

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 4 NOVEMBER 2010
 title: PLANNING APPLICATIONS
 submitted by: DIRECTOR OF DEVELOPMENT SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

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

PARISH COUNCIL: Object to this application as it alters the original reasons why it was granted.

ADDITIONAL REPRESENTATIONS: No representations have been received.

Proposal

This application seeks to remove conditions 5 and 6 in that they relate to the use of properties at Eden Gardens to be used as a live/work unit. The purpose of this application would be to enable the six detached units of which some have been completed and some in part construction and some not yet built as purely residential dwellings rather than a mixture of live and work. The buildings are all detached properties with the work element of the scheme either in a detached annex building or a single storey link building. The work element is approximately 40m² floorspace.

Site Location

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

Relevant History

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

Relevant Policies

Policy A2 - Brockhall Area Policy.
 Policy G1 - Development Control.
 Policy ENV3 - Development in Open Countryside.
 Affordable Housing Memorandum of Understanding.
 Policy EMP11 - Loss of Employment Land.
 PPS3 – Housing.
 Policy L4 – Regional Housing Provision – Regional Spatial Strategy.

Environmental, AONB, Human Rights and Other Issues

Members should be aware that on the 15 April 2010 Committee recommended to approve this application subject to an affordable housing contribution. Since then the applicant has submitted a financial viability study which has indicated that any contribution would no longer make the scheme viable. I am disappointed that this is the case but having assessed the financial viability with colleagues, I am satisfied that this would appear to be the case. On that basis and although I am reluctant, I consider that it is no longer suitable to request a financial contribution and therefore recommend approval. It should be noted that other planning conditions are still applicable.

Matters for consideration remain the same as previously agreed and these are the principle of development, highway safety, visual and residential amenity.

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

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

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

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

basis of the submitted viability statement and as such I consider a recommendation of approval to be acceptable.

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.

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 16.2m 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 a 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 approx. 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. It is on Hesketh Lane sited approx. 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

Members will note that this application appeared at the last planning committee, however due to interest being expressed, an insufficient number of members remained to be considered as a quorum of the Council therefore the application has been brought back to committee.

The only amendment to this report from that which was previously taken to committee is the inclusion of a condition recommended from the Councils Countryside Officer to ensure the protection of trees on site.

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, detailed as follows;

Land Use Issues

In relation to the principle of development PPS4 'Planning for Sustainable Economic Growth' sets out 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 re-use 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 three buildings on plan, a visit to the site confirmed that these are derelict and substantially demolished thus there is no capability of their re-use. 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.

The plans have been reviewed by the Councils Countryside Officer, who recommends a tree protection condition be added to the decision notice if committee are mindful to approve the application.

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 the 29 of July 2010 – plan reference 174/201 in relation to the proposed floor plan and elevations of the building, plans received on the 23rd of 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.

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 and not for the benefit of the land nor any other person or persons, whether or not having 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 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.

18. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services details of how all trees identified in the arboricultural/tree survey [T1 to T17 inclusive] will be protected in accordance with the BS5837 [Trees in Relation to Construction] shall be submitted in writing.

The details shall include root protection areas, tree protection measures and tree Protection monitoring schedule.

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

During the buildings 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 in accordance with Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan.

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: Longridge Town Council has 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: Four letters has been received from nearby neighbours 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. Scheme will create an overcrowded site.
5. 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

Members will note that this application appeared on the Agenda for the 7 October Planning and Development Committee, however due to interest being expressed, an insufficient number of members remained to be considered as a quorum of the Council therefore the application has been brought back to this Committee.

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 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 6 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 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 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 building(s) shall not be altered by the insertion of any window or doorway without the formal written permission of the Local Planning Authority.

REASON: In order to safeguard nearby residential amenity in accordance with Policies G1 and H10 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance – “Extensions and Alterations to Dwellings”.

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: 3/2010/0576/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:

Eight letters have been received raising 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.
4. Some of the development has taken place without the benefit of planning consent.
5. Loss of privacy to neighbouring property – both rooms and garden area.

6. Question whether all of the land belongs to the applicant.

There is also a petition with the names of 10 households on it.

A letter has been received from the applicant querying the validity of the letter with 10 named householders on the basis that some were not asked about the letter. This has been confirmed in some instances.

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

This application was deferred from Planning and Development Committee on 7 October 2010 in order to enable an accompanied site visit to take place. Questions have been raised regarding the petition since then given that the households have not signed up to it.

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. That neighbour has expressed concerns about overlooking and for Committee's information the windows at first and second floor in the gable are as previously approved with the only difference being a doorway at ground floor instead of a window opening. 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: 3/2010/0602/P (GRID REF: SD 384319 445443)
PROPOSED STABLE BLOCK AND CHANGE OF USE OF FIELD FROM AGRICULTURE TO
EQUESTRIAN AT FIELD AT JUNCTION OF STOCKS LANE AND THE A682 MIDDOP

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

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

I have no objections to this application on highway safety grounds, subject to the inclusion of appropriate highway conditions detailing the appropriate use of the facility and detailing prohibited movements from the site.

ADDITIONAL
REPRESENTATIONS:

One letter of objection has been received which raises the following concerns:

1. The A682 is a dangerous road and nowhere is less suitable for a stable and horses.
2. Concerns over water as a nearby property is on a borehole and lack of water is a problem.

Proposal

Consent is sought for the erection of a stable block and change of use of a field to equestrian use. The stable block would have approximate dimensions of 14.6m x 4.8m x 2.9m in height with construction materials of timber boarding under a corrugated sheeted roof. It would house three individual stables and a tack/feedstore. To the immediate north east of the stables, would be a manure store approximately 3m x 3m x 0.8m high. To the south would be a concrete yard area for the stables to face on to and to the north east a hardcore yard. The plans also denote a revision to the field gateway moving it further back into the field.

Site Location

The field in which the stable would be set is situated on the junction of Stocks Lane and the A682 on the southern side of Stocks Lane. The site lies within land designated open countryside in the Districtwide Local Plan with there being a dwelling to the opposite side of Stocks Lane. The field is boarded by hedgerow to roadside frontages.

Relevant History

None.

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV3 - Development in Open Countryside.

Environmental, AONB, Human Rights and Other Issues

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

In terms of principle, the site lies outside any defined settlement limit with Policy G5 allowing for small-scale uses appropriate to a rural area in such locations. The provision of a stable block of the size shown would, I consider, accord with that. Details submitted in support of the application indicate that it would be for private use and that there is to be some re-profiling of

the land in order to give a level base for the stables (reducing the level of the field in the stable area by approximately 0.5m at its highest point).

Having regard to the visual impact of the works, I am of the opinion that such a low profile structure would not appear unduly prominent in the wider landscape. From the south, it would be seen against the backdrop of the existing built development to the north, ie Stocks House and would not appear as an isolated building in the wider landscape.

In respect of residential amenity, I am mindful of the property to the north but do not consider that the provision of three stables that have their openings on the southern elevation would significantly affect the nearby property.

Comments have been received regarding the lack of a water supply and information submitted in the design and access statement to support the scheme outlines that a rainwater harvesting scheme would be used whereby rainwater from downspouts of the stable block will be collected in water butts and used to water the horses.

The remaining consideration therefore is highway safety and in this matter I must be guided by the observations of the highway engineer from LCC. He has been in discussions with the agent acting on behalf of the applicant and it is apparent that it is not their intention to have access or egress to the site from the A682 Burnley Road. The applicant resides in the Barnoldswick area and would visit the site along Brogden Lane with no direct access from Burnley Road. In view of this and subject to the imposition of conditions regarding access and private use of the stables and land, he raises no objections. Therefore, having regard to the above I 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 010710 site layout information and 011710 stable and manure store details.

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

3. No traffic leaving the development site shall exit to the west towards the junction of Stocks Lane with A682 Burnley Road.

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

4. The proposed use of the stables and land hereby approved shall be for private and domestic purposes only and no trade or business whatsoever shall be carried out from within the building. The land shall not be used for competitive events or for the exercising or training of horses other than those which are stabled or kept on a permanent basis at the site.

REASON: In order to safeguard amenity and in the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

5. This permission shall inure for the benefit of Mrs B Leech only and not for the benefit of the land nor any other person or persons, whether or not having 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 G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2010/0704/P (GRID REF: SD 376610 434465)
PROPOSED CHANGE OF USE TO GARDEN AND PARKING AREA, CONSTRUCT A BOUNDARY STONE WALL WITH A GATED ACCESS FOR VEHICLES AT 51 WHALLEY ROAD, READ

PARISH COUNCIL:

Objects to the proposal on the following grounds:

- Restricted access for emergency, delivery, farm and residents vehicles.

COUNTY SURVEYOR:

No objections to the application on highway safety grounds subject to the implementation by the applicant of a Traffic Regulation Order prohibiting parking in the immediate vicinity of the junction and the establishment of a new section of footway.

ADDITIONAL REPRESENTATIONS:

Eight letters have been received from neighbouring residents with an additional petition signed by 17 residents who wish to raise a number of objections summarised as follows:

- Narrowing and restriction of access for farm, emergency, delivery and refuse vehicles as well as residents vehicles when gaining access to their properties down Westfield Avenue.
- Resultant overflow of vehicles onto the already busy and congested Whalley Road.
- Restricted access to enable vehicles to carry out reverse manoeuvres
- The proposed gates of the proposal would cause conflict with all residents when they wish to park/manoeuvre their vehicles as the applicant will want access at all times.

Proposal

The owners of 51 Whalley Road seek permission for the enclosure of a section of Westfield Avenue for the use as a garden/parking area. A 1.9 metre stone wall to match the stonework on the main property is to run from the south-eastern corner of the existing boundary wall at the rear of the property, project eastwards three metres from this corner and run the full length of the gable wall of the property to then end at the front building line of the property. A 3 metre wide and 1.9 m high gated access will be constructed to the southern corner of this wall facing Westfield Avenue. In addition, the existing 0.5 metre high stone wall to the front elevation of the property will be extended eastwards by 3 metres and then run 3 metres southwards to meet the end of the 1.9 metre high stone wall to increase the applicants curtilage to the front of the property.

Site Location

51 Whalley Road is an end-terraced property on the first set of terraces to the southern side of Whalley Road when entering Read eastwards, on the A671. The proposed boundary stone wall is to be erected upon land within the applicants ownership (as illustrated by the submitted Land Registry map) on unadopted access road Westfield Avenue. This road provides access to the rear of the first set of terraced properties to the southern side of Whalley Road when entering Read, Nos. 1,3 and 5 Westfield Avenue, the rear of No. 49 Whalley Road and Worthalls Farm.

Relevant History

None

Relevant Policies

Policy G1 – Development Control

Environmental, AONB, Human Rights and Other Issues

Matters for consideration are the visual impact of the proposal, the potential impact on neighbouring residential amenity and highway safety.

In terms of visual impact I consider that the size, design and materials used for the proposed boundary wall is appropriate. Properties within Read are currently characterised by stone boundary walls and as such consider that the extension of the front boundary wall will be in-keeping with those on neighbouring properties. The proposed 1.9 metre high section of wall will be set back 6 metres from the roadside constructed of stone to match the main property thus ensuring that its visual impact upon the street scene will be minimal.

I note the comments from neighbouring residents questioning the ownership of the land to be utilised as a parking/garden area by the applicant. A land registry map has been submitted by the applicant, which clearly identifies that the strip in question is within his ownership and as such has the right to refuse any resident from parking on this strip. This issue has also been raised in a letter from a consultant, who is not acting as an agent but who has been employed by the applicant to write a supporting statement. Any dispute regarding this is a civil matter and not classed as a material consideration in the determination of the application.

Turning to the impact of the proposal upon neighbouring residential amenity, and in particular highway safety, the County Surveyor has no objection to the application on highway safety grounds subject to appropriate conditions.

In addressing concerns regarding the restriction of access for both residents and other vehicles associated with emergency calls, refuse collection and the farm, he is satisfied that 'by extending the physical boundary in the manner proposed, an access road of 6.0m minimum width will be maintained, sufficient to accommodate all rights of easement.....including agricultural traffic'.

He is aware that residents do park on the west side of Westfield Avenue, thus avoiding having to park on Whalley Road and anticipates that this will continue after the completion of the works. To ensure that vehicles are able to enter and exit Westfield Avenue safely he recommends a Traffic Regulation Order prohibiting parking in the immediate vicinity of the junction, the extent of which is illustrated by a plan (LCC Map Ref: 69933) attached to his comments detailing the extend of the works as follows:

- A671 Whalley Road, south side, from a point 7m west of the centreline of Westfield Avenue for a distance of 18m in an easterly direction.
- Westfield Avenue, both sides, from its junction with the centreline of A671 Whalley Road for a distance of 11m in a southerly direction.

The above works are to be agreed under the proviso that all of the necessary measures to establish the Order on site and any fee will be met by the applicant.

In addition, he also requires the applicant to 'establish a new section of footway, to run continuously along the extended garden and parking area as it fronts onto Whalley Road. This is to be constructed in accordance with Lancashire County Council Specification for the Construction of Estate Roads. This new footway shall be of dimension consistent with the adjacent footway, provide a similar radius at the new access and secure drop kerb to provide access to the footway on the east side of Westfield Avenue'. Again these works shall be implemented and paid for by the applicant.

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 with appropriate conditions to address highway safety 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 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 drawing no. RH/320100704/02 in relation to the site plan, drawing no. RH/320100704/03 in relation to the length and height of the proposed wall and drawing no. RH/320100704/04 in relation to the front elevation of the wall.

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

3. Prior to commencement of development including the erection of the boundary wall, precise specifications or samples of the walling material to be used including its 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.

4. No works shall commence until a traffic regulation order to prohibit parking in the immediate vicinity of the junction (as shown on LCC Map Ref: 69933 attached to the County Surveyors comments) has been confirmed and implemented.

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

5. No works shall commence until the establishment of a new section of footway of a dimension consistent with the adjacent footway, provides a similar radius at the new access and secures a drop kerb (as shown on LCC Map Ref: 69933 attached to the County Surveyors comments) has been confirmed and implemented. This shall run continuously along the extended garden and parking area as it fronts onto Whalley Road and carried out in accordance with the Lancashire County Council Specification for the Construction of Estate Roads.

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

APPLICATION NO: 3/2010/0733P (GRID REF: SD 374801 442994)
PROPOSED CONSTRUCTION OF TWO-STOREY AND SINGLE STOREY SIDE EXTENSION TO CREATE BICYCLE/GARDEN STORE, UTILITY SPACE AND ADDITIONAL BATHROOM AND EXTENDED BEDROOM SPACE ABOVE. ALTERATIONS TO CREATE A TILE PITCHED ROOF OVER THE EXISTING BAY WINDOW TO REPLACE EXISTING FLAT ROOF. CONSTRUCTION OF A SINGLE STOREY REAR EXTENSION TO PROVIDE IMPROVED FAMILY KITCHEN SPACE AND STUDY. MINOR ALTERATIONS TO WIDEN EXISTING ACCESS AND ALTERATIONS TO PROVIDE IMPROVED OFF STREET PARKING SPACE.
AT 130 PIMLICO ROAD, CLITHEROE BB7 4PT

PARISH COUNCIL: No objections

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No comments or observations received at the time of writing this report.

ADDITIONAL
REPRESENTATIONS:

Eleven letters of objection have been received, ten from nearby residents and one from a local planning consultant acting on behalf of one of the neighbours. Members are referred to the file for full details which can be summarised as follows:

1. The large and imposing extensions would set a precedent for similar proposals thus causing 'terracing' and changing the uniform look of the row thus adversely affecting the character of the area.
2. The two closest properties would be overshadowed and the extension would be overbearing due to the high blank wall of the double storey side extension and the long unbroken wall of the rear extension adjacent to the neighbour's dining room window. Loss of light to the kitchen area of no. 128 would occur.
3. The 2.5m passageway between the boundary hedge and the applicants back door would lead to a loss of privacy in the neighbours dining room/ kitchen area due to the low boundary hedge.
4. The rear garden areas of properties on Moorland Avenue would be overlooked and the amount of light received in to these areas will be reduced.
5. Concern has been raised that the bicycle/ garden store will be used for the applicants joinery business.
6. This is not a replacement extension but a new construction; therefore the application description is incorrect.
7. The extension would leave no room for services such as the fire brigade to access.
8. The view of trees on Pimlico Road will be lost as a result of the extension.

Other issues raised

1. Other neighbours are waiting to see the outcome of this application so they can build similar extensions.
2. Extensions proposed will devalue surrounding properties.
3. The existing garage is to be re-used, as noted on the plan, but no new position is shown.

4. Access will be required on the driveway of number 128 for maintenance at some future time.
5. An extract from the neighbours deeds has been received, which state any boundary structures should not exceed 5ft (1.5m) in height. A letter from a resident further down the road also mentions that their deeds have a similar restriction.
6. The application should be taken to a higher level i.e. the Council Leader or Court. As it needs serious consideration.

One letter of support has been received encouraging applications such as this to be granted to ensure housing stock suitable for today's families is available near to the town centre.

Proposal

The application seeks permission for the erection of a two storey extension at the side of the property, single storey front and rear extensions and for alterations to widen the existing access to provide improved off street parking. The proposals would provide a bicycle/ garden store, utility space, study and enlarged kitchen at ground floor with extended bedrooms and bathrooms plus an en-suite at first floor. The existing detached garage in the rear garden will be demolished and removed from site, as confirmed by the letter from the agents dated 12 October 2010.

The single storey extension proposed at the front of the property will project from the front elevation by approximately 1m and would have a width of approximately 4.4m. The height of the single storey extension to eaves level would be approximately 2.5m and 4.1m to the highest point. The front extension would have a sloping roof which would tie in to the proposed two storey side extension as well as the original dwelling.

In relation to the two storey side extension proposed; amended plans have been received, dated the 12 October 2010, which show the second storey of the side extension set in from the boundary by approximately 500mm. Dimensions of the ground floor portion of the two storey addition would be approximately 7.4m x 2.5m. Dimensions of the second storey would be approximately 5.15m x 2.0m. The extension would measure approximately 5.3m to the gutters and 7.2m to the highest point.

Dimensions of the proposed single storey rear extension would be approximately 4.1m x 8.5m at its widest for a length of approximately 1.5m reducing to 6.0m in width for the remaining 2.6m length. A sloping roof is proposed over the part of the extension which would be the full width of the house as extended, which projects from the rear of the property by 1.5m. A double pitched roof with east facing gables is proposed over the remaining of the rear extension. The dimensions of which are approximately 2.5m to the gutters and 3.4m to the pitch.

The proposed works would create an additional 50m² of floorspace, an increase in floor area of 48%. All materials will match the existing property.

Site Location

The property is located on the east side of Pimlico Road shortly after its junction with Moorland Road.

Relevant History

None.

Relevant Policies

Policy G1 – Development Control
Policy ENV7 - Species Protection
Policy H10 – Residential Extensions
SPG - “Extensions and Alterations to Dwellings”.

Environmental, AONB, Human Rights and Other Issues

The main issues to consider with this proposal are the visual impact of the proposals and potential impact on neighbouring residential amenity.

In terms of visual impact, the scale, size and design of the proposed two storey side extension and single storey front extension is acceptable and would not dominate the existing property considering the roof of the two storey element has been set down from the main ridge by approximately 0.4m and set in from the shared boundary by approximately 0.6m due to concerns about ‘terracing’ occurring. The two storey element is also set back from the front of the property by between 2.8m and 4.0m due to the frontage being staggered, which further reduces its subsequent impact on the street scene. With regards the rear extension, there is currently an open view from Moorland Road of the rear garden areas of the properties facing Pimlico Road, however, I consider that the rear extension proposed does not project overly far to adversely affect the visual amenities of the area.

With regards to the potential impact of the proposal upon the adjacent neighbours, the two storey side extension would have an impact on the amount of light received to the neighbours kitchen window, however, a kitchen is not considered to be a habitable room and furthermore the proposal complies with the BRE guidelines given in the SPG “Extensions and Alterations to Dwellings”, therefore the application does not warrant refusal on this ground alone. Similarly, the rear single storey extension would not detrimentally impact on either of the adjoining neighbours due to the extension complying with the same BRE guidelines. Moreover, the plans have been amended to change a doorway proposed, adjacent to the shared boundary, to a window. This has been altered, as the adjoining neighbours were extremely concerned that this doorway being used as an entrance, adjacent to the shared boundary, would overlook in to the kitchen/ dining area of this property due to the low hedge existing between the properties. I note the concerns raised regarding the single storey element of the two storey side extension being built up to the boundary despite the plans having being amended, however, the policies do not prevent this. There will be no significant impact on the properties located at the rear considering the established boundary treatments which exist between the properties and the extension being positioned approximately 23 metres from the boundary with these properties.

The neighbours concern about the extensions encroaching on to their land and access being required for maintenance of the side extension is a civil matter between the two parties that is

outside the remit of planning control. Other objections relating to loss of view and the potential devaluation of surrounding properties are also not material planning considerations.

Therefore, bearing in mind the above comments, and while I am mindful of the points of objection raised by local residents, I consider the scheme to comply with the relevant policies, subject to appropriate conditions being used to control the use of the bicycle/ garden store, and as such 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.

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 be implemented in accordance with the proposal as amended by letter and plan received on the 12 October 2010.

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

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

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

4. Unless otherwise agreed in writing with the Local Planning Authority the development shall be carried out in strict accordance with the actions, methods and timing detailed in the mitigation plan attached to the bat survey and report submitted with the application dated 2 August 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.

5. The permission shall relate to the development as shown on Plan Reference No: 4051-02D.

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

C APPLICATIONS WHICH THE DIRECTOR OF DEVELOPMENT SERVICES RECOMMENDS FOR REFUSAL

APPLICATION NO: 3/2010/0685/P (GRID REF: SD 372104 439647)
PROPOSED APPLICATION TO VARY CONDITION NO 15 (SECTION 106 AGREEMENT) OF PLANNING CONSENT 3/2000/0071/P TO ALLOW THE HOLIDAY LET KNOWN AS PENDLE TO BE USED AS PERMANENT RESIDENTIAL ACCOMMODATION AT BROWNHILLS COTTAGES (FORMERLY BROWNHILL BARN), FARLANDS HALL FARM, WITHGILL

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

ADDITIONAL REPRESENTATIONS: N/A

Proposal

This application seeks consent to vary condition 15 of planning consent 3/2000/0071/P which detailed the change of use of a barn to form 2 holiday lets.

Condition 15 of that consent reads: *“This permission shall relate to the Section 106 Agreement dated 1 September 2000”* with the legal agreement itself specifying the two units subject of the development should not be allowed to be occupied as permanent dwellings or occupied other than a holiday lets; not to be occupied for more than 3 calendar months by any one person or group of persons and to provide on an annual basis lettings records relating to the holiday cottages.

The proposal is to modify the terms of planning condition 15 so that the restriction of occupancy would only relate to 1 unit (Ribble) with the other (Pendle) being allowed to be used for permanent residential occupation. There is an accompanying application to this to deal with the proposed discharge of a legal agreement (3/2010/0687/P which shall be determined after Committee have given their views on this application). Control over occupancy, therefore would only be via a revised wording to condition 15 to read as follows:

“The unit of accommodation Ribble (the western portion of Brownhills Cottages) shall not be let to or occupied by any one person or group of persons for a continuous period of longer than 3 months in any one year and in any event shall not be used as permanent accommodation. The register of such lettings shall be kept and made available to the Local Planning Authority to inspect on an annual basis. The unit of accommodation Pendle (the eastern portion of Brownhills Cottages) shall be available for use as permanent residential accommodation.”

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

Site Location

Brownhills Barn occupies an isolated setting within land designated open countryside, accessed by a single width track leading from the B6243 towards the River Ribble (a distance of just over 1000m).

The property is a stone built barn divided into two units, Ribble and Pendle, with external parking, turning and curtilage areas defined from the adjoining field and access track by timber post and rail fencing, stone walls or hedgerows.

Relevant History

3/2000/0071/P – Change of use of barn to form 2 holiday lets. Approved with conditions 9 September 2000.

3/2010/0687/P – Application for discharge of planning obligation (relating to Section 106 Agreement) of planning consent 3/2000/0071/P to allow the holiday let known as Pendle to be used as permanent residential accommodation. Yet to be determined.

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 in 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 what we presently have is an established built development with a restricted class of residential use. Given this restriction I am of the opinion that the current proposals 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 building, the subject of this application has already undergone one conversion scheme in a manner which is in keeping with its surroundings in terms of form, bulk and general design. Therefore it is 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 the Policy makes clear that: “the conversion of appropriate buildings within settlements or which form part of an already defined group is acceptable.

Problems arise however, where isolated buildings in the landscape such as barns are proposed for conversion”.

As stated previously, the building the subject of this application is an isolated feature in the wider landscape and whilst the building itself has been converted into 2 units this would not, I consider, constitute a defined group of buildings. Indeed in respect of the location of the building to be converted the officer’s report for the original conversion works comments that:

“The building is in an isolated position sited to the east of Malkin Lane ... in terms of plan policy, isolation is not the key issue provided there is a genuine history of use and that the building is structurally sound. I am satisfied in respect of both of these and do not consider that there would be undue detriment caused to visual amenity as a result of this scheme’s implementation. Regard must therefore be given to the use of appropriate conditions to ensure the building is used in the manner specified and I consider that given the isolated nature a Section 106 Agreement would be a more appropriate way forward than to use conditions”.

The building has already been converted and used as holiday accommodation and promoted through a dedicated website and a holiday cottage agency. As stated previously no further physical alterations are proposed as result of this scheme. The unit known as Ribble which is to be retained in holiday use is the western half of the building with Pendle which is to be available for use as permanent residential accommodation, being the eastern side with a lawned area running down its gable with open field beyond.

One of the reasons that isolated barns are restricted for conversions to dwellings is 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 etc and the supporting text to Policy H15 even notes the presence of washing lines being totally out of keeping with the rural setting. Pressure for this is considered to be more relevant to the use of the 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 dwellinghouses. Certainly the policies of the DWLP dealing with the respective uses takes these factors in consideration in setting out the approach to be taken in determining each type of application.

When consent was granted for the conversion of this building to 2 holiday let units under 3/2000/0071/P there was a minimal curtilage area shown to the structure comprising paved areas with a 900mm high stone wall as a surround to the adjoining fields. The approximate area of this was noted in the officer’s report at 28m x 21m and provided a basic parking area to the north of the building with a new section of access track (25m) branching off from Malkin Lane. The situation on site today is somewhat different from that with an area of approximately 60m x 35m being formed to provide for curtilage between Malkin Lane and the building, a different point of vehicular access, enlarged parking/turnaounds to the north of the building and grassed curtilage to the east and south. There is also an enclose area of grassed curtilage to the west of the barn between the aforementioned parking area and Malkin Lane. Issues surrounding the appropriateness of the extent of curtilage when measured against the original approval are matters to be explored outside of this application but they do demonstrate that there has been pressured to provide added curtilage amenities over and above the minimal area considered appropriate to holiday yet use when the original submission was made and determined.

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 damage would be caused to the predominantly agricultural character of the area and to the appearance of the landscape. For visual grounds the scheme should thus be resisted.

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

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.

APPLICATION NO: 3/2010/0688/P & 3/2010/0689/P (GRID REF: SD 362124 443201)
PROPOSED SINGLE STOREY FRONT EXTENSION TO FORM DISABLED FACILITIES,
MEETING ROOM, KITCHEN AND DISABLED RAMP FROM THE EXISTING CAR PARK.
RESUBMISSION AT CHIPPING CONGREGATIONAL CHURCH, GARSTANG ROAD,
CHIPPING

PARISH/TOWN COUNCIL: No representations received.

HISTORIC AMENITY SOCIETIES: Consulted, no representations received.

ADDITIONAL REPRESENTATIONS: No representations have been received.

Proposal

Listed building consent and planning permission is sought for the replacement of the single storey modern kitchen and toilet extension (attached to historic porch) at the church's Garstang Road elevation. The extension is proposed to be 7.5m in length (existing 5.35m), 4.5m in depth (existing 3.5m) and of similar ridge height to existing. The proposal has an asymmetric roof (the historic porch and main body of the church have symmetric roofs) the south roof slope of which is shown to obscure views of one of the two (window) details at the Garstang Road elevation. Materials are shown as concrete block and render walls (existing is matching dressed stone), slates to match existing (with three roof lights to north roof slope). The south elevation (the historic front of the church) of the extension is shown to incorporate French doors within a square opening and a horizontally emphasised mullion window (all existing historic openings in the church have a strong vertical emphasis). It is proposed to widen the door opening between

main church body and porch with the loss of a 19th century four panel door. A toilet (to disabled person access standards) is proposed to be incorporated into the historic porch.

An access ramp from the car park is proposed at the gated access adjoining the church's south elevation with its return to the east gable. However, the proposals for this element of the works are schematic, providing no detail or indication of the impact upon the historic fabric or listed building character and setting.

A design and access statement has been submitted with the applications. This states that the proposal cannot be accommodated in the car park because of the amount of traffic visiting the site on a regular basis. The church has a significant regular congregation and the recent listed building consent allowing the partition in the church to be removed and replaced with a folding partition, has enabled them to increase the capacity of the church during especially busy periods. The church is utilized on more than Sundays with activities taking place all week (nine activities are listed). It is stated that the extension is much needed for the church to continue to grow and provide extra services to the community.

The design and access statement erroneously suggests that the scheme will not affect the listed parts of the building (the modern extension is referred to within the list description). The design and access statement does not include a heritage statement establishing the significance of the heritage asset as required by Policy HE6 of PPS5 (fortunately in this case the conservation area appraisal and other information sources held by the Borough Council identify the significance of this listed building and site).

Location

Chipping Congregational Church is a grade II listed building of 1838 which is very prominently sited within Chipping Conservation Area. The list description refers to "each wall is of two bays.. the north west (gable) wall has a one storey porch at its left hand side, now extended. Its right hand return wall has a door with plain stone surround and a small window with plain stone surround, semi circular head and key stone to its left". The Chipping Conservation Area Appraisal (The Conservation Studio consultants; adopted by the Borough Council 3 April 2007) identifies the church as one of four Focal Buildings within Chipping and the curtilage of the church as Significant Open Space.

"Chipping Congregational Church 1838-1988" notes that "in the 1950's alterations and improvements were made to the interior of the chapel. The original pews and choir seats, which all had doors on them were removed and some of the wood from them was used to make the partition which now separates the Sunday school from the church (page 7).. in 1961 the boiler house was replaced with a new building and toilets were added .. in 1975 the kitchen was extended into the disused boiler house by the removal of the dividing wall, a new window was added where the door had been (page 8) .. in 1976 the car park was made with steps up into the chapel grounds and a wrought iron gate made to match the existing one (page 9)".

Relevant History

3/1987/0675 – to renew one existing rear window with a new wood frame window. Listed building consent granted 20 November 1987.

3/1996/0509 – extension to car park. Planning permission granted 17 October 1996.

3/1996/0593 – extension to car park. Listed building consent granted 8 November 1996.

3/2008/0581 – proposed new folding sliding screen, supporting structure, timber cladding and new doors. Listed building consent granted 2 September 2008.

Further modern extension at the Garstang Road elevation has been subject of numerous pre-application discussions and officer expressions of concern.

3/2009/0657 & 0658 – single storey front extension to form disabled facilities, meeting room, kitchen and disabled ramp from the existing car park. Listed building consent and planning permission refused 9 October 2009 and 8 October 2009 respectively.

Relevant Policies

Planning (Listed Buildings and Conservation Areas) Act 1990.

PPS5 – Planning Policy Statement 5 'Planning for the Historic Environment'.

HEPPG – Historic Environment Planning Practice Guide.

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

Policy ENV19 - Listed Buildings (Setting).

Policy ENV16 - Development Within Conservation Areas.

Policy T1 - Development Proposals (Transport and Mobility).

Policy G1 – Development Control.

Chipping Conservation Area Appraisal.

Environmental, AONB, Human Rights and Other Issues

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

The Historic Environment Planning Practice Guide (March 2010) confirms at paragraph 110 that there is no statutory requirement to have regard to the provisions of the development plan for decisions on applications for listed building consent.

The main considerations in the determination of the planning application relate to the impact upon the listed building and its setting (including Section 66(1) of the above Act which requires that special regard be given to the desirability of preserving the listed building, its setting and any features of special architectural or historic interest, and Ribble Valley Districtwide Local Plan Policies ENV20 [alteration/demolition] and ENV19 [setting]), the impact upon Chipping Conservation Area (including Section 72(1)) of the above Act which requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area, and Ribble Valley Districtwide Local Plan Policy ENV16), the provisions made in the development for access by those with reduced mobility (Policy T1 of the Ribble Valley Districtwide Local Plan) and the public/community benefits of the scheme.

Planning Policy Statement 5 (PPS5, March 2010), Policy HE6 states that: “ *Local Planning Authorities should require an applicant to provide a description of the significance of the heritage assets affected and the contribution of their setting to that significance. The level of detail should be proportionate to the importance of the heritage assets ... as a minimum the relevant historic environment record should have been consulted and the heritage assets*

themselves should have been assessed using appropriate expertise where necessary given the application's impact ...".

PPS5 Policy HE7.1 states *"in decision making local planning authorities should seek to identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal..."*.

PPS5, Policy HE7.2 states *"in considering the impact of a proposal on any heritage asset, local planning authorities should take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations. This understanding should be used by the local planning authority to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal"*.

PPS5, Policy HE9.1 states *"there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. Once lost, heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification ."*

PPS5, Policy HE9.4 states *"where a proposal has a harmful impact upon the significance of the designated heritage asset, that is less than substantial harm, in all cases local planning authorities should:*

- (1) weigh the public benefit of the proposal ... against the harm;*
- (2) recognise that the greater the harm to the significance of the heritage asset, the greater the justification will be needed for any loss"*.

The Historic Environment Planning Practice Guide, which accompanies PPS5, is a material consideration (HEPPG, paragraph 2).

HEPPG paragraph 178 states *'it would not normally be acceptable for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset's significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate'*.

HEPPG paragraph 152 states *"doors and windows are frequently key to the significance of the building..."*.

HEPPG paragraph 185 states *'The insertion of new elements such as doors and windows, (including dormers and roof lights to bring roof spaces into more intensive use) is quite likely to adversely affect the building's significance. Harm might be avoided if roof lights are located on less prominent roof slopes..'*

HEPPG paragraph 45, Regional and Local Planning Approaches, advises that *"..There will almost always be scope to provide improved access for all without compromising the significance of a heritage asset. The requirements of the Disability Discrimination Act must be taken into account in any event"*

'Saved' Policy ENV20 of the Ribble Valley Districtwide Local Plan states '*..proposals for the alteration or repair of listed buildings should be sympathetic to their character and appearance. The most important features of any listed building will be preserved.*'

The explanatory text to 'saved' Policy ENV16 of the Ribble Valley Districtwide Local Plan states "*the main elements of Council policy are retention and enhancement*". The Policy itself states "*within conservation areas development will be strictly controlled to ensure that it reflects the character of the area in terms of scale, size, design and materials*".

The Chipping Conservation Area Management Guidance (The Conservation Studio, public consultation 2006) provides Key Design Principles which include the expectation for new development to:

- (i) respect the historic hierarchy of development and detailing between principal and secondary street frontages and within plots between frontage and rear elevations.

RW Brunskill in 'Traditional Buildings of Britain' (2002, pg75) notes that 'The religious fervour of the nineteenth century saw the construction of huge numbers of church buildings for Anglicans, Non-Conformists and Roman Catholics and these... are generally accepted as works of polite architecture though of varying standards. But there was a period from the late seventeenth century to the early nineteenth century in which most Non-Conformists and some Anglicans worshipped in *humble, unpretentious buildings* fully deserving to be classified as examples of vernacular architecture.....Their use of local materials and adaption of traditional forms meant that the buildings were *unobtrusive* in communities which might be suspicious of the new forms of worship; architecturally the buildings took their place among the cottages and farmhouses of the village and did not compete with the church on the hill...The outward appearance of the chapel or meeting-house reflects its internal organisation as closely as that of a farmhouse or barn...*Chapels for Unitarians or Congregationalists were little more complicated*: there was a single tall meeting room dominated by a pulpit on one long side and with galleries at both ends, sometimes joined opposite the pulpit; externally the long entrance side had two doors, two tall windows and two staircases outside or two windows lighting internal staircases...building materials were those of the locality and the time...gritstone in the Pennines...' (my italics).

In my opinion the existing modern extension appears elongated in comparison to the square plan historic church and has subsumed the historic porch. I am aware that this proposal is reduced in size with the width reduced from 7m to 4.5m and there has been some design changes but remain concerned that this impact would be compounded by the proposed replacement extension which would be substantially larger than the existing and incongruous and conspicuous in public views. It projects in front of the south elevation of the historic porch and obscures the view from the main road of one of the two historic church gable windows. The proposal introduces an asymmetric roof (with prominent roof lights), incorporates overtly modern and intrusive French doors and a horizontally emphasised window, and is constructed in concrete block and render.

For these reasons, and also mindful of the inherent unobtrusive nature of this building type (see Brunskill) I believe the extension would dominate the listed building and I note paragraph 178 of the HEPPG in this regard. Paragraph 178 also advises that "*assessment of an asset's significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate*" – the absence of a heritage statement with this application suggests that this essential precursory work to proposal design has not been undertaken.

The plans show that a toilet to disabled person access standards could be incorporated into the existing build (historic porch) without undue harm to the listed building. In my opinion, and mindful of Policies HE9.1 and HE9.4 of PPS5, the wish for additional meeting space and a larger kitchen does not outweigh the harm from the development to the character and significance of the listed building and the character, appearance and significance of Chipping Conservation Area.

Insufficient information (elevation plan only; small scale) has been submitted to understand the impact of the proposed access ramp from the car park on the heritage asset and its setting.

RECOMMENDATION: That listed building consent and planning permission be REFUSED for the following reason:

The proposed extension would be harmful to the character and significance of the listed church and the character, appearance and significance of Chipping Conservation Area because of its prominent, incongruous and dominating scale, materials, window and door design, roof shape and roof lighting, and siting. This would be contrary to Policies ENV20, ENV16 and G1 of the Ribble Valley Districtwide Local Plan.

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

APPLICATION NO: 3/2010/0001/P (GRID REF: SD 377734 437286)
REGENERATION SITE TO PROVIDE 44 DWELLINGS (6 OF WHICH WOULD BE AFFORDABLE), WITH ACCESS FROM WATT STREET AND ASSOCIATED PARKING. RETENTION AND RE-FURBISHMENT OF FALCON HOUSE TO PROVIDE 557.4 SQ.M. OF CLASS B1 BUSINESS SPACE. FORMER COBDEN MILL, WATT STREET, SABDEN, LANCASHIRE, BB7 9DZ

PARISH COUNCIL: Following the submission of amended plans, Sabden Parish Council raise no objections to the proposal, as the plans address the two previous concerns of density and parking.

LCC TRAFFIC AND DEVELOPMENT ENGINEER: In view of the amendments shown on the amended site plans, the LCC Officer now raises no objections to the proposed development on highway safety grounds.

ENVIRONMENT AGENCY: Having initially objected to the scheme, having received copies of the hydraulic model files used to undertake the Flood Risk Assessment (FRA), having reviewed the model in conjunction with the FRA, the Environment Agency are satisfied that the proposed development would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. As such, they withdraw their initial objection to the scheme, and now raise no objections subject to the inclusion of satisfactory conditions.

LCC PLANNING OFFICER (ARCHAEOLOGY): No objections in principle, however given the historic significance of the site it is recommended that an archaeological record be made of the site prior to any work commencing, and this shall be subject to an appropriate planning condition.

UNITED UTILITIES: No objections to the proposal providing that specific conditions are met.

LCC PLANNING AND REVIEW OFFICER (CONTRIBUTIONS): The planning contribution request for Lancashire County Council Services based upon the Policy Paper 'Planning Obligations in Lancashire', is £23,520 for waste management only. Initially a request for money towards Education had been made, however this has since been withdrawn following internal re-calculations made by the department.

LCC SPECIALIST ADVISOR (LANDSCAPE): No objections in principle, as it would have no adverse/significant landscape or visual impact on the surrounding area.

ADDITIONAL
REPRESENTATIONS:

18 letters have been received from nearby neighbours in Sabden, who wish to raise the following points of objection.

1. Objection in principle to any more houses in Sabden.
2. Impact on outlook from historic properties.
3. Loss of light due to three storey buildings.
4. Issues regarding parking and influx of an additional large number of vehicles to Sabden.
5. Highway safety concerns in general due to a potential increase in traffic.
6. Overdevelopment of site.
7. Air pollution by virtue of increase in traffic.
8. Enough housing for Sabden already approved on the site opposite and on other nearby sites.
9. Housing proposed needs to be 3 or 4 bed units to enable existing householders to move into larger housing, not more pokey houses.
10. Increase in noise due to additional traffic.
11. The village of Sabden is being turned into a town.
12. The developers appear to be guided by profit and not by safeguarding the character of Sabden.
13. Decision to retain Falcon House is baffling.
14. Properties proposed are lacking in relief and poorly designed
15. The proposed three storey dwellings are not in keeping with the style of Sabden.
16. Concerns regarding pressure on infrastructure in Sabden (schools, highways, parking, doctors e.t.c).
17. Volume of 'Affordable Housing' being forced in Sabden appears inconsistent with other areas of Ribble Valley.
18. Plans show insufficient detail to assess the scheme.
19. Concerns regarding flooding.

20. Light pollution.
21. The Council should see that the community get something back from the developer, achievable by imposing a relevant planning condition.
22. Less houses, more parking and the upgrading of roads and footpaths around the site would seem a sensible approach.

Proposal

This is an Outline Application proposing a mixed-use development of the former Cobden Mill site, Sabden. The application seeks permission for the regeneration and redevelopment of the site for the erection of 44 dwellings (6 of which will be Affordable Houses) along with the retention of Falcon House as 557.24 sq.m. of quality Class B1 business space, and matters of Access, Layout and Scale are submitted for consideration, with Appearance and Landscaping reserved for future consideration. The former Tetrad factory units on site have become dilapidated and have fallen beyond economic repair for long-term occupation, and the scheme proposes the removal of these buildings as part of the redevelopment proposal. With regards to the type of Affordable Unit proposed, 2 of the units proposed will be shared ownership, with the other 4 being socially rented units, and all of the units will be subject to a Section 106 Agreement.

Site Location

The site is located within the Sabden village settlement boundary, as designated by the Ribble Valley Districtwide Local Plan (DWLP), opposite to the Victoria Mill site currently occupied by Marbill Ltd. The site also lies within the Forest of Bowland Area of Outstanding Natural Beauty, and sits in a hole within the recently adopted Conservation Area within Sabden that surrounds the entire site.

Relevant History

3/2000/0335/P – Phase 1 & 2 Development for Light Industrial/Warehouse – Granted Conditionally.

3/2000/0065/P - Outline Application for extension to existing premises for manufacturing warehousing - Withdrawn.

Relevant Policies

Policy G1 - Development Control.
Policy G4 – Settlement Strategy.
Policy ENV1 – Area of Outstanding Natural Beauty.
Policy ENV7 – Species Protection.
Policy ENV13 – Landscape Protection.
Policy ENV16 - Development within Conservation Areas.
Policy H21 – Affordable Housing – Information Needed.
Policy T7 – Parking Provision.

Policy RT8 – Open Space Provision.
Affordable Housing Memorandum of Understanding (AHMU)
PPS1 - Delivering Sustainable Development.
PPS3 - Housing (June 2010).
PPS5 – Planning for the Historic Environment.
PPS7 - Sustainable Development in Rural Areas.
PPS22 – Renewable Energy.
PPS25 - Development and Flood Risk.

Environmental, AONB, Human Rights and Other Issues

The key issues with regards to this proposal are clearly the three elements proposed as part of this Outline Application, namely the Access, Layout and Scale. In addition, the principle of the development (including both the use of the land for housing, and the type/level of Affordable dwellings), the visual impact of the development (on both the streetscene, on the character of the surrounding area, on the A.O.N.B. and on the adjacent Conservation Area), the impact on highway safety, renewable energy provision and the potential ecological impacts through developing this particular site are also important considerations.

As well as the positive consultee responses, a large number of objection letters have been received in respect of the proposed development. In assessing this scheme, these objections/issues will be covered within this report. Given the distance between the proposed dwellings and any adjacent residential properties, there is not considered to be an impact on the residential amenity of nearby neighbours. The Applicant has submitted a Flood Risk Assessment in line with the requirements of PPS25, and the E.A. have raised no objections.

PRINCIPLE OF THE DEVELOPMENT OF THE SITE

With regards to the principle of the development of the site, we must assess the scheme against the following relevant Districtwide Local Plan (DWLP) Planning Policy G4, and given that we do not have a 5-year supply of housing, this scheme should also be assessed against the criteria of Para 69 of PPS3 - Housing.

Paragraph 69 of PPS3 states that in deciding planning applications, Local Planning Authorities should have regard to (amongst other things):

1. Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups.
2. The suitability of a site for housing, including its environmental sustainability.
3. Using land effectively and efficiently.

With regards to the first point, I will assess this element in further detail later in this report. In relation to points 2 & 3, given the site is underused, centrally located within an existing village setting and that it currently comprises a business space that is considered less attractive to the current market, I am of the opinion that the proposed development complies with the provisions of PPS3. On this basis, whilst Policy G4 of the DWLP notes that 'Planning Permission will only be granted for proposals falling within specific categories such as infill sites or proposals contributing to the solution of a particular local housing need', given that we do not currently have a 5-year supply of housing, it is considered that the criteria of Para 69 of PPS3 – Housing

should take precedence. As such, I am of the opinion that the redevelopment and regeneration of the site is acceptable in principle, subject of course to other material considerations.

LOSS OF EMPLOYMENT

Policy EMP11 discusses proposals for the redevelopment of industrial or employment land, and that they must be assessed with regards (amongst other things), the compatibility of the proposal with other plan policies, the potential economic and social damage caused by loss of jobs in the community and any attempts to secure alternative employment generating use for the site. The Agent has submitted a report from a Chartered Surveyor in respect of the demand for employment uses at the site, which includes a marketing synopsis, a view on the future employment development of the site and a future market analysis, as well as details of the marketing of the site as a whole and in parts over the last two years, with the conclusion that in order to safeguard any commercial accommodation on site, they would recommend retaining Falcon House which could be split and/or sub-divided on a more cost effective basis. Therefore, on the basis of the above information, despite the loss of a large portion of employment generating space from the site, I am satisfied that sufficient attempt has been made to secure alternative uses on the site, and that the Applicant has complied with the above Policy. In addition, given the Applicant proposes to retain some employment element on site, the principle of the development of this site is considered acceptable.

PRINCIPLE OF THE PROPOSAL AND LEVEL OF AFFORDABLE HOUSING PROVISION

As the development of the site in question for housing is acceptable in principle, the development scheme outlined under this application itself must now be considered, and this must be done so again against the criteria of Para 69 of PPS3 – Housing, against the DWLP Policy H21, and against the Affordable Housing Memorandum of Understanding (AHMU).

PPS3 notes that Local Planning Authorities must ensure that developments achieve a good mix of housing reflecting the accommodation requirements of specific groups. On this basis, given the housing types proposed vary from two bed apartments to four bed houses, I consider that the development will achieve a good mix of housing on site, from starter homes through to family homes.

Policy H21 discusses what information must accompany applications for local needs housing development, including details of who the accommodation will be expected to accommodate (which shall include a full survey of the extent of need and include persons who have expressed an interest in the property, and how the cost of the accommodation will be matched to the incomes of these target groups) and details of the methods by which the accommodation will be sold/let, managed and retained (S106 Agreement). In line with this Policy, the Agent has made reference to the above within the Planning Support Statement sent with the application, and in addition has provided additional information to clarify how they considered the scheme would comply with the requirements of H21.

The Affordable Housing Memorandum of Understanding, which was subject to public consultation, and then formally approved by the Health and Housing Committee in July 2009, notes that 'The Council will negotiate the provision of affordable housing on all qualifying housing developments as follows: In all other locations in the borough (aside from Clitheroe and Longridge) on developments of 3 or more dwellings, the Council will require 30% affordable units on site. The Council will only consider a reduction in this level of provision to a minimum of 20% only where supporting evidence, including a viability appraisal fully justifies a lower level of

provision. The number of houses proposed is clearly below both percentages, at only 14% of the number of units on the site, however following the submission of the required viability assessments, which have been subject to an assessment by the District Valuer, and following lengthy discussions with the Agent, Applicant and the Council's Housing Officer, the following conclusion has been made.

The assessment report from the District Valuer (DV) concludes that the appraisals submitted by the Agent show viability for 7 Affordable Units in total, as opposed to the 5 Units initially proposed by the Applicant. However, following sight of the DV's report, the Agent noted that the requirement for a large ballast tank on site, at the request of the Environment Agency, was not included within the Appraisals submitted (at a cost of £50,000). As such they requested that the Council accept a proposal for 6 Units due to this previously unknown cost, and in order to keep the scheme viable. The DV consider that this proposal would be reasonable to accept, given the cost of the flood prevention methods required by the Environment Agency, however the Council's Housing Officer disagrees. Following the provision of additional viability evidence for various affordable housing options on the site, that is 6, 7 and 8 affordable units with the different tenure mixes, the Housing Officer notes that accepting a profit margin of between 15-20% profit is reasonable (quoted within the District Valuer's response to the development in September 2010), and that all of the options fall within this bracket. However in the most recent comments made by the agent, it was stated that only the provision of 6 units provides a reasonable level of return (17.75%), yet provision of 7 units 3 rental and 4 shared ownership only reduces this return by 0.87%. Therefore, the Housing Officer concludes that the preferred provision for affordable housing on the site is 7 affordable housing units, 3 social rent and 4 discounted sale, and that given the information provided, feel this is a reasonable request for the site.

Taking the above into account, and whilst the comments of the Council's Housing Officer are respected, I am of the opinion that having regard to all other aspects and to ensure deliverability of the overall scheme, I am satisfied with the development despite the requisite 20% of affordable units on site.

LAYOUT/ SCALE/VISUAL IMPACT OF THE DEVELOPMENT

The Layout currently submitted was the subject of negotiation due to the impact of the initial scheme on the openness of the site and on the setting and character of Sabden Conservation Area. Policy G1 of the DWLP notes that all development proposals will be expected to provide a high standard of building design and landscape quality, and that development which does will be permitted unless it adversely affects the amenities of the area, with Policy ENV16 of the DWLP noting that in deciding proposals outside the designated area, development will be strictly controlled to ensure that it reflects the character of the area in terms of scale, size, design and materials. The Sabden Conservation Area Appraisal chose not include this site within the newly designated Conservation Area in 2007, however despite this, I consider the openness and views through the site are considered to be important aspects of this particular location within the Conservation Area, and also key elements in agreeing to a proposed layout of the site. In addition, with the key characteristics of housing within Sabden being terraced properties in linear blocks, this was another element considered to be important, and reflected, in the proposed layout, as well as within the scale of the properties proposed. On this basis, the key consideration here is whether or not the impact of the Layout and Scale of the proposed development will be of significant visual detrimental to the setting and character of this location within the A.O.N.B. and the adjacent Conservation Area.

The layout of the proposal comprises of three distinct elements, the two housing courtyards with parking and the office block with parking area, with distinct gaps between the blocks of buildings to allow both the retention of the openness of the site. This also maintains a linear pattern across the site, matching the characteristics of the adjacent residential properties. In doing so, the layout is considered to be simple and effective, creating two distinct residential zones on site, with the business element now separated from the residential area with access only from Whalley Road over the existing bridge. In addition, following discussions with the agent, the blocks of dwellings now include chimney stacks to not only break up the floorscape of the units, but to also blend in with the traditional terraced roofscape visible nearby. On this basis I am satisfied that the layout of the scheme will be seen in an acceptable context with the existing residential buildings adjacent to the site, and will not be to visual detriment of the setting or character of the A.O.N.B. or the Sabden Conservation Area, either at this location or as a whole.

With regards to the proposed scale of the dwellings/apartments, whilst the majority of the units proposed are two storey in height, the scheme also includes two and a half and three storey units within the site. There are examples of dwellings/properties of this height within Sabden, and as the properties proposed are situated within what will be an enclosed site (due to the retention of the existing boundary wall and screened from Whalley Road by the existing mature trees outside the site boundary) as opposed to on frontages readily visible from the main highway through Sabden, Whalley Road, I am satisfied that the Scale of the buildings proposed are acceptable and have been designed to match the general built form of Sabden (stone and render with a slate roof, and as such I do not consider that the Scale proposed will be to visual detriment of the setting or character of the A.O.N.B. or the Sabden Conservation Area, either at this location or as a whole.

As such, the proposal as a whole is considered to be sympathetic to the character of the village of Sabden, will have a negligible impact on the setting and character of the Conservation Area and will have an acceptable visual impact on the setting and character of this location within the A.O.N.B.

ACCESS/HIGHWAY SAFETY ISSUES

With regards to the accesses to the site, and concerns on the impact of the scheme on highway safety, the LCC Traffic and Development Engineer noted, in respect to the amended site plan dated the 7th of July 2010, that the layout of the parking and the access road provides for safe two way movements throughout the proposed development, and that in view of the alterations from the previous scheme to this, he raises no objections to the proposed development on highway safety grounds. Since then, and in order to provide improved access and manoeuvrability on site for refuse vehicles, the layout has been revised slightly with the removal of some areas of landscaping and a reduction in the number of parking spaces from 78 to 76. These alterations were verbally agreed with the LCC Traffic and Development Engineer, who is satisfied that this level of provision will still secure safe and convenient parking for the proposed dwellings and is in line with current standards. His formal confirmation of this will be reported at Committee.

ECOLOGICAL IMPACTS

The Countryside Officer notes that the tree survey submitted with the application identifies everything from an arboricultural perspective including root protection areas, however he raises concerns as to the potential tree resentment issues that are likely to arise as a consequence of the proximity of the proposed apartment blocks to the trees identified 8 to 21 inclusive. On this

basis, he has requested further details to be submitted regarding the root protection areas of the trees and proposed fencing during construction works, prior to work commencing.

RENEWABLE ENERGY PROVISION

In line with the Central Government commitment towards energy sources, the requisite planning condition is included so that the developer must submit a scheme identifying how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods to be approved in writing by the Local Planning Authority prior to the commencement of the development.

OTHER ISSUES

Having discussed the scheme with colleagues in the Environmental Health Department, they note that whilst the Preliminary Risk Assessment regarding contaminated land is satisfactory, they concur with the recommendations that that a Phase II intrusive investigation and a Type 3 Pre Demolition and Major Refurbishment Asbestos Survey be undertaken, and that written Reports of these investigations, complete with proposed remedial works and method statements, should be submitted to the Planning Authority for approval prior to the commencement of works. In addition, they note the close proximity of Falcon House to residential properties, and that the proposed location and nature of all future installations of fixed plant and equipment should be submitted in writing for approval by the Planning Authority. They also suggest that HGV deliveries to and from Falcon House should be restricted to working day time hours, between 07.00 am and 21.00, to safeguard residential amenity.

With regards to Lancashire County Council's request for planning contributions relating to waste management, the Applicant has noted he is happy to make the contribution of £23, 520.00 in respect of waste management issues.

Finally, whilst the scheme does not offer any public open space facilities, nor does it suggest a contribution towards off-site facilities within the planning application, as Policy RT8 'Open Space Provision' of the DWLP only covers residential sites of over a hectare, and the application site is 0.99 hectares in size; I do not consider that there is a requirement to request for on-site public open space provision. However, I have discussed the matter with the applicant and he is unlikely to object to a financial contribution towards maintenance of adjacent public open space in view of the waste management contribution.

Therefore, whilst I am mindful of the points of objection from nearby neighbours, the views of the Council's Housing Officer and that the scheme will be at variance with the Affordable Housing Memorandum of Understanding: given that the scheme seeks to deliver improved, modern B1 development space, capable of supporting and strengthening the local economy, coupled with the delivery of a mix of housing on a centrally located site within an existing village setting, all whilst taking into account the heritage conservation interests of the site, I am of the opinion that the proposed mixed use, redevelopment and regeneration of the site should be supported and I recommend accordingly.

The site is underused, centrally located within an existing village setting and that it currently comprises a business space that is considered less attractive to the current market, I am of the opinion that the proposed mixed use, redevelopment and regeneration of the site is acceptable, and I recommend 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 Committee be minded to approve the application subject to the following conditions and therefore DEFER AND DELEGATE to the Director of Development Services to negotiate the satisfactory completion of a Section 106 Agreement to deal with how the six units proposed will be delivered as affordable housing units in the future, and to secure the requisite planning contributions.

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 read in accordance with the Section 106 Agreement dated...

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

3. The permission shall relate to the development as shown on Plan Drawing No's 3906 – 35 Rev. C and 3906 – 36 Rev A.

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

4. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 20 October 2010.

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

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

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

6. 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 4 October 2010, including the carrying out of an additional dawn survey prior to the commencement of the demolition of the buildings on site.

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.

7. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services details of root protection areas and protective fencing shall be submitted and agreed in writing. The details shall also include a tree protection-monitoring schedule.

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

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

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

REASON: In order to ensure that any tree affected by development and included in the Sabden Conservation area is afforded maximum physical protection from the adverse affects of development. In order to comply with Policies G1 and ENV13 of the District Wide 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 associated with increasing the impermeable surface area of the site.

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

1. A site investigation scheme, based on the Preliminary Risk Assessment (Phase 1 Desk Study) for Land at Cobden Mill, Sabden, by LK Consult Ltd (referenced CL1574, dated December 2009), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
2. The site investigation results and detailed risk assessment (i) and, based on these, an options appraisal an 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 (ii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

REASON: To ensure that the development does not pose a risk of pollution to controlled waters.

10. 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.

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

11. 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. In accordance with PPS25 surface water should not be allowed to discharge to foul/combined sewer. This prevents foul flooding and pollution of the environment.

12. 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 inspecting of matters of archaeological/historical importance associated with the site.

13. Prior to the commencement of built development, further details of the proposed 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.

14. The car park shall be surfaced or paved in accordance with a scheme to be approved in writing by the local planning authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the development.

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

15. All fixed plant and equipment shall be installed in accordance with the manufacturer's instructions, and be acoustically mounted and or screened to minimise noise generation.

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 residential amenity.

16. HGV deliveries to and from Falcon House should be restricted to working day time hours, between 07.00 am and 21.00, Monday to Friday, and there shall be no deliveries on Saturdays or Sundays.

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 residential amenity.

17. 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.

INFORMATIVES

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of Sabden Brook, which is designated as a 'Main River'. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 metres of the top of any bank/retaining wall of the watercourse without the prior written Consent of the Environment Agency. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted for consideration.

The Environment Agency has a right of entry to Sabden Brook by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 Of the same Act. The developer must contact Colin Worswick on (01772) 714259 to discuss access requirements and apply for Consent.

Surface water run-off can be managed through the use of sustainable drainage systems (SUDS), and the Environment Agency advocates their use. SUDS are a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands that attenuate the rate and quantity of surface water run-off from a site, and contribute to a reduced risk of flooding. SUDS offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal, which encourages a SUDS approach. Further information on SUDS can be found in the following documents:

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

The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS, and is available on both the Environment

Agency's website (www.environment-agency.gov.uk) and CIRIA's website (www.ciria.org.uk).

The Environment Agency also recommend that the developer considers the following methods:

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

In line with comments from United Utilities, the site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the watercourse (Sabden Brook) and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system, United Utilities may require the flow to be attenuated to a maximum discharge rate determined by them.

The applicant must discuss full details of the site drainage proposals with John Lunt of United Utilities on (01925) 537174. In addition, if any sewers on this development are proposed for adoption then the developer should contact the Sewers Adoptions Team of United Utilities on (01925) 428273.

The E.A. also recommend that the Applicant surveys the site for Japanese knotweed (*Fallopia japonica*) as this is known to occur along Sabden Brook. Japanese knotweed is listed under Schedule 9 of the Wildlife & Countryside Act 1981 (as amended) making it an offence to plant. Or cause it to spread, in the wild. If Japanese knotweed is found to be present on site, an eradication plan should be compiled and successfully implemented prior to any works taking place on site.

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>
3/2010/0396/P	Application to vary conditions of application 3/2009/0791 in relation to Conditions 4, 5, 6, 7, 8, 9, 11 and 12 to offer greater flexibility on the site at land	Barrow Brook Barrow
3/2010/0414/P	Part discharge condition 6 – landscaping, 19 – surface water, 21 on-site contamination and 26 – renewable energy relating to the single phase of development	AFAF Building Samlesbury Aerodrome Balderstone
3/2010/0465/P & 3/2010/0466/P	Demolish small lean-to at rear; replace door and windows; unblock internal cart door; insert two toilets and staircases; repair defective roof timbers; alter one roof truss in shippon; re-roof using existing materials; install 3No roof lights at rear and stitch cracks in both gable walls (LBC). Change of use of barn and shippon to meeting rooms and creation of informal car park to north side, all for the applicants use (PA)	Pimlico Farm Barn Pimlico Road Clitheroe
3/2010/0572/P	Erection of one holiday dwelling at land adjacent	Dovecote Tearooms Mill Lane, Waddington
3/2010/0609/P	Extension above the existing garage conversion	14 St Chads Avenue Chatburn
3/2010/0615/P	Brick infill part existing structural opening on front elevation and install new sliding folding doors and screen	Stonebridge Garage Kestor Lane, Longridge
3/2010/0634/P	Proposed front and rear dormer extensions and single storey rear extension	59 Preston Road, Longridge
3/2010/0650/P	Proposed new roof to front bay windows and porch, proposed balcony extension to first floor rear elevation and internal alterations to form one dwelling	23/25 Mitton Road Whalley
3/2010/0669/P	Proposed classroom and office extension	Blackburn Rovers Academy Brockhall Village Old Langho, Blackburn
3/2010/0670/P	Proposed single storey extension to the rear and two-storey extension to the side (Re-submission)	26 Limefield Avenue Whalley

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0676/P	Proposed three car garage and replacement stables/store	Higher Commons Farm Longsight Road, Balderstone
3/2010/0677/P	Double sided non-illuminated hanging sign (Re-submission)	Kitchen Green Farm Preston Road, Ribchester
3/2010/0678/P	Single storey side extension to form carport and workshop	26 Newlands Avenue Clitheroe
3/2010/0681/P	Application for the discharge of condition no. 2 (landscaping details) of planning consent 3/2010/0213/P	Foxfield, Alston Lane Longridge
3/2010/0682/P	Proposed extension of domestic garage	Salthill Villa Salthill Road, Clitheroe
3/2010/0684/P	Rear conservatory	Lower Standen Hey Whalley Road, Pendleton
3/2010/0692/P	Balcony to rear with new mono pitch hipped roof to front bay window and new stone facings with quoins, heads and cills to the windows/doors	Holly Mount West Bradford Road Waddington
3/2010/0694/P	Conversion of existing garage into granny annex	The Conkers Dewhurst Road, Langho
3/2010/0697/P	Proposed single storey rear extension	6 Windsor Close Read
3/2010/0702/P	Application for non material amendment to planning consent 3/2010/0025/P to alter the design for the approved rear sitting room windows and large glazed screen (west elevation), to alter the design for the approved new rear snug windows on the north elevation and to obtain approval to form an ancillary slot window and single access door to the existing garage also on the north elevation	Hodgson Barn Slaidburn Road Waddington
3/2010/0703/P	Proposed rear dormer	25 Westfield Drive West Bradford
3/2010/0705/P	Revised application for approved scheme 3/2009/0753/P change of use from a barn to a dwelling	Moor House Farm Clitheroe Road Knowle Green
3/2010/0708/P	Proposed first floor dormer bedrooms front and rear with a conservatory to the rear elevation	23 Crowtrees Road Sabden
3/2010/0709/P	Application for the discharge of condition no. 3 (details and colours of mast) of planning consent 3/2009/1017/P	Readwood Stables Back Lane, Read
3/2010/0715/P	Creation of a temporary vehicular access from The Skaithe into adjacent field and erection of 2 no. 5-bar wooden gates measuring 6m x 1.5m high	land to the North of Beckside Cottages Slaidburn

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0716/P	Temporary widening of existing access from B6478 into adjacent field from 3m to 6m and erection of 2 no. 5-bar wooden gates measuring 6m x 1.5m high	land off B6478 adjacent Little Dunnow Wood Slaidburn
3/2010/0717/P	Change of use of an existing annex building to a separate residential dwelling	27 Railway View Road Clitheroe
3/2010/0718/P	Proposed installation of solar photovoltaic panels on south facing roof slopes of utility room, cloakroom and out-house	The Barn George Lane Read
3/2010/0724/P	Front dormer extension	9 Homeacre Avenue Sabden
3/2010/0725/P	Application for the discharge of condition no. 2 (plaque fixings) of planning consent 3/2010/0088/P	Brabin's Old School 27 Windy Street Chipping
3/2010/0726/P	Application for the discharge of condition no. 2 (plaque fixings) of planning consent 3/2010/0087/P	Brabin's Shop 20-22 Talbot Street Chipping
3/2010/0736/P	Partial demolition and alterations to existing outbuildings to form a self contained annex residential unit and workshop	Mere Syke Farm Wigglesworth
3/2010/0739/P	Single storey rear extension	30 Park Avenue, Clitheroe
3/2010/0744/P	Replacement gates	Thorneyholme Roman Catholic Primary School Dunsop Bridge
3/2010/0803/P	Installation of new air purification system and ancillary pointwork and ducting	Jones Stroud Installations Queen Street, Longridge

APPLICATIONS REFUSED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2010/0326/P	Proposed level access and 2no. steps including handrails externally providing means of access for disabled persons into public building	2 Market Place Clitheroe	G1, ENV16, ENV19 & PPS5 – Prominent and incongruous feature to the visual detriment of the character and appearance of the Listed Building and Clitheroe CA.
3/2010/0375/P	Application for outline planning permission for a proposed new dwelling at land adjacent	Davis Gate Farm Clitheroe Road Dutton	G1, G5, ENV3, H2 – Unjustified new dwelling in the open countryside to the detriment of the visual amenities of the area.

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2010/0555/P	Proposed level access and 2no. steps including handrails externally providing means of access for disabled persons into public building	2 Market Place Clitheroe	G1, ENV16, ENV19 & PPS5 – Prominent and incongruous feature to the visual detriment of the character and appearance of the Listed Building and Clitheroe CA.
3/2010/0619/P	Proposed two-storey side extension	26 Mearley Syke Clitheroe	G1, H10, SPG – <ul style="list-style-type: none"> • Dominant extension to the visual detriment of the property and street scene. • Detrimental impact upon highway safety
3/2010/0683/P	Two-storey rear extension built over the existing single storey kitchen at	3 St James Street Clitheroe	G1, H10, and SPG “Extensions and Alterations to Dwellings” – Loss of light to the detriment of neighbouring amenity.
3/2010/0688/P	Single storey front extension to form disabled facilities, meeting room, kitchen and disabled ramp from the existing car park. Resubmission	Chipping Congregational Church Garstang Road Chipping	The proposed extension would be harmful to the character and significance of the historic church because of its incongruous and dominating scale, materials, wall opening design, roof design, the obscuring of important historic features of the church and prominent siting.

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2010/0691/P	Proposed two-storey side extension and dormer window to rear elevation	7 Hillside Drive West Bradford	G1, H10, SPG – <ul style="list-style-type: none"> • Dominant extension to the visual detriment of the property and street scene. • Loss of privacy to neighbouring resident.
3/2010/0698/P	Demolish the existing garage and build a two-storey side extension	24 Stubbins Lane Sabden	G1 - Detrimental impact upon highway safety.

SECTION 106 APPLICATIONS

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

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

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0633/P	Proposed steel framed building for storage of muck	Lower Lees Farm Cow Ark, Clitheroe
3/2010/0791/P	Proposed covering of farmyard manure area to control contaminated run-off	Halsteads Farm Grindleton Road West Bradford

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

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0788/P	Agricultural Housing	Dean Farm Sabden

CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0743/P	Application for a certificate of lawfulness for the proposed erection of a conservatory to the rear of the property	1 Police Houses Main Street, Gisburn

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995

PARTS 6 & 7 PRIOR NOTIFICATION OF AGRICULTURAL AND FORESTRY BUILDINGS AND ROADS PRIOR APPROVAL REQUIRED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0782N	Cover over silage clamp	Micklehurst Farm Clitheroe Road Bashall Eaves

APPLICATIONS TO BE DETERMINED BY LANCASHIRE COUNTY COUNCIL

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0781/P	Installation of a hardstanding with planting areas, pergolas (x2) and seating	Pendle Primary School Princess Avenue Clitheroe

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	-	APPEAL DISMISSED 18.10.10
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	-	Awaiting site visit
3/2010/0249 O	8.9.10	Mr John Rowley Construction of detached bungalow in garden area of Hill Top Bungalow Copster Green	WR	-	Awaiting site visit

LEGEND

D – Delegated decision C – Committee decision O – Overturn