

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 7 APRIL 2011
 title: PLANNING APPLICATIONS
 submitted by: DIRECTOR OF COMMUNITY SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION NO: 3/2009/0968/P (GRID REF: SD 360063 437810)
 OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT COMPRISING 9 NO.
 DWELLINGS AT FELL VIEW, BARNACRE ROAD, LONGRIDGE, LANCASHIRE, PR3 2PD.

LONGRIDGE TOWN The Town Council note that this proposal shows appropriate
 COUNCIL: massing of dwellings on a site where residential development
 is expected. It was observed that the largest dwelling is
 located in the northern quarter of the plot and as such is
 closest to the rear of adjacent properties on Inglewhite Road.
 There should be consultation with the occupiers of all
 neighbouring properties. Subject to this consultation, the
 Council has no objection to this application.

COUNTY SURVEYOR (LCC): No comments or observations on the current scheme have
 been received at the time of the reports submission, however
 the County Surveyor has indicated verbally he has no
 objections to the principle of the scheme on highway safety
 grounds.

UNITED UTILITIES: No objection to the proposal subject to conditions.

ADDITIONAL SEVENTEEN letters of objection, sent from thirteen households
 REPRESENTATIONS: have been received, who wish to raise the following points of
 objection:

1. Concerns regarding car parking on site being insufficient,
2. Impact of additional traffic onto Barnacre Road,
3. Concerns regarding drainage,
4. Noise disturbance during construction,
5. Highway and pedestrian safety due to the new access being close to a school,
6. Loss of view,
7. Style and density of properties proposed,
8. Impact on trees,
9. Loss of light,
10. Loss of privacy,
11. Height, scale and dominance of the dwellings proposed is unacceptable,
12. Impact on amenity,
13. Overdevelopment of the site,

14. Close proximity of the development to the existing dwellings on Inglewhite Road, and
15. Longridge as a community would greater benefit from bungalows on this site.

Proposal

This application seeks outline planning permission for the erection of nine residential units on land off Barnacre Road, to the rear of properties that face onto Inglewhite Road, Longridge. The units proposed include 4 no. Three Bedroom Detached Dwellings, 4 no. Three/Four Bedroom Semi-detached Dwellings and 1 no. Four Bedroom Detached Property. The reserved matters for which approval is sought are 'Access', 'Layout' and 'Scale'.

Site Location

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

Relevant History

3/1996/0068/P – Erect Electrical Control Kiosk for Underground Pumping Station – Granted.
There are other applications relating to the adjoining site, where the Residential Care Home has been built, however this is the only one related to this particular site.

Relevant Policies

Policy G1 - Development Control.
Policy G2 – Settlement Strategy.
Policy T1 – Development Proposals – Transport Implications.
SPG 'Extensions and Alterations to Dwellings'.
Policy L4 of the Regional Spatial Strategy.
Policy L5 of the Regional Spatial Strategy.
Affordable Housing Memorandum of Understanding.
PPS3 Housing.

Environmental, AONB, Human Rights and Other Issues

This is an application for outline planning permission for the development of land off Barnacre Road, Longridge, for residential purposes. The reserved matters for which approval is sought are 'Access', 'Layout' and 'Scale'. Therefore, the keys issues with regards to this proposal are the actual principle of the development of the site for housing, the proposed layout of the site, the scale of the proposed development, the impact on amenity and the access to 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. The Regional Spatial Strategy supersedes the Local Plan document, and Policy L4

'Regional Housing Provision' of this document states "Local Authorities should monitor and manage the availability of land identified in plans and strategies and through development control decisions on proposals and schemes, to achieve the housing provision set out. In doing so they should work in partnership with developers to address the housing requirements (including local needs and affordable housing needs)." Policy L5 of the RSS covers the requirement for 'Affordable Housing', and mentions 'Plans and strategies to deliver mechanisms to secure the provision of affordable housing'. As such, another material consideration in respect of housing on this site is the Affordable Housing Memorandum of Understanding, which was subject to public consultation, and then formally approved by the Health and Housing Committee in July 2009. Within this document it notes that 'The Council will negotiate the provision of affordable housing on all qualifying housing developments as follows: In Longridge and Clitheroe on housing developments of 10 or more dwellings (or sites of 0.5 hectares or more, irrespective of the number of dwellings), the Council will seek affordable housing provision at 30% of units on site. As such, given that the proposal is for nine, market value properties within Longridge, there is no requirement for affordable units and the proposal is considered to comply with the requirements of the above document.

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.

LAYOUT

The layout in general is a simple 'L' shape, with no dwellings backing onto the Care Home Site. The properties proposed have been designed and positioned as such in order to cause minimal impact on the amenities of the adjacent existing properties, by virtue of the spacing distances involved. The density of units on site is considered acceptable. The Council's SPG 'Extensions and Alterations to Dwellings' requires that developments have a minimum of 21 metres between habitable room windows at first floor, and all the dwellings indicated on the layout provide this distance. Indeed coupled with the retention of a number of existing trees along the boundary with the properties on Inglewhite Road and the proposed planting of additional trees along the

boundaries of the site for more screening; I have no concerns with regards to this particular element of the scheme.

SCALE / VISUAL IMPACT / IMPACT ON AMENITY

An initial scheme proposed for the site included 14 dwellings, with heights varying from 9.5m to 9.8m, however this scheme now only proposes 9 dwellings with the maximum height proposed for the dwellings varying between 8.25m and 9m. The height of the dwellings is indicated on the plans in relation to the house types proposed, with the four detached, three bedroom properties backing onto properties off Inglewhite Road (plots 6-9) measuring at a maximum of 8.9m to the ridge, and the single detached, four bedroom property (plot 5) measuring at a maximum of 8.25m. The four semi-detached properties (plots 1-4) will measure 9m in height.

I am aware that the topography of the site renders it on a higher plain compared to the adjacent properties on Inglewhite Road, however the Agent has been helpful enough to provide a section through the site to indicate the difference in heights between the existing and proposed properties. The height of the dwellings proposed are not uncommon within the Borough, and on the plan submitted by the Agent, Drawing Number 7504-L02B, it is noticeable that there is height difference of 2.23m between the dwelling on Plot 6 and No. 67 Inglewhite Road. This may sound a large dimension, however when visualising the site from the viewpoints on Inglewhite Road and Barnacre Road, I do not consider that this change in heights, nor the mass or design of the dwellings, would cause an overbearing development that would be detrimental to the amenity of the occupiers of the adjacent dwellings. Indeed as noted above, the Council are satisfied that distances between the elevations of the proposed units and the elevations of the existing properties are acceptable, and in accordance with the SPG 'Extensions and Alterations to Dwellings', and on this basis I do not consider the proposal will cause any loss of light or privacy to the properties adjacent to the site on Inglewhite Road. Therefore, given the above, I am satisfied with the scale of development proposed by this Application.

ACCESS / IMPACT ON HIGHWAY SAFETY

The LCC Traffic and Development Engineer has verbally raised no objections in principle to this application on highway safety grounds, and his formal comments will be presented to Committee on the night.

OTHER ISSUES

The material considerations raised by a number of objectors have been adequately covered in my report, however in relation to concerns regarding drainage on site, I will refer to the comments from United Utilities who note that they require the site to be drained on a separate drainage system combining just before connecting into the public combined sewerage system. They also stipulate that surface water run off from the proposed development must be attenuated to a maximum discharge rate of 6l/s, and that if approved, the Applicant should discuss full details of the site drainage proposals with United Utilities. On this basis, as they raise no objections, the Council has no concerns in relation to the drainage of the site.

Finally, in light of the fact the electrical substation is to be decommissioned and removed, the Environmental Health Section have requested a method statement be submitted to the Planning Authority for approval prior to work commencing on site, to ensure that any existing and potential risk of land contamination is fully addressed.

Therefore, whilst I am mindful of the points of objection from the nearby neighbours, I consider the scheme to comply with the relevant policies, and as such recommend accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

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.
2. The permission shall relate to the development as shown on Plan Drawing Number's 7504-L01, 7504-L02B, 7504-P10A, 7504-P11, 7504-P12 and 7504-P13.

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

3. 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.

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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance - "Extensions and Alterations to Dwellings".

5. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 21 February 2011 AND 11 March 2011.

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

6. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans. The site must be drained on a separate drainage system combining just prior to connecting into the public combined sewerage system.

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

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

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

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

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

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

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

10. The development hereby permitted shall not be commenced until details of a tree-planting scheme have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include, full details of the trees proposed, their location/distribution on site and the types and details of support and protection.

The approved scheme shall be implemented in the first planting season following occupation or use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree, 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 in order to supplement the potential impact of the development on the existing trees on site, in compliance with Policy G1 of the Ribble Valley Districtwide Local Plan.

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

Prior to commencement of any site works, including delivery of building materials and excavations for foundations or services the trees identified to be retained within the Tree Survey submitted with this application shall be protected in accordance with the BS5837 [Trees in Relation to Construction] the details of which shall be agreed in writing. A protection zone 12 x the DBH covering at least the entire branch spread of the tree/s, [the area of the root soil environment measured from the centre of the trunk to the edge of the branch spread] shall be physically protected and remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

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

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

REASON: In order to ensure that any trees affected by development are afforded maximum physical protection from the adverse affects of development.

INFORMATIVE

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: 3/2010/0353/P (GRID REF: SD 370119 443686)
PROPOSED CHANGE OF USE OF BARN (CURRENTLY IN USE AS AN OFFICE) TO TWO RESIDENTIAL DWELLINGS AND ERECTION OF ONE DETACHED GARAGE AT CLOUGH BOTTOM FARM, RABBIT LANE, BASHALL EAVES, LANCASHIRE.

PARISH COUNCIL: The Parish Council object to this proposal as the conversion of this Barn to residential use would remove a large proportion of the space currently occupied by the applicant's training business, leaving only the "Outbarn" available for such use. The Parish Council is concerned that, were this application to be granted and the training business recover, a development requirement at the "Outbarn" would result. This building is in a much more exposed position and any development there would impact adversely on the surrounding A.O.N.B.

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

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

ADDITIONAL REPRESENTATIONS: No additional representations have been received.

Proposal

Clough Bottom Farm is accessed from Rabbit Lane via a farm track, and land in the nearby vicinity is predominately in agricultural use. Clough Bottom Farm is a Grade II Listed Building, and the site itself comprises an extensive group of buildings in a variety of uses, including three holiday cottages. Focus Experimental Training (FET) was set up by the Applicant in the late 1980s and currently provides training courses for corporate clients. This business operated from the main farmhouse, utilising some of the surrounding buildings, but now occupies the Middle Barn on site, together with an out barn situated to the South East.

This application seeks approval for the change of use of this barn currently used as an office and training facility, to two residential dwellings and the erection of one detached garage. The scheme also includes the demolition of an existing agricultural building, the erection of a stone wall and the creation of two defined curtilage and parking areas surrounding the building.

Site Location

The site is located within the Forest of Bowland Area of Outstanding Natural Beauty, to the east of Bashall Eaves and approximately 1.5 miles west of the village boundary of Waddington, as defined by the Ribble Valley Districtwide Local Plan.

Relevant History

3/1997/0802/P – Extension to form office building - Granted Conditionally.
3/1996/0304/P – Conversion of Barn into Office Reception & Group Activities for Management Training Centre – Granted Conditionally.
3/1995/0193/P – Conversion of Part of Barn to Office, Use of Land for an Obstacle Course – Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.
Policy G5 - Settlement Strategy.
Policy ENV1 – Area of Outstanding Natural Beauty.
Policy ENV7 – Species Protection.
Policy ENV19 – Listed Buildings.
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 EMP11 – Loss of Employment Land.
PPS3 – Housing (June 2010).
PPS5 – Planning for the Historic Environment.
Planning (Listed Buildings and Conservation Areas) Act 1990.

Environmental, AONB, Human Rights and Other Issues

The main issues with this application relate to the principle of the development, the loss of an employment use/building, what affect the proposed change of use and the external/internal alterations may have with regards to the heritage assets (the barn and the Grade II Listed Farmhouse), any potential impact on residential amenity and whether or not the conversion will have an impact on existing habitats.

With regards to the impact of the development on highway safety, the LCC Highways Officer has raised no objections to the scheme. He notes that there is sufficient car parking space provided on site, however he does recommend that the surface of the access track should be improved for the proposed residential use. He does not consider the development of this building will hinder or impede the continuing operation of the existing training facilities.

PRINCIPLE OF THE DEVELOPMENT

With regards to the creation of the two residential dwellings 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 are structurally sound and capable of conversion without the need for complete or substantial reconstruction”.

In addition, as the proposal is for residential development and the Council cannot currently demonstrate a 5-year housing land supply, Planning Policy Statement 3: Housing (PPS3) is also applicable. In considering housing development, paragraph 71 states that where Local Planning Authorities cannot demonstrate an up to date five year supply of deliverable sites they should consider favourably planning applications for housing having regard to the policies in PPS3 including the consideration in paragraph 69, which states that in deciding planning applications, Local Planning Authorities should have regard to:

- *achieving high quality design,*
- *ensuring developments achieve a good mix of housing,*
- *the suitability of a site for housing, including its environmental sustainability,*
- *using land effectively and efficiently; and*

- *ensuring the proposed development is in line with planning for housing objectives.*

Consequently where a proposal can meet the tests of PPS3, there is a presumption in favour of a residential development.

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 roof lights 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, and it also sits opposite a Grade II Listed Building, also a Heritage Asset. The Agent has submitted a Heritage Statement regarding the proposed conversion and its effect on the historic character of the building itself and on the setting of the adjacent Listed Building, in line with PPS5: Planning for the Historic Environment, and whilst brief, 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 Local Planning Authority cannot demonstrate an up to date five year supply of deliverable sites,
- the Building is located within an existing group of buildings and adjacent to Clough Bottom Farm,
- that this proposal will help secure the optimum viable use of the building (in line with PPS5),
- that the building itself is structurally sound and capable of conversion to residential units without the need for substantial reconstruction, refurbishment or extension,
- that the existing access road up to the site is considered acceptable providing minor alteration are made, and
- that following detailed discussion with the Agent, the design now proposed (both internally and externally), is now considered acceptable,

having assessed the scheme in regards to Policies G1, G2, H2, H15, H16 and H17 of the Local Plan, and the national guidance provided within PPS3 and PPS5, I consider the site to be suitable for housing, and that the principle of the development is acceptable.

LOSS OF EMPLOYMENT USE

The proposal is for a change of use of commercial premises to residential units and would lead to the loss of employment space. The Council has in place Policies to ensure that employment opportunities are not lost without having regard to the impact upon the local economy. Policy EMP11 of the Local Plan provides the basis for this assessment, however this needs to be balanced with the fact that the Council is unable to demonstrate a five-year land supply, and consequently where a proposal can meet the tests of PPS3, there is a presumption in favour of a residential development. As discussed earlier in this report, the site is considered appropriate for residential development.

The main element to be judged is whether the loss of the employment opportunity is so significant as to outweigh the residential presumption, and this has been discussed with the Head of Regeneration and Housing. The site has not been subject to market testing for alternative employment use, which is the most frequent way of satisfying the requirements of EMP11, however this is not a requirement. The Applicant has however provided additional information in order to help in the process of assessing and understanding the implications of its loss against the criteria set out in the Policy.

Having assessed this information, it is considered that the particular nature of the site and relationship between different elements of the site, combined with the particular business ethos and model, present a set of conditions that fall outside the scope of typical commercial sites.

Indeed the applicant, within the additional information supplied, has clarified the nature of the business and the constraints of the site that would restrict the operation of the site in a normal commercial comparison. The nature of the business model has been recognised as different, and there is no information to suggest the applicant would differ from this in the future. From visits to the site I would agree that a typical commercial use of the premises could conflict with the everyday operation of the applicants business that will continue to operate from the site. As owner of the site, whilst operational restrictions could be placed on any tenant, in practice I doubt if many businesses would want to be fettered in any way that those operations suggest. On this basis, I do not consider the site would be as attractive a location for another commercial use as the space at present provides a particular function in relation to the current business using it, and in that regard may not suit many typical office requirements.

In overall terms, whilst this would lead to the loss of employment space, I am aware that the Council's property register indicates that smaller premises such as this are available, and its loss would not prevent a business locating to the Borough. The business itself is consolidating on site and this will serve to protect existing employment, and I note there are some concerns raised about future requirements to expand should economic growth take place, however this would be a matter for any future application to be determined at the time. On this basis, given the additional information provided and the particular circumstances of the site and business model, I consider that the loss of this site for employment is not so significant as to outweigh a presumption in favour of residential development.

VISUAL IMPACT ON THE CHARACTER AND SETTING OF HERITAGE ASSETS

In assessing the impact of the proposal on the character and setting of the Heritage Assets at this site, guidance was sought from the Council's Principal Planning Officer (Design and Conservation); His views have been considered in my appraisal. Clough Bottom Farmhouse, Grade II Listed, is indivisible with the collection of historic and modern farm buildings to the southeast; whilst not considered part of the listing, they are certainly heritage assets and a fundamental part of the setting of the Listed Building. The building subject to this application is considered to be a good conversion, and although the extension to the northwest elevation facing the farmhouse is large and prominent, this compromise to the setting of the listed building has enabled the fabric, appearance and plan form (including internal spaciousness and historic openings) of the heritage asset to be largely retained. The initial scheme to convert the existing building to two properties was considered unacceptable as the proposed new window openings in both the elevations and the roof were considered incongruous and visually intrusive and disruptive to the roof and simple, functional arrangement of agricultural openings. In addition, the open character of the interior of the barn would be have been lost by virtue of the internal layout proposed which necessitated new openings and partition walls to separate the new rooms being created. Furthermore, the setting of the listed farmhouse and the significance and context of the buildings in the steading would have been dramatically altered by the overt domestication resulting from walled enclosures and garages.

Following discussions with the agent, a more sympathetic approach has been adopted. In doing so, the scheme now proposes one, one bed unit within the smaller extension to the north west facing elevation of the main barn and one, four bed unit within the main barn building. In order the create this proposal, the scheme now includes:

- the retention of the open plan nature of the barn as currently converted,
- no internal alterations to the fabric of the original building, i.e. no new internal openings (doorways),

- the insertion of only one roof light and two 'pop hole' windows into the external elevations of the building,
- the retention of the open nature of the land in-between the Grade II Listed Building, Clough Bottom Farm, and
- the creation of an enclosed curtilage and parking area, with a wooden garage/car port structure to be located on the site of the agricultural building to be removed.

With regards to the curtilage areas to be created, whilst the creation of these areas to the northwest and southeast of the building enclose the site somewhat, the proposed boundary and landscaping treatments have been chosen to sympathetically define and protect the nearby uses on site. For example, the northwest curtilage and parking area is kept open, enclosed only by a 1.2m high mesh fence to along the northwest boundary, reflecting the current openness of this portion of the site currently used as a car park. The southeast curtilage, parking area and garage building on the site of the agricultural building to be demolished, a boundary wall is proposed to enclose the site in order to protect it from agricultural vehicles accessing the existing buildings to the southeast of the site that will remain. It is worth noting that this wall could be erected at anytime, as it does not require specific consent in this case.

Having assessed the scheme now submitted, I am satisfied that the elements of the scheme indicated above retain the historic setting, character and fabric of the Heritage Asset, whilst at the same time providing suitable housing within the Borough. On this basis, the design of the scheme is considered to comply with Policies H16 and H17 of the Local Plan, and the guidance contained within PPS5, and will have an acceptable impact on the character and setting of the Heritage Assets at this location.

VISUAL IMPACT ON AONB

The site itself is hidden away from public view due to the land levels on site, and as noted above, the character and form of the building has been retained by virtue of the sympathetically proposed conversion scheme and the proposed garage and carport building for the larger residential unit (to be built where the existing agricultural building will be demolished), has been designed as a sympathetically designed structure in timber, set back from the front elevation. On this basis, the conversion itself is considered to have no significant impact on this location within the A.O.N.B.

With regards to the curtilage areas to be created, whilst the creation of these areas to the northwest and southeast of the building enclose the site somewhat, the proposed boundary and landscaping treatments have been chosen to sympathetically define and protect the nearby uses on site. For example, the northwest curtilage and parking area is kept open, enclosed only by a 1.2m high mesh fence to along the northwest boundary, reflecting the current openness of this portion of the site currently used as a car park. The southeast curtilage, parking area and garage building on the site of the agricultural building to be demolished, a boundary wall is proposed to enclose the site in order to protect it from agricultural vehicles accessing the existing buildings to the southeast of the site that will remain. Permitted Development rights will be removed from the properties in order to control any further development at this site, both to the dwellings and within the curtilage, and as such I consider the scheme to be visually acceptable in line with the Local Plan Policies relating to development within the A.O.N.B.

IMPACT ON RESIDENTIAL AMENITY

With regards to any potential impact on the residential amenity of the occupiers of the nearby properties, namely the Applicant's dwelling Clough Bottom Farm, given the building is over 21m from the Applicant's boundary and will be separated by both existing and proposed tree planting and the Applicant's driveway, I do not envisage that the use of the amenity area to the northwest 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 proposal with the Council's 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.

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. BAC/01 Dwg 02B Amendment E.

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 18 March 2011.

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

4. The curtilage of the two dwellings hereby approved, is that area of land enclosed by the green edge indicated on the attached plan entitled 'Approved Curtilage'.

REASON: For the avoidance of doubt as the proposal was the subject of agreed amendments in the interest of visual amenity, in compliance with Policies G1 and ENV1 of the Local Plan.

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

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

6. 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.

7. 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.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the dwellings, 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 Policy ENV1 of the Ribble Valley Districtwide Local Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, 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 Policy G1 of the Ribble Valley Districtwide Local Plan.

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

REASON: In the interests of visual amenity and to facilitate adequate vehicle parking and/or turning facilities to serve the dwelling in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

11. The development hereby permitted shall not be commenced until full details of the proposed hard and soft landscaping of the site, and materials proposed to be used, have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the permeable driveway surface and the paving proposed to be used and the construction methods for the new stonewall to the southeast corner of the site, and details of the new gates.

REASON: In the interests of the amenity of the area and to comply with Policies G1, ENV1, H15, H16 and H17 of the Ribble Valley Districtwide Local Plan.

12. Prior to the commencement of development, the surface of the access track on to the site shall be improved for the approved residential use. Details of this shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing.

REASON: In the interests of highland 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).

APPLICATION NO: 3/2011/0009/P (GRID REF: SD 373542 437714)
APPLICATION TO REMOVE CONDITION NUMBER 3 OF PLANNING PERMISSION
3/2008/0343/P TO ALLOW THE GARAGE/ANNEX TO BE USED AS A SEPARATE
RESIDENTIAL UNIT AT THORNEYCROFT, CLITHEROE ROAD, BARROW

PARISH COUNCIL: Objects to the proposal and comments that the Parish Council has previously provided extensive documentation to RVBC in that objections will continue to be made until the infrastructure issues are addressed. The principal of building more settlement in an area in which the present infrastructure is unable to cope needs to be addressed. Consistent with this Policy, this application would result in an increase of residential usage without an attendant increase in infrastructure.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

Has no objections to the application on highway safety grounds subject to the retention of existing driveway parking for both units as shown on the additional plan received by the Local Planning Authority on 18 March 2011.

ADDITIONAL
REPRESENTATIONS:

None received.

Proposal

In this case, I consider it appropriate to describe the proposal following an explanation of two previous applications relating to the site.

The application relates to a semi-detached property that originally had a large detached garage that extended almost the length of its rear garden. It was 13.3m long and 6.4m wide for the front 8.3m and 5.8m wide to the rear 5m. It had an eaves height of 3.2m and a ridge height of 4.6m and was of brick construction with a corrugated steel sheet roof.

Permission was granted (3/2006/0022/P) to convert the garage into an annex comprising a single garage, bed-sitting room, kitchen, vestibule, hall, cloakroom and shower room. That permission was subject to a condition that the annex should only be used as an extended family unit.

No works were carried out in respect of that permission, but a subsequent application (3/2008/0343/P) sought permission to demolish the existing garage and for a new building to be erected with basically the same footprint, exactly the same maximum dimensions and exactly the same height. The accommodation was the same as that comprised in the previous conversion permission, including the inclusion of a single garage.

The amended proposal was considered to be acceptable and permission was therefore granted subject to the same occupancy condition (No 3) as imposed on the original permission. Permission 3/2008/0343/P was implemented and the accommodation has been used as an annex in accordance with the condition.

This application seeks to remove condition number 3 of permission 3/2008/0343/P to allow the annex to be used as a self-contained residential unit.

On an additional plan received by the Local Planning Authority on 18 March 2011, the applicant shows the proposed formation of a boundary running from the front to the rear of the existing curtilage in order to form separate curtilages for the two properties. The plan shows an existing driveway in front of the proposed separate unit (existing annex) with a patio area at the rear. For the existing property, Thorneycroft, there is an existing parking area at the front, and its existing rear garden would be retained. The existing hard surfaced parking areas can accommodate two cars for each dwelling.

No external alterations to the annex building itself are proposed in the application.

Site Location

Thorneycroft is the southern unit in a semi-detached pair of houses on the west side of Clitheroe Road, Barrow. It is immediately adjoined to the south by an unmade access road which runs

down the rear of the terrace of houses known as Bramley View. The side elevation and rear yard of number 10 Bramley View adjoin the other side of the access road.

The site is outside the settlement boundary of Barrow and is adjoined at the rear by open fields.

Relevant History

3/2006/0022/P – Conversion of detached garage into an annex. Approved with conditions.

3/2008/0343/P – Demolition and rebuilding of existing garage to form an annex. Approved with conditions.

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV3 - Development in Open Countryside.

Policy H15 - Building Conversions - Location.

Policy H16 - Building Conversions - Building to be Converted.

Policy H17 - Building Conversions - Design Matters.

PPS3: Housing.

Environmental, AONB, Human Rights and Other Issues

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

With regards to the first consideration, 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 building, the occupation of which is restricted by a condition. In many ways, this application to remove that condition is little different than this being a form of conversion. Numerous permissions have recently been granted for the removal of existing restrictive occupancy conditions (such as holiday let conditions) to allow existing buildings to become dwellings for unrestricted occupation. To be consistent with such recent permissions, I consider that this application should be treated as tantamount to a conversion.

The property is not within any settlement boundary. 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 to Policy H17 says that 'the conversion of appropriate buildings within settlements or which form part of already defined groups is acceptable'. The application property is within a row of 19 dwellings on the west side of Whalley Road. The row of properties is adjoined to the south by the Eagle at Barrow restaurant and Whalley Industrial Park is on the opposite side of the road. The property therefore forms part of an established group of buildings. As such, I consider the use of the existing annex building as a separate self contained dwelling to be acceptable in principle.

With regards to highway safety, the County Surveyor has no objections in principle subject to the retention of off-street parking spaces for both units as shown on the additional plan received on 18 March 2011.

With regards to visual amenity, no external alterations to the building are proposed. I do not consider that any boundary fence to divide the curtilage would have any seriously detrimental effects on visual amenity.

With regards to the amenities of nearby residents, care was taken in the design of the building in application 3/2008/0343/P to ensure that the privacy and amenities of adjoining residents were not compromised. There are not even any windows in the northern side elevation that would look directly over what is to be the rear garden area of the original main dwelling, Thorneycroft. Subject to conditions to prevent any alterations (such as additional windows) I do not consider that the privacy of adjoining properties would be adversely affected by the occupation of the annex as an independent unit. Similarly, I do not consider that the independent occupation of this relatively small unit would result in any significant changes in the level of noise and general activity, and as such would not adversely impact upon neighbours in this particular regard.

In response to the comments of the Parish Council, I do not consider that the occupation of this annex as an independent dwelling will place any greater demands on the local infrastructure than its continued occupation as an annex.

Overall, subject to appropriate conditions, I consider the deletion of the condition as requested to be acceptable in principle and with regards to the resultant effects upon visual amenity, the amenities of nearby residents and highway safety.

SUMMARY OF REASONS FOR APPROVAL

The deletion of the condition would result in the provision of a small residential unit in a sustainable location without 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. Prior to the first occupation of the annex as an independent dwelling, separate curtilages for the two dwellings shall be formed by the erection of a wall or fence in the position shown on the additional plan received on 18 March 2011 in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the physical boundary between the two curtilages shall be permanently retained to the satisfaction of the Local Planning Authority.

REASON: To ensure a satisfactory level of privacy and amenity for the occupiers of the two units and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

2. The existing hard surfaced parking areas in front of both residential units shall be retained in perpetuity to the satisfaction of the Local Planning Authority.

REASON: To ensure the satisfactory provision of off-street parking spaces for both units in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

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, (ie the former annex) including the formation of any additional door or window openings, and any development within its 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 nearby residents in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2011/0096/P (GRID REF: SD 369944 436647)
PROPOSED ERECTION OF TWO STOREY DWELLING AND AMENDMENTS TO LAYOUT AND FORMER LIVE/WORK STATUS OF PLANNING CONSENT 3/2010/0419 AT PLOT 1, WEAVERS LOFT, CHERRY DRIVE, BROCKHALL VILLAGE

PARISH COUNCIL: Object to this application as the original application was granted for live/work units. The Parish Council feels that by passing this new application, Ribble Valley Borough Council would be backtracking on what was originally agreed.

ADDITIONAL REPRESENTATIONS: One letter has been received which whilst not specifically objecting to this plot, raised concerns about the previous consent and that a dwelling in front of their property would lead to lack of privacy.

Proposal

This proposal relates to plot 1 within a development of seven detached houses with associated work units off Cherry Drive, Brockhall Village for which permission was granted on appeal under reference 3/2007/1071/P. The dwelling originally approved on this plot had a single storey live/work unit and an attached double garage. This application now seeks the removal of the single storey live/work unit and the plot amended to incorporate an extension above the previously approved double garage. The dwelling is a three bedroom detached with double garage. It is to be constructed of a concrete roof with a mixture of brick and render as a walling material. The siting of the dwelling is in approximately the same location as the previously approved live/work unit although the removal of the work element which was the single storey extension to the rear of the main building means that the unit is further away from the woodland area which is subject to a Tree Preservation Order.

Site Location

The application relates to one of seven approved plots and is adjacent to a previously approved detached dwelling in which there is no work element. The plot itself would back on to the units on Dickens Court and access to the site is from Cherry Drive.

Relevant History

3/2006/0008/P – erection of 26 live/work units. Approved with conditions.

3/2006/0830/P – erection of 24 live/work units. Approved with conditions.

3/2007/0740/P – 7 detached dwellings with associated work units. Withdrawn.

3/2007/1071/P – 7 detached dwellings with associated work. Granted on appeal.

Relevant Policies

Policy A2 - Brockhall Area Policy.

Policy G1 - Development Control.

Policy ENV3 - Development in Open Countryside.

Policy G5 - Settlement Strategy.

Environmental, AONB, Human Rights and Other Issues

This application seeks permission for a change of house type and also to remove any restrictions to do with the work element of the previously approved schemes. The principle of a dwelling on this plot has been accepted and the principle of removal of live/work elements has been accepted on both the adjacent complex known as Eden Court and recently on plot 2 of Weavers Loft.

I note the concerns expressed by the Parish Council but I am of the opinion that given the previously approved dwelling on the adjacent plot, which no longer comprised of any work element as well as the recent consent on the adjacent complex known as Eden Court, which again established the principle of allowing purely residential, it would be wrong to resist this proposal. In determination of the previous scheme, consideration was given to the lack of the five year housing supply and as such it is no longer considered to be a requirement for a dwelling to have associated work space, as the exception policy is not necessary. Although it is regrettable that there is no mixed use, I am of the opinion it would be difficult to sustain a refusal given the previously referred to schemes. In relation to the additional representation, this does not relate to the application so is not relevant.

In relation to design the unit is consistent with similar dwellings in the locality and subject to a condition relating to obscure glazed windows on the first floor of the elevation facing Dickens Court, I do not believe there would be any significant harm to residential amenity. Overall, I can see no objections to the proposed amended house type.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. The window(s) on the eastern elevation of first floor of the building shall be obscure glazed to the satisfaction of the Local Planning Authority and remain in that manner in perpetuity. Details of the glazing shall be submitted to the Local Planning Authority before occupation of the building. The secondary bedroom windows shown on plan No 2740/203 shall be fixed paned windows.

REASON: In order to protect nearby residential amenity as required by with Policies G1 and H10 of the Ribble Valley Districtwide Local Plan.

3. No development shall take place until a survey of trees within and immediately adjacent to the site which forms part of Woodland reference W9 in the Brockhall Tree Preservation Order 1991 has been submitted to and approved in writing by the Local planning Authority. Any plan shall also incorporate detailed specification and location of fencing and any other measures to be taken for the protection of any retained trees from damage before or during the course of development.

REASON: In the interest of the amenity of the area and to comply with Policy G1 of the District wide local plan.

4. The permission shall relate to the development as shown on Plan References 2740/103, 2740/202 and 2740/203 received with this application.

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

APPLICATION NO: 3/2011/0137/P (GRID REF: SD 360225 436956)
PLACEMENT OF A SINGLE STOREY PORTABLE OFFICE UNIT WITH LINK TO EXISTING OFFICES AT MILL FARM, PRESTON ROAD, LONGRIDGE, LANCASHIRE, PR3 3AN.

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

COUNTY SURVEYOR (LCC): No observations or comments have been received at the time of the reports submission.

ADDITIONAL REPRESENTATIONS: No additional representations have been made at the time of the reports submission.

Proposal

The application seeks permission for the erection of a single storey portable office unit with a link to the existing offices at Singletons Dairy. The Applicant notes that they are an expanding company that needs to employ additional staff, and this proposal is a short-term solution for the demand of additional office space on site prior to a more permanent building being erected on site.

Site Location

The site is located centrally within Longridge, and is accessed off Preston Road.

Relevant History

3/2004/1175/P - Proposed Chill Store for storage of cheese – Granted Conditionally.

3/1998/0859/P - Erect Cheese Store/Preparation Building for Produce. Creation of Parking for Oak Avenue Residents and new access – Granted Conditionally.

3/1995/0572/P – Extension to provide Store & Preparation of Produce for sale. Form Resident's Parking to Oak Avenue and new access – Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.

Policy EMP7 - Extensions/Expansions of Existing Firms.

Environmental, AONB, Human Rights and Other Issues

The main concerns with regards to this proposal are the visual impact of the proposed office building, any potential impact on highway safety/parking and any potential impact on the amenity of nearby neighbours.

VISUAL IMPACT / IMPACT ON AMENITY

The new office building will be located to the southeast corner of the site, adjacent to the boundary with Longridge High School. The building will be built on a concrete pad adjacent to the existing office building, and as such the existing boundary hedge to the south will be retained. There are no windows proposed in the elevation of the building facing directly towards the school playing fields, and it is sited over 40m from the nearest adjacent residential properties on Oak Avenue. The building is a prefabricated, modern construction, and given the location of it adjacent to other existing buildings, will not look out of place. On this basis, the visual impact of the proposed building is considered to be minimal, and it will have little if no potential impact on the amenity of nearby neighbours.

HIGHWAY SAFETY AND PARKING

The LCC Traffic and Development Engineer has provided no formal response at the time of this reports submission, however given the limited number of potential additional employees at the site, it is considered that the proposed development is entirely acceptable and complies with the relevant Policies.

Bearing in mind the above, and that there is no objection to the principle of the proposal as it complies with Policy EMP7 of the Local Plan which notes that 'The expansion of existing firms within the main settlement will be allowed on land within or adjacent to their existing sites, provided no significant environmental problems are caused and the extension conforms to the other policies of the plan', I consider that the proposal is acceptable and in accordance with the relevant Planning Policies, and as such the application is recommended accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity, nor would it have an adverse visual impact 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 2-Revision C and 038111 Revision S-0.

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

3. Prior to commencement of any site works, including delivery of building materials and excavations for foundations or services, the boundary hedge indicated on drawing no. 2-Revision C should be protected in accordance with the BS5837 [Trees in Relation to Construction]. This protection zone shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble. During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone.

REASON: In order to ensure that the boundary hedge is afforded maximum physical protection from the adverse affects of development.

C APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL

APPLICATION NO: 3/2011/0014/P (CAC) & 3/2011/0015/P (FULL CONSENT)

(GRID REF: SD 373391 436156)

PROPOSED DEMOLITION OF FORMER NURSERY AND ERECTION OF A NEW RETAIL AND OFFICE BUILDING WITH CAR PARKING. RESUBMISSION AT 7 ACCRINGTON ROAD, WHALLEY

PARISH COUNCIL:

Object -

- i) A travel plan has not been included. The planned parking provision is inadequate for the office workers, clients, visitors, shop keepers and customers. Each business needs to provide its own travel plan to be approved by the Borough Council and planning officers. Alternatively, evoke a 106 Agreement that each office provides suitable parking spaces.
- ii) The viability of cars actually accessing the proposed spaces again has not been addressed. The western entrance is in direct conflict with movements at the throat of the public car park. The eastern entrance is too confined for ease of access. The car parking spaces are not viable; it is likely that a later planning application will request a change of use and utilise these spaces for office/retail development.
- iii) The resultant increase in traffic will have a detrimental impact to an area already suffering congestion.

LANCASHIRE COUNTY COUNCIL (HIGHWAYS):

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

However, it must be made explicit that the four spaces that are being provided are for staff only and that any additional vehicles parked on the access roads will be causing an obstruction.

In addition, the condition of the carriageway surface of the service road providing access to the sub-station should be improved to ensure that debris is not drawn onto the highway. At present vehicle movements are very infrequent and do not involve any turning movements within the access road. The frequency of movements will increase as a consequence of this development and the surface could become damaged as a result.

Therefore, that part of the access extending from the edge of the highway boundary for a minimum distance of 20m into the site shall be appropriately paved in tarmacadam, concrete, block pavements or other approved materials. This is to prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

The parking provisions outlined in the application are lower than would normally be anticipated for a development of this type and size. However, the proximity of pay and display parking available within the immediate vicinity of the site can accommodate any additional demand from the proposed development. In addition, the bus interchange provides a range of services throughout the day and is conveniently situated close to the proposed development.

ANCIENT MONUMENTS
SOCIETY:

(Comments received after 3 February Committee)

The Ancient Monuments Society responded to a previous application for this site on 25 February 2009 (Ref 3/2009/0047). The response then was that the new building would neither preserve nor enhance the character of the Whalley Conservation Area.

Having considered the latest proposal the Ancient Monuments Society comment that:

- i) The form of the main block evokes C18 architecture, but its detailing clearly marks it out as a modern building. The regular quoining, uniformly sized windows and identical blocks of stone bring no variation to the façade and make it appear rather repetitive and stolid.
- ii) The Neo-Victorian shop front sits awkwardly, especially given its distended width, on the large front extension and creates a curious juxtaposition which has no historical precedent.

Please let us know the decision on this application in accordance with the direction in Annex A of ODPM Circular 09/2005 (DCMS –1/2005).

ENGLISH HERITAGE:

Do not consider it necessary under the relevant statutory provisions for English Heritage to be notified.

UNITED UTILITIES:	No objection to the proposal. A number of comments are made including “the developer should be aware of the public sewer on the boundary of the site. We will require an access strip width of 6m, 3 m either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of ‘Sewers for Adoption’ for maintenance or replacement”.
RVBC (COUNTRYSIDE OFFICER – BATS):	A protected species condition is suggested ie “In the unlikely event that any bats are found during the work, you shall stop work and contact the licensed ecologist, who carried out the protected species survey dated 27 September 2007, for further advice”
ADDITIONAL REPRESENTATIONS:	Based on the original submission a letter of objection has been received from a Whalley resident stating: <ul style="list-style-type: none"> i) the scale is too great. ii) the chimneys are too narrow. iii) the shop front is out of proportion (too wide) iv) the site is over crowded. v) East and West elevations (visible from Accrington Road, are marred by the integral garages for which there is obviously no ‘Victorian’ input. vi) no discussion of proposed stone or pointing. vii) the ‘T’ shape is wrong from an architectural viewpoint – more about maximising the site for commercial gain rather than enhancing the conservation area? viii) a worthy design is required because of the proximity of the site to the centre of the village.

Proposal

Conservation Area Consent is sought for the demolition of two mid-late Twentieth Century former nursery buildings. Planning permission is sought for the redevelopment of the site with a retail and office building. The proposed building is shown to be three storey and to have a ‘T’ shaped plan (5 bay range with projecting 3 bay central wing). The ground floor of the wing has three shop fronts. Hipped roofs of blue slate. Walls of stone and render. Maximum width 14m, maximum depth 13.8m and height to eaves and ridge of 7.7m and 10.5m respectively. Four space car parking in ground floor undercroft. Cycle parking and bin storage to rear of building. No information in respect of proposed number of employees.

A design and access statement has been submitted. This describes the existing children’s day nursery as single storey with white painted walls and a blue slate roof. It retains its original appearance as a bungalow (sic) despite the change of use in 1991. Behind it is a single storey flat roof building. An unfavourable OFSTED report forced the closure of the nursery in 2005/06 since when the premises has stood vacant.

4.2 of the Design and Access Statement acknowledges that the 'T' shaped plan of the proposed building is a product of site dimension constraints.

3.4 and 3.9 suggest that the proposed development has been informed by Planning Policy Guidance Note 15 (replaced by Planning Policy Statement 5 and the accompanying Historic Environment Planning Practice Guide in March 2010).

The 3 February 2011 Committee requested that the applications be deferred to give an opportunity for further discussions between officers and the applicant on the points raised in Committee. A meeting was held with the applicant and his agent on 18 February 2011 where Committee's specific concerns as to the proposed form of the shop front, roof and chimneys was discussed. An architect also attended and advised of the design changes he would wish to make to the scheme. The late comments of the Ancient Monuments Society had previously been circulated. A revised drawing was subsequently submitted on 2 March 2011 which shows the hipped roof form remaining with an increase to pitch and the overall height of the building from 9.75m to 10.5m, the replacement of chimneys with ball finials and minor stylistic changes to the three shop fronts.

Site Location

7 Accrington Road is a prominent and central site close to the junction with King Street. It is within Whalley Conservation Area and forms part of a street scene distinguished by listed buildings and buildings positively contributing to the Conservation Area (Buildings of Townscape Merit identified by the Conservation Studio consultants in the Whalley Conservation Area Appraisal 2005; adopted by the Borough Council following public consultation in April 2007).

Relevant History

3/2009/1078/P – Erection of a new retail and office building with car parking – planning application withdrawn.

3/2010/0011/P – Demolish former nursery building Conservation area consent application withdrawn.

3/2009/0047/P – New office development and car parking – planning permission refused 6 March 2009.

3/2009/0046/P – Demolition of former nursery building. Conservation area consent refused 6 March 2009.

3/2007/0890/P – Demolition of nursery and erection of office building and car parking. Planning permission refused 17 January 2008.

3/2007/0900/P – Demolition of existing buildings. Conservation Area consent refused 17 January 2008.

3/2005/0824/P – Demolition of children's nursery and erection of offices. Withdrawn.

3/1993/0618/P – Extension to childcare centre. Planning permission granted 22 October 1993.

3/1991/0299/P – Change of use from residential dwelling to private day nursery, approximately 20 places. Planning permission granted 31 July 1991.

3/1990/0826/P – New wing extension to contain two bedrooms and bathroom. Planning permission granted 20 December 1990.

3/1990/0225/P – Change of use of bungalow to a restaurant. Planning permission refused 24 May 1990.

3/1989/0848/P – Conversion of bungalow to restaurant. Planning permission refused 8 March 1990. Decision upheld at appeal 12 October 1990.

6/10/566 – Proposed conversion of builder's offices into bungalow. Planning permission granted 10 July 1957.

Relevant Policies

Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy Statement 5 – Planning for the Historic Environment.

Historic Environment Planning Practice Guide.

Policy ENV19 - Listed Buildings (Setting).

Policy ENV16 - Development Within Conservation Areas.

Policy ENV18 - Retention of Important Buildings Within Conservation Areas.

Policy G1 - Development Control.

Policy S4 – New Small Scale Shopping Development – Whalley.

Environmental, AONB, Human Rights and Other Issues

The main consideration in the determination of both the Conservation Area Consent and Planning Applications is the impact of development on the character, appearance and significance of Whalley Conservation Area.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires *special attention* to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area (South Lakeland DC -v- Secretary of State for the Environment, (1992) 2 WLR 204 suggests that 'preservation' can be achieved by development which leaves character and appearance unharmed). Section 74(3) of the Act requires that applications for the demolition of unlisted buildings in conservation areas be considered in a similar fashion to applications for the demolition of a listed building. This includes the requirement for the Borough Council to give special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (Section 16(2)).

Planning Policy Statement 5 'Planning for the Historic Environment' (March 2010) refers to 'designated heritage assets'. Annex 2 of PPS5 confirms conservation areas to be designated heritage assets. I have also been recently advised by English Heritage that unlisted buildings within conservation areas may also be considered to be designated heritage assets in their own right, where they make a positive contribution to the conservation area.

PPS5, Policy HE9.1 states: *"There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater*

the presumption in favour of its conservation should be. Once lost, heritage assets cannot be replaced and their loss 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...”.

PPS5, Policy HE9.2 states: *“Where the application will lead to substantial harm to or total loss of significance local planning authorities should refuse consent unless it can be demonstrated that:*

- (1) the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss; or
- (2) (a)the nature of the heritage asset prevents all reasonable uses of the site; and
(b)no viable use of the heritage asset itself can be found in the medium term that will enable its conservation; and
(c)conservation through grant funding or some form of charitable or public ownership is not possible; and
(d)the harm to or loss of the heritage asset is outweighed by the benefits of bringing the site back into use.”

PPS5, Policy HE9.4 states: *“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:*

- (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 HE7.1 states: *“In decision making local planning authorities should seek to identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal (including by development affecting the setting of a heritage asset) taking account of ...*

- (vi) where appropriate and when the need to understand the significance of the heritage asset demands it, expert advice (from in-house experts, experts available through agreement with other authorities, or consultants, and complemented as appropriate by advice from heritage amenity societies).”

PPS5, Policy HE7.4 states: “Local planning authorities should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets, and of utilising their positive role in place-shaping; and
- the positive contribution that conservation of heritage assets and the historic environment generally can make to the establishment and maintenance of sustainable communities and economic vitality by virtue of the factors set out in HE3.1 (ie contribution made by the historic environment by virtue of:

- (1) *its influence on the character of the environment and an area's sense of place;*
- (2) *its potential to be a catalyst for regeneration in an area, in particular through leisure, tourism and economic development;*
- (3) *the stimulus it can provide to inspire new development of imaginative and high quality design ... “*

PPS5, Policy HE9.5 states: *“Not all elements of a ... Conservation Area will necessarily contribute to its significance. The policies in HE9.1 to HE9.4 and HE10 apply to those elements that do contribute to the significance. When considering proposals, local planning authorities should take into account the relative significance of the element affected and its contribution to the significance of the ... Conservation Area as a whole. Where an element does not positively contribute to its significance, local planning authorities should take into account the desirability of enhancing or better revealing the significance of the ... Conservation Area, including, where appropriate, through development of that element. This should be seen as part of the process of place-shaping”.*

The Historic Environment Planning Practice Guide accompanies PPS5 and is: *“Material to individual planning and heritage consent decisions”* (paragraph 2).

HEPPG Paragraph 34 *“Quality of place”* states that:

“... heritage assets can inform and inspire place making. Recognising how the design, materials and pattern of land use of the built environment provide character and definition to a locality can enable local planning authorities to better understand the appropriateness of proposed development”.

HEPPG, Paragraph 35 states: *“heritage assets can play a key role in regeneration”*. Paragraph 36 states: *“High quality places also bring wider community benefits, such as better health and education outcomes, reduced levels of crime, and improvements in community cohesion and social inclusion. Heritage assets play a key role in defining place and in building local pride. They can have a totemic value to a community, provide local focal points, they can offer spaces for recreation or for people to meet”.*

HEPPG, Paragraph 44: ‘Design Policies’ states: *“... by encouraging applicants to consider both how existing valued heritage assets can inform high quality design that is inspired by its local context and how the best contemporary design can fit comfortably into its surroundings, the local planning authority can help deliver sustainable communities and places that residents value highly. 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 78: ‘Weighing up the proposals’ states: *“Local authorities are advised to take into account the likely longevity of any public benefits claimed for a proposed scheme. Speculative, ill-conceived or short-term projects will not compare so favourably when considering an irreversible harm to the significance of a heritage asset”.*

Policy ENV18 of the Ribble Valley Districtwide Local Plan states: *“There will be a presumption in favour of the retention of buildings which make a positive contribution to the character or appearance of a conservation area ...”*.

It has been held in the courts that the decision maker is entitled to consider the merits of any proposed development in determining whether consent should be given for the demolition of an unlisted building in a conservation area. In this regard, Policy ENV18 of the Ribble Valley Districtwide Local Plan states: *“Consent to demolish a building in a conservation area will not be granted unless a suitable detailed planning application for the re-use of the site has been approved and a contract let for the carrying out of the works of redevelopment”*.

The explanatory text to Policy ENV16 of the Local Plan states: *“The main elements of Council policy are retention and enhancement”*. The policy itself states that: *“Within conservation areas development will be strictly controlled to ensure that it reflects the character of the area in terms of scale, size, design and materials”*.

Whalley Conservation Area Management Guidance (The Conservation Studio, 2006, page 15) suggests that: *“The emphasis in any new development or proposed alteration must always be on the need to provide a high quality of design. Consideration of scale, density, height and massing may be used to set out the basic form of the building... and, most importantly, the relationship of the new buildings to existing surrounding buildings and to the street”*.

Amongst Management Guidance ‘key design principles’ is included the advice that: *“New development should reflect the proportion of solid to void found in the elevations of traditional buildings and should employ robust detailing and avoid fussy or gimmicky use of applied features or detailing”*.

In Management Guidance ‘shop fronts and security grills’, it is stated that: *“The Whalley Conservation Area contains a small number of commercial premises with shop fronts. The appearances of many of these properties has been compromised by badly designed shop fronts... the most common problems are... bad proportions...”*.

Whalley Conservation Area Appraisal ‘SWOT’ analysis (strengths, weaknesses, opportunities, threats, page 3-4) states that poor quality shop fronts are a Threat to the Conservation Area.

Valuing Places: Good Practice in Conservation Areas (English Heritage, February 2011) states that “conservation areas are in the vanguard of heritage protection. Designated by local authorities, they reflect the value placed by communities on cherished neighbourhoods, villages and town centres, giving them a key role in the regeneration of local areas. The recognition of local distinctiveness is enshrined in legislation ... well managed change can bring with it the investment and care necessary to keep places in good condition, poor management can result in neglect and decline, increasing the risk that places of great historic importance will be lost forever ... ‘Constructive conservation’ requires vision, flair and commitment; a deep understanding of the actual qualities that make a place distinctive or unique, an ability to ensure that these are reinforced and not diminished by change (Foreword, page 2).

Other main material considerations are the impact of development upon highway safety, residential amenity, and the setting of nearby listed buildings and the appropriateness of retail/office in this location. In accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, the determination of planning applications must be made in accordance

with the development plan unless material considerations indicate otherwise. However, this statutory provision does not apply to conservation area consents.

In November 2008, and mindful of two previous proposals for this site which had unfortunately failed to preserve Whalley Conservation Area, your officers conferred with the Design and Heritage Pennine Lancashire panel (partnership between the Commission for Architecture and the Built Environment, English Heritage, Elevate and RENEW NW) in respect of appropriate guidelines to offer to the site owner in production of a resubmitted scheme. In summary, the CABE architects (including a former chief officer of the Borough Council) present advised that given the varied character of this part of the Conservation Area they would encourage a conservation architect to produce a bold and interesting design which is in context (eg traditional materials) and true to its time. They also commented that the hipped roofs of the most recent scheme “picked up on the more mediocre buildings in the area and were not what Whalley is about”. Such an approach is advocated by others. In ‘Managing Change in Conservation Areas’ (English Heritage Conservation Bulletin, Spring 2009), Davies (Planning and Development Director English Heritage (South)) suggests that a graduated contextual approach be adopted to new development in conservation areas. In areas of high quality varied townscape (7 Accrington Road) new development should be integrated fully into its surroundings based on a proper understanding of the heritage values of a place - good modern design may be acceptable providing it follows these broad parameters and has led to some outstanding new buildings.

The proposals considered at the 3 February 2011 meeting followed officer pre-application meeting, discussion and comment on draft plans. A letter to the agent of 16 July 2010 conveyed concerns as to proposed plan form (‘T’ plan having little precedent), hipped roofing (mindful of CABE’s comments), the over-large and poorly proportioned shop fronts (mindful of The Conservation Studio consultant’s concerns in the Whalley Conservation Area Management Guidance), and suggested consideration of detailed design execution and verticality (The Whalley Conservation Area Management Guidance suggests ‘where a more traditional approach is appropriate, the Council will expect new buildings ... to be detailed in a manner appropriate to the historic setting ... chimneys may sometimes be required in certain locations).

The Whalley Conservation Area Appraisal does not consider the existing nursery buildings to be harmful to the character and appearance of the Conservation Area. However, they would not appear to make a positive contribution or be of significance to designated heritage assets. PPS5, Policy HE9.5 would therefore appear relevant which infers that the presumptions to conserve designated heritage assets and to resist substantial harm to them without robust justification, does not apply to the existing buildings (although still applies to the site). In my opinion therefore, the loss of the nursery buildings, inter alia, would not be harmful to the character appearance or significance of the Conservation Area.

In respect to the revised plan and Committee’s concerns, I note that there has been no change to the hipped form of the roofs (other than an increase to pitch and height) and no change to the size and proportion of the shop fronts.

I would concur with the Ancient Monuments Society that the design is an uninteresting and awkward composition of C18, C19 and modern elements which has no historical precedent. I would concur with the Whalley resident in respect to his objection to overall scale (largely a product of this design) and plan form and the size and width of the shop front, and his comment as to the prominence and importance of the site to Whalley Conservation Area.

In my opinion the proposal is neither a considered and convincing pastiche or a bold and contextual modern design and as a result does not preserve or enhance Whalley Conservation Area.

RECOMMENDATION 1: That planning permission be REFUSED for the following reason(s):

1. The proposed building design would be harmful to the character, appearance and significance of Whalley Conservation Area because of its incongruous plan form, scale, roof configuration and over extensive and poorly proportioned shop frontage. This would be contrary to Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan.

RECOMMENDATION 2: That conservation area consent be REFUSED for the following reason:

1. The proposed redevelopment would be harmful to the character, appearance and significance of Whalley Conservation Area because of its incongruous plan form, scale, roof configuration and over extensive and poorly proportioned shop frontage. This would be contrary to Policies G1, ENV16 and ENV18 of the Ribble Valley Districtwide Local Plan.

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

APPLICATION NO: 3/2010/1014/P (GRID REF: SD 378059 437441)
PROPOSED REMOVAL OF REDUNDANT INDUSTRIAL BUILDING AND PROPOSED CONSTRUCTION OF 5 NO HOUSES WITH ASSOCIATED PARKING AT THE OLD PRINT WORKS, STUBBINS LANE, SABDEN

PARISH COUNCIL: No objections to the proposed removal of the redundant industrial building and construction of five houses with parking but requests that the Borough Council ensures that the external materials to be used are in-keeping with the locality and the Area of Outstanding Natural Beauty.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No objections on highway safety grounds subject to the provision and retention of parking spaces as shown on the submitted plans.

ENVIRONMENT DIRECTORATE (COUNTY ARCHAEOLOGIST): Has studied the application and has no archaeological comments to make.

ADDITIONAL REPRESENTATIONS: A letter has been received from a planning consultant acting on behalf of the owners of the Stubbins Vale Caravan Park that adjoins the site, in which the following comments/objections are made:

1. No objections in principle to housing development (which appears to be in accordance with the Council's policies) but for two or three houses not five.
2. The proposed development is over intensive with inadequate space around the dwellings to the detriment of their own property.
3. Built development will be too close to common boundaries.
4. PPS3 advocates the density of 30 dwellings per hectare. This development will be 68 dwellings per hectare.
5. Substandard private rear amenity space with houses only 5m away from boundaries. Given normal face to face privacy distances of 18m to 20m, this would sterilise part of the caravan site in the event that the owners sought to develop it for housing in the future. The proposed amount of amenity space for the dwellings is also inadequate for family housing contrary to Policy G1.

Proposal

Permission is sought for the demolition of the existing former print works building and the erection of five three bedroom houses. The houses comprise two semi detached pairs and a detached house. They are two storey units, but with rooms in the roof space in two units. The units are arranged in an 'L' shaped layout with each dwelling having a private rear garden area.

At the front of the dwellings, an 8 space parking area would be provided. This comprises one designated space per dwelling plus three general/visitor spaces. Vehicular access is to be via the existing right of way from Stubbins Lane through part of the caravan park.

The ridge height of the existing building is approximately 8m. The ridge height of three of the units would be approximately 7.1m whilst the ridge height of the semi detached pair with accommodation in the roof space would be approximately 8.6m.

The proposed external materials are reconstituted stone with some timber boarding to the upper floors with concrete roof tiles. Solar panels would be fitted to all south facing roof slopes.

Site Location

The main part of the application site, that has an area of approximately 760m² is mostly occupied by a vacant industrial building with a footprint of approximately 460m². The building is built right up to the north, east and west boundaries of the site. The building has been extended and altered throughout its lifetime and is now an unattractive mix of styles and finishes, including render, brick, slate and profiled sheeting.

The access to this main part of the site is from Stubbins Lane and across part of the Stubbins Vale Caravan Park, via an existing right of way. This access route has been included within the application site as outlined in red on the application plans, and Certificate B has been completed stating that the appropriate Notice has been served on the owner of the caravan park.

The site is within a predominantly residential area. To the immediate south and east is the static caravan park. To the north, along Stubbins Lane, is the Littlemoor House retirement home. To the east there is a mixture of residential properties.

The existing neighbouring dwellings have a variety of external materials including render, stone, boarding, slate and tile. The surrounding properties vary from single storey bungalows (and caravans) through to three storey town houses.

The site is within the settlement boundary of Sabden and within the Forest of Pendle Area of Outstanding Natural Beauty, but it is not within the Conservation Area.

Relevant History

3/86/0238/P – Office and workshop extension. Approved.

3/90/0809/P – Extension to workshop. Approved.

3/03/0563/P – Outline application for the redevelopment of the site for 8 flats. Refused.

Relevant Policies

Policy G1 - Development Control.

Policy G4 - Settlement Strategy.

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy EMP11 - Loss of Employment Land.

Policy H20 - Affordable Housing - Villages and Countryside.

Policy H21 - Affordable Housing - Information Needed.

PPS3 – Housing.

PPS7 – Sustainable development in rural areas.

Affordable Housing Memorandum of Understanding (AHMU).

Environmental, AONB, Human Rights and Other Issues

The relevant considerations relate to compliance with the applicable Local Plan Policies and National Planning Guidance, and the effects of the proposal upon visual amenity, the amenities of nearby residents and highway safety.

Compliance with Relevant Policies and Guidance

The application site is within the settlement boundary of Sabden, a settlement covered by saved Policy G4 of the Local Plan. That Policy allows for the use of infill sites, the rehabilitation and re-use of rural buildings and proposals which contribute to the solution of a particular local need. For the purposes of the Policy, infill is described as the filling of small gaps within small groups of houses, and I am of the opinion that this particular site is perhaps too large to be considered as an infill site. The development also does not constitute the rehabilitation of a rural building but rather, it relates to the demolition of a former industrial building within the settlement.

However, now that the Council is in a situation where a five-year housing land supply cannot be identified, there is more of a presumption in favour of housing development taking account of the requirements of PPS3: Housing. In that regard, I would inform Members that the application in 2003 for a development of flats on this site was refused principally because the development would have added to the over-provision of housing that existing at that time.

In the current housing situation, however, I consider the development for five houses on a sustainable and accessible site within the settlement boundary of Sabden to be acceptable in principle.

Another relevant consideration, however, relates to the fact that the proposal would result in the loss of a former industrial premises. Saved Policy EMP11 of the Local Plan states that such applications will be assessed with regards to the following criteria:

- The provisions of Policy G1.
- The compatibility of the proposal with other Policies of this Plan.
- The environmental benefits to be gained by the community.
- The potential economic and social damage caused by the loss of jobs in the community.
- Any attempts that have been made to secure an alternative employment generating use of the site.

This property was vacated nearly 8 years ago and there has been no employment associated with the site since that time. The applicant's agent comments that the building and associated access restrictions make the site impractical and unviable for industrial purposes. They say that their client explored the possibility of refurbishing the existing building and bringing it back to a useable condition, but this proved unviable and totally uneconomic. The agents also say that the site was marketed by Taylor Weavers in 2005 to 2006, but no meaningful offers were received and that subsequently the site has been informally marketed but there has been no interest.

Policy EMP11 does allow consideration to be given to environmental benefits that might be gained by the community. The existing vacant building is unattractive and deteriorating in condition and appearance as time passes. Its replacement by well-designed residential properties would be an improvement in visual terms. Furthermore, the north elevation of the existing building (which contains a number of windows) is erected directly on the boundary with the adjoining retirement home. The use of the existing building for industrial purposes could therefore have detrimental effects upon the amenities of the occupiers of the retirement home due to noise nuisance etc. The proposed houses are sited approximately 5m away from the boundary and are likely to cause less nuisance to nearby residents both in the retirement home and in the locality generally.

Overall, in view of the current situation in relation to housing policy; the observations of the applicant's agents; and the environmental benefits of the proposal, I consider the application to be acceptable in relation to Policy EMP11.

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 would be sold at a discount to the open market value. In principle, this satisfies the requirements of the Affordable Housing Memorandum of Understanding.

Subject to the satisfactory completion of a Section 106 Agreement, I consider that the proposal complies with the presently applicable housing policies and guidance.

Effects Upon Visual Amenity

As previously stated, the existing building is unattractive and deteriorating in condition such that it detracts from the appearance of the locality. I consider that the proposed dwellings would therefore represent a considerable improvement in the visual amenities of the locality.

I also consider the proposed layout with the dwellings located on two sides of a parking area to be appropriate as it would provide a degree of space and openness when viewed from Stubbins Lane.

The Parish Council has commented that the materials should be in keeping with the AONB. Although the materials have been stated as reconstituted stone, tiles and timber boarding, precise details have not been submitted with the application. Such details will therefore be required by condition and care will be taken to ensure that they are appropriate for the locality.

Effects Upon the Amenities of Nearby Residents

As previously stated, I consider that the amenities of the nearest neighbours (in the retirement home) will be improved by the replacement of an industrial building by dwellings and by those

dwellings being sited further away from their living accommodation. There are no habitable room windows in the retirement home that would be directly overlooked by windows in the proposed dwellings.

I consider the distance between the proposed dwellings and the nearest caravans on the caravan park (in excess of 20m) to be acceptable.

With regards to the comments made on behalf of the owners of the caravan park, I consider the size of the private amenity space for the proposed dwellings to be acceptable. There are no minimum standards for such garden areas and it is for any prospective purchasers to decide if they are satisfied with the provision or not. I do not consider that the development of this site in the manner proposed would have any significant effects upon the development potential of the caravan site should that be considered at any time in the future.

Effects Upon Highway Safety

The County Surveyor considers the proposed 8 parking spaces served by the existing right of way to be appropriate and acceptable with regards to highway safety considerations.

Protected Species Survey

A protected species survey report (bats and barn owls) submitted with the application concludes that “there is no evidence of significant bat activity, day roosting, breeding or hibernation activity at this site. It is unlikely that roosting bats will be disturbed, injured or killed during the proposed building operations”. Mitigation measures, however, are included in the report in the event that bats are found during demolition works. An appropriate condition is therefore necessary.

Content of Section 106 Agreement

The draft Section 106 Agreement submitted with the application states that one of the houses would be sold at 15% 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 15% based on a calculation involving local incomes and house prices etc; and there will also be a requirement to the purchasers to have a local connection.

Conclusion

Subject to a prior appropriate Section 106 Agreement and appropriate conditions, 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 Community Services to negotiate the satisfactory completion of a Section 106 Agreement (in the terms described in the “Contents of Section 106 Agreement” section 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 number 1044/01/B, 1044/10/A, 1044/11/A and 1044/12/A.

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

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

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

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

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

5. Prior to the first occupation of any of the dwellings hereby permitted, the proposed 8 parking spaces, the associated manoeuvring area and access from Stubbins Lane shall all have been provided in accordance with the submitted plans to the satisfaction of the Local Planning Authority. Thereafter, these parking spaces, manoeuvring area and access shall all be retained permanently clear of any obstruction to their designated use.

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

6. Unless otherwise agreed in writing with the Local Planning Authority the development shall be carried out in strict accordance with the recommendations of the bat survey and report submitted with the application dated 27 September 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.

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

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

APPLICATIONS APPROVED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2009/0979/P	Proposed replacement dwelling after demolition of the existing cottage	Ashes Farm Cottage Salesbury
3/2010/0756/P	Reserved matters application for Phase 1C of the proposed redevelopment comprising 30 residential units at site	Rectella Works Woone Lane Clitheroe
3/2010/0767/P (PA)	Landscaping, part change of use from industrial land to residential curtilage, conversion of turbine housing to garden room	Primrose House Primrose Road Clitheroe
3/2010/0768/P (LBC)	Landscaping, part change of use from industrial land to residential curtilage, conversion of turbine housing to garden room	Primrose House Primrose Road Clitheroe
3/2010/0884/P	Phase 1 of a four phase application for a covered manure store	Higher Woodhouse Farm Woodhouse Lane, Slaidburn
3/2010/0885/P	Phase 2 of a four-phase application for an agricultural livestock building	Higher Woodhouse Farm Woodhouse Lane, Slaidburn
3/2010/0886/P	Phase 3 of a four-phase application for an agricultural livestock building	Higher Woodhouse Farm Woodhouse Lane, Slaidburn
3/2010/0887/P	Phase 4 of a four-phase application for an agricultural storage building	Higher Woodhouse Farm Woodhouse Lane, Slaidburn
3/2010/0900/P	Proposed change of the external paintwork from black to navy blue, cream and stone coloured eco friendly paint, heritage colours	32-36 Moor Lane Clitheroe
3/2010/0933/P	Proposed non-illuminated stone built structure housing property name	Beacon Reach Ward Green Lane Ribchester
3/2010/0977/P	Part change of use to extend existing workshop into remaining part of existing building (no external alterations)	Kitchen Green Farm Preston Road, Ribchester
3/2010/0980/P	Proposed replacement dwelling at Oak Bank Farm to include a detached garage/annex and demolition of the existing dwelling and part of the existing detached annex.	Oak Bank Farm, Stoneygate Lane Ribchester
3/2010/0994/P	Application for the discharge of condition no. 2 (materials) of approved Appeal Decision in relation to application 3/2009/0951P	13 Main Street Bolton-by-Bowland

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/1000/P	Extension to existing dwelling and demolition and replacement of detached garage	28 The Sands Whalley
3/2010/1001/P	Conservation Area Consent to demolish garage	28 The Sands Whalley
3/2010/1025/P	Variation of Condition 2 (time and occupancy restrictions) of planning consent 3/1990/0414/P to be replaced with a condition reading "The caravans shall be used for the purpose of holiday accommodation only and not as a permanent residence"	Rimington Caravan Park Cross Hill Lane Rimington
3/1010/1026/P	Variation of condition 2 (time/occupancy restrictions) of planning consent 3/1999/0758/P to read "The caravans shall be used for the purpose of holiday accommodation and not as a permanent residence"	Rimington Caravan Park Cross Hill Lane Rimington
3/2010/1027/P	Variation of condition number 1 (time/occupancy restrictions) of planning consent 3/2006/0932/P to read: The caravans shall be used for the purpose of holiday accommodation only and not as a permanent residence"	Rimington Caravan Park Cross Hill Lane Rimington
3/2011/0003/P	Proposed new porch to front and new dormer to first floor. Re-submission of 3/2010/0585	2 Timbrills Avenue Sabden
3/2011/0004/P	Change of use of agricultural barn to form 2no. dwellings including demolition of existing outbuilding to be replaced with double garage to serve both properties	Out Lane Head Farm Out Lane Chipping
3/2011/0030/P	Two-storey extension to east elevation, to include lounge to ground floor, bedroom to upper floor, and also single storey extension to include garage and hobby room. Driveway to be repositioned to a more central location.	Glamis, 30 Dilworth Lane Longridge
3/2011/0054/P	Construction of new triple garage, alterations to the garden wall and improved access for vehicle entrance	Otter House 9 Mitton Road, Whalley
3/2011/0056/P	Two storey side extension and single storey extension to rear	2 Kenilworth Drive Clitheroe
3/2011/0061/P	Demolition of the existing garage to be replaced with a two-storey side extension. Replacement of render to rear elevation and gable elevation to be replaced with natural random stone. Erection of a conservatory and addition of a window in the gable elevation	Osbaldeston Hall Farm Osbaldeston Lane Osbaldeston

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0065/P	Single storey rear extension utilising part of former lean-to built form and regularisation of residential curtilage	Willow Brook Barn Clitheroe Road, Dutton
3/2011/0066/P	Application to discharge of condition no. 4 (walling and roofing materials), condition no. 6 (velux roof lights), condition no.11 (hard landscaping), condition no. 14 (bat roosting facilities) and condition no. 15 (details of ground source heat pump) of planning consent 3/2010/0540/P	Dusty Clough Barn Green Lane Chipping
3/2011/0070/P	Replacement of existing signage with 'Texaco'. Two illuminated fascia signs and one illuminated price sign	Petrol Station Barrow Brook Business Park Barrow
3/2011/0062/P	Application for the removal of condition no. 3 of planning consent 3/2007/1121P, to allow the unit to be used as a permanent residential dwelling	Arbour Cottage Longridge Road Thornley-with-Wheatley
3/2011/0072/P	Proposed single and two-storey extension to side and rear of the existing semi-detached dwelling	26 Sunnyside Avenue Wilpshire
3/2011/0079/P	Proposed single storey rear extension, and slate roof to existing conservatory	20 Mayfield Road Ramsgreave
3/2011/0083/P	Variation of condition no. 2 of planning consent 03/2010/0680P to allow the retention of the flat roof and existing external appearance of the existing temporary building	Barrow Primary School Old Row Barrow
3/2011/0106/P	Replacement of existing redundant environmental monitoring station with an implement store	Chatburn Cricket Club The Playing Fields off Sawley Road, Chatburn
3/2011/0119/P	Erection of a detached garage	Clovely, 91 Chatburn Road Clitheroe

APPLICATIONS REFUSED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2010/0537/P	Replacement of an existing permanent chalet building with a permanent single storey dwelling	Sugar Hill Chalet Cow Ark Clitheroe	By virtue of its overall design, size and position on site in relation to the highway, proposed dwelling is considered to be unacceptable and contrary to Policies G1, ENV1, H2 and H14 of the Ribble Valley Districtwide Local Plan.

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2010/0990/P	Replacement of sash windows downstairs to right of the porch. Like-for-like replacement with the exception of double glazing to reduce heat loss and lack of draft proofing	Ash Grove House Shawbridge Street Clitheroe	The proposal would result in the unnecessary loss of important historic fabric and harm to the character (including a conspicuous change to the arrangement of the top and bottom sashes) of the listed building.
3/2010/1017/P	Outline application for proposed new agricultural worker's dwelling (Re-submission of 3/2009/1046/P)	Little Middop Farm Burnley Road Gisburn	Contrary to PPS 7 'Sustainable Development in Rural Areas and Policies ENV1, G5 and H2, H3 and H5 of the Districtwide Local Plan, in that I do not consider there to be a functional need for an agricultural worker to live at Little Middop Farm.
3/2011/0058/P	Internal alterations and repair to roof	Bustards Farmhouse Rimington Lane	The implemented and proposed alterations have and will result in loss and damage to important historic fabric without record. These works include the replacement of the first flooring, tanking of walls, concreting ground floor, removal of internal walls and plaster and alterations to the roof.

SECTION 106 APPLICATIONS

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

CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0096/P	Application for a Lawful Development Certificate for a proposed single storey side extension	Laneside Farm Stocks Lane Middop
3/2011/0136/P	Application for a Lawful Development Certificate for a proposed loft conversion with a rear dormer	4 Warrington Terrace Whiteacre Lane, Barrow

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 PART 24 – TELECOMMUNICATION CODE SYSTEM OPERATORS – PRIOR NOTIFICATION – GRANTED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0154/P	Steel portal framed storage building	Manor House Farm Easington Road, Slaidburn

APPLICATIONS WHERE SECTION 106 HAS NOW BEEN ISSUED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0001/P	Regeneration site to provide 49 dwellings (10 of which would be affordable) with access from Watt Street and associated parking. Retention and refurbishment of Falcon House to provide 557.4m ² of class B1 business space	Former Cobden Mill Watt Street Sabden
3/2010/0324/P	Retrospective change of use of two first floor rooms from residential accommodation to a licensed area	The Freemasons Arms 8 Vicarage Fold Wiswell (Agreement not signed yet.)

APPLICATIONS WITHDRAWN

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0477/P	Change of use of field from agricultural use to equestrian use including paddocks, shelter and jumps	Ellenthorpe Kennels, Bolton-by-Bowland Road Gisburn
2/2010/0701/P	Erection of two detached dwellings	Land at Bentlea Road Gisburn
3/2011/0028/P	Demolition of attached double garage/utility room and conservatory. Erection of two-storey side/front extensions, single storey rear and side extension including annexe	1 Alston Court Lower Lane Longridge
Cont/		

Cont... accommodation for dependant relatives. Two balconies to main bedrooms and green roof to NW elevation. Solar panel to SW elevation. Dormers to SE elevation. Increase in roof pitch for 10ft conversion. Internal alterations. Additional parking. Integrated solar photovoltaic tiles to SE elevation.

3/2011/0051/P Non-material amendment to 3/2010/0570/P for new window in the existing external wall of the SE elevation 20 Longsight Road Chipping

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	—	APPEAL DISMISSED 10.3.11
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

<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>
3/2010/0969 D	17.2.11	John Carrington Application for a lawful development certificate for a proposed cantilevered canopy 8A Longridge Road Hurst Green	WR	–	Awaiting site visit
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	Householder appeal	–	AWAITING DECISION
3/2010/0926 D	9.3.11	Mr C J Hutchings Proposed two-storey side extension Happy Cottage Lovely Hall Lane Copster Green	Householder appeal	-	Notification letter sent 14.3.11 Questionnaire sent 15.3.11 AWAITING DECISION

LEGEND

D – Delegated decision
C – Committee decision
O – Overturn