental way as it is such an imposing site.

In the circumstances we are minded to object to the further increase in size to this already very large property as it is danger of dominating the village rather than remaining in-keeping with the general size and height of the other properties in the village.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

No formal comments received at the time of report preparation but has informally expressed no objection.

ADDITIONAL
REPRESENTATIONS:

One letter has been received that raises the following concerns:

1. The property sticks out as it is taller than the pub and church opposite and neighbouring property.
2. To enlarge an already large building would be a step in the wrong direction.
3. This would be more appropriate to be built on a much larger plot.

Proposal

This application seeks consent for a number of revisions to a previously approved scheme for the erection of a detached dwelling which is already well under construction on site.

The main alterations are re-positioning of the dwelling from the previously approved location, an extension to the rear, revisions to parking and turnaround areas and curtilage boundaries.

The re-siting shows the footprint having been rotated clockwise by approximately 7 degrees which together with moving the garage/orangery forwards by 0.5m has maintained a distance of 0.5m to the rear boundary fence.

The dwelling is essentially a two storey dwelling with rooms in the eaves thereby forming a third floor. The central core of the built form therefore, has approximate dimensions of 10.3m x 9.3m x 7.7m to ridge. A single storey L shaped wrap around is shown to the rear extending approximately 2.5m back from the rear building line, 3.5m beyond the south east gable facing towards the original dwelling on site and approximately a long third of the south east gable elevation of the application property there is also a single storey porch position centrally on the front elevation. Construction materials are stone to walls with Bradstone roofing.

The overall extent of curtilage boundary in relation to surrounding agricultural land is the same as previously approved – it is the apportionment between the three plots on the former garage site that has been redefined under this submission. The area given to plot 1 (proposed holiday let) is reduced and a more irregular line given to the division between the application plot and dwelling to its east.

Site Location

The land is set within the defined settlement limit of Tosside. To its rear is agricultural land and to its north the Dog and Partridge public house and church. The pub is grade II listed with all this land lying within the AONB.

Relevant History

3/2010/0128/P – replacement house type (resubmission) at plot 2, site of former Smithy Garage. Approved with conditions 23 March 2010.

3/2009/1039/P – replacement house type. Withdrawn.

3/2009/0640/P – extensions and alterations to dwellings, creation of new vehicular access and access alterations. Erection of one dwelling/conversion of building to form holiday cottage and change of use of paddock to residential curtilage (resubmission). Approved with conditions 10 September 2009.

3/2008/1025/P – extension and alterations to dwelling, creation of a new vehicular access and access alterations. The erection of two new dwellings and change of use of a paddock to residential curtilage. Withdrawn.

3/2008/0125/P – construction of three holiday cottages, change of use of outbuilding to holiday cottage and alterations to dwelling (resubmission). Approved with conditions 1 April 2008.

3/2007/1105/P – construction of three holiday cottages, change of use of outbuildings to holiday cottage and alterations to dwelling. Refused 29 January 2008.

Relevant Policies

Policy G1 - Development Control.

Policy ENV1 - Area of Outstanding Natural Beauty.

Environmental, AONB, Human Rights and Other Issues

Matters for consideration are the impact of the revisions shown to the siting of the dwelling and extension to its rear on visual and residential amenity and highway safety. In respect of highway safety, the County Surveyor has informally commented that the revisions to parking arrangement and delineation of respective curtilage boundaries would not prove significantly detrimental to highway safety. The scheme still enables vehicles to turn around within the site and provides adequate parking provision. Thus, he raises no objection to the development.

Turning to potential effects on residential amenity, it is the relationship of the application property with the dwelling to its immediate east and proposed holiday let to its west that warrants further consideration. I am of the opinion that the works shown would not impinge on the amenities of occupants of the holiday let to any greater degree than would have been experienced from the previously approved layout. With regard to the existing dwelling on the site, the main difference will be a reduction in the height of the structure on the boundary from 4.9m to the apex of the previously approved attached garage to 4.1m as now shown. The rear of the proposed house has moved marginally further away from their side gable wall and the plans now denote a reconfiguration of the apportionment of curtilage areas in favour of the existing dwelling. All these factors combined lead me to conclude that the scheme now shown would not prove significantly detrimental to their residential amenities.

The remaining consideration therefore is visual impact. The dwelling has been near completed in its current siting due to the site proving to be smaller than that shown on the approved plan as the two fixed objects Smithy cottage and the Old Post Office are closer to each other and the roadside boundary is also closer to the rear boundary, on average a metre within the site (see details in agents letter received 7 September 2010). The height of the building is shown on the plans as previously approved and it has always been made clear that the height of the new dwelling on site would be greater than that of the original dwelling to its east. There is an existing mature tree to the west of the building which provides a degree of screening to the development and I am mindful of the views when approaching the village from the south. From this vantage point, the new dwelling appears higher than the other unit on site but is also seen as part of a group of development with the public house to its north. For this reason I do not consider the dwelling stands out as an over dominant feature in the wider landscape given that the ridge line of the public house is also higher than that of the existing/original dwelling on site.

Therefore, having carefully considered the revisions to the previously approved scheme, I do not believe that these are so significantly different from the approved scheme in terms of siting and delineation of curtilage areas so as to warrant an unfavourable recommendation. The extension to the rear would increase the footprint of the building but given its single storey nature, I do not conclude that it would so adversely affect the massing of the dwelling in long range views that a refusal could be substantiated. I thus recommend accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. This permission shall be implemented in accordance with the proposal as detailed on drawing SALMO/01, drawing 01C dated 1/9/2010.

REASON: For the avoidance of doubt to clarify which plans are relevant.

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

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

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

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,
3. 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,

4. 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
5. 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 the 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

This application was deferred at the last Committee meeting for further clarification on ownership issues relating to the existing Leylandii hedge, trees and planting location between the application site and the neighbouring property Tippings Farm, that was subject to a proposed planning condition. Having discussed this with the Agent/Applicant, I can confirm that the Leylandii and other boundary treatments are not within the ownership of the Applicant, and as such the Condition previously proposed would not have been viable. However, the Applicant has stated that he is happy to provide landscaping to his side of the boundary in order to provide privacy/screening for the adjacent neighbouring property, and as such an additional landscaping plan has been supplied that indicates an acceptable scheme to be planted in the first available planting season.

The key issue with regards to this re-submitted proposal relates to the impact on the residential amenity of the adjacent neighbours by virtue of the ground floor windows being clear glass and opening. Providing the boundary treatment indicated on the submitted landscaping plan 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.

As noted within the previous report, the property in question is a two storey, detached dwelling with an attached garage that was approved and constructed in the late 1970s. Normal permitted development rights were removed as part of this approval, with the reason being to “enable the Local Planning Authority to control the appearance of the development”. It is worth noting this as the reason for the added control on future development relates more to controlling the visual appearance of the property, as opposed to protecting the amenity of neighbouring properties, and that had this condition not been on the approval then permission would not actually have been required for the ground floor windows proposed on this application.

Therefore, whilst I am mindful of the points of objection from the nearby neighbours, I do not consider that there has been a disregard of the planning system as the Applicant has sought to rectify his mistake for the work carried out work, that he thought could normally be carried out under normal permitted development rights. As such, and bearing in mind the above comments, I consider the scheme to comply with the relevant policies, and as such recommend accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

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

1. The permission shall relate to the development as shown on Plan Drawing No’s 04 Revision D, 05 Revision C and the plan marked ‘Proposed Landscaping Scheme’.

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 landscaping scheme hereby approved shall be implemented within the first planting season following the date of the decision notice, and shall be retained and maintained thereafter in perpetuity. This maintenance shall include the replacement of any tree or shrub that is removed, or dies, or is seriously damaged, or becomes seriously diseased by a species of similar size to those originally planted.

REASON: In 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: 3/2010/0606/P (GRID REF: SD 364722 431711)
SINGLE STOREY REAR EXTENSION AT BAY HORSE, LONGSIGHT ROAD, OSBALDESTON

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

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

ADDITIONAL REPRESENTATIONS: Four letters have been received from the occupiers of adjacent properties on Osbaldeston Lane, with the following points of objection being raised:

- Increase in noise.
- Traffic issues and highway safety.
- Overlooking issues.
- Lack of toilet facilities.
- Questions whether additional toilet windows needed.
- Concern over possible relocation of smoking shelter.

Proposal

The application seeks permission for the erection of a single storey extension to the rear of The Bay Horse, Longsight Road, Osbaldeston.

Site Location

The Bay Horse Public House is situated on the junction of Longsight Road and Osbaldeston Lane, Osbaldeston, opposite the Bay Horse SAAB garage. The site lies within the village settlement boundary of Osbaldeston, as defined by the Ribble Valley Districtwide Local Plan.

Relevant History

3/2009/0641/P - Car park extension to form additional parking spaces – Granted Conditionally.

3/2007/0242/P - Proposed entrance porch with canopy over to rear of existing licensed premises – Granted.

3/2006/0404/P - Car Park extension to form additional parking spaces – Refused.

3/2004/1119/P - Proposed alterations & extensions to existing licensed premises – Granted.

3/1998/0265/P – Proposed beer garden/children’s play area and formation of new exit from dining room – Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.

Policy EMP7 - Extensions/Expansions of Existing Firms.

Environmental, AONB, Human Rights and Other Issues

The application seeks permission for the erection of a single storey extension to the rear of The Bay Horse, Longsight Road, Osbaldeston, to provide space for additional dining covers for the existing business. The extension will measure 5.81m (w) x 6.17m (d) x 2.575m to the eaves. It will be constructed to compliment the scale of the existing site and adjoining extensions, and finished in materials to match the main building. The main considerations with regards to this application relate to any possible affect the proposed extension may have on the amenity of the adjoining neighbours, or on highway safety at this location.

IMPACT ON AMENITY

The four letters of objection have been sent in from occupiers of the properties opposite the Bay Horse on Osbaldeston Lane, and all raise concerns about the impact the proposed extension will have in terms of overlooking, loss of privacy and an increase in noise. At present, the area on which the extension will be constructed is an outside patio area, and the existing single storey extension to the rear that faces towards the properties on Osbaldeston Lane has a large window in its side elevation.

One of the main issues raised is that the proposed extension will have two windows in its side elevation that will be nearer to the properties, with the occupiers having the perception of being overlooked. In addition, there is concern that with the extension being closer to the properties, the noise levels will increase. Having assessed the submitted plans and following a site visit, I have the following observations to make. The side elevation of the extension, if approved, would sit approximately 14m from the front elevation of the nearest adjacent property, and following confirmation from the Agent, the two small windows proposed in the side elevation, measuring approximately 0.5m x 0.85m, whilst being clear glass will be fixed panes. On this basis, and bearing in mind the site is separated from the adjacent properties by Osbaldeston Lane, it is

considered that the extension proposed will cause no significant overlooking or loss of privacy to the adjacent properties to the detriment of the amenity of the occupiers, due to the intervening Lane and the fact that the windows are non-opening and small in size. In addition, given that the location of extension will mean the loss of the existing patio area and windows that do open, I consider that the scheme may be of benefit to the locality in terms of being more effective at controlling noise from the existing establishment. As such, whilst I am mindful of the neighbour concern, I do not consider the scheme to be to the detriment of the amenity of the occupiers of the neighbouring dwellings, and therefore raise no issues.

IMPACT ON HIGHWAY SAFETY

The LCC Traffic and Development Engineer has raised no objections to the proposed development. He notes that the existing car parking layout is sufficient to manage the potential additional vehicles this extension may attract, and he welcomes the fact that the Applicant is discussing designating two spaces for the occupiers of Rose Cottage and Brook Lea on Longsight Road, to enable them to safely park off the public highway.

OTHER ISSUES

Concerns have also been raised in respect of there not being enough toilets on site to cope with the additional number of covers provide within the new extension, however having discussed the scheme with a colleague in Environmental Health, they have no objections to this increase in numbers.

In respect of the concerns regarding noise, whilst I am mindful of the points raised, they relate more specifically to live entertainment at the venue and how it is run.

As such, as this is being looked at under separate legislation, I have no concerns and it does not affect my recommendation.

In conclusion, whilst I am mindful of the objections made by the adjacent neighbours, the extension proposed is considered to be visually acceptable and will cause no significant overlooking of or loss of privacy to the adjacent properties, to the detriment of the amenity of the occupiers, and as such the application is recommended accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

RECOMMENDATION: That planning permission be GRANTED subject to the following 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 781.01 Rev. A, 781.02 and 781.03.

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

3. The extension hereby approved shall be constructed with fixed, non-opening windows in its side elevation, as per the detail provided within the e-mail from the Agent dated 20 August 2010, and shall remain so in perpetuity.

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

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

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

APPLICATION NO: 3/2010/0618/P (GRID REF: SD 365567 431004)
PROPOSED SINGLE STOREY REAR EXTENSION, NEW DECKING AND A CAR PARK
EXTENSION AT THE TRADERS ARMS, MELLOR LANE, MELLOR

PARISH COUNCIL: Did not object to the application and made the comment that residents of adjoining properties have been made fully aware of the proposals by the planning department.

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

ADDITIONAL
REPRESENTATIONS: Five letters have been received from nearby residents in which concerns/objections are raised as follows:

1. Increased noise nuisance to nearby residential properties from the proposed decking.
2. The exit from the car park is dangerous. More cars using it will therefore be to the detriment of highway safety.
3. Adjoining gardens have suffered from flooding in the past due to surface water run-off from the existing car park. The proposed car park extension could exacerbate this problem.
4. Additional noise disturbance and nuisance caused by headlights due to the car park extension.

5. Adverse effects on security of adjoining houses by having a car park closer to their boundaries.
6. Possible nuisance caused by any proposed illumination of the car park.

Proposal

Permission is sought for a single storey extension on to the rear of the public house to provide an area for refrigerators and dry goods storage and a beer cellar. As part of a number of internal alterations, the existing beer cellar would become an additional eating/drinking area. The extension would have dimensions of 3.3m x 9.6m and it would have a flat roof to match the existing flat roofed part of the existing building to which it would be attached. The external materials would be painted render to match the existing.

As part of the overall scheme of alterations, a patio door would be formed in the western side wall of the extended eating/drinking area (former beer cellar) which would give access on to a small decked area of 2.1m x 4.3m. An existing patio door, also in the western side elevation, would be replaced by a standard size window.

The public house has an existing beer garden with dimensions of 27m x 20.8m that adjoins the western side of the existing car park. It is proposed to extend the car park across the southern part of the beer garden leaving a smaller beer garden of 11m x 20.8m. The existing beer garden is adjoined by the gardens of dwellings in Mellor Lane, Hobbs Green and Nickey Lane. The car park extension would adjoin the gardens of properties in Hobbs Green and Nickey Lane.

Site Location

The Traders Arms is a two storey stone built public house on the south side of Mellor Lane close to its junction with Nickey Lane and within the settlement boundary of Mellor as defined in the Local Plan. It is adjoined to the east and west by residential properties.

Relevant History

3/2007/0230/P – Outside covered drinking area to the side elevation and new lobby. Refused.

3/2007/0931/P – Proposed outside covered drinking area to the front elevation. Approved.

Relevant Policies

Policy G1 - Development Control.

Environmental, AONB, Human Rights and Other Issues

There are three elements to the proposed development.

The proposed single storey rear extension would be finished with external materials to match the existing building and it would not be particularly close to any of the surrounding residential properties. I can therefore see no objections to this element of the application with regards to its effects upon visual amenity and the amenities of nearby residents.

The main concerns expressed by nearby residents relate to the proposed car park extension. I consider that the concerns about surface water drainage from the car park possibly flooding their gardens can be addressed by an appropriate condition. Similarly, the concerns about security and possible nuisance from car headlights could also be addressed by a condition requiring the submission for approval and subsequent implementation of a scheme of boundary treatment to include fences and screen planting. Subject to such conditions, I do not consider that the effects of the car park extension on nearby residents would be so harmful as to represent a sustainable reason for refusal of the application. In this regard, I consider it worthy of note that the car park extension would be on land that is presently used as a beer garden which, itself, does result in a certain level of noise and activity.

The final element of the application relates to the formation of a patio door and small decked area towards the rear end of the western side elevation. Previous application 3/2007/0230/P sought permission for a covered outside drinking area in a position further forward on the western elevation facing a window in the window in the side elevation of No 75 Mellor Lane. That application was refused for the reason that it would cause a nuisance of noise and smoke to that adjoining residential property. This current application differs from the refused application as follows:

1. The decking is much smaller.
2. It is not covered.
3. It is not to contain any chairs or tables and is not to be used for outdoor eating and drinking.
4. It will contain only a number of planters and will be used only as a means of access to the beer garden and car park.
5. It does not adjoin the side elevation of 75 Mellor Lane and will actually replace an existing patio door that is to be removed, which does adjoin the side elevation of the neighbouring dwelling.

For these reasons, subject to an appropriate condition, I do not consider that this element of the proposal would have any seriously detrimental effects upon the amenities of the adjoining dwelling. The owner/occupier of that property has not made any representations about this application.

The County Surveyor has not expressed any objections to the application on highway safety grounds.

Overall, therefore, subject to appropriate conditions, I consider all three elements of the application to be acceptable.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. This permission shall relate to the proposal as shown on drawing numbers 782.01A and 782.02.

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

3. Prior to the formation of the car park extension hereby permitted, precise surface water drainage details shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: In order to ensure that surface water from the car park extension does not discharge on to adjoining residential gardens causing flooding to the detriment to the amenities of nearby residents contrary to Policy G1 of the Ribble Valley Districtwide Local Plan.

4. Prior to the commencement of works on the construction of the car park extension hereby permitted, a scheme of boundary treatment comprising fencing and screen planting shall be submitted to and approved in writing by the Local Planning Authority.

Any approved fencing shall be constructed prior to the first use of the approved car park extension. Any approved planting shall be carried out no later than the first available planting season following the first use of the car park extension. Thereafter, the planting shall be maintained for a period of not less than five years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

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

5. No external lighting shall be installed at the premises (ie within the existing and proposed car parking areas or on the beer garden) unless precise details of such lighting have first been submitted to and approved in writing by the Local Planning Authority.

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

6. No chairs or tables shall be placed at any time on the approved decking adjoining the western side elevation of the building and this decking shall not be used as an outdoor eating and drinking area. The patio doors leading on to this area of decking shall only be used as an access to the beer garden and car park.

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

APPLICATION NO: 3/2010/0629/P

(GRID REF: SD 374170 441987)

ERECTION OF STABLE/TACK ROOM/MUCK STORE AND FORMATION OF COLLECTING YARD AT LOWERGATE BARN, TWISTON LANE, TWISTON, LANCASHIRE, BB7 4DE.

TWISTON PARISH
COUNCIL:

No observations or comments have been received within the statutory 21-day consultation period.

ADDITIONAL
REPRESENTATIONS:

One letter has been received from a nearby neighbour with the following points of objection being raised;

- Visual Impact – The building will be an indelible scar on the Forest of Bowland A.O.N.B.
- The appearance of such land should be conserved and maintained for the enjoyment of future generations,
- If permission is granted, this would set a dangerous precedent for similar requests and applications in this locality, which would lead to a gradual erosion of the farmland surrounding the area, and will have a general negative impact on the area,
- The residential property to which this application is attached to, has already increased its residential footprint, and this development will increase it further,
- Odour nuisance from muck store,
- At variance with Plan Policies, and will be an incongruous feature to the detriment of visual amenity,
- The forms state that the land is 'agricultural' having given the planting of ornamental trees on the site, we suggest this is not the case,
- The footpath subject to a formal diversion has already been diverted without consent, and the original path is now obstructed,
- Significant ground works have already taken place, and we have been subject to noise and disturbance for over two years now, including looking at cargo containers, and
- Previous applications have been submitted and refused at this location for both stables and garaging facilities, and we hope that RVBC take into account our concerns and preserve and protect this lovely environment.

A letter has also been received from Nigel Evans MP, who has forwarded the same above letter from the adjacent neighbour.

Proposal

This application is a third re-submission for the proposed erection of stable, covered open muck store and formation of collecting yard at Lowergate Barn, Twiston Lane, Twiston. The stable as now submitted is now in its fourth submission following two previously refused proposals, and the submission of an amended scheme for this application.

The Applicant now seeks a stable block with dimensions of approximately 4.24 x 4.95 x 3.73m to the ridge (as measured from ground level at the front of the block), an attached muck store with dimensions of approximately 2.43m x 3.35m x 2.63m to the ridge (as measured from ground level at the front of the block) and the formation of an enclosed collecting yard surrounding the new block, incorporating a retaining wall to the north and east elevations of the stable block. The site is still in the same position on land to the east of the applicants dwelling as per the previous applications, and is still accessed off the existing access road up to the property.

Site Location

The site is located within the hamlet of Twiston, which lies approximately 1.5m east of the village of Downham. The land on which the development is proposed is classed as agricultural and lies within the Forest of Bowland Area of Outstanding Natural Beauty as defined by the Ribble Valley Districtwide Local Plan. The land slopes up from the adjacent highway, and is separated from the highway by an existing dry stonewall that runs around the southern boundary of the land owned by the applicant.

Relevant History

3/2010/0156/P – Proposed erection of stable, covered open muck store and formation of collecting yard – Refused.

3/2008/0964/P – Erection of stable block and store – Refused.

3/2005/0989/P - Proposed re-siting of right of way for farm agricultural vehicles, together with access for residents to no.1 Lowergate Barn – Refused.

3/1999/0085/P – Change of use of barn to dwelling and erection of detached double garage (Change of House Type) – Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV1 - Area of Outstanding Natural Beauty.

SPG – Agricultural Buildings and Roads.

Environmental, AONB, Human Rights and Other Issues

The main issues arising from this application are the visual impact of the proposed stables, collection yard and land regarding and any potential impacts on the amenity adjacent neighbouring dwellings. For information, the Applicant has already carried out substantial ground works at the site without consent, however the development, if approved, would require only half of the area of land levelled on site, with the rest being back filled against the retaining walls indicated on the submitted plans.

VISUAL IMPACT

The land on which the development is proposed is classed as agricultural and lies within the Forest of Bowland Area of Outstanding Natural Beauty as defined by the Ribble Valley

Districtwide Local Plan. Policy ENV1 states “The landscape and character of the Forest of Bowland Area of Outstanding Natural beauty will be protected, conserved and enhanced. In addition development will also need to contribute to the conservation of the natural beauty of the area. The protection, conservation and enhancement of the natural environment will be the most important considerations in the assessment of any development proposal.” The site of the stables, muck store and collecting yard is in the same position as the previously refused scheme, on land at the top of a southerly sloping field within the ownership of the applicant which is separated from the applicant’s property and the other nearby residential property by an access track. However, in this instance the stable itself will be dug into the land (within a pre-formed hole on site) and bordered on the north and eastern elevations by retaining walls up to the existing land levels, with a collecting yard to the front of the stable that allows access directly onto the land to the east of the stables that is owned by the Applicant. Given the reduction in the proposed built form on site, compared to previous schemes, and the reduction in the size of the enclosed yard area, the main consideration is whether or not these alterations to the proposal ensure that the development will have a satisfactory visual impact on this location within the A.O.N.B.

Additional details have been requested from the Agent, which include an indication of the ground levels through the site so that a more accurate assessment could be made as to the impact of the proposed stables within the sunken yard area, the introduction of the built form of the stables and the introduction of additional fencing to the site. The Applicant has also providing photographs from various viewpoints around the site, which indicate that once completed the stable may not be significantly visible.

Having visited the site on numerous occasions, it is considered that by cutting into the hillside to keep the buildings on a lower level to the surrounding fields, and by reducing the size, massing and height of the building proposed, the development will not easily be viewed from outside the site. In addition, whilst being able to be viewed from the (recently approved) diverted footpath to the east of the site, and from longer distance views to the south, the form and massing of the stable is more aesthetically pleasing than previous schemes, and is more akin to other approved development found elsewhere within the A.O.N.B.

The materials and colours proposed are also considered appropriate for the building in question, as such bearing in mind the above, I do not consider the building will be unduly prominent to the detriment of the visual amenity of the Forest of Bowland Area of Outstanding Natural Beauty, and it therefore complies with Local Plan Policies G1 and ENV1, and the SPG “Agricultural Buildings and Roads”.

IMPACT ON AMENITY

With regards to any potential impact on the residential amenity of the nearby neighbouring dwellings, the nearest affected property is less than 20m from this site, however given the significantly reduced size of the development, and the likely noise/traffic produced from the stables, I do not believe it will be unduly prominent and the development will have little if no impact on the amenity of the nearby residents. The scheme therefore complies with Local Plan Policy G1.

OTHER ISSUES

The objector has also raised concern regarding the diverted footpath being diverted without prior consent, however I am in receipt of confirmation from the County Council that they are in a

position to formally confirm the diversion of the footpath subject to a site visit. Aside from this, as the proposed scheme now no longer affects the existing footpath, there are no concerns from a planning perspective.

As such, bearing in mind the above and whilst I am mindful of the points of objection from nearby neighbours, on the basis of the above, I consider the proposed stable/tack room, muck store and collecting yard to comply with the relevant Local Plan Policies, and have an acceptable visual impact on the site, surrounding area and A.O.N.B. and an acceptable impact on the amenity of the nearby neighbouring properties, and as such I recommended 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 two 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 ASHWORT/01 Dwg 01F.

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

3. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 22 September 2010.

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

4. Precise specifications or samples of the materials to be used for the walls and roof of the approved buildings, 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.

5. No development approved by this permission shall be commenced until the Local Planning Authority has approved a scheme for the disposal of surface waters. Such a site drainage plan will need to ensure that no contaminated water be discharged to the surface waters, and the 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.

INFORMATIVES

1. The stables should be designed and constructed so that there is no discharge of effluent to any surface water or seepage to underground strata.

Any manure must be stored and handled so as not to pollute surface or underground waters.

2. The proposals must fully comply with the DEFRA "Code of Good Agricultural Practice for the Protection of Water". Guidance can be obtained from DEFRA or NFU.
3. The applicant should ensure that there is no possibility of contaminated water entering and polluting surface or groundwater, both pre-/post-construction. Only clean surface water from the roof should be discharged to any surface water soakaway or watercourse. Any contaminated surface water-run off must be disposed of in such a way as to prevent any discharge to any borehole, well, spring, soakway or watercourse. It is the responsibility of the landowner to ensure that any activities undertaken on site do not cause pollution of the adjacent watercourse.

APPLICATION NO: 3/2010/0639/P (GRID REF: SD 373509 437596)
PROPOSED ONE ILLUMINATED FASCIA SIGN AND ONE ILLUMINATED HANGING SIGN
(RESUBMISSION) AT THE EAGLE AT BARROW, CLITHEROE ROAD, BARROW

PARISH COUNCIL: No observations.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR): No observations.

ADDITIONAL
REPRESENTATIONS: One letter has been received which expresses concerns in relation to the illuminated sign shining directly into neighbouring bedrooms which are situated only metres away.

Proposal

This application details two illuminated signs at The Eagle at Barrow. The signs are to be set on the southern gable elevation of a single storey offshoot to the main building at the north western corner of the car park.

Firstly an illuminated fascia sign is proposed with approximate dimensions of 2m x 1.2m. It would be an aluminium panel in a hardwood frame with applied vinyl graphics stating the name Berkins. It would be illuminated by a top hung trough light.

Next a projecting sign is shown with an amended plan received on 14 September 2010 detailing that it would be illuminated by a trough light from the roadside only. Approximate dimensions would be 0.9m x 0.7m again stating Berkins.

Site Location

The Eagle at Barrow is a commercial food and drink establishment lying to the west of Clitheroe Road situated in land designated open countryside. The premises are at the northern part of the site with an extensive car park running parallel to the roadside in a southerly direction. To the west of the car park and main buildings are residential properties the result of barn conversions approved in the late 1990s.

Relevant History

3/2010/0345/P – One fascia panel and one projecting sign (both externally illuminated) and four non illuminated pole banner signs. Refused 9 June 2010.

Relevant Policies

Policy G1 - Development Control.

Environmental, AONB, Human Rights and Other Issues

Fundamental to the determination of applications for advertisement consent is that they may only be controlled with regard to two material considerations, namely amenity and public safety.

The signs are located at the north western corner of the car park/outside terrace area to the commercial premises and thus approximately 30m from the main roadside. Given this it is not considered that approval would be detrimental to public safety. Indeed, the County Surveyor has commented that the signage would not interfere with the safe movement of motorists or pedestrians.

In assessing amenity it is important to have regard to the advert's effect on the appearance of the building on visual amenity of the neighbourhood where it is to be displayed. The relative considerations are the local characteristics of the neighbourhood, including scenic, historic, architectural or cultural features which contribute to the distinctive character of the locality. As stated previously the site lies in land designated open countryside and it already has signage at the site entrance. The proposed signs are set on the single storey offshoot which is some distance from the main entrance into the building. To the immediate west of this, as stated previously, is a residential property with a bedroom window at 90 degrees to where the signs would be placed. Under the previous submission concerns were expressed over the level of illuminated affecting the appearance of the overall building detracting from the main entrance way and having an adverse effect on the living conditions of the neighbouring property.

In this resubmission the amount of illumination has been reduced in that the hanging sign would only illuminated from the roadside with no light being visible to the residential property. The angle of the lighting trough would allow for illumination of the sign only with non reflective materials used on the sign eliminating any possibly reflecting light pollution. The applicant's agent has also submitted details that the trough light to the fascia would be set at an angle so that light would illuminate the sign only. The angle would allow light to flood down the sign towards the ground to prevent light pollution. The Council's Environmental Health Manager has spoken to the applicant's agent and is satisfied with the details provided and that if installed as stated should not result in light nuisance/pollution to adjacent properties. Given these details on measures to limit light spillage I am of the opinion that amenity would not be so significantly affected as to warrant an unfavourable recommendation.

I thus recommend accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. This permission shall be implemented in accordance with the proposal as detailed on amended drawing 2010/24/01REV B received on 14 September 2010.

REASON: For the avoidance of doubt to clarify which plans are relevant.

3. This permission shall be implemented in accordance with the method of illumination details as provided in the agent's letter dated 7 September 2010 and subsequent details of microlux lighting received on 21 September 2010 and thereafter retained.

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

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

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

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

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

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

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

C APPLICATIONS WHICH THE DIRECTOR OF DEVELOPMENT SERVICES RECOMMENDS FOR REFUSAL

APPLICATION NO: 3/2010/0666/P (GRID REF: SD 381124 445356)
PROPOSED APPLICATION TO VARY CONDITION NO 3 OF PLANNING CONSENT 3/1998/0453/P TO ALLOW THE HOLIDAY LET KNOWN AS TEWITT TO BE USED AS PERMANENT RESIDENTIAL ACCOMMODATION AT WINDHILL LAITHE BARN, STOOPS FARM, STOPPER LANE, RIMINGTON

PARISH COUNCIL: Object to this application and are concerned that the Districtwide Local Plan seems to be totally against such approval. They were uncertain of the implications of PPG23 and further concerned that such approval might create an unwelcome precedent.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): Has no objection to the development on highway safety grounds.

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

Proposal

This application seeks consent to vary condition 3 of planning consent 3/1998/0453/P which detailed the change of use of a barn to form two holiday cottages.

Condition 3 as subsequently revised under 3/2007/0185/P reads: *“the units of accommodation shall not be let to or occupied by any one person or group of persons for a period of longer than 3 months in any 12 month period and in any event shall not be used as a permanent accommodation. A register of lettings shall be kept and made available to the Local Planning Authority to inspect on an annual basis.”* Original occupancy under the 1998 approval had been limited to a period of no longer than 28 days in any one year and did not have a requirement for a register of lettings to be kept.

The proposal is to modify the terms of the above condition so that the restriction on occupancy would only apply to one unit (Badger). This would allow the other unit (Tewitt) to be used for permanent residential accommodation. The proposed wording for the modified condition is *“the unit of accommodation Badger (the western portion of Windhill Laithe Barn) shall not be let to or occupied by any one person or group of persons for a period of longer than 28 days in any one year and in any event shall not be used as permanent accommodation. The unit of accommodation Tewitt (the eastern portion of Windhill Laithe Barn) shall be available for use as permanent residential accommodation.”* Given the condition has already been modified as detailed above, it would, irrespective of details submitted by the applicants agent, be reasonable to refer to 3 months and not 28 days.

No physical alterations to the property or its curtilage/access are proposed.

Site Location

Windhill Laithe Barn occupies an isolated setting within land designated Open Countryside, accessed by a single width surfaced track leading from Stopper Lane (a distance of approximately 650m).

The property is a stone built barn divided into two units (Badger and Tewitt) with an external parking and turning area for vehicles with the curtilage defined from adjoining field by stone walls.

The nearest property is Hollins Croft Cottage, which lies over 200m to the south east of the site with the public footpath network running through fields to the east, south and west.

Relevant History

3/1998/0453/P – Change of use of barn to form two holiday cottages. Approved with conditions 10 September 1998.

3/2001/0558/P – Proposed variation of condition 3 of 3/98/0453/P to allow for full residential occupation of one cottage for a period of 12 months by the owner. Withdrawn.

3/2007/0185/P – Variation of condition 3 of 3/98/0453/P to allow occupancy of holiday cottages for periods up to 3 months in any one year. Approved with conditions 18 April 2007.

3/2008/0313/N – New track. Full permission not required.

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 H16 - Building Conversions - Building to be Converted.

Policy H17 - Building Conversions - Design Matters.

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 to form 2 units. It lies within land designated open countryside with the saved policies of the Districtwide Local Plan of most relevance insofar as principle 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 which we presently have is an established built development with a restricted class of residential use. Given this restriction on use I am of the opinion that the current proposal should 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 surroundings ... (see Policies H15, H16 and H17 for further advice).

The property, the subject of this application, has already undergone one conversion scheme in a manner which is in keeping with its surroundings in term of form, bulk and general design. Therefore it is a 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 of 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 is an isolated feature in the wider landscape and whilst the building itself has been converted into two units this would not, I consider, constitute a defined group of buildings. Indeed in respect of the location of the building to be located, the officers report for the original conversion works comments that *"in this respect the normal locational criteria is not as rigid as it would be if one was considering the building's conversion to residential use"*.

The building has already been converted and used as holiday accommodation and no further physical alterations are proposed as a result of this scheme. The unit known as Tewitt occupies the eastern portion of the building and has a gravel area to its east and modest flagged amenity space to its rear, an area of approximately 3m deep x 8m. To the north east of the barn within the curtilage area to the holiday lets is a raised seating area which was not shown on the original plans and is within the approved turning area. Aside from this there is no other curtilage area for the unit known as Tewitt. The property is a three bedroomed unit and whilst the modest area of curtilage provided as part of the original conversion scheme to holiday let may have proved sufficient for that purpose, there are concerns that the intensification of use of the building would have a detrimental impact on the visual characteristics of the area. Indeed this is one of the reasons that isolated barns are resisted for conversions to dwellings due to their urbanisation upon an otherwise wholly rural view. This is linked to the additional factors such as garden areas, car parking facilities, garages, sheds and the supporting text to Policy H15 even notes the presence of washing lines which are totally out of keeping with the rural setting. Pressure for this is considered to be more relevant to the use of a building as permanent accommodation than as holiday accommodation where people use the property as a base from which to explore the area and do not expect the same standards of accommodation/amenity space as in traditional dwelling-houses. Certainly, the policies of the Local Plan dealing with the respective uses take these factors into consideration in setting out to the approach to be taken in determining each type of application. Indeed, an examination of the situation on site at this particular conversion scheme between the external areas approved as part of the original scheme and those which exist on site today, reveal that as a holiday let there has been pressure to provide added curtilage amenities, eg the raised patio area and the use of the entire area to the gable as gravel parking/turnaround area whereas the approved plans denoted an area of grass crete as surfacing for a parking area immediately adjacent to the gable. There

was a track to the immediate side of this leading from the south which was the originally approved access and which wraps around the building to serve the other half of the structure. Since that time, an access track leading from the north has been approved and is now the sole means of access to the property. Timber gates have been provided to differentiate the aforementioned gravel area from the field to the rear which has left the large open area to the side of the building with no apparent use other than curtilage. This is slightly different from the originally approved details. Should consent be forthcoming for the removal of the occupancy condition, it is considered that the immediate environs of the building will come under further pressure for change. It is also likely that there could be more pressure to alter the existing building as it is often the case that once a residential unit has been established, there may be a greater demand for additional facilities above and beyond that expected as a holiday let.

Thus having carefully considered all the above, I am of the opinion that it is with regard to the use of the area immediately surrounding the building as domestic curtilage and associated activities in association with a permanent dwelling that would be damaging to the predominately agricultural character of the area and to the appearance of the landscape. For visual ground the scheme should thus be resisted.

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

1. The proposal by virtue of intensification of use of the property as an unrestricted dwelling would have a harmful effect on the character and appearance of the area as well as the setting of the building due to the likely impact of associated domestic paraphernalia. It is therefore considered contrary to Policies H15 and ENV3 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: 3/2009/0879/P (GRID REF: SD 376803 434448)
PROPOSED REPLACEMENT OF 10 GARAGE UNITS BY FIVE THREE BED HOUSES WITH GARDENS ON LAND AT HAMBLEDON VIEW, READ

PARISH COUNCIL: The Parish Council has viewed this application and makes the following observations.

- The proposed development is totally unacceptable as there is no provision for off-street parking in the street which is already heavily congested with vehicles.
- The proposed development will restrict access to the back of Hambledon View.

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

ADDITIONAL REPRESENTATIONS: One letter has been received from a nearby resident who expresses support for the application, commenting that 'the development can do nothing but good for the environment of the area'.

Proposal

Permission is sought for the erection of a terrace of five three bed roomed houses. The living accommodation would be on the ground floor with two bedrooms and a bathroom at first floor level and a third bedroom at second floor level within the roof space.

The front elevation of the terrace would immediately adjoin the pavement in common with existing terraced houses to the east of the site and approved (but not yet built) terraced houses to the west of the site.

Although the houses have contemporary fenestration details, their eaves and ridge height would match the existing adjoining houses, and the external materials would be artificial stone and a slate type roof covering also to be in keeping with the locality.

Site Location

The site is located on the south side of Hambledon View within the settlement boundary of Read as designated in the Local Plan. It has an area of approximately 0.04 hectares, and is presently occupied by two blocks of five lock up garages.

The site is adjoined to the east by a row of terraced houses; to the west by a commercial garage (with planning permission for a re-development of nine houses); to the south by the curtilage of a detached modern house in Waverley Close (that is owned by the applicant); and there are other terraced houses on the opposite side of Hambledon View.

Relevant History

None on the application site.

3/2008/0789/P – Permission for the re-development of the adjoining site of Read Motor Bodies for the erection of nine dwellings. Not yet implemented.

Relevant Policies

Policy G1 - Development Control.

Policy G3 - Settlement Strategy.

PPS3: Housing.

PPS7: Sustainable Development in Rural Areas.

Affordable Housing Memorandum of Understanding.

Environmental, AONB, Human Rights and Other Issues

The key issues with regards to this proposal are the visual impact on the street scene, potential impact on the amenities of nearby residents, effects upon highway safety and compliance with the relevant Local Plan policies and national planning guidance.

Compliance of the Development with Housing Policy

The proposal falls to be considered against saved Policy G3 of the Local Plan that allows for residential development wholly within the built part of the settlement of Read. I am satisfied that the proposal complies with this policy and is therefore acceptable in principle.

As originally submitted, the application did not propose any affordable housing and did not therefore comply with the Affordable Housing Memorandum of Understanding which requires one of the five proposed houses to be affordable. The applicant, however, has recently agreed that one of the units shall be an affordable unit and a draft Section 106 Agreement is submitted which states that one of the units will be sold at a discount to the open market value.

Subject to the satisfactory completion of the Section 106 Agreement, the proposal in my opinion, complies with the presently applicable planning policies and guidance.

Visual impact

The proposed terrace has been designed to match the adjoining terrace with regards to its external materials and its eaves and ridge heights. Its fenestration details, however, are more contemporary and would result, in my opinion, in an interesting and complimentary element of the street scene.

Residential Amenity Considerations

The development continues the existing pattern of development on Hambleton View with terraced houses immediately adjoining the pavement on both sides of the road. The relationship with the houses on the opposite side of the road with regards to privacy is therefore, in my opinion, acceptable.

At the rear of the site, the properties 10 (the applicants property), 12 and 14 Waverley Close are sited to the rear of the existing properties 25-35 (odds inclusive) Hammond View with separation distances of only approximately 15.5m. The rear elevation of the proposed dwellings will continue the line of the rear elevation of the existing adjoining houses. The proposed dwellings, however, will not be directly behind No 10 Waverley Close but would directly overlook its side/rear garden with angled views of its rear elevation. Although very small balconies are proposed on each of the dwellings, these include side screens to prevent mutual overlooking between the five units.

Again, as a continuation of the existing pattern of development, and in the absence of any objections from nearby residents, I consider the proposal to be acceptable with regards to its effects upon the amenities of nearby residents.

Effects upon Highway Safety

The Parish Council has objected to the application on the grounds that it does not include any off street parking and would therefore exacerbate an existing parking problem in the locality.

The applicants agent has made the following points in response to this objection:

- We believe that this modest infill project will have a negligible impact on the local parking situation. The application is for five three bedroom houses for a street which has nearly 50 similar houses.
- The current garages do not contribute to the parking capacity of the area as they are let to local businesses for storage or for classic car storage etc. The loss of garages will have no impact on Hambledon View as the users of the garages will relocate to other commercial premises or garages rather than the surrounding roads.
- The site is close to most services (ie food shop, bus stops etc) and it could therefore be argued that the car parking provision required could be reduced given its accessibility.

I agree with the agents contention that the continuation of the existing urban character of the street is appropriate for the development of this site. The County surveyor shares this opinion and has expressed no objections to the application on parking/highway safety grounds.

The Parish Council also comment that the development would restrict access to the rear of Hambledon View. At the present time, there is a path between one of the garage blocks and the end terraced house that leads to the unmade track at the rear of the existing terrace. Under the proposed development a 1.2m wide path would be retained in that position.

Conclusion

Overall, in the current situation where the Council does not have a five year housing land supply, I consider this proposed development on a site within the settlement of Read to be appropriate and acceptable now that it includes the provision of one affordable housing unit.

SUMMARY OF REASONS FOR APPROVAL

The proposal represents an appropriate form of development for the site that will provide five dwellings (including one affordable unit) without any serious detriment to visual amenity, the amenities of nearby residents or highway safety.

RECOMMENDATION: That Committee be Minded to grant permission subject to the following conditions and therefore Defer and Delegate to the Director of Development Services to negotiate the satisfactory completion of a Section 106 Agreement to deal with the delivery of affordable housing.

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

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

2. This permission shall be read in conjunction with the Section 106 Agreement dated which relates to the delivery of one affordable housing unit.

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

3. This permission shall relate to the proposal as shown on drawing numbers PL0, 1, 2, 3 and 4.

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

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

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the dwellings including any development within their curtilages as defined in the Schedule to Part 1, Classes A to E shall not be carried out unless a further planning permission has first been granted in respect thereof.

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

APPLICATION NO: 3/2010/0324/P (GRID REF: SD 374513 437388)
PROPOSED RETROSPECTIVE CHANGE OF USE OF TWO FIRST FLOOR ROOMS FROM RESIDENTIAL ACCOMMODATION TO A LICENSED AREA AT THE FREEMASONS ARMS, 8 VICARAGE FOLD, WISWELL

PARISH COUNCIL: Object to the application and strongly oppose for the following reasons:

1. Would have a detrimental affect on local residential amenity.

2. There is inadequate off street car parking in the vicinity. It should be noted that since the approval in 2008 business has extended considerably and this further extension would be an increase of around 70%. This puts into perspective the increase in trade with its inherent effect on local residents, particularly as regards car parking requirements.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

No objections to the proposal on highway grounds. There is no existing dedicated off road parking and there is none proposed. As a consequence visitors to The Freemasons Arms have a demand for on street parking within Wiswell and this establishment has seen a number of changes in layout, management and operation in recent years. However, the proposed changes indicate a reduction in the number of covers being provided from 102 to 82. Plans provided show this being achieved. I am satisfied that a reduction of this magnitude in the number of covers being provided will have a positive impact on the demand for on street parking within the village. In addition I would also recommend that removal of the two areas of living space within the building represents a maximum floor achievable and that there should be no further expansion of the building footprint. I would welcome a voluntary undertaking from the applicant that there would be no further development at this location.

ADDITIONAL
REPRESENTATIONS AND
INFORMAL SITE NOTICE:

Seven letters of objection have been received. The main issues concern the following points:

1. Parking Issues: People park all over the local roads causing inconvenience as well as damage to cobbles and verges. There is inadequate parking for the public house and a further increase in floor space would be likely to generate more need for parking facilities which do not exist. Since reopening there has been a considerable increase in traffic.
2. Noise: The proposal since it has been reopened has led to significant noise disturbance and any increase in floorspace would further exacerbate this issue to the detriment of residential amenity.
3. The proposal is unacceptable as it has been carried out without consent and would have misled Planning Committee and local residents when determining the previous application. It will also send out a bad message that people can do works retrospectively.
4. Concern over the use of adjacent buildings for storage purposes.

5. Possible damage caused by the planting of shrubs to an adjacent property.

Proposal

This application is a retrospective proposal for the change of use of two first floor rooms from residential accommodation to a licensed area in connection with the Freemasons Arms, Wiswell. The internal area of the extension is approximately 40m² and would involve the use of two rooms at first floor to provide additional dining room and a coffee lounge. There are no external alterations to the proposal.

Site Location

The property is a public house set within the Conservation Area of Wiswell. It is surrounded by residential development with Vicarage Fold, an unadopted road, running immediately in front of the premises.

Relevant History

3/2008/0140 – New toilet installed and first floor garden room at Freemasons, Wiswell. Approved with conditions.

Relevant Policies

Policy G1 - Development Control.

Policy ENV16 - Development Within Conservation Areas.

Policy ENV17 - Details Required with Proposals in Conservation Areas.

Environmental, AONB, Human Rights and Other Issues

This application was deferred by Committee on 15 July 2010 to allow for a meeting to take place with key stakeholders which was held on 8 September 2010. As a result of the meeting it was accepted that the overall parking issue could not be readily resolved and various issues were discussed to seek to alleviate the impact and as a result of the meeting, I have decided to alter the unilateral undertaking to make reference to limiting the number of covers as per sitting.

Matters for consideration in the determination of this application relate predominantly to residential amenity and highway safety. The scheme is retrospective and this, in itself, should not be seen as a material consideration. The issues that need to be considered relate to whether or not the proposal would result in unacceptable conditions to the detriment of highway safety or impact on residential amenity caused by either noise, smell or general disturbance.

Planning permission has been granted under application 3/2008/0140 for various alterations which would have allowed the buildings to be suitable for use for and licensed for 102 covers. Although part of the first floor was retained for residential accommodation this application seeks to regularise the use for commercial purposes. In its submission the scheme although of a greater floor area than the previous application seeks to utilise the building for 81 covers and the applicant has given an undertaking that he would accept a restriction limited to 81 covers.

It is clear that this restriction would allow more effective control on the building than currently would exist under application 3/2008/0140 and as such, I believe that the County Surveyor is

correct in his assessment. I recognise that at times problems are caused regarding lack of off street parking and the reduction in the number of covers would only help to reduce this impact. I also consider this could be a similar argument in relation to general amenity such as noise and odour control.

In relation to other issues such as odour control which is noted as an objection, the Environmental Health Department is satisfied with the existing arrangements. I note the concern regarding the use of adjacent buildings for storage in connection with this business and this has been examined by the Enforcement Officer and is subject of further investigation.

I am fully aware of the objections from local residents but having regard to all material considerations I consider this retrospective scheme acceptable and with the additional controls in relation to a voluntary unilateral undertaking restricting the number of covers that this would be more acceptable than the unrestricted consent.

SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact to nearby residential amenity nor highway safety.

RECOMMENDATION: That the application be DEFERRED AND DELEGATED to the Director of Development Services subject to satisfactory completion of a Unilateral Undertaking and the following conditions.

1. This permission shall relate to the Unilateral Undertaking dated which seeks to restrict the number of covers in the restaurant to 81 and no more than 90 covers at any one evening sitting between the hours of 1700 and 2130.

REASON: For the avoidance of doubt and to protect residential amenity.

APPLICATION NO: 3/2010/0568/P (GRID REF: SD 373742 438221)
PROPOSED ERECTION OF 64 DWELLINGS AND ASSOCIATED INFRASTRUCTURE AT
LAND AT BARROW BROOK, BARROW, CLITHEROE

PARISH COUNCIL: No objections in principle. However it should made clear that access to the Parish Council playing field must be for public pedestrian use as well as for maintenance. The cycleway/pedestrian link to Whalley Road must have six bollards to prevent its use by cars and other vehicles.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

No objections on highway safety grounds. The layout of the site provides direct and convenient access to both the residential and business users. There is adequate parking provision provided and where residential parking is not integral to the property, it is clearly identified and conveniently located. Pedestrian and cycle links have also been secured to and through the site that will provide residents with the opportunity to utilise existing village facilities without recourse to journeys by private vehicle.

LANCASHIRE COUNTY
COUNCIL (PLANNING
CONTRIBUTION SECTION):

In relation to education facility there is a possible yield of 23 primary and 16 secondary age pupils. There is projected to be a shortfall of places in relation to primary schools for the next five years; as a consequence it is requested a planning contribution of £272,378. This is a claim for the total yield of the development ie 23 spaces.

In relation to secondary school places, consider there are sufficient secondary school places able to accommodate this development.

The Council requests a contribution of £37,720 in relation to waste management facility.

UNITED UTILITIES:

No objections subject to conditions relating to the following:

- In accordance with PPS25 service water should not be allowed to discharge the foul/combined sewer. The site must be drained on a separate system. Any foul drainage connection to foul sewer.
- The applicant needs to discuss full details of site drainage proposals with the relevant officers.
- If any sewers of this development are proposed for adoption, the developer should contact the sewage adoption team.
- Service foul water crossing the site are not United Utilities assets and therefore contact should be made with the owners to determine what criteria may be required ??? protection, easements or connectivity purposes.
- Separate meter supply to each unit will be required at the applicants' expense.

- The water mains will need extending to serve any development on this site. The applicant who may be required to pay a capital contribution, will need to sign an agreement under Sections 41, 42 and 43 of the Water Industry Act.
- The applicant is advised to contact service engineers regarding connection to water mains supply.

ENVIRONMENT AGENCY:

No objection in principle subject to the inclusion of conditions to meet the following requirements:

Flood Risk

Surface water run off from this site should be restricted to existing rates in order that the proposed development does not contribute to an increased risk of flooding.

CONDITION: No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

REASON: To reduce the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

CONDITION: No development approved by this permission shall be commenced until a scheme for the provision and implementation, of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

REASON: To reduce the increased risk of flooding.

We are promoting the use Sustainable Drainage Systems (SUDS) and recommend their use at this site. Support for the SUDS approach to managing surface water run-off is set out in paragraph 22 of Planning Policy Statement (PPS)1: Delivering Sustainable Development and in more detail in PPS25: Development and Flood Risk at Annex F. Paragraph F8 of the Annex notes that "Local Planning Authority should ensure that their policies and decisions on applications support and complement Building Regulations on sustainable rainwater drainage". These not only attenuate the rate of surface water discharged to the system but help improve the quality of the water. They can also offer other benefits in terms of promoting groundwater recharge and amenity enhancements.

This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands.

Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal, which encourages a SUDS approach. Under Approved Document Part H the first option for surface water disposal should be the use of SUDS, which encourage infiltration such as soakaways or infiltration Trenches. In all cases, it must be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Flow balancing SUDS methods which involve the retention and controlled release of surface water from a site may be an option for some developments at a scale where uncontrolled surface water flows would otherwise exceed the local Greenfield run off rate. Flow balance should seek to achieve water quality and amenity benefits as well as managing flood risk.

Further information on SUDS can be found in:

- PPS25 page 33 Annex F.
- PPS25 Practice Guide.
- CIRIA C697 document SUDS manual.
- The Interim Code of Practice for Sustainable Drainage Systems.

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

Foul drainage from the development of this site must be drained to the foul sewer. Surface water from any areas likely to be contaminated should be connected to the foul sewer for which the formal consent of United Utilities Limited is required.

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

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

Land Contamination

The application is accompanied by the following contaminated land investigation:

- Updated Geo-Environmental Site Assessment at Barrow Brook, Clitheroe REC Report 43709p1r0 June 2010.

We have reviewed the report with respect to controlled waters.

Both interpretative reports have omitted to analyse the main surface water receptor on the site. Barrow Brook should be analysed for the contaminants of concern once per month over a period 3 months to establish if the site can be seen to be impacting in any way upon the water quality. The samples should be taken from at least one point upstream and one point down stream, and from any visible outfalls that may exist between these 2 points. This will establish a baseline survey for future comparison.

It is stated that Vibro Compaction is considered in respect of the redevelopment on the site. If this method of comparison is to be used, the stream should be monitored to ensure that none of the contaminated waters are diverted into the surface waters.

With regards to the report document produced by REC we have the following comments:

- 1) The surface waters should be recognised as a potential receptor in the conceptual model (section 2.2).
- 2) The 95%ile values have been omitted from table 4 and a copy of the table with these should be included within the report.
- 3) The averaging area(s) for the site were not described. These averaging areas should be identified on a map of the site and included with the report.

- 4) The reuse of materials on the site under CLAIRE will require assessment of new data. This data should be submitted to us when generated.

Given the above concerns with the site investigation reports as submitted, we would recommend that any subsequent approval is conditioned as follows:

CONDITION: No development approved by this planning permission shall be commenced until:

- a) A desktop study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
- b) A site investigation has been designed for the site using the information obtained from a) above. This should be submitted to, and approved in writing by the local planning authority prior to that investigation being carried out on the site.
- c) The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the local planning authority.
- d) A Method Statement and remediation strategy, based on the information obtained from c) above has been submitted to and approved in writing by the local planning authority.

The development shall then be proceeded in strict accordance with the measures approved. Work shall be carried and completed in accordance with the approved method statement and remediation strategy referred to in d) above, and to a timescale agreed in writing by the local planning authority: unless otherwise agreed in writing by the local planning authority.

If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.

Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

REASON:

- a) To identify all previous site uses, potential contaminants that might reasonably be expected given those uses and the source of contamination, pathways and receptors.
- b) To enable:
 - a risk assessment to be undertaken;
 - refinement of the conceptual model; and
 - the development of a Method Statement and Remediation Strategy.

Biodiversity

CONDITION; No development shall take place until a scheme for the buffer strip between the development and Barrow Brook has been submitted to and approved by the local planning authority. Such a scheme shall be completed in accordance with the approved plans.

REASON: To maintain the character of the watercourse and provide undisturbed refuges for wildlife using the river corridor.

The buffer zone between the development and Barrow Brook should be planted with locally native plant species only, of UK genetic provenance. The buffer zone should be free of structures, hard standing and fences. Domestic gardens should not be incorporated in to the buffer zone to the watercourse, in order to avoid problems such as fragmentation of the buffer by fencing; the placing of garden rubbish near the bank and the introduction of non-native species into the buffer.

The applicant should retain as many of the trees/shrubs that are growing along the watercourse as possible. They form a valuable part of the river corridor and provide refuges for wildlife. The comments in the Phase 1 Habitat Survey (The Ecology Unit, Landscape Planning Ltd; January 2008) related to bird nesting, both in vegetation and on the areas of bare ground, must be taken into account when planning the timing of works. All nesting birds are protected by the Wildlife and Countryside Act 1981.

AGENCY INFORMATIVES

Any works to the watercourses within or adjacent to the site which involve infilling, diversion, culverting or which may otherwise restrict flow, require the prior formal Consent of the Environment Agency under Section 23 of the Land Drainage Act 1991. Culverting other than for access purposes is unlikely to receive Consent, without full mitigation for loss of flood storage and habitats.

ADDITIONAL REPRESENTATIONS & STATUTORY ADVERTISEMENT:

Three letters of objection have been received which raise the following issues:

- Consider that 64 houses are too many for the size of the village but pleased to note that the vehicular access is onto the A59.
- Concern in relation to flooding.
- Concern that there is insufficient education facilities as a result of this development.
- Loss of view and light as a result of the development.
- Concern regarding traffic congestion.
- There seems to be little employment use on this part of the site and it is now purely a large housing estate.
- There will be more litter and noise and associated problems.

Proposal

This proposal is a detail for applications for the erection of 64 dwellings and associated infrastructure at land at Barrow Brook, Barrow.

Planning permission has been previously granted for this part of the site as well as land to the north which was for a mixed commercial and residential development. Subsequently permission was also granted for a removal of a planning condition which restricted the amount

of residential properties that could be built before commencement on the commercial element of the scheme.

This application is for 64 dwellings which comprise a mixture of terrace, semi-detached and detached properties. The site also includes two apartment blocks which are to be situated on the north-eastern part of the site with one block adjacent to the wooded area and would border the existing residential estate known as Chestnut Crescent with the other block which would be adjacent to the proposed employment part of the site.

In relation to vehicular access, this remains relatively unaltered with the only vehicular access point from the A59 and the existing commercial development. The internal roadway is similar to that previously approved.

The main difference to the scheme is the reduction in numbers of units from 70 units to 64 of which there are 19 affordable units. There is also a different design and a greater mix of property types.

The roadside elevation facing Whalley Road will be predominantly a terraced block constructed of stone and blue slate roof with the existing landscape boundary retained.

The affordable housing element of the scheme comprises of 9 two-bed apartments, 2 two-bed mews and 8 three-bed mews. The overall site comprises of 2 lots of 4 terrace/mews properties, 5 semi detached properties and 24 detached properties. The detached properties have either single or double detached garages or integral garages whereas the mews or semi-detached properties have parking spaces within their residential curtilage or at the front of the units and in the case of the terrace block they will have access parking from their own internal road and this would be within a defined parking space courtyard arrangement. The apartment blocks are served by their internal drive and have parking allocated within their defined curtilage at the rear or at the side of the apartment block.

The proposal seeks to use a range of materials which would include a mixture of stone and blue slate roof and concrete tiles and brick facing work.

Site Location

The site is the former Barrow Print Works which is now marketed as Barrow Brook. The land in question forms part of a previous consent and is a residential element which is situated between Painter Close and Chestnut Close and would have a road frontage partly on to Whalley Road. Access to the site is via the A59 and the internal road with pedestrian and cycle access also available from Whalley Road.

Relevant History

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

3/2009/0791/P – Mixed use development comprising of vocational learning centre, children's nursery, commercial elements, 10 live/work units, 70 residential units – approved with conditions.

3/2010/0382/P – Removal of condition which restricted timescale in relation to office and residential elements of the site – approved.

3/2010/0396/P – Variation of conditions – approved.

Relevant Policies

Policy G1 - Development Control.

Policy H1 - Housing Sites.

Policy H20 - Affordable Housing - Villages and Countryside.

PPS1 – Sustainable Development.

PPS3 – Housing.

PPS13 – Transport.

Affordable Housing Memorandum of Understanding.

Environmental, AONB, Human Rights and Other Issues

This application seeks detailed consent for 64 residential units of which there would be 19 affordable units. Although this is a full planning permission, I am of the opinion that regard must be given to the existing consent which in part would permit 70 dwellings, with a range of house types and apartments. Therefore, on this basis, the only new consideration should relate to the change in house types, and the effect this would have on either adjacent residential amenity and landscape issues.

In relation to highway matters, the access to the site remains the same as the previous application and given that the highway authority is satisfied with both the parking arrangements and the internal access details, I consider that this issue is acceptable.

In relation to the design of the properties, I am satisfied that it is not dissimilar to that previously granted and that the main elevation on to Whalley Road reflects the locality with the creation of a terraced appearance and that the appropriate use of materials on this block, which include stone and blue slate would relate well to the locality. Furthermore, the existing landscaping is to be retained and therefore would minimise any visual impact from the Whalley Road.

In terms of detailed design, I am satisfied that there is no significant change from the previously granted scheme and that the design is appropriate. In relation to the apartment, they are of a similar form and scale of that previously granted and although the roofscape would still dominate the buildings, it has been broken up by various gables and hipped roof arrangements. I am also of the opinion that these blocks are located within the site and as such would not be readily visible.

I note the objections referred to by some nearby residents but it is important to stress that there is an existing consent and as such, it would be wrong to resist any development based on matters which were previously taken account of.

It is clear that Lancashire County Council planning obligations have requested a contribution totalling nearly £300,000 and Members should be aware that in the previous submission approved under 3/2009/0791 there was no request from the education authority and the Council did not consider it necessary taking into account all other issues to request a contribution for waste management. I am satisfied that it is proper for Lancashire County Council education authority to have regard to new issues and if there has been a change in circumstance since the

2009 consent, it is not unreasonable to request financial contribution. However, on the basis that there is an extant consent which could be implemented which did not include any financial contributions, I believe it would be inappropriate to request a financial contribution. It is clear that the developer would have a fallback position of implementing the 70 units which would be permitted without any additional financial contribution.

I am aware of all the issues but consider this scheme to be acceptable and therefore recommend approval.

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 the application be Deferred and Delegated to the Director of Development Services to negotiate the satisfactory completion of a Section 106 Agreement which shall deal with affordable housing elements including any trigger mechanisms as well as a public open space contributions and subject to the following conditions:

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

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

2. This permission shall be implemented in accordance with the proposal as amended by letter received on 31 August 2010 and fence details shown on drawing SD22 and amended plans reference: RO51/1 REVC, RO51/102 REVA, RO51/103-1 REVA, RO51/103-2 REVA and RO51/200 REVA received on 27 September 2010 which detailed solar panels as well as plan numbers: RO51/102, RO51/103-1, RO51/103-2, HT48/P/01 REVA, HT5/P/01, HT4/P/01 REVA, HT47/P/01, HT47/P/02, HT47/P/03, HT47/P/04, HT49/P/01, RO51/104 REVA, RO51/105 REVA, SD1, SD46, RO51/200 AND RO5/201.

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. No development shall take place until the scheme for the boundary treatment adjacent to the watercourse has been approved by the Local Planning Authority.

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

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

1. A preliminary risk assessment which has been identified:

- All previous uses
- Potential contamination associated with those uses
- A conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from the contamination at the site.

2. The site investigate scheme based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected including those off site.

3. The site investigation results and the detailed risk assessment (2) and based on these, an option appraisal and remediation strategy given full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identify any requirements for longer term monitoring of pollutants, leakages, maintenance and arrangements for contingency action.

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

6. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

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

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

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

8. The solar panels detailed shown on the amended plans shall be implemented to the satisfaction of the Local Planning Authority and be provided prior to occupation of the units and thereafter retained in perpetuity.

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

9. This permission shall relate to a Section 106 Agreement dated which includes delivery of affordable housing and community provision for public open space facilities.

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

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

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

11. This permission shall relate to the bat survey ecological report and arboricultural report submitted with the application. All details shall comply fully with the report.

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

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

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>
3/2010/0336/P & 3/2010/0373/P	Renewal of planning permission and listed building consent for change of use of former farm complex to visitor centre to include farm shop, café, retail unit, health spa, dog hotel and car parking	Higher Whitewell Farm Dunsop Bridge
3/2010/0386/P	Proposed two-storey rear extension, minor internal alterations and erection of external staircase from 81 Berry Lane rear yard for	83 Berry Lane Longridge
3/2010/0403/P	Construction of detached building (garage/stables)	High Laithe Barn Holden, Bolton-by-Bowland
3/2010/0483/P	Discharge of conditions relating to materials, tree protection, fencing, surface water and highway arrangements at land	Pendle Drive Calderstones Park, Whalley (application 3/2008/0826/P)
3/2010/0523/P	Proposed two-storey and single storey side extension with single storey extension to rear with detached garage	5 Dewhurst Road Langho
3/2010/0524/P	Retrospective application for erection of concrete post and close boarded fence	2 Halton Place, Longridge
3/2010/0548/P	Single storey detached store	23 Jeffrey Avenue Longridge
3/2010/0575/P	Application for a Lawful Development Certificate for an existing conservatory on the gable wall of the existing dwelling, and the insertion of windows in the rear elevation at ground floor	The Hawthorns Kiln Lane Paythorne
3/2010/0584/P	The property currently has four external exits. Proposal is to remove (infill) the external doorway located within the alley between properties numbered 21 and 22, and return the property to what is believed to be a more original appearance. The door is inconsistent with the adjacent five properties which form a group listing	21 Church Street Ribchester
3/2010/0587/P	Erection of a Zip Wire for educational and development purposes	Waddow Hall, Clitheroe
3/2010/0592/P	Replacement of existing prefab garage with new slightly larger stone and block (rendered and pebble dashed) built new garage with built in coal and wood store	Valley Cottage 8 Park Gate Row Copster Green

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0593/P	Partial change of use for part of the shop floor area from Class A1 to Class A3 for a café	11 Park View Gisburn
3/2010/0596/P	Amalgamation of 9-11 Hellifield Road to make one property, installation of 2 new windows in the NE elevation and revision to door access, replace existing window with new door in SW elevation and replace door opening with window	9-11 Hellifield Road Bolton-by-Bowland
3/2010/0608/P	Proposed first floor extension above existing single storey side extension	60 Brownlow Street Clitheroe
3/2010/0610/P	Proposed erection of a shed for dry storage of machinery and produce	Cross Gills Farm Whalley Road, Hurst Green
3/2010/0611/P	Alterations to existing bungalows, garage and sun room at ground floor, bedrooms and bathrooms at first floor with dormer windows at the front elevation and velux windows at the rear	29 Durham Road Wilpshire
3/2010/0617/P	Rear conservatory	34 Durham Road Wilpshire
3/2010/0620/P	Application for the renewal of planning consent 3/2007/0519/P, to redevelop an existing car park for part retail/part office building	Land off King Lane (to rear of Cowgills) Clitheroe
3/2010/0624/P	Alterations and extensions to existing dwelling house	Bridgeway 16 Brookes Lane, Whalley
3/2010/0630/P	Proposed insertion of a second floor window in the gable elevation, 1no. rooflight in the front elevation and 1no. rooflight in the rear elevation	Brick Barn, Settle Road Forest Becks Bolton-by-Bowland
3/2010/0636/P	Two storey extension to farmhouse (Resubmission)	Englands Head Farm Paythorne
3/2010/0637/P	Replacement of garage/store building forming annex residential accommodation (Resubmission)	Englands Head Farm Paythorne
3/2010/0640/P	Proposed front porch, garage extension and rear side extension	7 Hillside Close, Clitheroe
3/2010/0641/P	Erection of an external glazed roof canopy supported on steel posts (resubmission)	7 York Lane, Langho
3/2010/0642/P	Revise planning application 3/2010/0203P by providing a sloping roof on the rear single storey extension (replacing the flat roof previously approved)	6 Conway Avenue Clitheroe
3/2010/0643/P	Existing mono-pitched roof removed and new balcony and platform access to the driveway to the rear	2 Millstone Cottage West Bradford
3/2010/0652/P	Proposed erection of a rear orangery	High House Farm Higher Road, Longridge

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0654/P	Single storey rear extension	18 Water Street Ribchester
3/2010/0655/P	Application for the renewal of planning consent 3/2005/0700/P for the proposed erection of a two-storey rear extension	Hill Crest, Green Lane Longridge
3/2010/0657/P	Installation of lockable, covered cycle shelter to rear of school	Ribblesdale High School Queens Road, Clitheroe
3/2010/0662/P	Single storey side extension	12 Bushburn Drive Langho
3/2010/0663/P	Replacement of the existing 14.3m high telecommunications installation with one 13.8m which will house Vodafone and 02 antennas behind a shroud. One replacement small scale equipment cabinet and minor ancillary works	Ribblesdale Wanderers Cricket Club off Brownlow Street Clitheroe
3/2010/0665/P	Proposed enlargement of an existing sunroom into a tiled roof extension with a glazed gable end, and the demolition of an existing lean-to extension. Proposed new longer extension with a pitched roof tiled to match the existing building	Brokers Folly Showley Road Clayton-le-Dale
3/2010/0667/P	Proposed fence (max. height 1.8m) behind the existing hedge to the front of the property and double gates to the drive	Glenburn, Whalley Road Billington
3/2010/0690/P	Application for a non-material amendment to planning consent 3/2010/0186P, to alter the ground floor window on the rear elevation to a sliding glazed patio door at	12 Carlton Place Clitheroe
3/2010/0695/P	Application to discharge condition no. 3 (window materials) of planning consent 3/2010/0171/P	Lowergate Barn Twiston Lane Twiston
3/2010/0696/P	Proposed first floor extension and alterations	26 Harewood Avenue Simonstone
3/2010/0699/P	Proposed single storey garage	Lynbrook, Painterwood Whalley Old Road, Billington
3/2010/0700/P	Application to discharge condition No 5 (roofing materials) of planning permission 3/1994/0025/P	The Old Farmhouse Rimington Lane, Rimington
3/2010/0713/P	Application for a non-material amendment to planning permission 3/2008/0940/P to change from a tiled roof to a glass roof on the approved extension	101 Padiham Road Sabden
3/2010/0749/P	Application for non-material amendments to planning consent 3/2009/0269/P to allow an increase in height of the eaves and ridge on the approved garage	Stonehouse Barn Blackburn Road Ribchester

APPLICATIONS REFUSED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2010/0422/P	Proposed erection of a garage/hobbies room	Orchard House Longridge	<p>Contrary to Policy G1 - incongruous and dominating addition that would prove detrimental to the visual amenities of the streetscene.</p> <p>Contrary to Policies G1 and ENV13 - loss of trees included in the Alston, Longridge, 1954 Tree Preservation Order [W1].</p>
3/2010/0499/P	Proposed erection of balcony above existing flat roof porch extension and insertion of door into gable at first floor level to gain access	22 Bolland Prospect Clitheroe	<p>G1, H10 and SPG 'Extensions and Alterations to Dwellings – Loss of privacy to the serious detriment of neighbouring residential amenity. Approval would also set a dangerous precedent for the acceptance of other similar proposals, which would have a significant impact upon residential amenity.</p>
3/2010/0511/P	Retrospective application for balcony	8 Longridge Road Hurst Green	<p>G1, H10 and SPG 'Extensions and Alterations to Dwellings – Loss of privacy to the serious detriment of neighbouring residential amenity.</p>
3/2010/0554/P	Proposed first floor extension over existing kitchen with new utility extension	89 Regent Street Waddington	<p>G1 and ENV16 – Detrimental visual impact upon the character of the property and appearance of Waddington Conservation Area.</p>

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2010/0556/P	Change of use from agricultural land to domestic curtilage and erection of a fence	1 Wheatley Cottages Longsight Road Copster Green	G1, ENV3 and H12 – Detriment to the visual amenities of the locality.
3/2010/0570/P	Dormer extension to rear and loft conversion	20 Longridge Road Chipping	<p>The proposal by virtue of its scale and design is considered contrary to Policies G1, ENV1 and H10 of the Districtwide Local Plan and the Council's adopted Supplementary Planning Guidance on alterations and extensions to dwellings. It would result in a flat roof dormer that would cause visual harm to the Area of Outstanding Natural Beauty and as such be to the detriment of the visual amenity of the area.</p> <p>The proposal if approved would set a dangerous precedent for the acceptance of other similar proposals which would cause visual harm to the Area of Outstanding Natural Beauty and render more difficult the implementation of the established planning principles of the Local Planning Authority.</p>
3/2010/0598/P Cont/	Re-submission of proposed sun-room extension to south-east elevation	Lambing Clough Barn Lambing Clough Lane Hurst Green	G1, ENV3 & H17 – Detrimental impact upon the traditional

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
Cont....			character of the barn to the visual detriment of the Open Countryside.
3/2010/0631/P	Proposed extension to existing Granny Annex and proposed new garage	Cockerham Hall Farm Saccary Lane Mellor	G1, ENV3 and H9: <ul style="list-style-type: none"> • Incongruous and prominent garage to the visual detriment of the Open Countryside. • Inappropriate design of the extension to the visual detriment of the traditional form of the annex and main property. • Sizeable extension resulting in an annex, which is more akin to a new dwelling.
3/2010/0635/P (PA)	Provision of a pair of handrails to vestry door in the east elevation of the church	St Mary and All Saints Church Church Lane Whalley	Proposal will be harmful to the character and significance of the listed building because of the unnecessary destruction of important historic fabric.

SECTION 106 APPLICATIONS

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

CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0621/P	Application for a Certificate of Lawful Development confirming that work commenced on the development within the conditioned 3 year time period	Pages Barn Woodhouse Lane Slaidburn

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0623/P	Application for a Certificate of Lawful Development to formalise that a material start has been made within the three year time condition imposed on planning consent 3/2005/0927/P	Lower Standen Hey Whalley Road Pendleton

APPLICATIONS TO BE DETERMINED BY LANCASHIRE COUNTY COUNCIL

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0680/P	Conversion of temporary nursery building to a permanent structure and extension to the nursery building	Barrow Primary School Old Row, Barrow

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>
3/2009/0261 D	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 – to be held 23 November 2010	
3/2009/1040 D	8.7.10	Mr Paul Hodson Proposed new dwelling in garden area 56 Chapel Hill Longridge	WR	-	Site visit 11.10.10
3/2010/0474 D	1.9.10	Mrs K Hughes Proposed internal partition, new internal opening and false ceiling (Listed Building Consent) 35 King Street, Whalley	WR	-	Notification letter sent 2.9.10 Questionnaire sent 6.9.10 Statement to be sent by 8.10.10
3/2010/0249 O	8.9.10	Mr John Rowley Construction of detached bungalow in garden area of Hill Top Bungalow Copster Green	WR	-	Notification letter sent 9.9.10 Questionnaire sent 13.9.10 Statement to be sent by 18.10.10

LEGEND D – Delegated decision C – Committee decision O – Overturn