

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

Agenda Item No

meeting date: THURSDAY, 17 MARCH 2011  
title: PLANNING APPLICATIONS  
submitted by: DIRECTOR OF DEVELOPMENT SERVICES

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

APPLICATION NO: 3/2010/0741/P (GRID REF: SD 377036 436496)  
ADAPTION AND RE-USE OF BARN TO FORM ONE DWELLING AND ONE HOLIDAY  
COTTAGE AT COBDEN FARM, WATT STREET, SABDEN, LANCASHIRE, BB7 9ED.

PARISH COUNCIL: No objections.

LCC HIGHWAYS OFFICER: No objections in principle to the application on highway safety grounds, subject to the implementation of two suggested Conditions.

LCC PLANNING OFFICER (ARCHAEOLOGY): The LCC Planning Officer considers that the proposed conversion will have an impact on the historic character and appearance of the building that may result in the loss of some historic fabric. However if the Local Planning Authority is minded to approve, given its historical interest the approval should include a building recording and analysis condition.

ADDITIONAL REPRESENTATIONS: Seven letters of objection have been received from nearby neighbours who wish to raise the following points of objection:

1. The applicants are not legal owners of parts of the access track to the site, we (the legal owners of those parts) would not grant them use of the track to access this development.
2. Increased Traffic - Dangerous to vehicular and pedestrian safety, and cause damage to the track.
3. A previous application required a condition for passing places and signs on the way up to the site, and we expect this to be the case again.
4. Forms appear incorrect as the site CAN be seen from a Public Footpath (Q24).
5. Concern regarding the use of a Private Spring as this supply is low at certain times in the year, and would not therefore be adequate for more dwellings.
6. Sabden already has a number of holiday lets for sale, so if this proposal does not work out, will it be sold as another dwelling?

Six letters of support have also been received from occupiers of nearby dwellings and businesses, who wish to raise the following points of note:

1. I am not aware of any such problem regarding water
2. I am not aware of any such problem regarding access.
3. The owner stipulates they have full time/unlimited access to/from the site, and have done for over 50 yrs.
4. When Cobden Farm was running at full capacity, all number of large vehicles ran daily up and down the track, and this has now decreased substantially.
5. In converting this redundant barn that is falling into disrepair, it will a great improvement.
6. This location would be the perfect location to fill the gap in self-catering accommodation.
7. The influx of tourists to Sabden will surely be of benefit to the local shops, pubs, eating places etc.
8. In the current climate it is good to see diversification, which can only be good for the local community.
9. The additional holiday let will supplement the B&B business within the adjacent Cobden Farm.

The Applicant has also sent a letter of support in principle from the Council's Tourism & Arts Officer, who notes that the 'proposed self-catering addition to the Cobden Farm B&B accommodation would be a valuable addition to the Ribble Valley'.

### **Proposal**

This application seeks approval for the adaptation and re-use of Cobden Farm Barn to form one dwelling and one holiday cottage. As well as the various works involved in the conversion of the building, the scheme also includes intensive earth works to the southeast of the building (due to the land being banked directly up to the wall), the demolition of an outbuilding, the creation of a defined curtilage area and the creation of parking areas surrounding the building.

### **Site Location**

The site is located within the Forest of Bowland Area of Outstanding Natural Beauty, approx. ¾ mile south of the village boundary of Sabden, as defined by the Ribble Valley Districtwide Local Plan.

### **Relevant History**

3/2003/0767/P – Change of Use of Agricultural Barn to form 3no Holiday Lets (Re-Submission) – Granted Conditionally.

3/2003/0052/P - Change of Use of Agricultural Barn to form 3no Holiday Lets - Refused.

## **Relevant Policies**

Policy G1 - Development Control.  
Policy G5 - Settlement Strategy.  
Policy ENV1 – Area of Outstanding Natural Beauty.  
Policy ENV7 – Species Protection.  
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 RT1 – General Recreation and Tourism Policy.  
Policy RT3 - Conversion of Buildings to Tourism Related Uses.  
PPS3 – Housing (June 2010).  
PPS5 – Planning for the Historic Environment.

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

The main issues with this application relate to the principle of the development, what affect the proposed change of use and the external/internal alterations may have with regards to its visual impact on the barn, any potential impact on the residential amenity of the adjacent property, any potential impact on habitats and any potential impact on highway safety.

### PRINCIPLE OF THE DEVELOPMENT

With regards to the creation of the residential dwelling within the barn, guidance is provided within Policy H2 of the Local Plan, which notes “Outside the settlement boundaries, residential development will be limited to the appropriate conversion of buildings to dwellings, provided they are suitably located and their form, bulk and general design are in keeping with their surroundings. Also, that they structurally sound and capable of conversion without the need for complete or substantial reconstruction”.

With regards to the creation of the holiday let within the remainder of the building, guidance is provided within Policy RT3 of the Local plan, which notes “Planning permission will be granted for tourism related uses in rural buildings providing all the following criteria are met:

- i The proposed use will not cause unacceptable disturbance to neighbours.
- ii The impact of the proposal or additional elements likely to be required for the proper operation of the building will not harm the appearance or function of the area in which it is situated.
- iii The access to the site is of a safe standard or is capable of being improved to a safe standard without harming the appearance of the area.
- iv The design of the conversion should be of a high standard and be in keeping with local tradition, particularly in terms of materials, geometric form and window and door openings.

Additional advice is also provided by Policy H15 of the Local Plan, which notes that “The conversion of appropriate buildings within settlements or which form part of already defined groups is acceptable”, however this is providing that there would be no materially damaging

effects on the landscape qualities of the area, and Policy H16 which notes that “the building must be structurally sound and capable of conversion, without the need for extensive or major alterations which would adversely affect the character or appearance of the building”, and that “the character of the building and its materials are appropriate to its surroundings and the building is worthy of retention”.

Finally, Policy H17 discusses the finer points of the conversion of a building, noting that it must of a high standard and in keeping with the local tradition, and it also notes that “Most farm buildings have unbroken roof spaces, a limited number of windows and largely open interiors. Too many doors and windows, the insertion of dormers, roof lights and chimneys and the alterations of roof trusses will devalue the character of traditional farm buildings and that of the surrounding environment.”

The building is also considered to be a Heritage Asset (see PPS5) and have historical interest, showing the development of the building in response to changing agricultural practices. The Agent has submitted limited information within the Planning Support Statement regarding the proposed conversion and its effect on the historic character of the building, in line with PPS5: Planning for the Historic Environment, and this is an important material consideration when assessing this application. With respect to PPS5, the following Policies and their considerations are relevant:

- Policy HE7.1 states that ‘such identification and assessment of the particular significance of each element of the historic environment is fundamental to decision making’.
- Policy HE7.4 requires consideration of the sustaining and enhancement of the significance of heritage assets and of the consideration of the positive role of heritage assets in place-shaping.
- Policy HE 9.1 states that: “there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated asset, the greater the presumption in favour of its conservation should be. Once lost, heritage assets cannot be replaced and their loss is 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”.
- Policy HE9.4 states that “Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases local planning authorities should:
  - (i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long term conservation) against the harm; and recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss”; and
  - (ii) recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss”.

Taking into account all the above Policies and guidance, with regards to the principle of the development, given:

- the location of the barn adjacent to what the main dwelling Cobden Farm;
- that this proposal will help secure the optimum viable use of the building (in line with PPS5);
- that the structural survey provided with the application notes it is structurally sound and capable of conversion without the need for substantial reconstruction;
- the existing access road up to the site is considered acceptable providing minor alteration are made; and
- that the design now proposed, following detailed discussion with the Agent, is now considered acceptable

having assessed the scheme in regards to Policies G1, G2, H2, H15, H16, H17, RT1 and RT3, I am satisfied that the principle of the scheme is acceptable.

#### VISUAL IMPACT ON THE CHARACTER AND SETTING OF THE BARN

The original plans submitted within the application were considered to be unacceptable due to the adverse number of new openings, the lack of use of the existing ones, the inappropriate glazing proposed, the slight alterations in levels to the front elevation of the building (including adding a dwarf wall) and the removal of the existing wall to the eastern corner of the building. However, following discussions with the agent, a more sympathetic approach has been adopted. The scheme now includes the utilisation of the existing openings in the building, five new 'window' openings that include:

- one large opening in the SE facing elevation (hidden by the banked area adjacent and includes recessed glazing) at ground floor level;
- one opening in the SE facing elevation at first floor (in place of a smaller opening in the this elevation not to be re-used);
- and two in the front (NE) elevation of the building within areas of the building that require rebuilding due to cracking within the structural walls (these sections will be re-built as part of the conversion).

The scheme also proposes a large additional section of glazing within the SW elevation of the roof (to the rear), however this section will be a flush fitted window in a slate grey frame with non-reflective and tinted glazing, the visual impact is kept to a minimum. The scheme also utilises all the existing openings within the roof to incorporate Conservation Type velux windows, with all other windows and doors in timber, and set back within the openings ensuring the existing features are clear.

The other major works involved include the excavation of a large amount of land to the SE of the building, in order to gain access around the building and to provide the required amenity space for both units without being affected by the access track that runs past the NW gable end, and also the removal of a single storey building to the SW elevation. Both of these elements of

the scheme retain the historic setting of the building, whilst at the same time providing the required parking provision for both units. More importantly, the retention of the wall to the eastern corner of the building, which is considered an important feature of the building. On this basis, the design of the scheme is considered to comply with Policies H16, H17 and RT3, and will have an acceptable impact on the character and setting of the existing barn, nor will it have a detrimental visual impact on the location, as viewed from the adjacent Public Right of Way that runs through the site.

#### VISUAL IMPACT ON THE AONB

In respect of the visual impact on the AONB and the adjacent open countryside, the character and form of the building has been retained by virtue of the sympathetically proposed conversion scheme. In addition whilst the excavation work opens up the SE elevation of the building, the proposed retaining wall and the use of the existing land levels ensure that the site remains relatively enclosed, and will have an acceptable visual impact when viewed from the adjacent Public Right of Way that runs through the site. As such, the scheme is considered visually acceptable.

#### IMPACT ON RESIDENTIAL AMENITY

With regards to any potential impact on the residential amenity of the occupiers of the nearby properties, there are no windows that overlook any existing areas of amenity space or indeed that face onto existing habitable room windows. The newly excavated private amenity area will be shielded by the newly landscaped area and retaining wall to the SE, and as such I do not envisage that the use of the amenity area to the side of the converted building will cause a significant impact on the amenity of the occupiers of the adjacent dwellings.

#### IMPACT ON HABITATS

In respect of the potential impacts on existing habitats at the site, I have discussed the bat survey submitted with the application with the Countryside Officer, and we are satisfied that conditions can be placed upon this proposal to enable the safe control of the future development of this site as per the proposed scheme.

#### IMPACT ON HIGHWAY SAFETY

Finally, in regards to any potential impact on highway safety, the Traffic and Development Engineer has raised no objections to the scheme, noting that the renovation of the existing building to form a four bedroom private dwelling and a one-bedroom holiday let will have no material highway implications beyond a marginal increase in occupancy. It is also noted that the allocation of the available parking provisions has been defined to show that three spaces are allocated for use by residents of the private dwelling, with one space being available for use by occupants of the holiday let.

The main focus of objection to this proposal lies with the concerns of the development on pedestrian and vehicular safety along the access track up to the site. Indeed, in providing his original views on the scheme the LCC Highways Officer had not initially specified any additional amendments to the scheme or the access track up to the site (as requested via Condition with the previously approved conversion of the building to three holiday lets) as he considered the approach provided clear forward visibility, coupled with vehicle speeds being particularly low as a result of the gradient and the condition of the access track. In addition, he also thought that

the terrain limits the possible locations for any passing places, with the land falling away sharply from the track in various places.

It is documented that following him re-visiting the site at the bequest of a number of the objectors, he revised his original comment (dated 03 December 2010) with a request to include the previous Condition attached to the 3/2003/0767/P Application, noting that "these Conditions required the provision of warning signs in advance of the bridge over Sabden Brook; extending hard standing to an area of local widening to the west of Lower Croft Bungalow; the introduction of two passing places, one within the limits of Cobden Farm and the other to the east of the farm, to be placed on the south side of the track before the sharp drop leading to the entrance for Hillside Farm", and that "The implementation of these existing Conditions would resolve any highway concerns associated with the proposed development".

Having discussed this proposed Condition with the Agent for the Applicant, they sent a letter in, dated 3 February 2011, outlining concerns regarding the relevant use of this suggested Condition in relation to this application, particularly in regards to the likelihood or ability of the applicant to be able to discharge a given condition, noting that *'Any condition must be consistent with advice within Circular 11/95. We know the objectors control the land in question (required for at least one passing space) and therefore the likelihood of the applicant being able to discharge the condition and therefore implement the consent is negligible. The Circular is clear that conditions should not 'place unjustifiable burdens on applicants' (Para 14). More importantly, Paragraph 37 urges caution in such circumstances. A Grampian style condition, referring to land outside the red edge and outside the applicants' ownership can only be imposed if the authority 'are satisfied that the applicant has sufficient control over the land to enable those works to be carried out'.*

The Highways Officer noted the Agent's references to Circular 11/95, "The Use of Conditions in Planning Applications" and recognised that some elements of the conditions from 2003 would be at variance with the above Circular. In order to address these concerns, he re-visited the site to confirm the requirements for access to land and property and the priority that should be placed on the quoted conditions. As a result of these further investigations, he has revised his views as follows.

It is apparent that on the length of access road between Cobden Farm and Hillside Farm, there is no direct access available to the adjacent fields; to the south there is an uninterrupted stock fence, and to the north, the steep terrain does not permit entry from agricultural traffic. Therefore, the proposed requirement to provide a passing place, identified as location 5 on the plan from the 2003 application, is not a necessary requirement as the only vehicular activity on this length will be that generated from Cobden Farm. With this in mind, the provision of a passing place close to the entrance to Cobden Farm (identified as location 6 on the plan from the 2003 application) remains a requirement. This is on land identified within the red edge. A suitable feature, designed to accommodate both two-way movements and to act as a turning head should be introduced, as this would remove the necessity for vehicles to reverse along this narrow and precipitous section of the access road. The remaining items quoted from the plan from the 2003 application, while they would bring benefits, these would be marginal and are not essential to the safe and efficient movement of vehicles and pedestrians in this vicinity or the commercial viability of the adjacent land. It remains the case that vehicle speeds are low by virtue of the physical characteristics of the access road and there is a responsibility on the part of motorists to adapt their driving to the appropriate type and condition of road. When accessing Cobden Farm, this should include travelling at an appropriate, low speed and to be aware that the access road is also designed to serve a location of commercial agricultural activity.

On this basis, providing the relevant Highway Condition's suggested by the Highways Officer are attached, he raises no objection to the scheme from a highway safety point of view.

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

#### SUMMARY OF REASONS FOR APPROVAL

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

RECOMMENDATION: That planning permission be GRANTED subject to the following 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 Reference No's 4047 – 01C and 4047 – 02D.

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, plan and revised details received on the 1 October 2010, 19 November 2010, 22 November 2010 and 7 January 2011.

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

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

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

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

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



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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1, ENV1 and H17 of the Ribble Valley Districtwide Local Plan.

7. This permission shall relate to the proposed conversion in accordance with the structural survey submitted as part of the application and dated 22 November 2010. Any deviation from the survey may need to be the subject of a further planning application.

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

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

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

9. All new and replacement door and window head and sills shall be natural stone to match existing.

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

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

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

11. 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 10 June 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.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2010 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the dwelling, and any future additional structures, hard standing or fences including any development within the curtilage, as defined in Schedule 2 Part 1 Classes A to H and Part II Class A shall not be carried out without the formal written consent of the Local Planning Authority.

REASON: In order that the Local Planning Authority shall retain effective control over the site to ensure the future protection of the character and appearance of the building in compliance with Policies G1, ENV1 and H17 of the Ribble Valley Districtwide Local Plan.

13. 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 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 H17 of the Ribble Valley Districtwide Local Plan.

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

REASON: In order to comply with Policies G1, G5, ENV1, RT1 and RT3 of the Ribble Valley Districtwide Local Plan.

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

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

REASON: In the interests of the amenity of the area and to comply with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan.

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

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

17. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage to a private treatment plant has been submitted to 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.

18. Details shall be submitted to and approved in writing by the Local Planning Authority for the creation of a passing and turning area within land at Cobden Farm, on the south east side of the access road. This is to be an area of hard standing, designed to provide local widening to allow the two-way movement of vehicles. In addition, it should be of sufficient dimension to act as a turning head, enabling vehicles to avoid a potentially hazardous reversing manoeuvre along the access road or to have to turn within the yard at Cobden Farm.

REASON: In the interest of highway safety.

19. No part of the development hereby approved shall commence until a scheme referred to in Condition 18 has been constructed and completed in accordance with the scheme details. This is required to insure that traffic generated by the development does not exacerbate unsatisfactory highway conditions.

REASON: In the interest of highway safety.

#### INFORMATIVES

1. The foul drainage from the proposed development shall be discharged to a septic tank and soakaway system which meets the requirements of British Standard BS6297:1983, there shall be no connection to any watercourse or land drainage system and no part of the soakaway system is situated within 10m of any ditch or watercourse or within 50m of any well, borehole or spring.
2. Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency may be required for any discharge of sewage or trade effluent into water including groundwater and may be required for any discharge of surface water liable to contamination of such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant or into waters which are not controlled waters. Such consents must comply with the requirements of the Groundwater Regulations 1998 including prior investigation, technical precautions and requisite surveillance and may be withheld. (Controlled waters include rivers, streams, groundwater, reservoirs, estuaries and coastal waters).
3. The applicant is advised of the need to comply with the Private Water Supplies Regulations 1991. Prior to occupation of the building they should contact the Council's Environmental Health Section to ensure that the water supply is wholesome.
4. The granting of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpath 80 in the Parish of Sabden runs through the site.

APPLICATION NO: 3/2010/0795/P

(GRID REF: SD 373394 436312)

PROPOSED NEW DWELLING TO THE REAR OF WELLSPRINGS HOUSE (RESUBMISSION)  
ON LAND AT THE REAR OF WELLSPRINGS HOUSE, WOODLANDS DRIVE, WHALLEY

PARISH COUNCIL: The Parish Council has no observations regarding the amended features in the proposed new dwelling. However, the principle of building more settlement in an area in which the present infrastructure is unable to cope, needs to be addressed.

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

ADDITIONAL  
REPRESENTATIONS: Two letters have been received from nearby residents who objected to the application as originally submitted on the following grounds:

1. The two-storey part of the proposed house is only 6m away from the rear of one of the neighbouring dwellings. The building will be visible from all rear windows of this neighbouring property which presently have a view of trees, gardens and the church.
2. Contrary to what is stated in the application, the proposal will have a seriously overbearing effect on neighbouring dwellings.
3. Loss of light to adjoining houses and gardens.
4. The proposed boundary fence is higher than necessary.
5. Loss of view.
6. Devaluation of neighbouring dwellings.

### **Proposal**

I consider it important to consider this application (as amended) within the context of previous applications relating to this site.

In 1992 application 3/91/0732/P for a detached two storey house on this site was refused by the Planning and Development Committee in accordance with the officer's recommendation for reasons relating to an over intensive form of development that would be detrimental to the amenities of neighbouring dwellings by virtue of the distance between the dwellings resulting in over shadowing and loss of light; and resulting in an increased use of the existing access to King Street to the detriment of highway safety.

The Committee, however, requested that the Planning Officer investigated whether a revised dwelling with a reduced size might be more appropriate.

A subsequent application in which some minor improvements had been made was submitted under reference 3/92/0187/P. The officer recommended to the Committee that the resubmitted application was still unacceptable and should be refused for the same two reasons as the previous application plus a third reason relating to the setting of an unacceptable precedent.

That recommendation, however, was overturned by Committee and planning permission was granted subject only to the standard five-year commencement. Development, however, was not commenced and that permission lapsed in April 1997.

Application 3/2009/0752/P sought permission for a dwelling of similar size, siting and design as the previously approved dwelling, except that no garage was proposed in that application, but two parking spaces were shown in front of the dwelling.

The dwelling in application 3/2009/0752/P had been designed so that it only had obscured glazed windows in its side elevations. There would therefore be no effects on the privacy of adjoining properties in Woodlands Drive or Chapel Close; and the windows in the front and rear elevations would not have any seriously detrimental effects on the privacy of any other properties.

However, (in common with the opinion of the officer who dealt with the previous application in 1992) it was considered that, due to the location of the plot, the siting of a two storey dwelling upon it would have a seriously overbearing and overshadowing effect on Nos 1 and 3 Woodlands Drive.

The actual building site is just outside the Conservation Area and the dwelling proposed in 3/2009/0752/P was similar in character to the two existing detached dwellings in Chapel Close and other surrounding properties. It was not therefore considered that the proposal would have had any detrimental effects on the Conservation Area or the visual amenities of the locality in general.

The County Surveyor expressed no objections on highway safety grounds for that application on the basis of amended plans which showed:

1. The widening of Chapel Close for the first 10m at its junction with King Street.
2. The deletion of a porch to allow better access and turning for the proposed parking spaces.
3. Lowering of the wall at the junction with King Street.

The application was therefore refused under delegated powers for a single reason relating to overbearing and overshadowing effects upon the adjoining dwellings in Woodlands Drive.

In an appeal against the refusal, the Inspector considered that the two-storey dwelling would appear unduly dominant from the conservatory/study at No 1 Woodlands Drive and from the kitchen at No 3. He therefore dismissed the appeal, as the proposal, in his opinion, would unacceptably worsen the living conditions of the occupiers of those two neighbouring properties contrary to Policy G1 of the Local Plan.

As originally submitted, this current application again sought permission for a two storey dwelling on the site but with eaves/ridge heights slightly lower than in the recently refused application. The main difference between the two proposals, however, involved the deletion of a single storey element on the refused application that projected towards the two properties in Woodlands Drive. This, however, did not address the reasons for refusal of the application and

dismissing the appeal that related to the effects of the two-storey part of the dwelling on the neighbours. The agent was advised that as submitted, the application would be refused for the same reasons as the previous application.

Amended plans received on 22 December 2010 show a radically amended house type/design. Permission is now sought for a dwelling that has the appearance of a bungalow, but contains two bedrooms and bathroom facilities within the roof space. The south elevation facing Woodlands Drive is 'staggered' such that the eaves height behind No 1 is approximately 2.5m whilst the eaves height immediately behind No 3 is approximately 3.5, but it is further away from the rear of No 3. The ridge height is consistent at 5.8m. There would be two small ground floor windows in the south elevation, both of which would be obscure glazed. Light to the upstairs rooms would be provided by windows in the front and rear facing gables and by rooflights in the north facing roof slope. There would be no dormer windows on the building at all, and no rooflights in the south facing roof slope.

The application includes improvements to the access road and the provision of a parking area similar to what was shown in the previous application (and to which there was no objection). The proposal now also involves the provision of an additional parking area using part of the curtilage of Wellsprings House.

### **Site Location**

Wellsprings House is a detached property on the northern side of Woodlands Drive that is adjoined to the east by a semi detached pair of houses, Nos 1 and 3 Woodlands Drive. At the rear (north) of the property is Chapel Close, a narrow highway that runs between the Methodist church and the side/rear gardens of houses on King Street and Woodlands Drive. At present, Chapel Close, which exits on to King Street, serves two houses that are sited at the rear of the Methodist church. At the end of Chapel Close and to the rear of Wellsprings House and Nos 1 and 3 Woodlands Drive, is a somewhat overgrown piece of land with a garden shed in one corner. That piece of land, part of the rear garden of Wellsprings House, and the whole length of Chapel Close between the piece of land and King Street are outlined in red as the application site for this current application. The section of Chapel Close that is within the application site is also within the Conservation Area. The piece of land upon which the dwelling would be built, however, is outside the Conservation Area.

### **Relevant History**

3/1991/0732/P – detached two-storey house. Refused.

3/1992/0187/P – detached two-storey house. Approved, but development not commenced and the permission therefore now lapsed.

3/2009/0752/P – detached two-storey house. Refused and appeal dismissed.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G2 - Settlement Strategy.

Policy ENV16 - Development Within Conservation Areas.

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

As an application for one dwelling within the settlement boundary of Whalley, the proposal is in accordance with the presently applicable housing policies and is acceptable in principle with no requirements for the dwelling to be 'affordable'.

Application 3/2009/0752/P was not refused because the development was unacceptable in principle. It was also not refused for any reasons concerned with detrimental effects upon either highway safety or visual amenity including effects upon the Conservation Area. The County Surveyor has not expressed any objections to this current application on highway safety grounds, and I do not consider that the dwelling now proposed would have any seriously detrimental effects upon the adjoining Conservation Area.

The only consideration, therefore, is whether the proposal, as amended, has satisfactorily addressed the single reason for refusal of the previous application (ie detrimental effects upon the amenities of Nos 1 and 3 Woodlands Drive).

The refused dwelling had a full two-storey height wall facing those properties with a height to eaves of approximately 5.2m and a ridge height of approximately 6.9m. As now proposed, the dwelling effectively has a single storey side elevation facing those properties with the eaves height at its front part of 2.5m and 3.5m for its rear section. From those respective eaves heights, the roof slopes upwards away from the neighbours to reach a maximum height of 5.8m. This maximum height, however, is not reached until a point approximately 9m away from the ends of the single storey additions to the two neighbouring properties. Additionally, there would be no clear glazed windows or rooflights facing those dwellings.

In my opinion, the amended plans have satisfactorily addressed the objections to the previous application. The neighbours concerned have been notified of the amended plans and any further comments received will be reported to Committee orally.

In relation to the comments of the Parish Council, the matter of infrastructure deficiencies was not a reason for refusal of the application for which this current application is a resubmission. It is therefore considered that it would be unreasonable to refuse this application for that reason.

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

The proposed dwelling, as amended, will not have any seriously detrimental effects upon visual amenity, the amenities of nearby residents or highway safety.

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

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

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

2. This permission shall relate to the proposal as shown on amended plans received on 22 December 2010 (drawing number 3887-02 REVD).

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

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

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

4. The windows in the north and south side elevations of the dwelling shall be fitted with obscured glazing to the satisfaction of the Local Planning Authority and shall remain in that manner in perpetuity. No additional door or window openings shall be formed at any time in either of these elevations unless a further planning permission has first been granted in respect thereof.

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

5. Prior to the first occupation of the dwelling hereby permitted, the improvements to Chapel Lane (ie reduction in height of the boundary wall and provision of a 1m wide footpath) and the parking and turning facilities shall all be carried out/provided in accordance with the submitted amended plan (drawing number 3887-02 REVD).

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

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

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

APPLICATION NO: 3/2010/0988/P (GRID REF: SD 360875 436945)  
PROPOSED SUBSTITUTION OF HOUSE TYPES TO APPROVED PLANNING APPLICATION  
3/2009/0590/P FOR THE DEMOLITION OF EXISTING TIMBER FRAMED BUNGALOW AND  
CONSTRUCTION OF TWO DETACHED DWELLINGS AT LOWERFIELDS, LOWER LANE,  
LONGRIDGE

TOWN COUNCIL: Providing consultation is undertaken with neighbours, no objection.



ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR):

Has no objection in principle on highway safety grounds.

ADDITIONAL  
REPRESENTATIONS:

One letter has been received which raises the following points:

1. Reference to Land Registry documents and covenants requiring landowners to undertake certain consultations prior to applying for planning permission.
2. The proposed development moves the site line of the rear house further back than the adjoining houses on Cherry Orchard – are they now proposing an extension of the village boundary?
3. The development does not appear to be in-keeping with the area and destroys the natural look of the road by cramming multiple houses on the plot. This is evidenced by recent developments on Lower Lane which have destroyed a Conservation Area of Longridge.

### **Proposal**

This application details the proposed demolition of a bungalow with the construction of two dwellings within the curtilage to the aforementioned property. Consent was originally granted for this under 3/2009/0590/P with this scheme seeking to revise the proposed house types and layout previously approved.

It is proposed to close off the existing vehicular access to Lowerfields from Lower Lane and create a new vehicular access on the eastern side of the site frontage in the same location as approved under the 2009 scheme. The proposed driveway will run along the eastern side of the site parallel to the boundaries of 5 and 6 Cherry Orchard and include a separate pedestrian walkway to plot 2 at the rear of the site. Plot 1 would have its own separate pedestrian route from Lower Lane.

The scheme proposes 2 two storey dwellings with integral garages. Plot 1 is positioned slightly in front of the bungalow, Ingleby to the western side of the site. It is roughly L shaped in appearance with a central core measuring approximately 11.5m x 9.1m x 9.1m in height running east/west across the site with a 1½ storey front projection of approximately 7.6m x 5.5m x 7.2m in height. To its rear would be a single storey sunlounge approximately 5.2m x 4.5m x 4m in height.

Plot 2 is set to the rear of the above but slightly offset to the site's eastern boundary. Again, there is a main two storey core section to the dwelling running east/west across the site some 11.5m x 9.1m x 9.1m in height. A 1½ storey projection is shown to the front approximately 7.6m x 7.7m x 7.3m in height with a single storey pitched roof sunlounge attached to its western elevation with approximate dimensions of 4.9m x 6m x 4.3m in height. Construction materials for both dwellings are stated as red rustic brickwork with stone window surrounds under a Rivendale blue/black tile roof with UPVC windows and doors.

As revised, there would be a low stone wall to the site frontage on to Lower Lane approximately 1m high with a higher wall set back approximately 21m into the site across the driveway approximately 1.8m in height/2m for the piers. Negotiations have also led to the retention of conifer trees to the site's eastern boundary adjacent to 5 Cherry Orchard.

### **Site Location**

The site lies to the south of Lower Lane within the settlement limit of Longridge. To its immediate east are two storey properties on Cherry Orchard and to the west a bungalow named Ingleby. There are open fields beyond the garden area to the south.

### **Relevant History**

3/2009/0590/P – demolition of existing timber framed bungalow and construction of two detached two storey dwellings. Approved with conditions.

3/2001/0478/P – extensions and alterations to form additional bedroom, bathroom, study, ensuite and new porch and garage. Approved with conditions.

3/2000/0221/P – reserved matters application plot 5 Cherry Orchard. Approved with conditions.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G2 - Settlement Strategy.

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

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

In terms of principle, consent has been granted previously for a scheme of this type given the site lies wholly within the settlement limit of Longridge and Policy G2 allows for development wholly within the built up part of the settlement or the rounding off of the built up area. Thus, the redevelopment of this site for two dwellings is in principle acceptable and it is the detailed design that warrants further consideration.

With regards to highway safety, the County Surveyor has not raised any objection to the development and commented that there is adequate parking provision for both properties with each property being accessed on foot from dedicated footways. Thus, in highway terms, the proposal is acceptable.

Turning to residential amenity, I am mindful of the relationship not only between the two new dwellings themselves but also with the properties of Cherry Orchard to the east and Ingleby to the west. In assessing how the new dwellings would relate to one another, there is a distance of approximately 15m between the main rear line of plot 1 (two storey aspect) and the front elevation of plot 2 set to its rear. Given the positioning of windows in the respective dwellings, I am of the opinion that the relationship between the two dwellings and their garden areas is satisfactory.

In respect of relationship with properties on Cherry Orchard, I am mindful that the dwelling on plot 2 extends forward of the front building line to No 5 and has a bedroom window formed in a piked dormer that could look directly across the frontage of that dwelling. The originally submitted plans denoted that the conifer trees on this boundary which currently prevent any indivisibility between the two sites would be removed. However, in order to ensure that existing privacy levels are not compromised, ie the frontage to plot 5 Cherry Orchard, these trees are now shown as being retained with suitably worded conditions being necessary to ensure their long term maintenance/retention. Having regard to Ingleby to the west, the submitted scheme shows a window in the side elevation to plot 2 to serve the bathroom and subject to this being obscure glazed, I am satisfied that no significant detriment would be caused to their existing residential amenities.

The final matter for consideration is therefore design and this part of Longridge is characterised by properties of different styles and materials with brick, render and stone all being evident in the vicinity. The materials shown for the two dwellings are red rustic brickwork under a blue/black tiled roof. I do not consider that these would prove incongruous to the street scene and the revision to the site frontage wall to be built in stone will mean that this is in-keeping with the remainder of the frontage treatments on to Lower Lane. In respect of the heights of the proposed dwellings, whilst this is an increase from the previously approved scheme which detailed dwellings of approximately 7.7m in height, again when set against the dwellings on Cherry Orchard, I do not consider that the works would prove significantly detrimental to the visual amenities of the street scene.

I am mindful of the comments received from a nearby resident about Land Registry documents and covenants and have sought advice on this matter from one of the Council's solicitors. Whilst we understand that there are covenants which affects the property subject to this application, legal consideration of whether a specific covenant may or may not be breached, and enforcement of any such covenant, is a private law matter. Thus matters associated with that should not influence Planning Committee's consideration of this application. With regard to observations about possible extension of the village boundary, the saved settlement limit of Longridge runs along the site's southern boundary approximately 49m distant from the proposed rear building line of the dwelling on the plot 2 – a rear building line which is roughly in alignment with those of Nos 1, 3 and 5 Cherry Orchard. Reference has been made to the development having a cramped appearance but I consider there to be sufficient distance between properties so as not to have a significantly adverse impact on the existing street scene.

Therefore, having regard to all the above, I am of the opinion that the scheme is appropriate to the area and recommend accordingly.

#### SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. This permission shall be implemented in accordance with the proposal as detailed on drawings 1330/20/REVA site and location plan as amended 1 March 2011; 1330/21 plans and elevations plot 1 and 1330/22 plans and elevations plot 2.

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

3. The bathroom window on the first floor (west elevation) of plot 2 and first floor bathroom window on the west elevation of plot 1 shall be obscure glazed to the satisfaction of the Local Planning Authority and remain in that manner in perpetuity.

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

4. 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 at first floor and attic floor levels without the formal written permission of the Local Planning Authority.

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

5. Prior to commencement of any site works, including delivery of building materials and excavations for foundations or services the row of conifers trees identified to be retained and growing on the eastern boundary running in a north west/south east axis shall be protected in accordance with the BS5837 [Trees in Relation to Construction] the details of which shall be submitted as a discharge of planning condition application and include a tree protection monitoring schedule.

A Root Protection Area [RPA] of not less than 4.5m measured from the centre of the trunk shall be physically protected in accordance with BS5837 Trees in Relation to Construction [section 9.3 – Ground Protection] and remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone, in addition no impermeable surfacing shall be constructed within the protection zone. The turning area within the RPA shall be constructed above existing ground level using a load bearing Geo-Grid system laid directly onto the existing ground and made up in layers consisting of a grid filled with type one aggregate topped with fine gravel to a depth of 100-200mm.

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 evergreen screening trees affected by development are afforded maximum physical protection from the adverse affects of development in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

6. In this condition “retained tree” means any existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of occupation of plot 2 of the approved development.
  - (a) No retained tree forming part of the evergreen hedge shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped without the written approval of the Local Planning Authority. Any topping or lopping shall be carried out in accordance with BS3998 Tree Work and carried out by an approved arboricultural contractor.
  - (b) If any retained tree which forms part of the retained evergreen hedge is removed, uprooted or destroyed or dies a replacement evergreen screen hedgerow shall be planted at the same place and a scheme submitted to and approved in writing by the Local Planning Authority to indicate as appropriate the types and number of trees and their distribution on site. The approved scheme shall thereafter be implemented in the first planting season following the loss of any part of the existing evergreen hedge, whether in whole or part and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. The new replacement hedge shall be maintained at a height no greater than 5m. Any tree, which is removed, or dies, or is seriously damaged, or becomes seriously diseased, shall be replaced by a species of similar size to those originally planted.

REASON: In the interests of protecting neighbouring amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and in order to comply with the High Hedges Legislation 2005

#### NOTE

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

APPLICATION NO: 3/2010/0989/P (GRID REF: SD 369058 443824)  
PROPOSED ERECTION OF A 20 KW, 18M HIGH WIND TURBINE AT MASON HOUSE FARM, CLITHEROE, ROAD, BASHALL EAVES, LANCASHIRE

PARISH COUNCIL: The Parish Council unanimously object to this proposal for the following reasons:

1. The Parish's main asset it is outstanding natural beauty, and it stands as the main visitor access from Clitheroe and Whalley to Whitewell and Bowland. This will be compromised by this development.
2. There are no wind turbines in the area.
3. The turbine would be clearly visible from Clitheroe – Whitewell Road. Its base would be about level with the Road as it passes Mason House Farm, and then rise 23m above this. Hardly the height of a 'telegraph pole' as claimed in the submission.
4. Turbine vendors are often optimistic about the power they deliver, with the '20 kW' referred to as a maximum. The location is windy but there is no data to enable a judgement on that
5. The value to the applicant is dependant on Government subsidy via a 'Feed-in Tariff'.

FOREST OF BOWLAND  
A.O.N.B. OFFICER (LCC):

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

ADDITIONAL  
REPRESENTATIONS:

No additional representations have been received.

### **Proposal**

The application seeks permission for the installation of a 20kW wind powered Westwind Turbine on an 18m high mast, on land approximately 150m west of Mason House Farm, Clitheroe Road, Bashall Eaves. The single turbine proposed will meet the significant energy demands of both the agricultural operations and the domestic element currently on site. The Agent notes that the scale is necessary in order to gain the maximum energy generation from this particular site, as whilst the site chosen is not the windiest, it is the least visually intrusive and is set a sufficient distance from nearby neighbours in order to protect their amenity. The land undulates between these various viewpoints and is also screened by swathes of woodland and planting at various points around the site. The mast is also situated in close proximity to a number of telephone poles and cables that run to the north of the site.

The Westwind Turbine and the Applicant's Installers, J. A. Graham Renewable Energy Services, both hold a MCS (microgeneration Certification Scheme) Certificate.

### **Site Location**

Mason House Farm, Bashall Eaves is approximately 4 miles north west of Clitheroe. The Farmhouse and adjoining barn are Grade II Listed Buildings. The site for the mast is approximately 150m west of the house, and approximately 330m west of the adjacent highway, Clitheroe Road. The nearest properties to the site are over 600m away to the north and south of the site, however the site can be viewed from the access road and Public Right of Way that runs past the site to the south, which is only 20m away. The site lies within the Forest of Bowland Area of Outstanding Natural Beauty.

## **Relevant History**

None relevant.

## **Relevant Policies**

Policy G1 - Development Control.

Policy G8 – Environmental Considerations.

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy ENV19 – Listed Buildings.

Policy ENV24 – Renewable Energy.

Policy ENV25 – Renewable Energy.

Policy ENV26 – Wind Energy.

PPS5 – Planning and the Historic Environment.

PPS7 – Sustainable Development in Rural Areas.

PPS22 – Renewable Energy.

Companion Guide to PPS22 ‘Planning for Renewable Energy’.

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

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

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

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

Within Planning Policy Statement 7: Sustainable Development within Rural Areas it states that “The Government recognises the important and varied roles of agriculture”, and that “Planning Policies in RSS and Local Development Documents (Local Plan) should recognise these roles and support development proposals that will enable farming and farmers to, amongst other things, become more competitive, sustainable and environmentally friendly”.

With regards to the Local Plan Policies, ENV25 states that “In assessing proposals for renewable energy schemes, the Borough Council will have particular regard to the immediate and wider impact of the proposed development on the landscape, and AONB” and Policy

ENV26 states that “Development proposals within or close to the Area of Outstanding Natural beauty will not be allowed, unless:

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

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

Given the added benefits the approval of this individual turbine will bring to the sustainability of the working farm to which it will be attached, it is considered that whilst the mast will be clearly visible from the access road that passes to the south of the site, given the close proximity of telegraph poles in the nearby vicinity, I do not consider the structure to be to the visual detriment of this particular location. In addition, given the distance from nearby properties and from nearby highway viewpoints, the long distance views of the site and the turbine, the landscape and visual impacts would be mitigated to some extent by the close proximity of the nearby buildings within the farmstead, and the surrounding existing woodland and planting. Finally, given the proposed turbine will be 150m from the Listed Farmhouse and Barn on site, I do not consider the scheme will have a detrimental impact on the setting of the Designated Heritage Asset. Therefore, in considering all of the above, the proposal is considered visually acceptable and will have an acceptable impact on this location within the AONB.

However, in order to minimise landscape and visual impacts it is recommended that the blades and rotor head be light grey (RAL Nr 7035) in colour which is one of the more commonly used colours for wind turbines, as opposed to white which is one of the colours proposed by the Agent.

With regards to any potential impact on nearby neighbours, more specifically in regards to noise concerns, given that the proposed turbine/mast is over 600m from the nearest residential property, I do not consider the proposal to have an adverse impact on the nearby neighbours.

As such, it is considered that the objectives of the designated area are not significantly compromised, and as such the proposal will have no significant environmental or visual impact on the area, and the application is recommended accordingly.



## SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. Notwithstanding the approved details submitted as part of this application, the colour of the blades, rotor head and mast shall be light grey (RAL Nr 7035), unless otherwise agreed in writing by the Local Planning Authority.

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

APPLICATION NO: 3/2010/1018/P (GRID REF: SD 375827 436157)  
PROPOSED CHANGE OF USE OF ONE SHORT TERM LET HOLIDAY COTTAGE TO  
RESIDENTIAL AT DOVE COTTAGE, GREENBANK COTTAGES, WHALLEY ROAD, SABDEN

PARISH COUNCIL: No representations received.

ADDITIONAL REPRESENTATIONS: A letter has been received from a local resident who makes a number of comments/objections as follows:

1. The original intention was that these holiday lets would be homes for persons over the age of 55. This was not a condition of the previous permission and there is no mention of an age restriction in this current application. The properties could therefore be inhabited by noisy residents.
2. If these cottages were to be extended and sheds etc erected, it would create a very crowded site.
3. There are already large housing developments in Whalley and Sabden under consideration.
4. The road serving the site is narrow and dangerous with a 60mph speed limit. They have suffered damage to their property by speeding cars. Speed ramps are essential before any further development takes place.

5. Applications in the Area of Outstanding Natural Beauty should be subject to a requirement for landscaping/screen planting etc.

### **Proposal**

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

In 1995 planning permission was granted for the erection of five self contained cottages for tourist accommodation (3/1995/0146/P).

In 2000 permission was granted for the change of use of an existing large detached garage to form a sixth unit of holiday accommodation (3/2000/0411/P).

Following a refused application (3/2008/0728/P) for the change of use of the first five holiday cottages to retirement accommodation, application 3/2010/0183/P sought permission for the change of use of those five cottages to residential, one of which would be an affordable unit subject to a Section 106 Agreement. When considered against the currently applicable planning policies and guidance, that application was considered to be acceptable and, following the completion of a Section 106 Agreement, permission was duly granted.

Although the Section 106 Agreement only requires one unit to be affordable, I have been advised by the applicant that all five cottages are to be sold to Adactus and managed by that company as affordable dwellings on a shared ownership basis (although the Local Planning Authority has no control over four of the units to ensure that they remain affordable).

At the time of consideration of application 3/2008/0728/P it was the applicant's intention that Dove Cottage (the sixth unit) be retained as a holiday let. This current application, however, seeks permission for its change of use to unrestricted residential use. There are no proposed alterations to the building or its existing curtilage.

### **Site Location**

The site is in a rural location within the Forest of Pendle Area of Outstanding Natural Beauty on the east side of Whalley Road approximately one mile outside the settlement boundary of Sabden. The property to which the application relates is within a group comprising the original dwelling, Greenbank Farm, a barn conversion dwelling, and five other former holiday cottages now authorised for residential occupation. Otherwise, the site is surrounded by open fields.

### **Relevant History**

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

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

3/2007/0954/P – change of use of holiday cottage to retirement accommodation. Withdrawn.

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

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

3/2010/0183/P – change of use of five short term let holiday cottages to residential, one of which is to be an affordable unit. Approved following completion of a Section 106 Agreement.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy H2 - Dwellings in the Open Countryside.

Policy H20 - Affordable Housing - Villages and Countryside.

Policy ENV1 - Area of Outstanding Natural Beauty.

Affordable Housing Memorandum of Understanding (AHMU).

PPS3: Housing.

North West of England Regional Spatial Strategy to 2021.

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

Now that the Council is in a situation where a five year housing land supply cannot be identified, residential development should be favourably considered taking account of the requirements of PPS3 and the relevant saved policies of the Local Plan. In practice, what we presently have, is an established built development with a restricted class of residential use. In many ways, there is little difference between this being a form of conversion, and the proposal can be treated as tantamount to a conversion.

Saved Policy H2 of the Local Plan allows for the conversion of buildings to dwellings in the open countryside subject to certain criteria. Policies H15, H16 and H17 provide more detailed criteria. The explanatory text for Policy H15 says that 'the conversion of appropriate buildings within settlements or which form part of already defined groups is acceptable'. As previously described, this building is within a group that contains seven other properties that are all now authorised for unrestricted residential occupation. Overall, I therefore consider Dove Cottage to form part of the established group of buildings at Greenbank Farm. As such, if it had not already been converted for its restricted form of residential use, its conversion into a dwelling with unrestricted occupancy would now be acceptable in principle and in accordance with the currently applicable policies and guidance.

The building, of course, has already been converted and no external alterations are hereby proposed, so the character and appearance of the building and the visual amenities of the AONB will not be compromised. As no alterations to the existing means of access are proposed, there would also be no detrimental effects upon highway safety.

Whilst the relationship of the building to the other buildings within the group would not provide the space and privacy standards that would be provided in a new built development, the purchasers of the unit will be aware of the precise nature of what they are buying. I do not therefore consider that this should be put forward as a reason for refusal of the application. I consider it important, however, that permitted development rights are withdrawn in order that the Local Planning Authority can exercise full control over any future extensions and alterations (such a condition was imposed on permission 3/2010/0183/P relating to the other five units within this group).

Subject to such a condition, and when viewed in relation to the presently applicable policies, the proposed change of use is acceptable and in accordance with the currently applicable policies and guidance.

#### SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

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

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

APPLICATION NO: 3/2011/0012/P (GRID REF: SD 360079 437136)  
PROPOSED CHANGE OF USE FROM AN ELECTRICAL SHOP (A1) TO A CAFÉ BAR / ICE CREAM PARLOUR (A3) AT 114 DERBY ROAD, LONGRIDGE

PARISH COUNCIL: No objection.

COUNTY SURVEYOR: No objections on highway safety grounds.

ENVIRONMENTAL HEALTH: Verbally confirmed no objections.

ADDITIONAL REPRESENTATIONS: One letter has been received from the owner of a neighbouring business who wishes to raise the following objections:

- Impact upon business
- Impact upon highway safety

#### **Proposal**

Permission is sought for the change of use of the currently vacant premises formerly used as an electrical shop at 114 Derby Road from a Class A1 (shop) Use to a Class A3 (Restaurant &

Café) Use for the sale of hot and cold food, ice-cream, as well as alcoholic beverages, to be consumed on the premises. The proposal will not involve any external alterations to the building and is proposed to employ two full-time employees and one part-time.

### **Site Location**

The premises are located at the southern end of Derby Road to the west of a corner plot at the main cross-roads which meets Whittingham Road and Preston Road within the centre of Longridge.

### **Relevant History**

None

### **Relevant Policies**

Policy G1 – Development Control

Policy ENV16 – Development Within Conservation Areas

Policy G2 – Settlement Strategy

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

Matters for consideration in the determination of this application are the principle of development, potential impact on highway safety, the amenity of neighbouring residents and the character and appearance of Longridge Conservation Area.

With regards to the latter, the applicant has confirmed that there is no intention to alter the exterior of the building and any proposed signage will require separate express consent. Therefore it is considered that any impact upon the character and appearance of the Conservation Area will be minimal.

The premises are to be located within the centre of Longridge Town Centre, and adjacent to neighbouring commercial and business premises therefore it is considered that the principle of development within this location is acceptable and in accordance with Policy G2 of the Ribble Valley Districtwide Local Plan.

With regards to potential impact upon the amenity of neighbouring residents, 114 Derby Road is the middle of three premises, between a sandwich shop to the west and a fish and chip takeaway to the north, on this busy roadside frontage characterised by a mixture of both residential properties and commercial businesses. The fish and chip takeaway opens at the earliest 11.30 and until 7pm Friday and Saturday and 8pm Wednesday and Thursday. I therefore consider that the proposed opening hours of Monday to Friday 08.00 to 20.00, Saturday 09.00 to 20.00 and Sunday/Bank Holidays 10.00 to 18.00 will not prove injurious to the amenity of residents in neighbouring properties by virtue of adjacent businesses operating at similar times.

Members should note that the applicant has confirmed that she does not intend to use the premises as a takeaway, which would require separate consent in any case. The sale of hot food on the premises is proposed to include a range of sandwiches, soups, jacket potatoes and toasties. I note that the applicant wishes to purchase a licence in order to sell alcohol on the premises. The intention is to serve hot beverages as well as alcoholic drinks in the evening.

This application is approved on the basis that its main use is a café/restaurant for the sale of food consumed on the premises with the opportunity for members of the public to purchase alcohol in the evening, and not with the predominant use being a typical 'wine bar' as this would require a separate change of use application to that of A4 (Drinking Establishment).

The applicant has confirmed that the number of people who would potentially be seated at the premises would be 20-30. Environmental Health has verbally confirmed that the toilet arrangement at the premises (one of either sex) is appropriate for this number of people.

Turning to the impact upon highway safety the County Surveyor has confirmed that he has no objection to the application. He notes that there are extensive lengths of prohibited waiting in place in the vicinity of the area ensuring the safe operation of the roundabout. Unregulated parking is available within walking distance of the premises ensuring that vehicles can park safely and conveniently.

I note the concern that the opening of a further business could jeopardise the operation and viability of a similar business, however this is not classed as a material consideration in the determination of this application.

Therefore, having regard to all the above I am of the opinion that 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.

#### 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 is GRANTED subject to the following condition(s):

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

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

2. This permission shall relate to drawing number RH/320110012/01 in relation to the proposed floor plan.

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

3. The use of the premises in accordance with this permission shall be restricted to the hours between 0800 to 2000 Monday to Friday, 0900 to 2000 on Saturday and 1000 to 1800 on Sunday 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 neighbouring residential amenity.

APPLICATION NO: 3/2011/0021/P

(GRID REF: SD373480, 436307)

PROPOSED CONVERSION OF DETACHED DOUBLE GARAGE TO DOG GROOMING STUDIO BUSINESS WITH SINGLE STOREY EXTENSION TO FRONT AT 1 WOODLANDS PARK, WHALLEY

PARISH COUNCIL:

The Parish Council has raised objections to the proposal as it would introduce a commercial unit into a defined residential area. This in turn would generate an increase in traffic to an already over congested area and related parking would intensify the existing problem.

ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR):

Has no objections subject to appropriate conditions concerning the scale of the business, its means of operation (i.e. appointments only and hours of use. However, in order to assess the impact of the development, the issuing of a temporary consent would be beneficial.

ADDITIONAL  
REPRESENTATIONS:

Three letters have been received from nearby residents who object to the proposal for the following reasons:

- Location – The estate was not designed to accommodate small businesses.
- Noise – Barking dogs will disturb the peace of the neighbourhood and cause a nuisance to neighbours.
- Safety – If the dogs are not appropriately detained there could be a serious risk to residents and their property.
- Highways – There is only once access/exit road to the estate, more traffic would result in reduced road safety for all but especially for the young and elderly. Manoeuvrability and parking are already a problem which would be made worse by the proposal.
- Proposed Extension – The neighbours below the site would suffer from a loss of light to their rear rooms. The installation of foundations would result in the loss of the neighbours trees and the retaining wall between the property and the land below (which is already allowing water to seep through) could be made worse by the foundations of the extension.

Six letters have been received who support the proposal for the following reasons:

- The business would benefit the village/local economy by providing an additional facility.
- Home working should be encouraged.
- The sessions will be by appointment only so there will be no adverse impact on the amount of traffic.

- People will be able to walk their dog(s) to the property as the property is within the centre of Whalley so little disruption will be caused to surrounding residents.
- In this instance the applicant will continue to care for an elderly resident whilst working from home.
- Grooming of dogs is a beneficial part of their care.

### **Proposal**

This planning application seeks permission to use an existing domestic garage for the purposes of a dog grooming business. The opening hours of which would be 9:00am – 6:00pm Monday to Friday.

Also proposed is a single storey extension to the front of the existing detached double garage to form a garden store. The extension would have maximum dimensions of approximately 2.7m x 2.8m x 3.3m to the pitch and would comprise of roof tiles to match the existing garage with rendered walls. The garage doors would be replaced with window and door openings.

Details of exactly how and during what hours the business would operate were sparse in the application as originally submitted. Following a request for more precise details, the applicant and agent responded as follows:

1. The business will be on by appointment only with one client's dog(s) at a time
2. Mrs Powers will be working part-time hours with no employees so she is able to continue looking after an elderly relative
3. Operating times will be Monday to Friday – 09.00am to 6.00pm.

### **Site Location**

The property is a detached bungalow of relatively recent construction situated on the Woodlands Park development in Whalley which is located on the east side of King Street. The access to the estate is adjacent to Whalley Bus Station.

The locality in general is a residential area comprising detached and semi-detached properties which all have off-street parking facilities.

### **Relevant History**

None.

### **Relevant Policies**

Policy G1 – Development Control.

Policy H10 – Residential Extensions.

Policy SPG – Extensions and Alterations to Dwellings.



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

The matters for consideration in the determination of this application relate to the effects of the proposed use on the amenities of nearby residents, the character of the locality, and highway safety. The acceptability of the proposed extension is also to be considered.

With regards to the first issue, the application relates to the establishment of a business within a domestic garage situated in a residential area. Given the nature and scale of the proposed business, due to the applicant's personal circumstances, however, I do not consider that it would result in any serious harm to the character of the locality or that it would have any detrimental effects on the amenities of any of the neighbours, as the use would be on an appointments only basis and would be limited to working hours on weekdays only.

With regards to the second issue, the County Surveyor has no objections to the proposal subject to conditions that clearly define the scale, hours of operation and nature of the use (i.e. appointment basis only). Subject to such conditions, I do not consider that the proposal would result in any serious detriment to highway safety.

In relation to the extension proposed, the proposal would be sited close the boundary with no. 19 Woodlands Drive, which is on lower ground than the application site. However, the distance between the proposal and the neighbouring property is over 10 metres and given that the proposal is single storey only, loss of light to the neighbour would, in my opinion, be minimal. Window openings are proposed in the north and east elevation, however these will not overlook neighbouring windows or gardens. If the business does not succeed the extension to the garage could easily be used for domestic purposes in relation to the main house.

I note the neighbours concerns over the issue of noise and traffic disturbance and I would suggest that if committee are minded to approve this application, it may be prudent to impose a personal and temporary consent for 24 months in order to allow a review of the situation in order that its effects upon residential amenity, the character of the area and highway safety can be monitored and reassessed in the event of a renewal application being submitted. A 24 month time period is recommended as apposed to the usual twelve month period to allow the applicant time to build the proposed extension.

I recommend accordingly that planning permission be granted subject to appropriate conditions.

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

If operated in accordance with the conditions, the proposed use would not have any seriously detrimental effects upon the amenities of nearby residents, the character of the locality or highway safety.

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

1. This permission shall be implemented in accordance with the proposal as amended by the plan reference 10/167/001B received on the 2 March 2011.

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

2. This permission relates only to the use of the existing detached garage as a dog-grooming salon.

REASON: To comply with the terms of the application and to ensure that the scale of the business is retained at a level that will not cause undue harm to the amenities of nearby residents, the character of the locality or highway safety as required by Policy G1 of the Ribble Valley Districtwide Local Plan.

3. The business shall be operated on an appointments only basis with no more than one clients dog(s) at a time.

REASON: To comply with the terms of the application and in the interests of the amenities of nearby residents, the character of the locality and highway safety as required by Policy G1 of the Ribble Valley Districtwide Local Plan.

4. The business shall only be operated between the hours of 9:00am to 6.00pm Monday to Friday. There shall be no business operated from the site on Saturdays, Sundays, and all Bank Holidays, and no clients shall be present on the premises outside the stated operating hours.

REASON: To comply with the terms of the application and in the interests of the amenities of nearby residents, the character of the locality and highway safety as required by Policy G1 of the Ribble Valley Districtwide Local Plan.

5. The use hereby permitted shall cease on or before 17 March 2013 after which the whole of the garage building shall be reverted to use as a domestic outbuilding unless a renewal of this permission has first been granted.

REASON: In order that the effects of the proposed use on the amenities of nearby residents, the character of the locality and highway safety can be monitored and reassessed in two years time in the event of a renewal application being submitted, to ensure continued compliance with the requirements of Policy G1 of the Ribble Valley Districtwide Local Plan.

6. This permission shall inure for the benefit of Mrs Carol Ann Powers in connection with the dog grooming business 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 use 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: 3/2011/0052/P (GRID REF: SD 373292 441573)  
PROPOSED CHANGE OF USE OF THE FORMER PERRYS GARAGE TO A CONVENIENCE STORE AND ALTERATIONS TO ELEVATIONS AT FORMER PERRYS GARAGE, EDISFORD ROAD, CLITHEROE, LANCASHIRE, BB7 2LT

CLITHEROE TOWN No objections.  
COUNCIL:

LCC HIGHWAYS OFFICER  
(ENVIRONMENTAL  
SERVICES EAST):

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

ADDITIONAL  
REPRESENTATIONS:

Eight letters have been received from residents living in the vicinity of the site, six of which object to the proposal with two not objecting but raising points for consideration. The points of objection have been summarised as follows:

1. Highway Safety – Edisford Road is a busy road, and with the access to the site conflicting with the entrance down to Low Moor, this could prove dangerous. Double yellow lines should be introduced.
2. On-Street Parking – Parking on either side of Edisford Road at this location is already problematic, especially before and after school. Any further need to park on the street will increase this problem.
3. Parking on Site – 13 spaces seems insufficient.
4. Anti-social behaviour – The shop will attract young people to the area/site and will cause an increase in potential for anti-social behaviour.
5. Opening Hours – Proposed open hours of 0600 to 2300 are likely to cause significant disturbance outside normal working hours, by virtue of deliveries, servicing, staff and visitors, in what is a residential area. The existing Spar on Garnett Road opens 0800 to 2230.
6. Hours for Delivery – There has been issues at the current Spar site with existing delivery hours. Suggest limiting the hours of delivery to 0800 hrs to 2000 hrs.
7. Air Conditioning Units – These will be running 24 hours a day causing noise issues.
8. Hygiene – Whilst a well-run store would not be unhygienic, given the proximity to an agricultural field, environmental regulations should be adhered to.
9. Screening to site – Existing Conifers would not provide a sufficient screen from the traffic this business will attract, and needs improving.
10. Loss of light – By virtue of the Leylandii being too high.
11. Litter.

The two other letters, whilst not objecting to the proposal, raise the following points for consideration:

1. The existing Conifer hedge should be retained to provide distinct separation between the site and the adjacent houses,
2. The rear of the site is kept secure by locked gates. We would request that this continue for security purposes,

3. The proposal will tidy up an area that is a focal point as you enter Clitheroe from the West,
4. This will allow an existing problem site on Garnett Road to be moved, easing traffic congestion in this area.
5. However, given the limitations on pedestrian links to the site, perhaps the developer could be encouraged to contribute towards a safer road junction in this area.

### **Proposal**

The application seeks permission for the proposed change of use of the former Perry's Garage, Edisford Road, Clitheroe to a convenience store. The application also includes a number of external alterations to the existing elevations of the building, the insertion of an ATM within the Edisford Road elevation of the building, the introduction of three condensing units on the north (rear) elevation of the building and the introduction of two air conditioning units on the east (side) elevation. The scheme also includes a new layout for the site, including staff and visitor parking bays, and the introduction of cycle stands and bollards on site.

### **Site Location**

The site is located within the settlement boundary of Clitheroe, and sits adjacent to St Paul's Church and Edisford CP School.

### **Relevant History**

3/2004/0669/P – Upgrade the external appearance of the building by the addition of aluminium cladding (shaded area) and decorative canopy – Granted.

3/1994/0007/P – Extension to form additional offices – Granted Conditionally.

There have also been a number of Advertisement Consent Applications approved for this site.

### **Relevant Policies**

Policy G1 - Development Control.

Policy S2 - Shopping Policies - Outside Clitheroe Centre.

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

PPS4 – Planning for Sustainable Economic Growth.

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

The main considerations with this proposal are the principle of the development, the visual impact by virtue of the alterations proposed, the potential impact on highway safety, parking and any potential impact on the amenity of nearby neighbours.

#### **PRINCIPLE OF DEVELOPMENT**

PPS1 states that “Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community” (Para 5). PPS1 also states that “Planning authorities should seek to provide improved access for all to jobs, health,

education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car” (Para 27 (v)). On the basis of the above, I consider the proposed provision of an A1 Retail use at this location would comply with the provisions of this PPS and offer an additional facility to the locality.

This site is considered to be an out of centre location within the District Wide Local Plan (DWLP), and Policy S2 of the DWLP states that potential shopping development outside the main shopping centre of Clitheroe should be considered on a sequential basis, with edge of centre locations being considered first. This consideration involves applying several criteria to sites including: whether the development could not reasonably be undertaken on a site within the defined main shopping area; the accessibility of the site by foot and by public transport; the potential effect of the development on the viability and vitality of the centre; its contribution to local shopping needs and its implications for parking and other environmental considerations. Only when there are proved to be no suitable edge of centre sites would out of centre sites be considered.

National Planning Policy Statement PPS4 is also important in considering this proposal, as it defines a series of types of development and this proposal falls within the retail convenience shopping type defined as, “the provision of everyday essential items, including food, drinks, newspapers/magazines and confectionary”. Such convenience store facilities are regarded as possible town centre uses. The PPS also defines a series of generic locations and this proposal falls into the Out of Centre category defined as, “a location, which is not in or on the edge of a centre but not necessarily out side the urban area”.

PPS4 also emphasises that in relation to planning applications for main town centre, uses a series of sequential tests similar to those mentioned in S2 of the DWLP should be placed on proposed developments (Policy EC15) together with a series of impact tests (Policy EC16) relating to their potential effect on nearby town centre businesses. Policy EC14 also states that a sequential test should be applied to proposals that are below 2500 sq m that would be likely to have a significant impact on other centres.

However, the relocation and development of this site is not considered to be of sufficient size to impact on the vitality and viability of Clitheroe town centre and therefore should not be subject to the various impact tests required within Policy EC16 of PPS4. In addition, given its position as a neighbourhood shop, its small size and its lack of economic relationship to the town centre, it is also considered that a sequential test, as noted within Policy S2 of the DWLP, and Policies EC14 and EC15 of PPS4, is not required.

Policy EC10 of this PPS also notes that ‘in general planning applications for all forms of economic, development should be assessed against a variety of impacts including; limiting carbon emissions: accessibility by a variety of transport means; high quality design and impacts on economic and physical regeneration and local employment.’

On this basis, I consider that the proposed development could be supported, subject to other material planning issues, as the proposal in question concerns the relocation of an existing neighbourhood convenience shop to another location within the same out of centre neighbourhood. It also appears to be of purely local significance within PPS4 EC13, and that given its location within the neighbourhood at its proposed new site, to continue to be accessible within the terms of PPS4 Policy EC10, this relocation would seem to improve its accessibility and also to address some of the vehicular delivery issues that occur on the current site.

Therefore, on the basis of the guidance provided within the above National PPS's, and the guidance contained within Local Plan Policies G1 and S2, I consider the proposed use of the currently redundant building, as an A1 retail use is considered an appropriate and sustainable development, in compliance with both Local and National Planning Policy.

## VISUAL IMPACT

The site is reasonably self-contained with housing to the north west of the site; screened by a line of conifers, and to the north east of the site, set some 35m away. The external alterations to the building include the removal of an existing, unsightly, pre-fabricated single storey office building to the east of the main building, the installation of an ATM in the southern elevation, blocking up a large number of the existing openings within the east, north and west facing elevations of the building and installing new powder coated aluminium framed windows in the main shop frontage (south facing elevation). The scheme also includes the addition of bollards and parking bays within the site to organise the layout surrounding the site, and the introduction of three condensing units on the north (rear) elevation of the building and two air conditioning units on the east (side) elevation.

Given the specifications proposed, and the location of the external conditioning units in relation to the main views of the site, all the elements outlined above are considered to acceptable from a visual point of view. Indeed, bearing in mind the previous business on site, and the current state of the existing building, the proposal will undoubtedly be a visual improvement to this particular location.

## IMPACT ON AMENITY

The three areas of concern raised by adjacent neighbours with regards to the proposals impact on their amenity are with regards to noise from vehicles, the introduction of the external conditioning units and the potential for disturbance outside the new shop, coupled with the hours of opening (and associated problems). I will cover these issues as follows.

With regards to the conditioning units, the two different types of unit will be positioned towards the north east corner of the building, which lies approximately 17m from the curtilage of the nearest adjacent residential properties to the west on St Paul's Close, and approx. 40m from the nearest residential property to the east. Having discussed the details with the Head of Environmental Services, it is predicted that noise levels from the proposed conditioning units should not be an issue to the nearest residential properties, as they will be between 33 and 36dBA at the site boundary. Given that the site is separated from the properties on St Paul's Close by an existing conifer hedge that measures approximately 3m in height, this should also provided additional acoustic screening from both the new units and any vehicular traffic on site. In addition, given the estimated low speeds of vehicles on site and consideration of the previous use of the building and site, I do not consider the new use will cause a significant impact on the amenity of the occupiers of the neighbouring properties.

Concern has been raised in respect of the proposed hours of openings, both in terms of the numbers of visitors attracted at early hours in a morning but also with regards to deliveries, all of which would be to the detriment of the amenity of nearby neighbours. The Applicant has requested to be open 0700hrs to 2300hrs, seven days a week, with no reference to the hours for delivery, and the ATM proposed will be available 24hrs a day. For reference, the Spar on Garnett Road, Clitheroe opens from 0800hrs to 2230 hrs everyday, and McColl's on Henthorn Road, Clitheroe opens from 0600hrs to 2200hrs Monday to Saturday, then 0700hrs to 2000hrs

on Sundays. Having discussed the proposal with the Head of Environmental Health Services, and having been in dialogue with the Agent, it is considered that an acceptable compromise would be to recommend the following restrictions be applied to protect nearby residents and minimise disturbance, taking into account the location on a more major incoming road.

It is considered appropriate to limit the opening hours to between 0700hrs to 2300hrs Monday to Saturday and on Bank Holidays, with opening hours on a Sunday restricted to between 0700hrs to 2200hrs. This is on the basis that the sales area remains restricted below 280 sq.m. as if it is more the Sunday Trading act provisions will apply with the opening hours being limited to 6 hours on a Sunday. With regards to deliveries, all deliveries except newspaper deliveries will be restricted to between 0700hrs to 2000hrs Monday to Friday, between 0700hrs and 1800hrs on Saturday's and Bank Holidays and between 0900hrs to 1400hrs on Sundays. This has been agreed with the Agent who has noted the lack of control over the companies who deliver newspapers and the fact they are usually dropped off by small delivery vans. In addition, it is requested by the Head of Environmental Services that deliveries be so organised as to avoid reversing on site and activation/use of reversing beepers.

In conclusion, although reservations are raised by the Head of Environmental Health Services about extending the hours of opening beyond 0800 to 2200 hours (that normally observed by Spar shops - although he accepts that it is a planning issue for Officers to determine accordingly); whilst I accept that the proposed use may attract additional visitors to this particular location, as the focus will be towards the entrance to the building that faces onto Edisford Road, I do not consider that the impact of the proposed change of use will be to the detriment of the amenity of those nearest neighbours to the site.

#### HIGHWAY SAFETY AND PARKING

The LCC Environmental Services East Officer (Highways) has raised no objection in principle to this application on highway safety grounds, and he notes the following.

This proposal is for a relatively small retail unit, designed to address an essentially local custom from the Low Moor and Henthorn Road areas. This is reflected in the limited parking provision. The site offers access for all relevant service and delivery vehicles and retains one mobility parking space. There are two points of access to the site and while these are not defined as "IN" and "OUT" for customers, they will operate in a clockwise manner for all deliveries. He has visited the site on a number of occasions to consider the proximity of the site access and the St Paul's Street junction with Edisford Road, and from his observations, the interaction of vehicles entering the proposed development and the position adopted by motorists exiting onto Edisford Road would not result in the safety of either party being undermined. In addition, when considering the low volume of vehicular activity anticipated at this site, the potential for conflict is considered to be minimal. He also confirms that the area to the east of the site, originally identified as "overspill parking", was labelled and that this area will not be available for parking or be in any other way utilised as part of this application. As such, bearing in mind the above and whilst I am mindful of the points of objection from nearby neighbours, on the basis of the above, I consider the proposed provision of an A1 Retail use within Brockhall Village would comply with the provisions of not only the National PPS's but also the Local Plan Policies, without being to the detriment of the amenity of the nearby neighbouring properties. As such, I recommend the application accordingly.

## SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. The permission shall relate to the development as shown on Plan Drawing No's PL01-Rev. A, PL02-Rev. A, PL03, PL04, PL05 and TRI-0659-01

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 21 February 2011.

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

4. The use of the premises in accordance with this permission shall be restricted to the hours between 0700hrs to 2300hrs Monday to Saturday and on Bank Holidays. On Sundays, the use of the premises in accordance with this permission shall be restricted to the hours between the hours of 0700hrs to 2200hrs.

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.

5. All Deliveries to the site, apart from the delivery of newspapers, shall be restricted to between the hours of,
  - a. 0700hrs to 2000rs Monday to Friday,
  - b. 0700hrs to 1800hrs on Saturdays and Bank Holidays, and
  - c. 0900hrs to 1400hrs on Sundays.

Deliveries shall also be organised as to avoid reversing on site and activation/use of reversing beepers.

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.

6. Prior to the commencement of the use of the main building associated with this approval, further details of the proposed bin/storage area to the rear of the main building 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.

7. The existing boundary fence and Conifer hedge, as indicated on plan drawing no. PL01-Rev. A, shall be retained and maintained to the satisfaction of the Local Planning Authority in perpetuity, unless otherwise agreed in writing.

REASON: In order to safeguard the residential amenity of the adjacent neighbouring properties.

8. The two air conditioning systems, models PLA-RP140BA, and the three condensing units, models SL4456 C130, hereby approved, shall be implemented in accordance with the details submitted on the 21 February 2011.

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

APPLICATION NO: 3/2011/0055/P (GRID REF: SD 370827 433643)  
RETROSPECTIVE APPLICATION FOR A PROPOSED STABLE BLOCK AND ACCESS TRACK TO REGULARISE DIFFERENCES BETWEEN DEVELOPMENT APPROVED UNDER PLANNING PERMISSION 3/2008/0868/P AND AS BUILT AT YORKFIELD, YORK LANE, LANGHO

PARISH COUNCIL: No objections.

ADDITIONAL REPRESENTATIONS: Two letters have been received from nearby residents who make numerous comments and objections about this development and this application, some of which are not specifically related to Members' consideration of this application. The comments/objections that are relevant are summarised as follows:

1. We raised no objection to the original application 3/2008/0868/P and would have been happy if the building had been constructed in accordance with the approved plans, as it would have been unobtrusive and in keeping with its rural surroundings.
2. The building, as built, bears little relationship to what was approved. It is not compatible with its rural surroundings and looks more like an industrial shed than a rural stables.
3. The main points of complaint relating to deviations from the original plan are:
  - the location and orientation of the building are different from the original plan;

- the dimensions are different resulting in a much larger building;
  - the overall height of the building is not as anticipated due to much higher base level made necessary by having to cast the new concrete foundation slab, after the original cracked badly, and the changed roof design making the building much more visible at day or night;
  - the roof design and materials are not as described in the original plan;
  - the construction materials are not as described in the plan and application form;
  - further plantings have been made of local species but these also contain Leylandii which will result in excessive wind-blown moss accumulating on the side of my building;
  - the building is only used for winter months but we have to tolerate its ugly appearance all year round.
4. With the exception of the roof, the general appearance of the building and materials used appear to be of a reasonable standard. Replacing the current roof with something more appropriate along the lines of the original approval in terms of roof angle, materials and colour would take away its present industrial shed appearance.
5. Our personal main concern is the composition of the roof of the building, corrugated asbestos (or similar) and skylights, which we overlook is ugly and would be more appropriate in an industrial area.

### **Proposal**

This is a retrospective application that seeks permission for the retention of a development “as built” by effectively authorising differences to the development for which planning permission was granted by 3/2008/0868/P.

Permission was granted for a two horse stable block, winter turnout area and access track. The winter turnout area and access track had already been constructed so, in relation to those elements of the proposal, the permission was granted retrospectively.

The approved stable building had maximum dimensions of approximately 13.65m x 5.49m with eaves/ridge heights of 3.1m/3.7m.

On the application forms of the original application the external materials were stated as brown stained timber boarding to the walls, with the roof comprising timber covered in roof felt. Inconsistent with the application forms, however, it was stated in the Design and Access Statement that the roof would be fibre cement roof sheeting.

The differences between the development shown on the approved plans and stated on the submitted application forms (which would take precedence over any conflicting content of the Design and Access Statement), are as follows:

1. Although already formed at the time of submission of the original application, the position of the access track shown on the submitted plans does not accord with its position “on the ground”.
2. Again, although already formed at the time of submission of the original application, the position of the winter turnout area differs slightly from what was shown on the submitted plans.
3. As originally constructed the walls of the building were concrete blocks (rather than timber boarding as approved). These have since been faced with a mixture of vertical and horizontal dark brown stained timber cladding.
4. Although generally in the approved position (as the footprint of the building as built overlaps the footprint as approved) the precise orientation of the building has changed.
5. The dimensions of the building as built are as follows:
  - Length – 13.45m (0.2m shorter than approved).
  - Width – 6.30m (0.81m longer than approved).
  - Eaves – 3.1m (as approved).
  - Ridge – 4.4m (0.7m higher than approved).
6. The roof of the building is at a steeper angle than approved (which is the reason it is 0.7m higher) and has a covering of grey coloured corrugated fibre cement sheets.

### **Site Location**

The application relates to a piece of land at the rear of Yorkfield, York Lane, Langho. It is an old quarry site and is within the Green Belt. It is adjoined to the west by the curtilage of Yorkfield, to the north by a residential property on Hawthorn Close and to the east and south by open fields.

### **Relevant History**

3/2008/0868/P – Proposed stable block, winter turnout area and access track (part retrospective). Approved subject to conditions.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV3 - Development in Open Countryside.

Policy ENV4 - Green Belt.

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

The carrying of development that is not in accordance with the approved plans and then seeking permission retrospectively for the development as built cannot be condoned.

Having said that, planning legislation does allow for such applications, and the considerations to make upon them relates to a judgement in respect of any harm caused by those elements of the development that are not in accordance with the approved plans. As Members will be aware, Central Government advice to Local Planning Authorities is that enforcement action must not be used to regularise the breach where no harm is caused or in an attempt to settle neighbour disputes. In short, Local Planning Authorities should not take formal enforcement action against any unauthorised development for which it would grant planning permission. Enforcement action is only appropriate where it can be demonstrated that there is significant harm caused through:

1. the loss of residential amenity;
2. the loss of character of an area;
3. development/use being contrary to the Local Plan;
4. an unacceptable precedent.

In relation to this particular case, proposals for stables are acceptable in principle under the relevant policies of the Local Plan. There is therefore no significant harm in relation to point 3 above. Furthermore, stables of a similar size, or larger, and constructed using similar external materials have been approved elsewhere in the borough. A permission for the retention of this building as built would not therefore be setting a precedent. There is therefore no significant harm in relation to point 4 above.

The relevant considerations therefore relate to the effects of those elements of the application that are not in accordance with the approved plans upon the amenities of nearby residents and the character of the area.

I do not consider that the different route of the access track or the slightly different position of the winter turnout area have any material effects upon either the amenities of nearby residents or the character of the locality.

Now that the walls have been clad in dark brown stained timber, I do not consider this slight variation from the approved plans to have any detrimental effects in respect of those two particular interests.

The change to the orientation of the building does mean that more of it is visible from the nearest adjoining residential property. It does not however take it any closer to that property (in fact it is very slightly further away). There is a distance of approximately 24m between that dwelling and the building with the building sited on considerably lower ground than the dwelling. In either its approved or a built positions, the building does not have any physical effects upon the amenities of that dwelling such as being overbearing or causing loss of light. The fact that the owners/occupiers of the dwelling can see more of the building does not represent a reason for refusal of the application, nor would it be a sustainable reason for serving an Enforcement Notice. This deviation from the approved plans does not, in my opinion, have any effects upon the character of the area.

The fact that the building is slightly wider and 0.7m higher than approved, also does not have any material effects upon the amenities of the adjoining dwelling. This deviation from the approved plans also, in my opinion, does not have any material effects upon the character of the area.

The fact that the roof is at a steeper angle than approved, does not have any material effects upon either the amenities of neighbours or the character of the area.

The change to the roofing materials from roof felt of unspecified colour (presumably to be green) to natural grey coloured corrugated fibre cement sheets does have some effect upon the appearance of the building and therefore upon the character of the area. I do not consider this roof material to be particularly inappropriate, however, and stables and agricultural buildings using similar materials have been approved and built throughout the borough. Any effects upon the appearance of the general locality are also minimised by the existing tree/hedge screening. I do not consider that the roof materials have such a seriously detrimental effect upon the character of the locality to justify either refusing this application or serving an Enforcement Notice.

The fact that nearby residents can see this roof (and that they do not like its appearance) does not represent any harm to their residential amenities. Therefore it does not represent a sustainable reason to either refuse the application or to take enforcement action.

Overall, I can therefore see no sustainable reasons to refuse this retrospective application.

The original application is subject to conditions that require the submission of details of manure storage facilities and of any proposed external lighting.

This current application includes details of one wall mounted halogen light on the front of the building pointing towards the applicant's house and two fluorescent lights on the underside of the overhang at the front of the building. I consider this to be an acceptable level of illumination that does not have any seriously detrimental effects upon either the amenities of nearby residents or the visual amenities of the locality. I still consider it appropriate, however, to impose a condition that no additional external lighting be installed or erected without a further planning permission.

The submitted plans also shows an area annotated 'manure store' that is approximately 75m away from the nearest residential property. A covered trailer is parked on this area that is used for the storage of manure prior to it being taken off site for appropriate disposal. The Environmental Health Officer considers the location and method of disposal to be acceptable subject to a condition to ensure that this method of storage/disposal continues to be followed. In the event of permission being granted, such a condition will be imposed. the position of a manure store which is approximately 75m away from the nearest residential property. I consider this to be acceptable.

#### SUMMARY OF REASONS FOR APPROVAL

The differences between the development as approved and as built do not have any seriously detrimental effects upon either the appearance and character of the locality or the amenities of nearby residents.

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

1. This retrospective permission shall relate to the retention of the development as shown on drawing number Ken/288/721/01 REVA.

REASON: For the avoidance of doubt and to clearly define the development for which retrospective permission has been granted.

2. Other than the one halogen light and two fluorescent lights detailed in the application, no additional external lighting shall be installed or erected at the site unless precise details thereof have first been submitted to and approved in writing by the Local Planning Authority.

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

3. Manure shall be stored in a covered trailer that shall be parked only on the area annotated 'manure store' on drawing number Ken/288/721/01REVA. The manure shall then be taken off site for appropriate disposal.

REASON: In the interests of the amenities of nearby residents and to avoid contamination of ground or surface waters; and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2011/0071/P (GRID REF: SD 374337 441547)  
PROPOSED APPLICATION FOR THE RENEWAL OF PLANNING CONSENT 3/2007/0944/P FOR THE PROPOSED CHANGE OF USE FROM WAREHOUSE TO OFFICE/WORKSHOP. PROVISION OF GROUND FLOOR GALLEY KITCHEN AND WC. CONSTRUCTION OF NEW FIRST FLOOR TO PROVIDE OFFICE SPACE AT TOM CROFT, BACK LOWERGATE, CLITHEROE

TOWN COUNCIL: No objections.

ADDITIONAL REPRESENTATIONS: One letter has been received and whilst it expresses no objection in principle to the development, it identifies concerns about accessibility both during the proposed work and thereafter with occupation of the building. In particular, parking issues should be resolved as a priority over converting more off-road parking into office space – at present two cars will fit in the existing garage.

### **Proposal**

This application seeks to renew an extant permission secured consent under 3/2007/0944/P. That scheme detailed the proposed change of use of an existing warehouse building to a workshop/storage area, WC and kitchen on ground floor with office/workshop at first floor. The plans denoted a new staircase to be formed internally to serve a first floor with the design and access statement outlining that whilst there would be no alterations made to the external appearance of the building, it would however be repaired. Details sought from the applicant

when considering the extant permission clarified that approximately 35% of the floor space would be for office use, 50% workshop and 15% ancillary. They considered the use to fall within Class B1 of the Use Classes Order.

### **Site Location**

The building is situated on Back Lowergate within the Conservation Area of Clitheroe. To its rear is Sainsburys with residential properties to its north east, north west and south west.

### **Relevant History**

3/2007/0944/P – change of use from warehouse to office/workshop. Provision of ground floor galley kitchen and WC. Construction of new first floor to provide office space. Approved with conditions 6 February 2008.

### **Relevant Policies**

Policy G1 - Development Control.

Policy ENV16 - Development Within Conservation Areas.

Policy ENV17 - Details Required with Proposals in Conservation Areas.

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

Planning consent 3/2007/0944/P was granted consent on 6 February 2008 with condition 1 of that consent requiring works to commence not later than the expiration of three years beginning with the date of that permission. The application before Committee to renew that consent was made valid on 31 January 2011 and thus the 2007 permission was extant when the current application was made. Government guidance is clear that where no material change in planning circumstances occurred, a refusal to renew a planning permission may be held to be unreasonable.

The only material change that has taken place since the last approval, is the emergence of new Government guidance in the form of PPS4 'Sustainable Economic Development' to replace PPG4 'Industrial and Commercial Development in Small Firms'. However, both of these documents support development that would suit small firms. Thus, whilst the national policy document, again which this scheme should be judged, has changed since the last approval – it does not significantly alter the planning policy approach to a development of this nature.

Members will note that a concern has been expressed by a nearby resident about accessibility to the building and in particular parking issues. However, as stated previously it would be considered unreasonable to refuse to renew a consent where all those matters had been considered previously with no objections made. I refer Members back to the report presented to them on 5 February 2008 regarding application 3/2007/0944/P at which time the matters of access were considered with the County Surveyor raising no objections nor requesting specific conditions be imposed to address such matters.

Thus, on the basis that there has been no material change in planning circumstance since the original permission was granted, which this application seeks to renew, 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 drawing 02/044/07REVA proposed plans, elevation and section that were originally submitted under 3/2007/0944/P.

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

3. The window at first floor on the north eastern elevation of the building shall be obscure glazed to the satisfaction of the Local Planning Authority and remain in that manner in perpetuity.

REASON: In order to protect new residential amenities required by Policy G1 of the Ribble Valley Districtwide Local Plan.

4. Prior to occupation of the building, details of acoustic specification of all fixed plant and machinery including how it shall be enclosed within sound insulating material and mounted so as to minimise transmission of structure borne sound, shall be submitted to and approved in writing by the Local Planning Authority. All equipment shall be installed in accordance with the details so approved and in no event shall there be any air condition, extraction plant or similar mounted externally on the north east elevation of the building.

REASON: In order that the Local Planning Authority shall be satisfied with the details in order to safeguard neighbouring amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2011/0093/P (GRID REF: SD 360631 437338)  
APPLICATION FOR THE RENEWAL OF PLANNING CONSENT 3/2008/0784/P FOR OUTLINE  
APPLICATION FOR THE RE-DEVELOPMENT OF LAND FOR RESIDENTIAL USE AT  
DEPOT, LAND OFF DIXON ROAD, LONGRIDGE, LANCASHIRE



TOWN COUNCIL:

The Town Council object to this proposal on the following grounds:

1. The existing problems with access to the site will be exacerbated should this proposal go ahead,
2. Existing problems with refuse collection not being carried out regularly to these problems, so how will refuse be collected for these new properties?
3. Whilst there is no objection to the site being used for residential, there is an objection to the number of units proposed in this development.

LCC ENVIRONMENTAL  
SERVICES EAST  
(HIGHWAYS OFFICER):

No observations or comments received at the time of the reports submission. However, he has raised no objections verbally and there were no objections raised to the previously approved application, Ref. No. 3/2008/0784/P.

ADDITIONAL  
REPRESENTATIONS:

One letter of objection has been received at the time of this reports submission, and has been sent on behalf of the eight properties at Sharley Fold. The following points of objection are raised:

1. Overdevelopment of the site,
2. Managing flats with houses attached is not practicable,
3. Will the tree-damaged walls of the three garages adjacent to the site be repaired?
4. Boundary walls between the development and Sharley Fold have long been in decline. Who owns them and what are the plans for them?
5. Drainage problems.
6. The siting of the RVBC garage is impractical for reasons of accessibility and noise, and should be sited at the entrance to the site,
7. The workshop on site contains asbestos and should be removed in a correct and legal manner.
8. If cars struggle, pedestrians have no path and walk on a narrow carriageway, bin wagons cannot access and fire engines may be unable to gain access, then the proposal cannot possibly be acceptable,
9. The creation of a parking area to the east boundary may undermine the wall surrounding Sharley Fold Farm, a Listed Building,
10. Visual impact on Listed Building and on the Conservation Area.

### **Proposal**

This is an application for a new planning permission to replace an extant outline planning permission, in order to extend the time limit for implementation, for the development of land off

Dixon Road, Longridge, for residential purposes. The reserved matters for which approval was granted were 'Access' and 'Layout'.

### **Site Location**

The site is a town centre location and also within the Longridge Conservation Area, as defined by the Ribble Valley Districtwide Local Plan.

### **Relevant History**

3/2008/0784/P - Outline application for the re-development of land for residential development – Granted Conditionally.

3/2004/0445/P – Residential Development with RVBC Transport Depot, 6no. Apartments in three storey block and 2no. semi-detached houses – Refused.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G2 – Settlement Strategy.

Policy ENV16 – Development within Conservation Areas.

Policy ENV19 – Listed Buildings.

SPG 'Extensions and Alterations to Dwellings'.

Policy L4 of the Regional Spatial Strategy (RSS).

PPS3 – Housing.

PPS5 – Planning for the Historic Environment.

Affordable Housing Memorandum of Understanding (AHMU).

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

This is an application for a new planning permission to replace an extant outline planning permission, in order to extend the time limit for implementation, for the development of land off Dixon Road, Longridge, for residential purposes. The reserved matters for which approval was granted were 'Access' and 'Layout'. Given that the previously Approved planning permission, Reference Number 3/2008/0784/P, remains extant, the main consideration with this application is whether there has been any significant changes to the current saved planning policies, or the introduction of any new policies that could be material considerations. In this case, the main alterations include an updated PPS3 – Housing, a new PPS5 – Planning for the Historic Environment and the introduction of the Affordable Housing Memorandum of Understanding (AHMU), all of which will be covered within my report. The keys issues with regards to this proposal are the actual principle of the development of the site for housing, the access to the site and the proposed layout of the site.

### **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 there are less than 10 units proposed on this site (nine are indicated)

within the Settlement Boundary of Longridge, there is no requirement under the terms of the Affordable Housing Memorandum of Understanding (AHMU) for any of the dwellings on site to be 'affordable'. This is also agreed with in the wording of Policy L4 of the RSS which states that on sites where less than 15 dwellings are proposed, no affordable housing element will be required and the proposals will be acceptable in principle providing they comply with the limits of the development as identified in the saved settlement hierarchy of the Districtwide Local Plan.

The Local Plan Policies above also however need to be seen in the context of the revised National Planning Policy Statement 3 (PPS3) para 71 which states that in the absence of a five year supply of deliverable sites, which is the current position within the Borough, planning applications for housing should be considered favourably having regard to the wider policies within the PPS and including criteria in PPS3 para 69. Paragraph 69 states that, in deciding planning applications. Local Planning Authorities should have regard to, (among other issues):

- The suitability of a site for housing, including its environmental sustainability
- Using land effectively and efficiently and;
- Ensuring that the proposed development is in line with planning for housing objectives reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives.

In considering suitability in this context the following are considered to be important:

- The location of the site in relation to the settlement and its services and amenities;
- The density of the development and subsequent visual impact on surrounding areas;
- The ease of access to the site and the potential impact of creating a new access (which would be advised by Lancashire County Council Highways staff).

On this basis, whilst the central location of the site within Longridge is considered entirely suitable, the density of the development and its subsequent visual impact are also key factors when considering the proposal.

## VISUAL IMPACT/LAYOUT

With regards to the proposed layout of the site, excluding the proposed residential development, the scheme submitted includes parking for eleven vehicles at the site, space for ten bicycle spaces and a new Ribble Valley Borough Council Transport Depot building. The residential development illustrated on the previously approved plans proposes a linear form of buildings, with a mixture of two and three storey heights. The site is positioned on a lower ground level compared to the adjacent Listed Building Sharley Fold Farm, however the ground level is higher than that at the adjacent Library and St Pauls Church. The buildings are positioned approx. 13m from the boundary with Sharley Fold Farm, approx. 18.2m from the main property itself, approx. 13m from the adjacent flats to the north of the site and over 36m from the adjacent Church to the west. Bearing the above in mind, it is considered that the layout of the site is considered to be acceptable, as there appears to be sufficient spacing distances between the adjacent properties, which is indeed helped by the difference in land levels on site. However, as with the previous scheme, there is still concern regarding the illustrative height shown on the submitted plans, more specifically the three-storey element of the scheme, and its impact on the character and appearance of the Conservation Area.

The new PPS5, Planning for the Historic Environment, considers how we should assess development within designated 'Heritage Assets'. Policy HE9.1 of PPS5 states "there should be

a presumption in favour of the conservation of designated heritage assets and the more significant the designated asset, the greater the presumption in favour of its conservation should be. Once lost, heritage assets cannot be replaced and their loss is a cultural, environment, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.’ In addition, Policy HE10.1 states ‘when considering applications for development that affect the setting of a heritage asset, local planning authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset.’

It is accepted that this particular location within the Conservation Area does not make a positive contribution to the character or appearance, and that a sympathetic development would bring added benefit to the area. When assessing the previous scheme, the Council’s Principal Planning Officer (Design and Conservation) suggested that much of the lead be taken from the nature of historic development along the approach along Dixon Road and to Sharley Fold Farmhouse, and that a more compact, two-storey development (preferably of interesting and contemporary design), setback towards the rear of the site to maintain views of the Church, would be preferable to the high-density development proposed which would dominate the setting of Sharley Fold Farmhouse. The Applicant was made aware of the concern regarding the three-storey element proposed for the scheme, specifically in relation to the adjacent Listed Building, and as such, and in line with the previously approved scheme, it is recommended that properties are no more than two storeys in height on any subsequent reserved matters applications.

## ACCESS

With regards to the access to the site, at the time of this report’s submission there had been no response from the LCC Highways Officer. However, with regards to the previously approved scheme, the LCC Officer gave the following advice.

*“The first 76m of Dixon Road north of Berry Lane is adopted, and the width of the road is 5.0m at its junction with Berry Lane and varies from 4.0m to 5.4m along its length. It is considered that vehicles entering Dixon Road have clear visibility along the adopted length. In relation to the question of access for refuse and other larger vehicles, while two way movements cannot be maintained for its full length, there are locations allowing vehicles to pull to the side of the carriageway in order to secure access. Comments received regarding the ability of some larger vehicles, such as refuse vehicles, to access the site safely and conveniently have considerable merit, however the amendments that have been made to the site layout are sufficient to secure an area for the safe manoeuvring of vehicles within the site, allowing them to enter and leave in a forward gear.”*

Committee may recall the Street Scene Manager disagreeing with these comments at the time, noting that despite Dixon Road being an adopted highway he anticipated that any increase in its usage is likely to generate a degree of conflict between traffic using it which if not improved could lead to vehicles having to reverse to allow others to pass, and that the access road should be of sufficient width to allow vehicles to pass each other safely. He also noted that the road has no footpaths for pedestrian use and there appears to be no off-street parking space available for the existing properties at the junction of Dixon Road and Berry Lane, and bearing in mind the present limited use of Dixon Road it may be being used for on-street parking by residents of the properties referred to. Therefore, in his opinion, without modification and improvement the road does not provide safe and suitable access to a new development and could lead to problems in servicing the site in future.

It was clear at the time that there was a conflict of opinion from the County Highways Officer and the Street Scene Manager on this proposal, however the following was also taken into consideration. The accessibility Dixon Road by refuse vehicles is difficult, however it was suggested that this may be due to the fact that there is no provision for the vehicles to turn at the end of the road, hence the reason for vehicles not entering the road. The revised layout provided by the applicant allows provision for larger vehicles to turn within the site, and as such should improve the accessibility of not only the proposed site but also the existing properties. In addition, the County Surveyor stated at the time that he considered that vehicles entering Dixon Road have clear visibility along the adopted length, and while two way movements cannot be maintained for its full length, there are locations allowing vehicles to pull to the side of the carriageway in order to secure access, meaning that anyone wanting to pull into/or drive out of Dixon Road, will have sufficient visibility to see any vehicles entering/leaving.

As such, given there have been no alterations proposed to the previously approved scheme, and that this permission remains extant, there are no objection to the application in principle on highway safety grounds.

As such, bearing in mind the above comments and whilst I am mindful of the points of objection from nearby neighbours and the Town Council, I consider the scheme to still comply with the relevant policies, and I recommend the scheme accordingly.

#### SUMMARY OF REASONS FOR APPROVAL

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

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

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates.
  - (a) The expiration of three years from the date of this permission; or
  - (b) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

The permission shall relate to the development as shown on Plan Reference No's GA1512-02 and GA1512-04.

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

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

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

3. With reference to any future reserved matters application, and notwithstanding the details submitted with the application, the preferable height of the proposed dwellings on site shall be of a two-storey construction only.

REASON: In the interests of visual amenity, and the potential impact upon the adjacent Listed Building and Conservation Area, in accordance with Policies G1, ENV16 and ENV19 of the Ribble Valley Districtwide Local Plan.

4. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with one of the examples indicated on the attached plan and the vehicular turning space shall be laid out and be available for use before the development is brought into use. A detailed plan for approval shall be submitted to and approved in writing by the Local Planning Authority before development commences.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan. Vehicles reversing to and from the highway are a hazard to other road users.

5. 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.

#### Note

1. The applicant's attention is directed to the requirements of Section 31 of the County of Lancashire Act 1984, which states:

31(1) except as provided in subsection (2) below where plans for the erection or extension of a building are deposited with a District Council in accordance with building regulations, the District Council shall reject the plans unless, after consultation with the Fire Authority, they are satisfied that the plans show -

- (a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and
- (b) that the building or, as the case may be, the extension of the building will not render inadequate any existing means of access for the fire brigade to a neighbouring building.

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

APPLICATION NO: 3/2011/0016/P (LBC) & 3/2011/0017/P  
(GRID REF: SD 381314 443959)

CONVERT GARAGE TO HOLIDAY COTTAGE WITHIN THE CURTILAGE OF THE LISTED MANOR HOUSE (LBC). CONVERT EXISTING GARAGE STRUCTURE TO TWO STOREY HOLIDAY COTTAGE (PA) AT THE MANOR HOUSE, TWISTON

PARISH COUNCIL: No comments received.

LANCASHIRE COUNTY COUNCIL (AONB): Consulted, no comments received.

LANCASHIRE COUNTY COUNCIL (HIGHWAYS): Consulted, no comments received.

ENVIRONMENT AGENCY: No objection in principle but comment that:

Under the terms of the Environmental Permitting Regulations 2010, an Environmental Permit is required from the Environment Agency for any proposed sewage or trade effluent discharge to any inland freshwaters, coastal waters or relevant territorial waters. Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period may be registered as an exempt activity provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

Recommend that the developer considers the following, as part of the scheme:

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

ADDITIONAL REPRESENTATIONS: Two letters of objection received. One of these is from the Clerk to the Parish although comments appear to be made in a personal capacity. In summary, this letter states

1. The small, quiet hamlet is unsuitable for holiday lets; holiday makers will be unaware of country living resulting in litter, trespass off footpaths and dogs off leads (sheep grazing).

2. Increased traffic on small country roads.
3. Inaccuracies in applicant's history of the site – this building was a ruin up to the late 1940s when roof added and used for vehicle repairs (husband has lived here 60 years).
4. The objector's land surrounds the property. Existing septic tank is no more than adequate to deal with existing situation – pollution of the local watercourse could become an issue.

The second letter is from the residents of Manor Barn. In summary, this states

1. Previous development at the site has been considerable.
2. Manor Barn was built in 1757 as the tithe barn for the Manor House and has maintained a historical relationship with the Manor House until recently.
3. Concerned at the raising of expectations for property development within the Ribble Valley.
4. However, if consider further development to be acceptable - give attention to scale. The previously approved conversion was of a suitable scale. Consider screening car parking from Manor Barn kitchen windows (late evening arrivals). Some overspill car parking on other side of drive from Manor Barn would ensure that not taking all traffic near to their wall/garden.
5. The statement in section 8 (neighbour and community consultation) is inaccurate as taken by surprise by whole matter.

## **Proposal**

Listed building consent and planning permission is sought for the conversion and extension of the garage to holiday accommodation. The garage incorporates some historic fabric from a former building on this site but is ostensibly a modern flat-roofed single storey triple garage on a rectangular plan with a 9.9m frontage, 6.4m depth and 3.2m height.

The proposal would create an 'L' shaped plan and extend the depth of the building to 9.8m through the addition of a two storey rear extension. The proposal would create a second storey raising the height of the building to 5.6m. At ground floor is shown a lounge, dining room, kitchen, shower-room, cloaks and utility; at first floor is shown x 2 bedrooms, a bathroom and eaves storage. Walls to match existing (sandstone), artificial stone slates, timber windows and doors. The application form shows there to be the loss of one (of three existing) car parking spaces as a result of the development; the gateway access to the Manor House is to be set back "to meet highway minimum access requirements". Foul sewage is to be disposed of via a septic tank. A part time employee will probably result. The application form notes that pre-application advice provided a "general indication of what might or might not be an acceptable submission". The garage is on the site of former lead miners cottages.



## **Site Location**

Twiston Manor House is grade II listed (13 February 1967) and dates from 1719; it is set back approximately 50m from the road where there is a small cluster of buildings which includes the modern (some historic fabric survives from a previous building on the site) utilitarian designed three bay garage subject of application. The garage's size and stone walling results in an appropriate subservience to the hamlet's historic buildings. The site is elevated (referred to as 'Higher Twiston' on the 1845 OS map) and is within the Pendle Hill outlier of the Forest of Bowland Area of Outstanding Natural Beauty.

## **Relevant History**

3/2005/0482/P – erection of double garage with attached offices and associated woodland planting. Planning permission granted 8 September 2005 (has been implemented).

3/2005/0484/P – conversion of treble garage into holiday cottage. Planning permission granted 8 September 2005 and includes a modest single storey rear extension and provision of a double pitched roof. The applicant has subsequently requested pre-application advice on a number of occasions in respect to increasing the size of the development; on the last occasion an officer suggested the submission of an application in respect to the scheme now under consideration.

3/2004/0565/P – erection of double garage with attached offices. Planning permission refused 12 August 2004.

3/2004/0566/P – erection of double garage and offices. Listed building consent refused 12 August 2004.

3/2004/0567/P – conversion of treble garage into holiday cottage. Planning permission refused 12 August 2004.

3/1989/0008/P – alteration to access to form new driveway. Planning permission granted 17 March 1989.

## **Relevant Policies**

Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy Statement 5: Planning for the Historic Environment (PPS5).

Historic Environment Planning Practice Guide (HEPPG).

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

Policy ENV19 - Listed Buildings (Setting).

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy G1 - Development Control.

Policy RT1 - General Recreation and Tourism Policy.

Policy RT2 - Small Hotels and Guest Houses.

Policy RT3 - Conversion of Buildings to Tourism Related Uses.

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

The main considerations in the determination of the listed building consent application relate to the extent of preservation of the listed building, its setting and its features of special architectural or historic interest. Additional main considerations in the determination of the planning

application relate to the character of the Forest of Bowland Area of Outstanding Natural Beauty, the character and setting of heritage assets, residential amenity and probably employment.

Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering applications for listed building consent and planning permission, special regard shall be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

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 asset, the greater the presumption in favour of its conservation should be. Once lost, heritage assets cannot be replaced and their loss is a cultural, environment, 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 states “where a proposal has a harmful impact on the significance of the designated heritage asset which is less than substantial harm, in all cases, local planning authorities should:

1. Weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long term conservation) against the harm; and
2. Recognise that the greater the harm to the significance of the heritage asset, the greater the justification will be needed for any loss”.

PPS5 Policy HE10.1 states ‘when considering applications for development that affect the setting of a heritage asset, local planning authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. When considering applications that do not do this, local planning authorities should weigh any such harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval’.

PPS5 is accompanied by the Historic Environment Planning Practice Guide (HEPPG, March 2010). Paragraph 2, Introduction, of the HEPPG states that the practice guidance may be “material to individual planning and heritage consent decisions”.

HEPPG paragraph 114 states ‘The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as .. spatial associations..’.

HEPPG paragraph 44 states ‘..it is important to recognise that new development that relates well to its surroundings is likely to last longer before its replacement is considered and therefore make a greater contribution to sustainability. Local planning authorities are encouraged to seek well-conceived and inspirational design that is founded on a full understanding of local context’.

HEPPG paragraph 121 states ‘ The design of a development affecting the setting of a heritage asset may play an important part in determining its impact. The contribution of setting to the

historic significance of an asset can be sustained or enhanced if new buildings are carefully designed to respect their setting by virtue of their scale, proportion, height, massing, alignment and use of materials..’

HEPPG paragraph 158 ff refer to the circumstances under which restoration of an heritage asset might be considered appropriate.

Policy ENV20 of the Ribble Valley Districtwide Local Plan (adopted June 1998) has the status, following Government Office North West approval, of a ‘saved policy’. It states that “.. 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”.

Policy ENV19 of the RVDLP states ‘...Development proposals on sites within the setting of buildings listed as being of special architectural or historic interest which cause visual harm to the setting of the building will be resisted...’.

Policy ENV1 of the Ribble Valley Districtwide Local Plan states ‘The landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. In addition development will also need to contribute to the conservation of the natural beauty of the area. The environmental effects of proposals will be a major consideration and the design, materials, scale, massing and landscaping of development will be important factors in deciding planning applications (see Policy G1). The protection, conservation and enhancement of the natural environment will be the most important considerations in the assessment of any development proposal. Regard will also be had to the economic and social well-being of the area’.

Policy RT1 states that proposed tourism and visitor facilities should not ‘undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design’ and within the AONB ‘introduce built development into an area largely devoid of structures..’.

Policy RT3 states, inter alia, that permission will be granted for tourism related uses providing ‘additional elements required for the proper operation of the building will not harm the appearance or function of the area in which it is situated’.

It is noted that objective 12.1 of the Forest of Bowland Area of Outstanding Natural Beauty Management Plan (April 2009 – March 2014) seeks to provide a design guide for the AONB to include reference to building diversification.

In my opinion, the existing garage contributes little to the significance, character or setting of the Forest of Bowland Area of Outstanding Natural Beauty. However, it is prominent and the Borough Council has therefore welcomed the applicant’s previous design proposal to sensitively convert and extend the building to holiday accommodation (following the refusal of a scheme proposing undue enlargement of the building). In contrast, the proposed two storey building would significantly harm the character and significance of the historic hamlet including the relationship between buildings in the street scene.

**RECOMMENDATION 1:** That planning permission be REFUSED for the following reason:

1. The proposed enlargement of the building would result in a conspicuous and unduly prominent development within the street scene to the detriment of the character and

significance of the historic hamlet within the Forest of Bowland Area of Outstanding Natural Beauty and the setting and significance of Manor House (grade II listed). This would be contrary to Policies ENV1, ENV19, RT1 and RT3 of the Ribble Valley Districtwide Local Plan.

RECOMMENDATION 2: That listed building consent be REFUSED for the following reason:

1. The proposal would be harmful to the setting of the listed building because of its undue prominence and resulting dominance of listed building curtilage. This would be contrary to Policy ENV19 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: 3/2011/0039/P (GRID REF: SD 376803 434448)  
PROPOSED REPLACEMENT OF 10 GARAGES WITH FIVE TWO BEDROOM HOUSES WITH GARDENS (RESUBMISSION OF PLANNING APPLICATION 3/2009/0879/P) ON LAND AT HAMBLEDON VIEW, READ

PARISH COUNCIL: The Parish Council has viewed this resubmission of application 3/2009/0879/P and has made the following observations:

- The reduction in property size to two bedrooms has not addressed off-street parking facilities in a street which is already heavily congested with vehicles and reduced to a single carriageway in the evenings and at weekends.
- Following representations by the Parish Council at the Planning and Development Committee meeting on 7 October 2010, Lancashire County Council recommended refusal of the application on highway safety grounds. It was stated that the insufficient parking provisions for the size and number of properties would create conditions detrimental to highway safety. This has still not been addressed in the resubmission.

The Parish Council strongly recommends refusal of this application.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): Has no objection in principle to this application on highway safety grounds and comments additionally as follows:

- The application is for five two bedroomed dwellings, the internal design of which precludes their further development. On this basis, the available frontage parking that would be created on Hambledon View could reasonably be determined to be sufficient to accommodate five vehicles, one per property. This would be consistent with the appropriate provisions for a two bedroom property within the established village boundary and on a traditional terraced street such as Hambledon View.
- A development of this nature would continue the existing urban character of the street and will result in minimal highway impact.

UNITED UTILITIES: Expressed an objection initially because several public sewers crossed the site and therefore a diversion of the affected sewers at the applicant's expense may be necessary. United Utilities stated, however, that, if this matter could be resolved, they would have no objections to the development.

**ADDITIONAL  
REPRESENTATIONS:**

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

1. Loss of light.
2. Loss of view.
3. Highway safety problems as the proposal will exacerbate an existing parking problem in the area. The applicant claims that the existing garages are used for commercial purposes. This is not true as at least five of the garages are let to local residents.

**Proposal**

I consider it appropriate in this case to describe the proposal within the context of the consideration of the original application 3/2009/0879/P.

That application sought permission for the erection of a terrace of five three bedroomed houses. The living accommodation was to be on the ground floor with two bedrooms and a bathroom at first floor level and a third bedroom at second floor level within the roof space.

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

Although the originally proposed houses had contemporary fenestration details, their eaves and ridge height matched the existing adjoining houses, and the external materials were to be artificial stone and a slate type roof covering also to be in-keeping with the locality.

The key issues in the determination of that application were considered to be compliance with the relevant Local Plan policies and National Planning Guidance, the visual impact on the street scene, potential impact on the amenities of nearby residents, and effects upon highway safety.

In a report that was considered by Committee on 7 October 2010, it was stated that the proposal appeared to be acceptable with regards to all of those considerations. At that time, the County Surveyor had expressed no objections to the application on highway safety grounds. In view of the concern expressed by the Parish Council about the lack of any off-street parking provision, Committee deferred a decision in order that a more detailed and considered response could be obtained from the County Surveyor. Having given the matter further consideration, the County Surveyor recommended refusal of the application. The application was accordingly refused by Committee on 16 December 2010 for the reason that 'the lack of any off-street parking will result in additional on-street parking, thereby exacerbating an existing parking problem in the locality to the detriment of highway safety and contrary to Policy G1 of the Ribble Valley Districtwide Local Plan'.

In his detailed letter, however, the County Surveyor commented as follows:

The available frontage parking that would be created could reasonably be determined to be sufficient to accommodate five vehicles, one per property. This would be consistent with the appropriate provisions for a two bedroomed property within the established village boundary.

*This current application is effectively a response to that particular comment by the County Surveyor.*

*In the previous application, the maximum height of the proposed building was 7.915m. The roof, however, did not have an apex, but there was an approximately 2m wide flat section running the length of the terrace. It is that flat section of roof that provided sufficient headroom over a large enough area for a third bedroom to be proposed within the roof space without the need for any dormer windows. In this current application, the properties are to have two bedrooms at first floor level with no accommodation within the roof space. The maximum height of the proposed building is the same as in the previous application but the roof now has an apex such that there is insufficient headroom over a large enough area for a bedroom to be created within the roof space without the need for a dormer window.*

*Other than this alteration to the roof, and the reduction from three bedrooms to two bedrooms, the design and external materials of the proposed building remain the same as in the previous application.*

### **Site Location**

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

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

### **Relevant History**

3/2009/0879/P – erection of five three bedroomed houses. Refused.

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

### **Relevant Policies**

Policy G1 - Development Control.

Policy G3 - Settlement Strategy.

PPS3: Housing.

PPS7: Sustainable Development in Rural Areas.

Affordable Housing Memorandum of Understanding.

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

As with the previous application, the relevant considerations relate to compliance with the relevant Local Plan policies and National Planning Guidance, the visual impact on the street scene, potential impact on the amenities of nearby residents and the effects upon highway safety.

### Compliance of the Development with Housing Policy

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

One of the proposed units is to be an affordable unit, and a draft Section 106 Agreement has been submitted with the application which states that one of the units will be sold at a discount to the open market value. This satisfies the requirements of the Affordable Housing Memorandum of Understanding.

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

### Visual impact

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

### Residential Amenity Considerations

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

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

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

### Highway Safety

The site presently contains 10 lock up garages. A nearby resident has claimed that some of these are used by local residents so their demolition will further add to the demand for parking spaces in the locality. In response to this, the applicant has confirmed the use of the 10 garages as follows:

- Two are rented to a local retailer who uses them to store a vintage car and a trailer.
- Three are rented to people who do not live in the locality.
- Two are rented to local people and used for storage only with no car.



- One is rented to a local person for storage use with occasional use by a car.
- Two are used by Hambledon View residents for a car.

The Parish Council maintains its objection on the grounds that the reduction in the size of the properties to two bedrooms has not addressed the problem of insufficient parking spaces on Hambledon View.

The County Highway Engineer, however, has commented that the length of frontage parking available would accommodate one vehicle per property which is the appropriate provision for two bedroomed dwellings within a settlement boundary. He therefore expresses no objections to the application on highway safety grounds.

With the amended roof design, and through the removal of permitted development rights for extensions, dormer windows and roof lights, the addition of a third bedroom can be prevented.

In these circumstances, I consider that it would be difficult to sustain a reason for refusal of the application on highway safety grounds.

#### Content of Section 106 Agreement

The draft Section 106 Agreement submitted with the application states that one of the houses would be sold at 10% below open market value. In accordance with the advice of the Housing Strategy Officer, however, the discount to be included in the Section 106 Agreement is likely to be in excess of 10% based on a calculation involving local incomes and house prices etc; and there will also be a requirement for the purchasers to have a local connection.

#### Other Issue

The applicants agent has discussed the issue of the public sewers crossing the site with the relevant officer at United Utilities. It was agreed that the foul sewer needed to be diverted and that an appropriate solution would be to route it down Hambledon View to Worthalls Road; with the precise connection location to be agreed following further investigation because the Hambledon View sewer is deeper than Worthalls Road. It was further agreed that the diversion would be undertaken by the developer and could be covered by a pre-commencement condition on the planning permission.

In the event of planning permission being granted, such a condition would, in my opinion, be appropriate and acceptable.

#### Conclusion

Subject to a prior appropriate Section 106 Agreement and appropriate conditions, and in view of the comments of the County Highway Engineer, I can see no sustainable objections to this application.

#### SUMMARY OF REASONS FOR APPROVAL

The proposal represents an appropriate development for the site that would not have any seriously detrimental effects upon visual amenity, the amenities of nearby residents or highway safety.

RECOMMENDATION: That Committee be Minded to grant permission subject to the following conditions and therefore Defer and Delegate to the Director of Development Services to negotiate the satisfactory completion of a Section 106 Agreement (in the terms described in the 'contents of Section 106 Agreement' of this report) to deal with the delivery of affordable housing.

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

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

2. This permission shall relate to the development as shown on drawing numbers PL0REVA, PL1REVB, PL2REVA, PL3REVA and PL4REVB.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the dwelling including any development within the curtilage as defined in the schedule to Part 1 Classes A to E shall not be carried out unless a further planning permission has first been granted in respect thereof. For the avoidance of any doubt, in particular, no dormer windows shall be erected and no roof lights shall be fitted unless a further planning permission has first been granted in respect of such additions/alterations.

REASON: In the interests of the amenities of adjoining residents and in order to prevent the addition of a third bedroom to the dwellings which would increase the demand for parking spaces in the locality to the detriment of highway safety, and to comply with the requirements of Policy G1 of the Ribble Valley Districtwide Local Plan.

4. Prior to the commencement of development, the public sewers that cross the site shall have been diverted in accordance with details that have first been submitted to and agreed in writing by the Local Planning Authority (in consultation with United Utilities).

REASON: In order to ensure that the development does not adversely affect existing public sewers and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

## E APPLICATIONS IN 'OTHER' CATEGORIES

APPLICATION NO: 3/2011/0085/P (GRID REF: SD374604, 441017)  
PROPOSED VARIATION OF CONDITION NO.7 OF PLANNING CONSENT 03/2005/0564P TO  
ENABLE THE PAVILION TO BE USED BY OTHER ORGANISATIONS, GROUPS AND  
INDIVIDUALS AT PLAYING FIELDS OFF LANGSHAW DRIVE, CLITHEROE (RIBBLESDALE  
HIGH SCHOOL, QUEENS ROAD, CLITHEROE)

ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR):

I am recommending refusal of this application on highway safety grounds.

The removal of Condition 7 of the original planning consent, 3/05/0564, would permit the playing fields and pavilion to be used by community groups outside of core school times and term time.

While I recognise the benefits of allowing these facilities to be used more widely, in removing this Condition there are likely to be clear consequences in terms of demands on car parking, manoeuvring and turning movements during the periods of additional operation that would become available.

This application offers no additional off street parking provisions and the proposed changes would have a direct detrimental impact on the availability of residential amenity and bring a significant increase in the level of vehicular activity throughout weekday evenings and during weekends.

### **Proposal**

The application seeks to remove Condition 7 of Planning Application 3/2005/0564/P which states:

*The building shall only be used for sports activities directly associated with the curriculum of Ribblesdale High School and the building shall not be used by any other organisation, group or individual.*

*Reason: To protect the amenities of local residents and to conform with Policy G1 of the Ribble Valley Borough Local Plan.*

The removal of this condition will enable the school to make the sports pavilion available to external groups outside of school hours and term time and at weekends. The proposed opening hours would be:

#### Term Time

Weekdays: 3:30pm – 6:00pm  
Weekends: 10:00am – 06:00pm

#### School Holidays

Weekdays: 10:00am – 06:00pm  
Weekends: 10:00am – 06:00pm

## **Site Location**

The sports pavilion and playing fields are accessed from Langshaw Drive which is situated in the south east of Clitheroe. Properties on Langshaw Drive and Peel Park Avenue are located to the north and west of the site. There is no vehicular access to the site and pedestrian access is gained from Langshaw Drive. The site is designated as Essential Open Space in the Districtwide Local Plan.

## **Relevant History**

3/2005/0564/P - Erection of two storey sports pavilion with changing facilities and one disabled car parking space together with the demolition of the existing old 'hut'. Council raised no objections 09 August 2005.

3/2003/1120/P – Erection of two store sports pavilion with changing facilities and 1 no. disabled car parking space. Council objected 10 February 2004.

3/2002/0633/P – Provision of a replacement all weather play area incorporating the erection of 3m high perimeter fencing (resubmission). Delegated observations 5 September 2002.

3/2002/0468/P – Provision of a replacement all weather play area incorporating the erection of 3m high perimeter fencing. Withdrawn 2 July 2002.

## **Relevant Policies**

Policy G1 – Development Control  
Policy G6 – Essential Open Space  
Policy RT11 – Sporting Facilities

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

Lancashire County Council seek Ribble Valley Borough Council's observations on the proposal. Committee will recall the previous scheme which allowed for the facility. A condition was imposed on this application which restricted the use of the building for sports activities directly associated with the curriculum of Ribblesdale High School.

The main matters for consideration are highway safety and residential amenity.

The Highway Engineer has objected to the proposal due to the lack of car parking at the site, as there is currently only one parking space which is for disabled users. This would mean that outside users of the venue will park and manoeuvre on Langshaw Avenue which would have an adverse impact on highway safety. Whilst I recognise the benefits of allowing the buildings to be used for community use, this needs to be balanced against the impact on local residential amenity. In this instance I have concerns similar to that expressed by the Lancashire County Council highway engineer. This in turn would adversely affect the amenity of local residents, as it would bring a significant increase in vehicular activity at weekends and after school hours which would conflict with the movement of surrounding residents.

**RECOMMENDATION:** That Lancashire County Council be advised that Ribble Valley Borough Council raise objections to this proposal on the basis of the likely adverse impact on residential amenity due to noise disturbance and likely parking issues.

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

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2010/0125/P	Discharge of condition in relation to materials on application 3/2008/0548	Stanley House Preston New Road Mellor
3/2010/0728/P	First floor extension to the rear	Lower Barn Farm Whalley Road, Sabden
3/2010/0790/P	Application to modify condition No 16 of planning permission 3/20006/0001/P to allow one of the holiday cottages (High Laithe) to be used for permanent residential accommodation	High Laithe Barn Brockthorne Farm Tosside
3/2010/0837/P	Proposed conversion of a barn at into a single dwelling	Lane Ends Nightfield Lane Balderstone
3/2010/0888/P	Proposed double garage and garden store/workshop	Moss Farm, Lower Lane Longridge
3/2010/0942/P	New two storey commercial building for B1 business use with appropriate car and cycle facility. Re-submission of planning application 3/2010/0561/P incorporating change to the floor which is to be rectangular approximately 17683mm x 7400mm and the ridge height is to increase from 6750 to 8350mm on land adjacent	Units 7 and 8 The Sidings Business Park Whalley
3/2010/0960/P	Application to remove condition number 3 of planning permission 3/2004/0653/P to allow the holiday cottage known as Beacon Cottage to be used as a permanent residential dwelling	Beacon Cottage Carr Lane Balderstone
3/2010/0965/P	Extension to front elevation to form new double garage, proposed new porch and roof terrace to rear	Balderstone Hall Jacksons Bank Road Balderstone
3/2010/0972/P	Proposed division of existing dwelling to form two separate dwellings/residential properties	Riversview Blackburn Road Ribchester
3/2010/0992/P	New vehicular and pedestrian access to Hougher Fall Farm House	Bowland Forest Eggs Hougher Fall Farm Old Clitheroe Road, Dutton

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2010/1005/P	Proposed demolition and replacement of existing single storey garden store extension to rear. Single storey extension to kitchen (at rear) to form garden room and dining area. Timber pergola to side (SW) elevation. Various internal alterations	Lower Read Wood Read
3/2010/1023/P	Proposed one and a half storey holiday accommodation on existing hard standing	Higher Mill Farm, Mill Lane Slaidburn Road, Waddington
3/2010/1024/P	Two storey side extension, new vehicular access, demolition of existing garage and replacement with one and a half storey garage	Glenbrook Talbot Street Chipping
3/2011/0002/P	Alteration to the rear of The Old Zoo to incorporate glazed walling under existing canopy to neighbour a link from the main house to the annex building	The Old Zoo Cherry Drive Old Langho
3/2011/0006/P	Demolition of the existing outbuildings and kitchen to rear elevation and construction of a replacement kitchen. (Re-submission)	9 Bramley View Barrow
3/2011/0018/P	Proposed single storey rear extension	2 Long Close Clitheroe
3/2011/0020/P	Proposed demolition of existing conservatory and outbuilding and construction of a single storey replacement rear garden room and utility extension with associated external alterations	Morningside Eastham Street Clitheroe
3/2011/0033/P	Retention of remaining structure following partial collapse	Stonyhurst Old Mill Stonyhurst, Clitheroe
3/2011/0040/P	Change of use from Class B1 to Class D1 to allow the premises to be used as an educational centre	Chapel House 5 Shawbridge Street Clitheroe
3/2011/0041/P	Proposed single storey rear extension	16 Regent Street Longridge
3/2011/0043/P	Application for the discharge of condition 9 (mitigating the effects of contamination during demolition) and condition 13 (method statement outlining demolition) of planning consent 3/2009/1071/P	Shawbridge Mill Shawbridge Street Clitheroe
3/2011/0047/P	Demolition of the existing conservatory to the rear and erection of two-storey extension with single storey mono-pitch and porch extension to southern elevation	20 Abbots Walk Highmoor Park Clitheroe
3/2011/0050/P	Single storey extension to front elevation	20 Greenfield Avenue Chatburn
3/2011/0057/P	1.8m x 1.5m V stack sign on 2.4m high post directing traffic from Mitton Road onto Pendle Drive and a 42m x 1.5m sign fixed to the site hoarding on land	Pendle Drive, Whalley

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2011/0074/P	Application for the discharge of condition no.4 (materials) of planning consent 3/2010/0285P	5 Hornby Road Longridge
3/2011/0090/P	Discharge of condition 2 regarding precise siting of details of the screens and internal footway and condition 3 (materials) of planning consent 3/2010/0411/P for wildlife screens	Alston Reservoir No 3 Pinfold Lane Alston
3/2011/0110/P	Non material amendment to planning consent 3/2009/0758/P to allow minor changes to louver panel and revised plant room arrangements	ASAF facility building Samlesbury Aerodrome Balderstone

#### APPLICATIONS REFUSED

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>	<b><u>Reasons for Refusal</u></b>
3/2010/0783/P	Agricultural workers dwelling and workshop. Resubmission	Brockthorn Tosside	Policies G1, G5, ENV1, H2, PPS7 – Unjustified residential development to the detriment of visual amenities of the AONB.
3/2010/0985/P	Proposed addition of a first floor to the existing bungalow	Garden Cottage Hayhurst Road Whalley	G1, H10, SPG – Incongruous development to the visual detriment of the street scene and detrimental impact upon neighbouring amenity by virtue of overlooking and loss of privacy.
3/2010/1003/P	Infill of ground level to adjacent field. Re-submission	Petre Farm Eggs 127 Whalley Road Wilpshire	G1, ENV3 and ENV4 – Over intensive development to the detriment of visual and neighbouring residential amenity.
3/2010/1009/P	Temporary access road from Whalley Road to the development site	Petre Farm Eggs 127 Whalley Road Wilpshire	G1, ENV3 and ENV4 – Unnecessary development to the visual detriment of the locality.

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>	<b><u>Reasons for Refusal</u></b>
3/2011/0027/P	Application for non-material amendment of planning consent 3/2009/0566/P – move internal staircase of garage to external south gable elevation including moving of ground floor personnel door to first floor. New personnel at ground floor level on north elevation	Shire Lane Farm Shire Lane Hurst Green	This scheme in respect of works to the southern gable is of such a nature that it is not considered appropriate to determine as a non-material amendment given that it would result in potential overlooking of a neighbouring property.

#### SECTION 106 APPLICATIONS

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

#### CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2011/0109/P	Application for a Lawful Development Certificate for the proposed extensions and alterations given permission under planning consent 3/2008/0064/P, and to confirm that a material start has been made on the works approved, within the three year timescale	Closes Hall Stump Cross Lane Bolton-by-Bowland

#### REFUSAL OF CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2010/1021/P	Application for a Lawful Development Certificate for the proposed installation of a solar photovoltaic system	Fernside Barn Twiston



APPEALS UPDATE

<u>Application No:</u>	<u>Date Received:</u>	<u>Applicant/Proposal/Site:</u>	<u>Type of Appeal:</u>	<u>Date of Inquiry/Hearing:</u>	<u>Progress:</u>
3/2010/0233 D	17.11.10	Mr D M Clegg Proposed detached house in garden area to side of Manor House (Resubmission of 3/2009/0449/P) Manor House Copster Green	WR	—	AWAITING DECISION
3/2010/0609 D	30.11.10	Mrs Nicola Gerrard-Russell Proposed extension above existing garage conversion incorporating a master suite and stairs to the loft conversion that will extend the width of the extension and the existing house 14 St. Chad's Avenue Chatburn	WR	—	AWAITING DECISION
3/2010/0635 D	18.1.11	Mr Steve Burke Proposed provision of a pair of handrails to the vestry door in the east elevation of the church At Mary & All Saints Church Church Lane Whalley	WR	—	Awaiting site visit
3/2010/0738 C	24.1.11	Diocese of Bradford Construction of 3no. affordable two-storey houses Land on Main Street Grindleton	WR	—	Awaiting site visit
3/2010/0969 D	17.2.11	John Carrington Application for a lawful development certificate for a proposed cantilevered canopy 8A Longridge Road Hurst Green	WR	—	Questionnaire sent 28.2.11 Statement to be sent by 31.3.11

3/2010/0893 D	23.2.11	HWS Ltd Retrospective application for insertion of window to gable front elevation at first floor of existing semi- detached dwelling Roadside Farm Preston Road Alston	House- holder appeal	–	Notification letter and questionnaire sent 28.2.11 AWAITING DECISION
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**LEGEND**

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