

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 13 OCTOBER 2011
 title: PLANNING APPLICATIONS
 submitted by: DIRECTOR OF COMMUNITY SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION NO: 3/2011/0101/P (GRID REF: SD 373740 442330)
 PROPOSED CHANGE OF USE FROM AGRICULTURAL LAND FOR THE PROPOSED
 EXTENSION OF CLITHEROE CEMETERY AND THE CREATION OF A NEW ACCESS ROAD
 AT LAND ADJACENT TO CLITHEROE CEMETERY, WADDINGTON ROAD, CLITHEROE

TOWN COUNCIL: No objections.

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

The proposed extension of the site is limited in scale and will have minimal impact on vehicular activity to or from the site. The retention of parking for general public use is also to be welcomed. The point of access is to the west of the main cemetery access and offers satisfactory visibility for traffic emerging on to Waddington Road.

ENVIRONMENT DIRECTORATE
 (COUNTY ARCHAEOLOGIST): Commented originally that the site had been identified as having a high potential for archaeological remains dating to the prehistoric period, and a low – medium potential for the Roman and Mediaeval periods. It was therefore initially recommended that, prior to the determination of the application, an archaeological evaluation of the site should be carried out to determine if any such deposits do exist; the results of the evaluation would allow a properly informed decision to be made.

Following discussions with the County Archaeologist, however, the proposal was amended by plans received on 7 June 2011 showing a reduced site area. Following re-consultation, the County Archaeologist commented as follows:

On the basis of the results of the geotechnical survey and further consultation with the University of Liverpool (partners in the Ribble Valley Aggregates Project) it would appear that as the proposed extension lies outside the area of fluvial activity, and the underlying geology is one of boulder clay, the site should now be considered to be one to have a low-nil potential for archaeological deposits associated with activity of the prehistoric period.

Consequently, the Lancashire County Archaeological Service would like to withdraw its comments concerning the need for the site to be the subject of a predetermination archaeological field evaluation, and has no further comments to make on the current proposals or indeed the larger area as originally submitted.

**ADDITIONAL
REPRESENTATIONS:**

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

1. The new access road is within 40m of the tight bend just over the blind brow of a hill on a busy road. It would therefore be detrimental to highway safety. Furthermore, the creation of the new access point is not required as an alternative solution could be implemented such as the widening of the existing access point.
2. The development will harm to mature trees.
3. The development will impact on the local community's enjoyment of this area of natural beauty.
4. No further allowance is made for vehicle parking. This will further compromise road safety as vehicles will be parked on both sides of the road during funerals (as already happens).
5. The extension of the cemetery could compromise access to one of three principal areas suggested for additional housing in the Core Strategy.
6. Is there any need for the extension, as local residents have heard that the cemetery as presently existing has capacity for burial for at least another 30 years.

Proposal

As amended by plan received on 7 June 2011, permission is sought for the change of use of approximately 0.82 hectares of agricultural land to form an extension to Clitheroe Cemetery. The proposal involves the formation of a new access on to Waddington Road leading to a proposed road, footpaths and hard standing area within the extended part of the cemetery. An access will be provided from the new internal road into the adjoining agricultural field to the south of the cemetery extension.

Site Location

The application relates to approximately 0.82 hectares of existing grazing land to the south east of the existing cemetery including a section of an unmade access lane leading from the west side of Waddington Road. The area of the proposed extension is adjoined by agricultural land

to the south and east; there is a dwelling, The Lodge, on the north side of the access lane; and there is woodland and residential properties on the opposite side of Waddington Road.

The site is outside the settlement boundary of Clitheroe within the Open Countryside.

Relevant History

None.

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV3 - Development in Open Countryside.

Environmental, AONB, Human Rights and Other Issues

The site is within the open countryside outside the settlement boundary of Clitheroe. Policy G5 of the Local Plan states that in such locations, planning permission will only be granted for small scale developments that satisfy one of five criterion. One of those criterion is 'other small scale uses appropriate to a rural area which conform to the policies of the Plan'. The existing cemetery is located in the open countryside but close to the settlement boundary of the main settlement of Clitheroe. I consider this to be an entirely appropriate location for the existing cemetery.

As such, I also consider the proposed cemetery extension to represent a small scale use of land that is entirely appropriate to this particular area of open countryside. It also represents a use of land that does not involve any built development. It therefore has minimal impact upon the rural and 'open' nature of the locality. As such, the proposal also complies with the requirements of ENV3.

Subject to an appropriate condition, the proposal would not have any detrimental effects upon the existing trees within the site.

A public footpath runs across the site of the proposed cemetery extension and the submitted plans indicate a possible diverted route for this footpath. It appears possible, however, to retain the footpath on its existing route. The grant of planning permission in respect of this application would not, in any event, authorise the diversion of a footpath as this would need to be the subject of a separate Footpath Diversion Order. This matter can be addressed by a note on the decision notice in the event that planning permission is granted.

The proposed new access from Waddington Road is close to two dwellings, but the cemetery extension itself does not immediately adjoin any residential properties. For this reason, and given the nature of the use, the proposal would not, in my opinion, have any detrimental effects upon the amenities of any nearby residents.

A number of nearby residents have expressed concerns/objections to the proposed new access on highway safety grounds. The County Surveyor, however, has expressed no objections to the application and comments that this proposed new access offers satisfactory visibility for traffic emerging on to Waddington Road.

Overall, I can therefore see no objection to this application.

SUMMARY OF REASONS FOR APPROVAL

The proposed cemetery extension and access road will not have any seriously detrimental effects upon the visual amenities of the locality, the amenities of any nearby residents or highway safety.

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

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

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

2. The permission shall relate to the amended site location plan received by the Local Planning Authority on 7 June 2011 and to the 1:500 scale plan (Drawing No CS/11/0101/1).

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

3. At all times during the construction works on the access road, internal road, footpaths or hard standing areas, all trees within the site shall be protected from any potential adverse effects of the development in accordance with precise details that have first been submitted to and approved in writing by the Local Planning Authority.

REASON: In order to ensure that all trees affected by the development are afforded maximum physical protection from the adverse effects of development in order to comply with Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan.

4. No works on the construction of the access road, internal road, footpaths or hard standing areas shall be carried out until precise details of their surface materials have been submitted to and agreed in writing by the Local Planning Authority.

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

NOTE

1. The granting of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpaths 19 and 22 in the parish of Clitheroe are within the site.

APPLICATION NO: 3/2011/0300/P

(GRID REF: SD 380352 447209)

OUTLINE APPLICATION FOR THE ERECTION OF A COUNTRY HOUSE HOTEL AND SPA ON LAND ADJACENT DUDLANDS CROFT, GISBURN ROAD, SAWLEY, LANCASHIRE.

PARISH COUNCIL:

Gisburn Parish Council wish to object to the above application on the grounds outlined below,

- Highway Safety – The entrance to the hotel is on a busy and dangerous arterial route where there have been several fatalities and accidents in recent years in the vicinity. As well as heavy trans-Pennine traffic flow on the road at all times there is also considerable local traffic resulting from the presence of the nearby abattoir and on summer weekends there is a well attended car boot sale in the fields opposite.
- Visual Impact - The hotel would be visible to residents of nearby properties as well as to certain properties in Rimington.
- Noise - We understand that the hotel would be a wedding and party venue and there would be noise affecting those same properties and the nearby village.
- Concern regarding Commitment of Applicants - We are also concerned about the long-term commitment of the applicants to the venture, despite their assurances. By their admission, the applicants' main business is property development and we feel that they may only commit to the hotel in the short term leaving a future owner to change the whole ethos of the development.
- Effect on Local Employment - Although we appreciate that jobs will be created as a result of the venture, we are concerned that jobs will also be lost from other competing establishments in the area.
- Sustainability of the Proposal - The venture is presented as catering for the luxury family market. Several years ago Ribblesdale Park was developed for the same market but this market did not materialise and the park is open to the general holidaymaker. We feel that there is a danger of the same scenario being repeated with the boutique hotel and the project will become a totally different venture from that originally proposed.
- Location of Proposed Hotel - Although the applicant is not concerned about the proximity of the abattoir, we feel that potential guests could well be. In the days of modern communication it will not take long for word to spread of the location of the abattoir next to the hotel and this could have a negative impact upon trade. We believe there are more suitable locations within the Ribble Valley for a luxury hotel.

LCC ENVIRONMENT
DIRECTORATE (COUNTY
SURVEYOR):

Following his initial response of 15 June 2011 and subsequent discussions concerning detailed access arrangements for the site, as a consequence, amended site plans were provided in correspondence dated 19 August 2011. On the basis of these plans, there are no objections in principle to the proposal on highway safety grounds, subject to appropriate conditions.

UNITED UTILITIES:

No objection to the proposal.

NETWORK RAIL:

Network Rail have raised no formal objection to the proposed development, however they have insisted on a number of conditions being imposed should permission be granted, as the proposal has potential for impacting negatively upon the operational railway.

ENVIRONMENT AGENCY:

When originally submitted, the Environment Agency (EA) objected to this proposal on the basis of a lack of detailed survey information relating to the presence/absence of amphibians on site, and the lack of information with regards to existing watercourses on site in relation to the proposed development. Having reviewed the additional information submitted by the Applicant (received on the 10th of August 2011), the Environment Agency withdraws their objection to the proposed development, subject to the inclusion of conditions relating to specific issues such as surface water management and biodiversity.

LCC LANDSCAPE UNIT
(LANDSCAPE ARCHITECT):

Having reviewed the submitted Landscape and Visual Impact Assessment (requested following feedback from both the LCC Landscape Unit and Natural England), they consider it to be an acceptable and competent piece of work as it has,

- Been undertaken in accordance with recognised good practice produced by the Landscape Institute (Royal Chartered body for professional landscape architects),
- Been made of appropriate landscape character assessments e.g. Forest of Bowland AONB Landscape Character Assessment (LCC, September 2009),
- Given equal weight to assessing landscape and visual resources. Weak assessments tend to focus almost entirely on visual impacts,
- Mapped the zone of potential visual influence,
- Considered impacts on the A.O.N.B. and
- Proposed a range of mitigation and compensation measures.

On this basis, they are still of the view that the overall impacts of the proposal on the adjacent Forest of Bowland A.O.N.B. would be of *negligible - slight* significance and the reasons for designation would not be compromised (ref. email of 20th May 2011 forwarded on the 15th June 2011). As such, they raise no formal objection to the proposal.

NATURAL ENGLAND:

Natural England originally commented on this proposal on the 17th of May 2011, when they objected on the basis that there was insufficient information provided with the application to determine landscape and visual impacts on the Forest of Bowland A.O.N.B. and potential impacts on protected species. The Applicant has now provided more detailed information about the potential impact of this proposed development on the landscape and further detailed survey work to establish presence/absence of great crested newts, by virtue of submitting a Landscape and Visual Impact Assessment and an Ecological Appraisal. Based on the information in the reports, Natural England are satisfied with the findings and they withdraw their objection to the proposal.

LANCASHIRE COUNTY
COUNCIL PLANNING
CONTRIBUTIONS:

There is no planning contribution request made by Lancashire County Council services, other than that outlined by the County Surveyor in relation to Public Transport provision and long-term Sustainability of the site.

ADDITIONAL
REPRESENTATIONS:

Twenty five (25) letters of objection have been received from adjacent businesses and occupiers of residential properties within the nearby vicinity. The points of objection made have been simplified (where possible) as follows:

1. Potential impact on the existing hotel business within close proximity to the site,
2. Potential competition could impact directly/indirectly on employability for existing businesses,
3. Due to the high-spec hotel proposed, surely the highly skilled staff required would have to come from outside the area (5* Michelin Star Restaurant),
4. Therefore very few jobs taken up by local people,
5. The quoted spend on the project far exceeds any figure any business venture would consider for a 38 bedroom hotel, due to the predicted turnover not getting even close to funding this amount of financial investment,
6. The Applicant has stated they have received whole hearted support from Rebecca Webster, Tourism Officer at RVBC (no longer in post), however it appears her support has been withdrawn,

7. The business model does not add up financially,
8. There is a potential that this business may force another similar business to close in the long term,
9. The proposed leisure facility will be entirely incompatible with the existing character of the area, and the nature of the surrounding land use,
10. The proposed development, if permitted, would constitute an unreasonable conflict with the adjacent sites permitted use, and could hamper the commercial operations of the site,
11. The viability of the adjacent business may be compromised to the extent that its position becomes untenable, especially if future development proposals are met by complaints/objections by the applicant,
12. Planning Services should have proper regard to the use permitted on the adjacent site, including the inevitable visual features associated, and would query the desirability for hotel guests of locating a luxury hotel and spa in such close proximity,
13. Concerns regarding adverse impacts of traffic associated with the proposed development,
14. Possible detrimental impact on existing water and sewage facilities, however further information should be submitted to enable proper consideration of this,
15. Drainage and Flood Risk Assessment should be supplied with the application,
16. There is no detailed waste plan provided with the proposal, and due to the nature of the adjacent business, there is concern that a hotel/leisure facility may cause an increase in vermin attraction,
17. Level of detail in the revised, Phase 1 Ecology Report is insufficient, and further studies are required,
18. The proposal surely cannot be considered 'small-scale', with a floor area of approximately 8493 sq.m. With 38 bedrooms, 'Great Hall', restaurant, meeting rooms, Spa facilities, shops, crèche, bar and staff accommodation, and 120 parking spaces must surely be 'Large Scale Development',
19. Contrary to Local Plan Policies relating to development of this type,
20. Sceptical that the ghost island proposed will provide a suitable solution to the significant increase in traffic,
21. Should there be further surveys relating to Badgers?
22. Concern that the applicant has NO experience in this field of leisure facility, and that the proposal will be a long-term viable business,
23. Risk that the hotel could be sold to another larger chain, who would seek to intensify the scheme,
24. Concern that it could be converted to residential if the business fails,

25. The rear of the house includes servicing areas including swimming pool plant, fire escapes, stores, kitchen extractor fans, boiler rooms and a 'terrace' all of which will provide noise nuisance to my property, even though it is over 160m away,
26. Why has a noise assessment not been submitted?
27. Given the current economic climate, surely a new hotel business in the area will finish other hoteliers off?
28. Surely there will be an impact on the adjacent slaughterhouse when visitors to the hotel start complaining about 'smells'?
29. Proposed new entrance to the site is dangerous, and within 250 yards of a very dangerous blind bend, this will be an accident black spot waiting to happen,
30. The proposal will cause an increase in light pollution,
31. Proposal would be visually detrimental to this location,
32. It is likely that the development will require an Environmental Permit, however this may not be successful. We therefore suggest a suitable condition be imposed to prevent its use without one,
33. Impact on flora/fauna due to drainage from septic tank,
34. Loss of wildlife from the area due to development,
35. The project has the potential to cause a significant employer in the Ribble Valley to close down, with the risk of losing over 300 jobs,
36. Gisburn has been made a laughing stock thanks to the Renault advert, and this will add further insult to injury,
37. 24/7 business will affect livestock in adjacent fields,
38. There is no need for additional hotels in this area,
39. Detrimental issues locally for residents and similar businesses far outweigh any positive aspects,
40. Due to the location of the hotel, it will overlook our farm and affect our privacy,
41. The scheme will have an adverse impact on wildlife,
42. The proposed 'bike hire' facility is not in the best location, as the A59 is not the place for families,
43. The Great Crested Newts on site are surely an environmental concern?
44. How anyone could choose this location for a new hotel is beyond belief,
45. Concern regarding the issues the new access may cause in relation to existing accesses adjacent to it,
46. Signage should be added to warn vehicles of the new access if this is approved,
47. No drainage scheme or Flood Risk Assessment provided with proposal,
48. No mention of badgers on the site,
49. There is a lack of an identified operator,

50. A 38 bedroom hotel would normally be accommodated on a much smaller footprint,
51. There is no requirement to fix the number of rooms in the submission, so this may see a hotel being approved with some 8493 sq.m. that could be altered to increase rooms thereby creating a busier and more commercial hotel,
52. The Traffic Assessment provided is inaccurate for the functions proposed at the site,
53. The adjacent business should be able to function without unreasonable restriction, and this should not be prejudiced by a potentially conflicting scheme,
54. The scheme should have been accompanied with an Environmental Assessment that considers noise and air-quality issues,
55. The location is not sustainable with the majority of visitors relying on car travel, as there are no bus stops near the site, and it lies 6.5 miles from the train station,
56. An independent Transport Assessment has been carried out, which questions the accessibility of the site along with the junction proposed and visibility splays,
57. The site/proposal are not considered viable in any way,
58. The proposed mitigation offered in the way of landscaping would result in significant and adverse change in the existing rural character,
59. The Landscape Visual Impact Assessment has been produced by some who does not understand the assessment process,
60. The baseline analysis is incomplete,
61. The assessment in relation to landscape receptors, landscape sensitivity, visual baseline, view points and visual receptors is all confusing,
62. Landscaping detail is sought as a 'reserved matter', how the level of detail is inadequate,
63. The document does not represent a 'thorough assessment of the likely landscape and visual impacts' as noted by the LCC Landscape Officer,
64. The proposal represents built development of a substantial scale within open countryside, which together with ancillary parking would be clearly visible from the A59, and
65. Although mitigation is provided, the development will result in a significant and adverse change in the rural character of this location, having a suburbanizing impact on this rural landscape.

Sixteen letters of support for the proposal have also been received, thirteen of which were received via a third party who carried out a marketing exercise on behalf of the Applicant. The reasons for support are as follows,

1. People surely welcome a proposal that brings customers to our doorstep, and
2. Customers are often looking for places to stay in the area, so I welcome this proposal.
3. The proposal will have a positive impact on the local community and the regional economy,
4. An increase in high-end tourism as a result of the development will benefit both my business and relevant sectors of the local economy in Clitheroe,
5. In order to have a 'pull' factor, for tourists, we need more high-end leisure facilities in the Ribble Valley,
6. Our business, like so many others, benefits greatly from the influx of tourists into the locality, and as such I welcome the creation of this type of complex, and
7. The customer base for the proposal would be families who intend to spend time and money in the Ribble Valley, and surrounding areas, thus bringing extra tourism revenue into the region.

Proposal

This application seeks outline planning permission for a proposed new Hotel, Spa, Wedding and Conference Venue. The application seeks approval for details relating to Access, Landscaping, Layout and Scale. The Hotel will have 38 accommodation suites, located over two and a half storeys. The Spa will include a Pool, Gym, Solarium, Treatment Rooms, Coffee Shop, Kids Area and two small shops with the Lobby Area selling local goods. The Wedding/Conference facilities include the two storey Great Hall; this hall will accommodate 160 covers, a restaurant accommodating 50 covers and a Bar area. The revised car parking layout, in-line with comments made by the LCC Highways Officer, now includes 143 car parking spaces (including 14 mobility spaces), 12 secure cycle spaces and 6 motorcycle spaces. The plan also now includes the provision of a designated coach parking area is included within the site plan. Pick-up/set-down areas are also provided adjacent to the hotel building. The scheme will potentially provide employment for 85 people, with a range of full and part-time posts.

Site Location

The site is located mid-way between the settlements of Sawley and Gisburn, some 6 miles from Clitheroe. It lies immediately adjacent to the A59 Liverpool – Preston – Skipton – York Road on its southern side; and the Clitheroe – Skipton rail line on its eastern side. The site is located in an area of gently undulating open countryside, characterised by fields bounded by hedgerows and trees, with a scattering of built development in the locality, including a number of farmsteads and houses, and larger establishments such as Dunbia Castill Laithe Abattoir to the west of the site (with its lagoons lying immediately adjacent to the western boundary, but the built form separated by a distance of approximately 250m) and Stirk House Hotel to the north east (the entrance to which is approximately 1200m away).

Relevant History

None relevant.

Relevant Policies

Policy G1 - Development Control.

Policy G5 – Settlement Strategy.

Policy ENV2 – Land adjacent to Area of Outstanding Natural Beauty.

Policy ENV3 – Development in Open Countryside.

Policy ENV7 – Species Protection.

Policy ENV13 – Landscape Protection.

Policy RT1 – General Recreation and Tourism Policy.

Policy T1 – Development Proposals – Transport Implications.

Policy T7 – Parking Provision.

Regional Spatial Strategy (RSS) Policy DP7: Promote Environmental Quality.

RSS Policy RDF2: Rural Areas.

RSS Policy EM1: Integrated Enhancement and Protection of the Region's Environmental Assets.

RSS Policy W6: Tourism and the Visitor Economy.

RSS Policy W7: Principles for Tourism Development.

RSS Policy EM17: Renewable Energy.

PPS1 – Delivering Sustainable Development.

PPS4 – Planning for Sustainable Economic Growth.

PPS7 - Sustainable Development in Rural Areas.

PPS9 - Biodiversity and Geological Conservation.

PPG13 – Transport.

PPG24 – Planning and Noise.

PPS25 - Development and Flood Risk.

Good Practice Guide on Planning for Tourism.

The Wildlife and Countryside Act 1981 (as amended).

The Conservation of Habitats and Species Regulations 2010.

EU Habitats Directive (92/43/EEC)

Environmental, AONB, Human Rights and Other Issues

This application seeks outline planning permission for a proposed new Hotel, Spa, Wedding and Conference Venue, with the applicant seeking reserved matters approval for details relating to Access, Landscaping, Layout and Scale. The Appearance of the building is reserved for future consideration. The applicant's aim (as detailed within the Supporting Planning Statement) is to achieve a high quality, 38 bedroom, County House Hotel with a range of complimentary facilities, set in well-landscaped grounds and providing attractive and flexible accommodation for a range of guests. The Applicant considers this location to provide a perfect base to explore the surrounding countryside and the wider Ribble Valley as a holiday destination, as well as promoting the use of the Hotel as a wedding or conference venue.

Whilst bearing in mind the reserved matters being sought, in assessing this proposal consideration must also be had in relation to the principle of the proposed development, the scheme as viewed from an economic perspective, the visual impact of the scheme on the surrounding location, the ecological considerations of such a scheme and of course the impact on highway safety at this location.

There have been a number of objections from occupiers of neighbouring dwellings and businesses and in assessing this scheme these objections/issues will be answered/considered throughout this report.

PRINCIPLE OF DEVELOPMENT / ECONOMIC STRATEGY VIEW

In terms of the principle of developing the site for the hotel facilities, car parking, roadways and landscaped areas being proposed, I will refer in part to comments from the Head of Regeneration and Housing, and the advice given at Pre-Application stage.

Advice was given in relation to this proposed development in May 2010, where the Planning Department considered that in respect to the principle of the development, current Policies would support such a development, both from a Planning Policy and Economic Development viewpoint. In general terms, it is considered that the number of rooms proposed, from a policy view point, would sit as small scale tourism development in line with the provisions of Local Plan Policies G5 and RT1, which support small-scale tourism developments that add to the range of facilities within the borough. The Council's Economic Strategy also supports this form of tourism development, and the proposal is also considered to be consistent with RSS Policy W7 – Principles of Tourism, which considers that schemes should, amongst other things, improve the region's overall tourism offer, meet diverse needs of people and promote facilities that extend the existing visitor season. Of course, balanced alongside this are the other facilities proposed as part of the business model, which need to be carefully considered, and in planning policy terms there is a need to make a judgment on whether the scheme complies with our exceptions approach that supports small scale tourism developments in the countryside. On this basis, and having regard to the above Policies, it is considered that the scheme as proposed in its particular form is capable of falling within the scope of the policy considerations, however given the balancing of these considerations, if there was a significant increase in the number of rooms or the extent of built development across the site was to increase over and above the current proposals, it is likely that this view would alter.

As noted above, from an economic development viewpoint, the Council is supportive of business growth, and seeks to encourage appropriate investment, particularly in the field of tourism within the Borough. The proposal is consistent with the Council's Economic Strategy which seeks to develop the visitor economy by extending the range of visitor facilities and attractions, as in itself the proposal would add to the visitor offer.

The Head of Regeneration and Housing notes within his reply that attention had been drawn to the commercial merit of the scheme by a number of objectors to the scheme, however he believes this to be fundamentally a matter for the investor to have considered, and of course it is not for the planning system to control competition. In addition, whilst a number of objectors have also raised queries regarding the potential impact upon neighbouring developments, in particular the abattoir, as the scheme is at such an early detailed design stage, measures can be taken to ensure the impact is lessened for both parties, and whilst regard should be given to the extent of possible adverse impacts on neighbouring business, it is considered that there are however no overriding policy constraints that in their own right would warrant a recommendation of refusal.

On this basis, the scheme is considered to represent significant new investment in the borough and in the form proposed can be judged acceptable as a principle in planning policy terms and is consistent with the Council's Economic Development and Tourism aspirations. Therefore

subject to matters of detailed development control consideration, there are no objections to the principle of the proposal.

VISUAL IMPACT OF SCHEME / LAYOUT / SCALE / LANDSCAPING

As noted earlier within this report, the site is located off the A59, mid-way between Gisburn and Sawley, and is within landscape classed as open countryside within the Districtwide Local Plan. The site is also close to the southern boundary edge of the Forest of Bowland Area of Outstanding Natural Beauty (less than 50m from the north west corner of the site boundary). On this basis, Policies ENV2 and ENV3 of the Local Plan must be considered when assessing the visual impact of the scheme proposed.

With specific regard to considering the layout, scale and landscaping of the scheme in relation to the above Policies, it is worthwhile noting the following. The hotel is positioned at the south of the site, set back from the A59 by some 100 metres, with the car parking area positioned between the hotel and the northern site boundary. The parking spaces themselves are somewhat governed by the position of the new access, which is located to ensure that it is as safe as possible for users, however the layout of the development site takes into account the existing landscape features as well as considering the location of additional mitigation planting/landscaping. With regards to the scale of the proposal, the Design and Access Statement notes that the buildings would fall within the following size parameters, as shown on the plans and drawings that accompany the application,

- Approximate eaves height – 2.5m to 7.2m (lower and upper limits),
- Approximate ridge height - 8.5m to 14.8m (lower and upper),
- Approximate width range – 77.7m,
- Approximate length range – 118.9m
- Floor area – 8493 sq.m.

The site levels also fall considerably over the site, some 10 metres towards the southwest boundary, and as such the ground levels around the hotel fall considerably from the east to the west. The scheme utilises the differing land levels, and the Applicant considers the scale, layout and landscaping of the proposal to be in keeping with developments of this type. It is therefore a judgement as to whether the positive elements to the scheme, which represents significant new investment in the borough which, in the form proposed, is judged acceptable in principle in planning policy terms and is consistent with the Council's Economic Development and Tourism aspirations, are outweighed by visual impact on the existing rural nature of the location.

Policy ENV2 states that 'The Landscape and character of those areas immediately adjacent to the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and wherever possible enhanced. The environmental effects of proposals will be a major consideration and the design, materials, scale, massing and landscaping of development will be important factors in deciding planning applications. Regard will also be had to the economic and social well being of the area.' Policy ENV3 states that 'Development will be required to be in keeping with the character of the landscape area and should reflect local vernacular, scale, style, features and building materials. Proposals to conserve, renew and enhance landscape features will be permitted, providing regards has been given for the characteristic landscape features of the area'.

Because of the sensitivity of the site in relation to the adjacent Forest of Bowland Area of Outstanding Natural Beauty, the LCC Landscape Unit was consulted for their views, as well as

Natural England. The LCC Officer responded to the initial details provided with the application, noting that initially he had some reservations since one relatively large main building was being proposed, with the main hotel complex having extensive north and south elevations of approximately 110m in width, which would be considerably larger than most of the other buildings in the area. Indeed his analysis of the local landscape (that the application site lies within) indicates that generally – the nearby abattoir which is an intrusive feature in the landscape is an unfortunate exception to this – development of a comparable size to that proposed is predominantly comprised of clusters of smaller farm buildings, with these small scale clusters of farm buildings being one of the key characteristics of the local landscape character. The other notable exception to this common building form is the Grade II listed building Stirk House Hotel, and whilst the scale of this hotel is similar to that proposed, there are some important differences. Most notably, he states, is Stirk House's more clustered arrangement of buildings, the main hotel's architecture and historical significance, much greater distance from the A59 and the screening effects of topography and existing woodland. The proposed buildings would be in close proximity to the A59 and public rights of way nr's 13 and 15, and despite the presence of existing hedgerows and trees, the hotel would be seen from some viewpoints as a significant new development in what is an open rural landscape.

The scheme details initially presented were criticised by the LCC Landscape Unit and Natural England, as well as many other neighbours, by virtue of the lack of a thorough assessment of the likely landscape and visual impacts. The scale of the application and the site's location adjacent to an A.O.N.B. would deem, in his opinion, that such work should have been essential, and as such was requested of the Applicant. The Landscape and Visual Impact Assessment for Dudland Croft Country House Hotel was submitted to the Council on the 4th of August 2011, and was considered by the LCC Landscape Architect to be an acceptable and competent piece of work, principally for the following reasons,

- a) It has been undertaken in accordance with recognised good practice produced by the Landscape Institute, which is the Royal Chartered body for professional landscape architects.
- b) Use has been made of appropriate landscape character assessments e.g. Forest of Bowland AONB Landscape Character Assessment (Lancashire County Council, September 2009),
- c) Equal weight is given to assessing landscape and visual resources. Weak assessments tend to focus almost entirely on visual impacts,
- d) The zone of potential visual influence has been mapped,
- e) Impacts on the Forest of Bowland AONB are considered, and
- f) A range of mitigation and compensation proposals is provided.

He notes that the assessment does have some weaknesses but overall he does not consider that they significantly detract from it or limit its use in determining the proposed hotel's likely landscape and visual impacts. Having reviewed the submitted Landscape and Visual Impact Assessment, he remains of the view (held in his original response) that the overall impacts of the proposals on the Forest of Bowland A.O.N.B. would be of **negligible - slight** significance and the reasons for designation would not be compromised.

In considering the above, as the built element of the development would be set back some 100 metres from the A59 road frontage and be two-storey in scale, I do not consider that the development will appear as a prominent feature in the local landscape. Viewing directly into the site from the A59, the development would be seen against the backdrop of hedges trees and rising land beyond, and as the typical views of the site would be at oblique angles, views into

the site from either direction are effectively filtered by existing roadside trees and hedges along the highway edge, and intervening trees along the western and eastern boundaries. All existing trees and other landscape features on site will be retained as part of the development, and as well as the change in land levels, the scheme has been sensitively designed around the landscape form, flora and fauna. The car parking and servicing areas have been designed to be the smallest size possible, and in order to minimise the visual impact of the scheme, the parking areas have been provided in two separate sections. Most access roads will be gravel/stone surfaces, and will be single track width, in order to further minimise the urbanization of the site, and with an extensive tree planting scheme being proposed, this will further filter the views of the development, and help achieve its effective absorption into the landscape without significant visual intrusion or damage to its character or appearance. The Council's Countryside Officer noted originally that he did not consider the landscape proposal indicated on the Ecological Site Design Plan to sufficiently reflect the landscape character of the area, however he raised no objection to the layout. Having discussed the revised scheme with him, he has recognised that there is sufficient scope to alter and amend the proposed planting details to allow a suitable scheme to be achieved, namely new tree and woodland planting (native broadleaved) along with naturalistic water areas and wildflower meadows, and as such he is happy for the specific landscaping details relating to the site to be dealt with via planning condition.

Therefore, on the basis of the above assessment, the scheme is considered to apply with the requirements of the relevant Local, Regional and National Plan Policies. Where the site is most visible from the A.O.N.B. and the landscape and visual impacts could be most significant (at distances of up to 500m) the effects of topography, existing trees and hedgerows would significantly mitigate any likely impacts of the proposed hotel, and in addition, the proposed development is not considered to be of a sufficient scale to have a significant impact on the setting of the A.O.N.B. It is for this reason that the proposed Scale, Layout and Landscaping are considered to have an acceptable visual impact on the landscape character and setting of the location.

IMPACT ON NEIGHBOURING AMENITY / NOISE

Concerns have been raised with the developments potential impact on the amenity of the occupiers of neighbouring properties, despite the closest property being approximately 170m to the south of the site. Nonetheless, the proposal has been discussed with the Council's Head of Environmental Health who considers that whilst the development will cause some increase in the existing noise levels on the existing site, consideration must be held with the fact that the site will be close to an existing, and significant, slaughterhouse and meat plant that in itself causes noise issues at this present time (According to the Council's records, 23 complaints have been received and investigated on various matters from 2000). On this basis, he recommends that a noise assessment report be submitted as a condition of any approval, as it is known that the area has a very quiet background noise level and details of noise attenuation measures would need to be agreed as part of any approval.

He also considers that noise control measures will probably be necessary in relation to,

- extraction and cooler equipment and in relation to any function suite,
- attenuation to bedroom windows,
- details of any kitchen extraction filtration, and
- Deliveries and collections shall be restricted to normal office hours i.e. 08.00 to 18.00 Monday to Friday and 09.00 to 16.00 hours Saturday, Sundays and Bank Holidays.

And on this basis, has requested that such details be provided and agreed as a condition of any approval.

With regard to other issues, he also notes the following. This proposal will be in close proximity and down wind to an existing significant slaughterhouse and meat plant, and the applicant must appreciate and recognise that there could be potentially both noise and odour issues from the adjacent sites activities which will not be actionable under current nuisance legislation. On this basis, it is considered the likelihood of the proposed development (subject to this application) negatively affecting the existing usage and business operating on the site adjacent to this site is relatively slim, and is therefore not significant enough to warrant refusal of the proposal.

FOUL AND SURFACE WATER MANAGEMENT

The proposed development is not in an area served by public sewers, and the application form states that foul drainage will be to a new package treatment plant and surface water will be disposed of to a sustainable drainage system and a pond/lake. The EA raise no objections to this, however as a detailed drainage scheme has not been submitted, certain planning conditions are recommended.

The Council's Head of Environmental Health, however, recommends that the applicant be required to investigate the feasibility of connecting to the public sewer in Sawley, which they believe Dunbia Meats and the Stirk House Hotel are connected too, as he considers it desirable for a commercial property of this scale and type to be connected to both a public sewer system and be served by mains water. However, again he is happy for details of this to be provided as a condition of any approval.

The EA consider that surface water runoff from the proposed development should be restricted to existing rates, which can be achieved through the use of Sustainable Drainage Systems (SUDS). Support for the SUDS approach to managing surface water run-off is set out in paragraph 22 of Planning Policy Statement (PPS) 1: Delivering Sustainable Development and in more detail in PPS25: Development and Flood Risk at Annex F. Paragraph F8 of the Annex notes that "Local Planning Authorities should ensure that their policies and decisions on applications support and complement Building Regulations on sustainable rainwater drainage". These not only attenuate the rate of surface water discharged to the system but also help improve the quality of the water. They can also offer other benefits in terms of promoting groundwater recharge and amenity enhancements. This approach involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal, which encourages a SUDS approach. Under Approved Document Part H the first option for surface water disposal should be the use of SUDS, which encourage infiltration such as soakaways or infiltration trenches. In all cases, it must be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

Under the Environmental Permitting Regulations 2010, the package treatment plant associated with this development will require an Environmental Permit from the Environment Agency, unless an exemption applies, and the EA have made the Planning Department aware that such

a Permit may not necessarily be granted, however without a formal application being made by the Applicant yet (due to Planning Permission not being granted consent at this time) they can provide no other advice at this time.

IMPACT ON BIODIVERSITY

The revised plan highlights the location of the existing watercourses on site in relation to the proposed development, and as such the EA are satisfied that the watercourses will be retained, and that it is not proposed to modify them. They note that development that encroaches on watercourse has a potentially severe impact on their ecological value, contrary to government policy in Planning Policy Statement 1 and Planning Policy Statement 9 and to the UK Biodiversity Action Plan, and that land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Article 10 of the Habitats Directive also stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change. It is for this reason that they have requested a planning condition requiring a buffer zone around the watercourse, as buffer zones alongside watercourses offer the following benefits,

- They allow the watercourse to undergo natural processes of erosion and deposition, and associated changes in alignment and bank profile, without the need for artificial bank protection works and the associated destruction of natural bank habitat,
- They provide for the terrestrial life stages of aquatic insects, for nesting of water-related bird species, and for bank dwelling small mammals,
- They provide a "wildlife corridor" bringing more general benefits by linking a number of habitats and affording species a wider and therefore more robust and sustainable range of linked habitats,
- They allow for the maintenance of a zone of natural character with vegetation that gives rise to a range of conditions of light and shade in the watercourse itself - this mix of conditions encourages proliferation of a wide range of aquatic species, including fish,
- They allow, where appropriate, for the re-grading of banks to a lower and safer profile, in areas where there is public access,
- They prevent overshadowing of watercourses by buildings, and
- They reduce the risk of accidental pollution from run-off.

The buffer zone needs to be at least 6 metres wide measured from bank top for the whole extent of the site. This zone should be without structures, hard standing, footpaths or fences and should not include formal landscaping. The buffer zone needs to be designed and managed to develop this natural character and maintain wildlife corridors through the site.

IMPACT ON ECOLOGY

With regards to Natural England's thoughts on the Ecology Report, they are satisfied with the methodologies and survey effort given the limitations imposed by the need to complete the work during the current survey season. They note that their advice is given to help the Local Planning Authority determine this planning application, and that on the basis of the information made available, they are satisfied that the mitigation proposals, if implemented, are sufficient to avoid adverse impacts on the local populations of protected species, including great crested newts, and therefore avoid affecting favourable conservation status. They note that with specific regard to Great Crested Newts, given the works identified, an offence is highly likely under The Conservation of Habitats and Species Regulation 2010, and as such consider that a European

Protected Species (EPS) Licence to carry out these works WILL be required. Because of this, it is for the Local Planning Authority to establish whether the proposed development is likely to offend against Article 12(1) of the EU Habitats Directive, in order to discharge their legal duty under regulation 9(5) of The Conservation of Species and Habitats Regulations 2010, that is to “have regard to the requirements of the Habitats Directive” in exercising this function.

Article 12 (1) of the Habitats Directive notes that “Member States shall take the requisite measures to establish a system of strict protection for the animal species listed in Annex IV (a) in their natural range prohibiting:

- (a) all forms of deliberate capture or killing of specimens of these species in the wild,
- (b) deliberate disturbance of these species, particularly during the period of breeding, rearing, hibernation and migration,
- (c) deliberate destruction or taking of eggs from the wild, and
- (d) deterioration or destruction of breeding sites or resting places.

Given that Natural England themselves have noted that a ‘breach is likely’, we must consider whether therefore, they are likely to grant an EPS Licence for the works involved. Given a recent Supreme Court decision in January 2011, the case of *Vivienne Morge v Hampshire County Council [2010]*, the Supreme Court has made clear that a LPA should ONLY refuse planning permission if it believes that Natural England is unlikely to grant an EPS Licence. Therefore, given that Natural England are sufficiently satisfied with the mitigation proposals to enable them to withdraw their objection to the proposal, I consider it likely that they WILL grant an EPS Licence for the works involved, and therefore raise no concerns with regards to the proposal impact upon protected species within the sites area or the ecology of the area in general.

IMPACT ON TREES

With specific regards to the developments impact on trees on site, the Council’s Countryside Officer notes that the Arboricultural survey provides sufficient detail to determine the planning application. The scheme mainly involves crown lifting along the frontage of the site in order to provide suitable visibility displays, and despite the loss of a few trees within the site, the retention of key frontage trees onto the A59 and the significant landscaping/tree planting scheme proposed as part of the landscaping scheme for the site are considered to more than mitigate for the minor impact of the development on existing trees on site.

ACCESS / IMPACT ON HIGHWAY SAFETY

The following comments relate to the final formal response from the County Surveyor in respect to the proposal, sent in response to the Transport Statement (Mayer Brown), Design and Access Statement (Sunderland Peacock Architects) and the Planning Statement (Janet Dixon Town Planners Ltd), all dated April 2011, prepared on behalf of the Applicant, and the revised Transport Statement (Mayer Brown) received 22 August 2011.

He refers to his initial response of 15 June 2011 and subsequent discussions concerning detailed access arrangements for the site, which, as a consequence, ensured amended site plans being provided in correspondence dated 19 August 2011 (received in the Council Offices 22nd August 2011).

The proposed development of a Country House Hotel and Spa on land adjacent to Dudlands Croft, Sawley, will provide a 38 bedroom hotel, spa, gym and bar/restaurant facilities, and will cater for weddings, conferences, guests and members of the public. There is also staff accommodation within the site. In view of its location adjacent to the A59 Gisburn Road, the proposed access has been designed with the speed and volume of traffic on this route of Regional significance in mind. Lancashire County Council is responsible for providing and maintaining a safe and reliable highway network. With this in mind the present and proposed traffic systems have been considered in and around the area of the proposed development.

Having visited the site on a number of occasions, he has the following comments regarding the means of access to the proposed development and the consequent highway safety and capacity impacts.

Proposed Access from A59 Gisburn Road, Sawley.

There are two points of access to the site, an existing entrance to Dudlands Croft and the new access point to the southwest. The existing access will be used to serve the manor house, which will be the residence of the hotel manager. There are no proposed links between the existing access and the remainder of the development site. The new access is sited 37m to the south west of the existing access and has been designed to a satisfactory standard for the anticipated end users and provides a safe means of access to the site. This level of separation is at the lower limit of the standard for a road of this speed. While the existing access will accommodate a small number of movements, its proximity to the main entrance to the site is not ideal.

The creation of the new ghost island access to the site has been designed to address some existing highway safety concerns in this vicinity and has taken into account the record of recent road traffic collisions in this area. The amended layout of the right-turn ghost island (Dwg No. NW/SPA/GISBURN.1/03/RevE) satisfies the relevant Design Manual for Roads and Bridges criteria (TD42/95) and that there is no third party land ownership issue regarding the requirements for 4.5m by 215m visibility splays.

Liaison with Network Rail

The Applicant has provided additional detail concerning discussions with Network Rail that confirm the extent of the proposed highway works will not impose on their structures or give rise to any objections.

Traffic Flows

The revised list of locations identified from the range of comparison sites on the TRICS database has been considered and the data produced has been assessed as appropriate for this site. While extensive, the database cannot be relied on to reflect every nuance of a particular location or facility. However, the locations identified provide an acceptable source of verifiable traffic data.

Committed and Other Proposed Developments

There are no committed developments in the vicinity of this site.

Pedestrians and Cyclists Access

There is an existing Public Rights of Way running along the length of the existing access to Dudland Croft. There is no proposed revision of the footway as a result of this development.

Public Transport

There are no existing stops on A59 Gisburn Road within a 1km radius of the proposed site access. It would be desirable to introduce stops that were more convenient for the development and improved access to public transport services would be an important factor in helping to reduce dependence on the private car for users of this development. However, the nature of the traffic on A59 and the inherent safety implications of pedestrians crossing in this area make this unlikely and there is no prospect of diverting a scheduled service into the site.

Road Safety

The County Surveyor has reviewed the latest accident data on the immediate highway network surrounding the development and the relevant statistics for the last five years were included as "Table 6.1: RTC Data" in the Transport Statement. The frequency and severity of these incidents is a cause for considerable concern. Indeed, this section of A59 was included in a recent study by colleagues in LCC Safety Engineering. As a result of their report, completed in 2009, there were no specific traffic issues highlighted. However, the Local Safety Scheme that resulted from this report is currently in the County's Reserve list for design. It includes a recommendation to introduce central warning lines from west of Kiln Lane in an easterly direction, continuing to the east of the lay-by.

Parking Standards

The additional provision of on-site parking spaces and a designated coach parking area satisfy the previous recommendations.

Internal Site Layout

The internal layout is designed to comply with Manual for Streets and will encourage speeds below 20mph.

Servicing, Delivery, Waste Collection, Emergency Access and Routing

The Transport Statement (Section 3.14) indicates that suitable manoeuvring space is available within the site to allow for the safe movement of refuse and other service vehicles. This has been confirmed by details of the swept path analysis of relevant vehicles contained within the revised Transport Statement dated 19 August 2011 (received 22nd August 2011).

Travel Plan

A formal Travel Plan will be conditioned as part of the planning consent and will include details of a proposed shuttle bus service. An Interim Framework Travel Plan (IFTP) has been produced

as part of this planning application to improve accessibility of the site by sustainable modes, including a completed Accessibility Questionnaire. The LCC Highways Officer also requests that a formal Travel Plan should be developed and approved by LCC Travel Plan team before the hotel is opened to the public and that this should be a condition of planning approval. The Travel Plan needs to include the following as a minimum,

- Appointment of a named Travel Plan Co-ordinator,
- Travel survey,
- Details of cycling, pedestrian and public transport links to the site,
- Details of secure, covered cycle parking,
- SMART Targets for non-car modes of travel,
- Action plan of measures to be introduced

Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years.

Planning Conditions

1. The provision of the all off site highway works can be achieved without reference to an Order making process and their introduction will be agreed and scheduled by means of the Section 278 Agreement.
2. A contribution of £6,000 has been requested to enable Lancashire County Council Travel Planning team to provide a range of services as described in 2.1.5.16 of the Planning Obligations in Lancashire paper dated September 2008.
3. In view of my remarks concerning the Public Transport provision and long-term Sustainability of the site, the benefits of a robust Travel Plan cannot be overstated.

There are no Traffic Regulation Orders proposed as a part of this application.

One of the local objectors to the proposal commissioned their own Transportation Planning Consults to carry out an Appraisal of Highway Matters relating to this proposal, and the report carried out by Singleton Clamp and Partners is available on the Planning File. Within it they raise a number of issues and concerns regarding the Transport Statement submitted by the Agent, and in particular a number of assumptions made. In particular they question, amongst other things,

- the junction layout and question whether it is achievable,
- the fact that the level of accidents in the area is downplayed,
- the accessibility of the site and the weight attached to the applicant's assertions that bus and rail links are realistic alternatives,
- the impact a hotel of this size will have on the highway network, and
- the suitability of the comparison data provided.

Having had sight of this report, the LCC County Surveyor was aware of the issues raised by the Independent Transport Assessment when re-assessing the revised Transport Statement provided by the Applicant on the 22nd of August 2011, prior to providing his final comments on the scheme. The isolated location of the site and the lack of public transport and pedestrian links are significant factors in assessing the accessibility of the site for non-car journeys and the overall sustainability of the development, and it is noted that the proposed development will result in increased flows on the existing transport network in and around a new junction with A59 Gisburn Road, and there will be increased vehicle turning movements. As such, the design

of the junction features must accommodate all anticipated through and turning movements in a safe and efficient manner, consistent with the nature of this major road.

Having considered all of the above, the County Surveyor is confident that the Technical Notes and amended site plan details provided in response to his original comments provide a satisfactory response to the points raised; and have now provided an acceptable solution to the proposed new junction/access off Gisburn Road. He is also confident that the volume of increased vehicular activity can be accommodated safely by the existing/proposed highway infrastructure, and taking into account the sustainable measures proposed within the application, there is no objection to the proposal on highway safety grounds.

OTHER ISSUES

A lot has been made of the 'withdrawal' of support for the scheme from the Council's Tourism Officer; however upon closer inspection of the e-mail dated 13 May 2011, it is the 'level' of support that is retracted, and this is principally for the following reasons. The Council's Tourism Officer notes that the level of detail provided during the meeting with the Applicant was not as in-depth as now proposed, and that the closeness of the site to both the Stirk House Hotel and Dunbia was not raised during discussions. Had this been the case, there is a case that a level of concern would have been raised in respect to the potential detrimental impact on the existing long-standing business, and whether or not this site would be suitable for an accommodation business in such close proximity to an abattoir.

It is interesting to note that in principal, the Council's Tourism Officer offers support for all developments that create new and enhanced tourism businesses to the Ribble Valley, which in turn would help generate further visitor income and jobs to an area. Particularly those that may increase scope and promotion of towns and villages, and that that would be of a high quality, which this development proposes.

As noted earlier, from an economic development viewpoint, the Council is supportive of business growth, and seeks to encourage appropriate investment, particularly in the field of tourism within the Borough. The proposal is consistent with the Council's Economic Strategy which seeks to develop the visitor economy by extending the range of visitor facilities and attractions, as in itself the proposal would add to the visitor offer. Granted, attention has been drawn to the commercial merit of the scheme by a number of objectors to the scheme, however this to be fundamentally a matter for the investor to have considered, and of course it is not for the planning system to control competition.

In addition, whilst objections have been raised queries regarding the potential impact upon neighbouring developments, in particular the abattoir, it is the applicant who must appreciate and recognise that there could be potentially both noise and odour issues from the adjacent sites activities, however they would not be actionable under current nuisance legislation. On this basis, it is considered the likelihood of the proposed development (subject to this application) negatively affecting the existing usage and business operating on the site adjacent to this site is relatively slim, and is therefore not significant enough to warrant refusal of the proposal, and whilst regard should be given to the extent of possible adverse impacts on neighbouring business, it is considered that there are however no overriding policy constraints that in their own right would warrant a recommendation of refusal.

I note comments regarding the lack of an Environmental Impact Assessment but I consider that no formal assessment is required in this instance. However, it should be noted that much of the information submitted would be that normally contained in such an Assessment.

CONCLUSION

The proposal seeks to develop a high quality 38 bedroom country house hotel and spa, and having assessed the proposal in relation to the relevant Local Plan Policies, specifically in relation to new tourism ventures, in planning policy terms the scheme is considered to be acceptable in principle. Alongside this, Local Planning Authorities are advised by Government to adopt a positive and constructive approach towards planning applications for economic development, especially for sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors, and it is considered that this proposal will potentially bring significant benefits to the local economy and provide local employment opportunities.

In addition, the scheme is considered to be sensitively designed to ensure it is effectively absorbed into the existing landscape, without significant harm to its quality or character, and as discussed earlier in this report, will have no significant impact on the amenity of the occupiers of nearby businesses. The access to the site, along with the internal parking and manoeuvring layouts, have all been agreed in principle with the LCC County Surveyor, and the applicant has agreed to provide a substantial and significant landscape plan for the site that includes appropriate mitigation and compensation measures in relation to the loss/retention of existing habitats and ecological features on the site.

It is for these reasons outlined above that the scheme proposed is considered to accord with the relevant Planning Policies, and the application is 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 Drawing No's 6302, 4043-27 Rev.A, 4043, NW/SPA/GISBURN.1/07 Rev.B (both entering and exiting plans), NW/SPA/GISBURN.1/06 Rev.C (both entering and exiting plans), NW/SPA/GISBURN.1/05 Rev.C, NW/SPA/GISBURN.1/03 Rev.E and NW/SPA/GISBURN.1/02 Rev.C.

REASON: To ensure 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 4 August 2011, 22 August 2011 AND 27 September 2011.

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

4. 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.

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 Policies G1, ENV2 and ENV3 of the Ribble Valley Districtwide Local Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2010 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the building hereby approved, as defined in Schedule 2, Part 42 Classes A to B shall not be carried out without the formal written consent of the Local Planning Authority.

REASON: In the interests of the amenity of the area and in order that the Local Planning Authority shall retain effective control over the development, in accordance with Policies G1, ENV2, ENV3 and ENV13 of the Ribble Valley Districtwide Local Plan.

7. Prior to commencement of development, further details of the waste management of the site, including the access arrangements for such areas, shall be submitted to the Local Planning Authority and approved in writing and thereafter maintained in perpetuity.

REASON: To ensure an adequate waste transfer system is in place, and to comply with Policy G1 of the Districtwide Local Plan.

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

REASON: To ensure a satisfactory means of drainage.

9. 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.

REASON: To reduce the increased risk of flooding.

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

REASON: To prevent pollution of the water environment.

11. Prior to the commencement of development, a scheme for the provision and management of a buffer zone alongside the watercourse shall be submitted to and agreed in writing by the local planning authority, in consultation with the Environment Agency. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority.

REASON To protect and enhance the aquatic environment.

12. Prior to the commencement of development, full details of the proposed mitigation measures, as indicated within section 6 of the Landscape and Visual Impact Assessment, received 4th of August 2011, shall be submitted to and approved in writing by the Local Planning Authority. All mitigation and enhancement for biodiversity shall be implemented in the first twelve months following completion of the development and maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority.

REASON: In order to protect and provide aftercare and long-term habitat management of the site, in accordance with Policy ENV7 of the Ribble Valley Districtwide Local Plan, The Wildlife and Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2010 and the EU Habitats Directive (92/43/EEC).

13. Prior to the commencement of development, full details of the proposed mitigation measures, as indicated within section 4 of the Ecological Appraisal received on the 4th of August 2011, shall be submitted to and approved in writing by the Local Planning Authority. All mitigation and enhancement for ecology shall be implemented prior to commencement of any development on site and maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority.

REASON: In order to protect and provide aftercare and long-term habitat management of the site, in accordance with Policy ENV7 of the Ribble Valley Districtwide Local Plan, The Wildlife and Countryside Act 1981 (as amended), The Conservation of Habitats and Species Regulations 2010 and the EU Habitats Directive (92/43/EEC).

14. No development shall take place until a scheme for creation of the proposed new wildlife/feature pond to the front of the site has been submitted to and agreed in writing by the local planning authority and implemented as approved. The scheme must include full details relating to its construction, long-term management and phasing and must be created and completed prior to the occupation of the building. Thereafter the development shall be implemented in accordance with the approved scheme.

REASON: To provided compensation and mitigation measures for on-site ecology, in accordance with Policy ENV7 of the Ribble Valley Districtwide Local Plan.

15. Notwithstanding the submitted landscaping details on the amended plan dated 27th of September 2011, the development hereby permitted shall not be commenced until more

specific details of the landscaping of the site have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of all fencing and screening.

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

REASON: In the interests of the amenity of the area and to comply with Policies G1, ENV2, ENV3 and ENV7 of the Ribble Valley Districtwide Local Plan.

16. The new access between the site and the A59 shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

REASON: To comply with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan and to ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

17. The car park shall be surfaced or paved in accordance with a scheme to be approved by the local planning authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.

REASON: To comply with Policies G1, T1 and T7 of the Ribble Valley Districtwide Local Plan and to allow for the effective use of the parking areas.

18. Prior to the commencement of development on site, an enforceable, formal Travel Plan shall have been agreed with the Local Planning Authority in consultation with the Highway Authority. The formal Travel Plan should be developed and approved by LCC Travel Plan team before the hotel is opened to the public. The Travel Plan will include details of the proposed shuttle bus service contained with the Interim Framework Travel Plan (IFTP) produced as part of this planning application. The Travel Plan needs to include the following as a minimum,

- Appointment of a named Travel Plan Co-ordinator,
- Travel survey,
- Details of cycling, pedestrian and public transport links to the site,
- Details of secure, covered cycle parking,
- SMART Targets for non-car modes of travel,
- Action plan of measures to be introduced

Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years.

REASON: To reduce the dependence on car travel and promote sustainable transport measures, in compliance with comply with G1 and T1 of the District wide Local Plan.

19. Secure cycle and motorcycle parking shall be provided in line with the details indicated on plan reference number 4043-27 prior to the use commencing, and thereafter be retained in perpetuity.

REASON: To reduce the dependence on car travel and to comply with G1 and T1 of the District wide Local Plan.

20. Prior to the commencement of the built development on site, precise specifications and samples of the proposed surfacing materials to be used for the access roads, footways and parking bays shall have been submitted to and approved by the Local Planning Authority before their use on site.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1 and ENV2 of the Ribble Valley Districtwide Local Plan.

21. Prior to commencement of the built development on site, a final scheme identifying the chosen method of how a minimum of 10% of the energy requirements generated by the development will be achieved on site by renewable energy production methods shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the full details, specifications and types of renewable energy production methods to be used, as well as their location on site. This shall then be provided in accordance with the approved details prior to occupation of development and thereafter retained.

REASON: In order to encourage renewable energy and comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy EM17 of the Regional Spatial Strategy.

22. No site preparation or development work shall take place until a scheme for the lighting of the site, both pre and post development, has been submitted and approved in writing by Ribble Valley Borough Council in consultation with specialist advisors. The approved scheme shall be implemented in full. The scheme shall demonstrate that there will be no artificial illumination (above existing levels) of retained and boundary trees, bat roosts, bat foraging and commuting habitat, or ponds.

REASON: In order to ensure the minimal visual intrusion after daylight hours, and in order to protect existing habitats, in accordance with Policies G1, ENV2 and ENV7 of the Ribble Valley Districtwide Local Plan.

23. Prior to commencement of any site works, including delivery of building materials and excavations for foundations or services, all trees identified to be retained in the arboricultural/tree survey submitted with the application, shall be protected in accordance with the BS5837 [Trees in Relation to Construction] the details of which shall be agreed in writing and implemented in full prior to commencement of any site development work. A tree protection - monitoring schedule shall be agreed and tree protection measures inspected by the local planning authority before any site works are begun.

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

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

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

REASON: In order to ensure that any trees affected by development and included in the Arboricultural Survey are afforded maximum physical protection from the adverse affects of development, and in order to comply with Policies G1 and ENV13 of the District Wide Local Plan.

24. Prior to commencement of development, the applicant shall submit a scheme showing how access to Bridge 87 is to be retained as well as details of works undertaken near the railway boundary. This is to be agreed by the Local Planning Authority in conjunction with Network Rail.

REASON: In the interests of the protection of the adjacent railway infrastructure.

25. Prior to any works or modifications to Bridge 88, details shall be submitted to the Local Planning Authority for approval in conjunction with Network Rail. Network Rail shall supervise any modifications to the structure at the developer costs.

REASON: In the interests of the protection of the adjacent railway infrastructure.

26. Due to the adjacent land being opened up to members of the public, the proposer shall ensure the boundary fencing is of a suitable standard to prevent trespass onto the railway. The fence should be a minimum of 1.8m in height, the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The fence shall be erected at the applicant's own expense.

REASON: In the interests of the protection of the adjacent railway infrastructure.

27. The applicant must ensure that their proposal both during construction and after completion of works on site does not encroach onto Network Rail land, it must not affect the safety, operation or integrity of the railway and its infrastructure or undermine or damage or adversely affect any railway land and structures, nor over-sail or encroach upon the air-space of any Network Rail land or cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future to be undertaken on Network Rail land and infrastructure. Any future maintenance must be conducted solely on the applicant's land.

REASON: In the interests of the protection of the adjacent railway infrastructure.

28. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways as a means of storm/surface water disposal must not be constructed near/within 10 metres of Network Rail's boundary or at any point that could adversely affect the stability of Network Rail's property.

REASON: In the interests of the protection of the adjacent railway infrastructure.

29. The applicant must ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus avoiding provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land. No structure/building should be built hard-against Network Rail's boundary. The applicant/applicant's contractor must ensure that any scaffolding required for working at height can be undertaken wholly within the footprint of the applicant's land. Any scaffold, which is to be constructed within 10 metres of the railway boundary fence, must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

REASON: In the interests of the protection of the adjacent railway infrastructure.

30. Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting. Following occupation of the development, if within three months Network Rail or a Train Operating Company has identified that lighting from the development is interfering with driver's vision, signal sighting, alteration/mitigation will be required to remove the conflict at the applicant's expense.

REASON: In the interests of the protection of the adjacent railway infrastructure.

31. Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing.

REASON: In the interests of the protection of the adjacent railway infrastructure.

32. Prior to the commencement of development, a suitable noise assessment report shall be submitted to and approved in writing by the Local Planning Authority, as details of noise attenuation measures would need to be agreed as part of any approval.

REASON: To comply with Policy G1, and in the interests of protecting the amenity of nearby residents as it is known that the area has a very quiet background noise level.

33. Prior to the commencement of development, further details relating to noise control measures shall also be submitted to and approved in writing by the Local Planning Authority. Details will be necessary in relation to the following,
- extraction and cooler equipment and in relation to any function suite,
 - attenuation to bedroom windows, and
 - details of any kitchen extraction filtration.

REASON: To comply with Policy G1, and in the interests of protecting the amenity of nearby residents as it is known that the area has a very quiet background noise level.

34. Deliveries and collections to/from the site shall be restricted to normal office hours i.e.
1. 08.00 to 18.00 Monday to Friday, and
 2. 09.00 to 16.00 hours Saturday, Sundays and Bank Holidays.

REASON: To comply with Policy G1, and in the interests of protecting the amenity of nearby residents as it is known that the area has a very quiet background noise level.

35. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

3. the parking of vehicles of site operatives and visitors,
4. loading and unloading of plant and materials,
5. storage of plant and materials used in constructing the development,
6. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
7. wheel washing facilities,
8. measures to control the emission of dust and dirt during construction, **and**
9. a scheme for recycling/disposing of waste resulting from demolition and construction works.

REASON: In the interests of residential amenity.

INFORMATIVES

1. The applicant is reminded of the need, when drawing up details for any subsequent "approval of details", to take account of the needs of making the development accessible to and usable by disabled people. Your attention is particularly drawn to the requirements of Part M of the Building Regulations 1985 which establishes requirements for satisfactory access to parts of certain buildings and, in some circumstances, to provide suitable sanitary accommodation.

2. Under the terms of the Water Resources Act 1991, the prior written consent of the Agency is normally required for any discharge of sewage or trade effluent into controlled waters, and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. (Controlled waters include rivers, streams, groundwater, reservoirs, estuaries and coastal waters).
The foul drainage system should be sited so as not to cause pollution of any watercourse, well, borehole, spring or groundwater.

Establishments of this nature can cause problems when connected to a septic tank. The applicant would be advised to consider the use of a package sewage treatment plant for preference.

All downspouts should be sealed directly into the ground ensuring the only open grids present around each dwelling are connected to the foul sewerage systems.

3. Surface water from car parking areas of less than 0.5 hectares and roads should discharge to watercourses via deep sealed trapped gullies. For car parks greater than 0.5 hectares in area, oil interceptor facilities are required such that at least six minutes retention is provided for a 12.5mm rainfall per hour. With approved 'by-pass' type of interceptors, flow generated by rainfall rates in excess of 5mm per hour may be allowed to by-pass the interceptor provided the overflow device is designated so that oily matter is retained.

Lorry parks, scrap yards, off loading areas require full oil interception facilities and 'by-pass' interceptors are not considered suitable.

Segregation of roof water should be carried out where possible to minimise the flow of contaminated water to be treated.

Detergents, emulsifiers and solvents must not be allowed to drain to the interceptor as these would render it ineffective.

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

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

4. Swimming pool contents must be allowed to dechlorinate by standing for at least 2 days prior to a consented discharge taking place to a surface water sewer, a watercourse or controlled waters. The Agency should be advised at least 7 days before such discharge is made.

The applicant may require the written consent of the Agency under the Water Resources Act 1991, to discharge the pool contents to a surface water sewer, direct to a watercourse, to controlled waters or to soakaway and should contact the Agency for advice.

Swimming pool filter backwash should be passed to soakaway or the foul drainage system, and not to a surface water sewer or watercourse.

5. Note-No raw materials, finished or unfinished products or parts, crates, materials, waste, refuse or any other item shall be stacked or stored outside any building on the site without the prior approval in writing of the Local Planning Authority.
6. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority may also wish to implement their right to design all works within the highway related to this proposal. The applicant should be advised to contact the Environment Director at PO Box 9, Guild House, Cross Street, Preston, PR1 8RD in the first instance to ascertain the details of such an agreement and the information to be provided.
7. A separate consent from the Environment Agency under the terms of the Water Resources Act 1991 for any proposed sewage or trade effluent discharged to a water course or other controlled waters, and may be required for discharge to a soakaway. If the effluent discharged to ground is 2 cubic metres less in any 24 hour period, then a consent is not required providing the discharge is from a private dwelling, is not within 50m of a private water supply, well or borehole, or is within Groundwater Protection Zone 1. (Controlled waters include rivers, streams, groundwater, reservoirs, estuaries and coastal waters).
8. Access to bridge 87 for inspection and maintenance shall be retained around the clock, (24/7, 365 days of the year). Any variation in use of this bridge arising from the development must be approved by Network Rail.

Trees Permitted as part of the Landscaping Proposal:

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata “Zebrina”

Trees Not Permitted as part of the Landscape Proposal:

Alder (Alnus Glutinosa), Aspen – Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).

APPLICATION NO: 3/2011/0451/P

(GRID REF: SD362302, 434704)

PROPOSED REPLACEMENT OF THE EXISTING BUNGALOW WITH A NEW TWO STOREY DWELLING INCLUDING RETROSEPECTIVE DETACHED GAZEBO WITH UNDER-CROFT STORAGE AT WHINNY BROW, HOTHERSALL LANE, HOTHERSALL, PRESTON, PR3 2XB

PARISH COUNCIL:

No comments or observations received within the 21 day statutory consultation period. Any comments received will be reported verbally.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

No objections raised.

ADDITIONAL REPRESENTATIONS:

One letter of representation has been received which raises the following issues:

- The construction of a dwelling of this size in such a commanding position will be detrimental to the valley.
- The property is on a narrow lane and significant commercial traffic will be required for the demolition and rebuild of the property when the lane is barely wide enough for two cars.
- Materials should be in-keeping with the surroundings.
- Loss of views

Proposal

Permission is sought to replace a red brick 1950s bungalow with a two storey 'L' shaped dwelling having approximate dimensions of 21m x 16m at its widest and 10.9m at its narrowest x 4.1m to eaves, 6.7m to the apex of its ridge.

The scheme takes inspiration from the 'Voysey' Arts and Crafts architectural style which is characterised by horizontal window elements, large continuous roof surfaces, and feature turrets. The dwelling would have a two storey entrance turret positioned on the front elevation at the junction with the side return, with approximate dimensions of 1.6m x 1.6m x 5.6m in height. A piked dormer type projection is also proposed to its front/ eastern elevation positioned over a double garage. The southern elevation of the property affords spectacular views over the open countryside and it is proposed to glaze part of this roofslope to allow these views. This glazing will extend past eaves level to create a ground floor terrace area. The northern elevation will have a Juliette balcony at first floor level above the garage. Construction materials are shown as coloured render with stone quoins under a blue slate roof which continue the Voysey theme.

The replacement dwelling is sited precisely on the footprint of the original bungalow. This is necessitated by the proximity of the steeply falling garden to the south of the property. To the north the footprint extends to create a larger double garage with rooms in the roof space. There are no changes to external landscaping levels other than a small extension to the parking area. The dwelling would utilise the existing vehicular access leading from Hothersall Lane.

Retrospective permission is also sought for a two storey wooden outbuilding described as a gazebo with undercroft storage. This outbuilding is located in the lower garden area to the south of the dwelling where the difference in land levels is approximately 4.5m. The outbuilding would be situated against the western boundary on a shallow sloping plateau between two steeply sloping embankments and would have approximate dimensions of 3.4m x 2.2m x 3.0m to the eaves and 4.5m to the apex. The storage area under the building is approximately 1.2m high and steps will lead up to the seating area.

Site Location

The property lies to the south of Hothersall Lane at its junction with the access track to Stubbins Farm. Public Footpath no. 15 in the Parish of Hothersall also follows this access track. Hothersall Lodge is located approximately 450 metres to the south east. It lies outside any defined settlement limit within land designated open countryside.

Relevant History

3/1990/0467 - Demolish existing attached garage and rear brick storage shed. Rebuild garage with first floor above with rooflights and two dormers to create living accommodation. Construct rear extension to link bungalow with garage over whole length. Raise soffits of southern part of bungalow and lower roof pitch to match roof that of roof leading to garage. Re-submission. Approved.

3/2009/0111 - Demolish existing attached garage and rear brick/render storage shed. Rebuild garage with storey above (set back 2m from existing line) and construct rear extension to link bungalow with garage. Convert roof space of bungalow to living accommodation with dormer windows. Refused.

4/6/9651 – Garage extension. Approved.

4/6/969 – Detached Bungalow. Approved - 20 March 1951

4/6/710 – Use of land for the erection of a bungalow. Approved

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV3 - Development in Open Countryside.

Policy ENV7 – Protected Species

Policy H14 - Rebuilding/Replacement Dwellings - Outside Settlements.

Environmental, AONB, Human Rights and Other Issues

Matters for consideration are compliance with plan policy and potential effects on visual amenity, residential amenity and highway safety.

The principle of the replacement dwelling is in accordance with Policy H14 of the Districtwide Local Plan subject to the proviso that careful consideration is given to the design, use of materials, and increase in the size the dwelling so that there is no subsequent harm on the landscape. It also advises that excessive additional increases in the size of the property will not be permitted.

In this case, the design is relatively simple, with simple features including larger than usual roof overhangs, linear lines, and timber, glass, render and stone materials and I believe will sit comfortably on this plot. The existing bungalow is 6.45m high, the proposed dwelling would be 6.99m high, an increase in height of 540mm. The eaves height of the dwelling would be similar to those of the existing dwelling. The main impact of the dwelling therefore is its massing. On the previous application (3/2009/0467/P) a dormer was positioned centrally over the garage to break up the scale of the roof and this scheme also proposes this. The feature entrance turret and the proposed roof glazing on the south facing roof slope also achieve this. I am of the opinion that the scale and design of the property is appropriate for the countryside location provided the materials are carefully chosen to contribute to the amenities of the area.

The total volume of the existing property is 934 cubic metres. Members should be aware that this property currently has a live permission for extensions to the dwelling and in to the roof

space totaling a volume increase of 1285 cubic metres (37.5%). The proposed replacement dwelling volume is 1439.7 cubic metres, a 54% increase to the original house and an increase of 17% above the extensions previously approved. I consider this 17% increase above the size already granted not to be excessive considering the limited impact on the landscape.

Objectors have referred to increased traffic that will result in demolishing and rebuilding the property. The planning process does not class the potential construction nuisances as a material consideration. Notwithstanding this, the scheme but the scheme has been discussed with the County Surveyor who has formally raised no objection to the scheme, considering the turning and parking provision within the curtilage.

Whilst the plans do show first floor bedroom accommodation I do not consider this would lead to neighbouring amenity issues given the distance to neighbouring dwellings being in excess of 160m in all directions.

A bat survey has been carried out which includes a copy of a survey carried out in 2009 at the time of the previous application. The 2009 survey found evidence of a maternity roost occurring adjacent to the eastern gable inside the attic. The current survey states that there has been no change to this situation in the last two years. The bat survey concludes that the work can take place without affecting bats, provided the mitigation measures within the report are adhered to. These paragraphs relate to the necessary mitigation measures to ensure the protected species are not put at risk.

In relation to the outbuilding being applied for retrospectively, I am satisfied that the building does not adversely affect the visual amenities of the locality due to the established screening surrounding the lower garden area. The gazebo is constructed on four timber stilts dug into the ground approximately 100mm. The Gazebo is on a shallow sloping plateau between two steeply sloping embankments and is therefore not in any influencing zones of nearby trees.

Having carefully considered all of the above I am of the opinion that the replacement dwelling complies with plan policy and both the dwelling and outbuilding would not prove significantly detrimental to visual or residential amenity. I thus recommend accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. This permission shall be relate to the proposal as shown on Drawing Nos. 2552/01, 02, 03, 04, 05, 06, 08, 09 Revision B and 10.

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

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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan.

4. Prior to commencement of any site works, including delivery of building materials and excavations for foundations or services all trees identified on the Block Plan received on the 06 September 2011 indicated on drawing number 2552/09 Rev. B shall be protected in accordance with the BS5837 [Trees in Relation to Construction] and the details of which shall be agreed in writing, implemented in full, the tree protection monitoring scheme shall be agreed and tree protection measures inspected by the Local Planning Authority before any site works are begun.

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

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

REASON: In order to ensure that any trees affected by development and considered to be of visual or botanical value are afforded maximum physical protection from the adverse effects of development.

5. The development shall be carried in accordance with the mitigation measures included in the 2009 Bat Survey Report by Denis Lambert that is submitted with the application.

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.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the dwellings including any development within the curtilage as defined in Schedule 2, Part 1, Classes A to H shall not be carried out without the formal written consent of the Local Planning Authority.

REASON: In the interests of the amenity of the area in accordance with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan.

NOTE

Ribble Valley BC imposes a charge to the developer to cover the administration, and delivery costs in providing wheeled bins to each household within a new build property or provision.

Details of current charges are available from the Ribble Valley Borough Council Contact Centre on 01200 425111.

APPLICATION NO: 3/2011/0533/P (GRID REF: SD 374431 444533)
ONE DETACHED DWELLING TO BE BUILT ON A FORMER CAR PARK ON LAND
ADJACENT TO 5 HAZELDENE, WEST BRADFORD, LANCASHIRE, BB7 4TD.

WEST BRADFORD PARISH COUNCIL: The Parish Council have no objection to the design of the building, however they wish to OBJECT to the proposal on the following grounds:

- overloading of the surface and foul water drains, and
- loss of residential amenity to no's 3 and 5 Westfield Drive.

LCC ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No objections in principle to this proposal on highway grounds. The Applicant has indicated that there are two off road car parking spaces within the site, which is consistent with the proposed three bedroom residential property.

The site lines from the proposed access have been measured from 2.0m back from the edge of carriageway, which is a permitted variation on the standard 2.4m measurement, consistent with this low speed residential location. The sightlines identified of 2.0m by 30m to the west and 2.0m by 51m to the east are satisfactory at this location, in line with the parameters set out in Manual for Streets 2.

UNITED UTILITIES: No objections to the proposed development, providing certain conditions are met.

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

1. The proposed plan is too large for the site, and should, if built, be restricted to a bungalow without dormers,
2. Out of keeping with surrounding properties,
3. Considerable problems with drainage and sewers around this site, which would be exacerbated if this development went ahead,
4. No new development should be allowed in West Bradford until the current sewerage and drainage system is upgraded,

5. Concern regarding the vehicular access proposed,
6. Lessons should be learnt from previous development in West Bradford, in particular that off Chapel Lane, where a house was approved but then built much larger/higher than granted consent for. This should not be allowed to happen again,
7. Loss of light to habitable rooms,
8. Highway safety,
9. Proximity of property to no. 5 Hazeldene,
10. Two dormer windows proposed will overlook no's 3 and 5 Westfield Drive, especially given the properties elevated position on site, velux would be better,
11. During heavy rainfall, the sewage system (installed in the 1950s) cannot cope and sewage escapes from inspection chambers, and
12. United Utilities are aware of the issues relating to the drainage/sewerage but nothing has been done.

Proposal

This application seeks permission for the erection of one detached two-storey, three bedroom dwelling on land adjacent to no. 5 Hazeldene, West Bradford. The scheme also includes a new vehicular access and hardstanding and turning area for the new property. The application site comprises a vacant piece of land on the northern side of Grindleton Road, which has been unused for a number of years. It was last used as a car park serving a tearoom that ran from Fruit Vale Cottage, on the opposite side of the road, which has ceased trading. Fruit Vale Cottage has since been sold and a small portion of the land has been made available for the new owners to park their cars on. The remainder of the site now comprises the application site.

Site Location

The site is located within the village settlement boundary of West Bradford, as designated by the Ribble Valley Districtwide Local Plan, and sits just within the Forest of Bowland Area of Outstanding Natural Beauty. The site is a currently vacant area of land, covered entirely in tarmac. There are open fields opposite this site.

Relevant History

Relating to the small, eastern corner of the site,
3/2011/0435/P – Conversion of 5 bedroom dwelling into one 3-bedroom dwelling and one 2-bedroom dwelling – Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.

Policy G4 – Settlement Strategy.

Policy T7 – Parking Provision.

SPG – “Extensions and Alterations to Dwellings”.

PPS3 - Housing.

Affordable Housing Memorandum of Understanding (AHMU).

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application involve an assessment of the application in relation to the currently applicable housing policy, the effects of the development on visual amenity and the amenities of nearby residents. The LCC County Surveyor has raised no objections from a highway safety point of view.

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 Village Settlement Boundary of West Bradford, is Policy G4. Policy G4 supports the development of infill sites that are not defined as essential open spaces. It also notes that infill development is defined as "the filling of small gaps within small groups of houses where development would reflect the character of the village in terms of scale, design and density and would not have any detrimental visual impact on the locality". In addition, as RVBC cannot currently demonstrate a 5-year housing land supply, Planning Policy Statement 3: Housing (PPS3) is also a material consideration. In considering housing development, paragraph 71 states that where LPAs 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.

Therefore, on the basis of the information submitted, the site is considered to meet the PPS3 criteria in planning policy terms in relation to the suitability of the site for housing, as well as the requirements of Policy G4, and as such its development is considered to be acceptable in principle.

In addition, as a single dwelling within the Settlement Boundary of West Bradford, there is no requirement under the terms of the Affordable Housing Memorandum of Understanding (AHMU) for the dwelling to be 'affordable'. The proposed development of this site for one dwelling is therefore acceptable in principle when considered in relation to the current housing policies and guidance.

VISUAL IMPACT OF THE DEVELOPMENT

The land in question sits to the west of five dwellings known as 1-5 Hazeldene, and to the south of nos 1-9 Westfield Drive, within West Bradford. The land levels on the site rise away from the carriageway, leaving the finished floor level of the proposed dwelling slightly higher than the carriageway. The dwelling proposed has an 'L' shaped footprint measuring approximately 9.22m (in depth) x 11.02m (in width), with single storey porch extension on the southern facing elevation with a footprint of 2m x 1.4m. The overall height of the dwelling to the ridge will be approximately 7.5m (7.3m when measured from the 5 Hazelmere side due to the difference in land levels). The scheme involves the inclusion of additional landscape planting to the northern boundary of the site, as well as alterations to the wall to the front of the land, when forming the new vehicular access.

Visually, any development of this site will affect the streetscene and views through the site, however in order to refuse a development the harm of a proposal must be demonstrated. As the site falls within the A.O.N.B. (Policy ENV1), the protection, conservation and enhancement of the natural environment should also be an important consideration in the assessment of the proposal, especially with regards to the design, style and materials to be used for the new dwelling. This element is also covered within Policy G4 of the Local Plan, which states "development should reflect the character of the village in terms of scale, design and density and not have any detrimental visual impact on the locality". On this basis, the proposed dwelling on the site is considered to be of a suitable style, design and height in relation to the mixture of types of properties nearby, and would, in my opinion, have an acceptable visual impact on both the streetscene and this location within the A.O.N.B. The dwelling is considered to fit neatly within the site, and provides sufficient amenity space around it to ensure it does not appear cramped within the streetscene. I am satisfied that the materials proposed, and the principle elevations, size and massing of the dwelling are acceptable in this particular area of the streetscene.

IMPACT ON RESIDENTIAL AMENITY

One of the main concerns in regards to the proposed development is the potential overlooking/loss of privacy caused by the development of this site. The dwelling proposed includes two windows at first floor on its rear (north facing) elevation, one bedroom and one landing, and two windows on the side (east facing) elevation, one bedroom and one bathroom. Guidance provided within the adopted SPG – "Extensions and Alterations to Dwellings", advises a distance of 21m between habitable room windows at first floor. Having assessed the proposed dwelling in relation to the adjacent properties, and taking into account the location of the windows proposed at first floor level, I do not consider that the property will cause a significant loss of privacy to the occupiers of these properties, for the following reasons. With regards to the habitable room window within the side elevation, as this faces over the proposed turning/parking area for the dwelling and is over 15m away from the boundary of no. 1 Westfield Drive. I have no concerns on this aspect. With regards to the first floor window within the rear elevation, this window is approximately 10m from the boundary with no. 5 Westfield Drive, and is over 21m away from the habitable room windows within the first floor of no's 3 and 5 Westfield Drive. The window will provide limited views over the rear yard/garden area of no. 5 Hazeldene, however this will to be a lesser extent than those already afforded to no. 4 Hazeldene. On this basis, and given the proposed additional screen planting along the northern boundary of the site, I do not consider that the scheme will have a significant detrimental impact on the amenity of the occupiers of the adjacent dwellings or significantly detract from the enjoyment of the dwellings garden space.

LOSS OF LIGHT

A concern has been raised by the occupier/owner of no. 5 Hazeldene, regarding the loss of light this development will cause to their front room, bedroom and kitchen. This property has three windows within its side elevation, and they are all secondary windows for the front room, bedroom and kitchen. On this basis, given the orientation of the proposed dwelling in relation to no. 5 Hazeldene (namely 4m to the east and set back from the front elevation of the property by approximately 1.5m), the 1.38m difference in overall height between properties and that there are already primary windows for the rooms within the adjacent dwelling, I do not consider the proposal will cause such a significant loss of light to the adjacent property, that it would detrimentally affect the amenity of the occupiers.

OTHER ISSUES

Various objectors have raised an issue regarding the impact of the development on the existing drainage system within West Bradford, however United Utilities have raised no objections to the scheme, subject to specific conditions being met. On this basis, I am satisfied the development is achievable and will have no significant impact on the drainage infrastructure surrounding the site.

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

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. The permission shall relate to the development as shown on Plan Drawing No's 4123 – 01, 4123 – 02 and 4123 – 03C.

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

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

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

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

The approved landscaping scheme shall be implemented in the first planting season following occupation or use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local

Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

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

5. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2008 (or any order revoking or re-enacting that Order) any future extensions or external alterations to the dwelling, including any development within the curtilage, hard standing or fences, as defined in Schedule 2 Part 1 Classes A to H, and Part II Class A, shall not be carried out without the formal consent of the Local Planning Authority.

REASON: In order that the Local Planning Authority shall retain effective control over the development to ensure compliance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan.

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

REASON: In order to safeguard nearby residential amenity in accordance with Policies G1 and H10 of the Ribble Valley Districtwide Local Plan.

7. The car parking area indicated on plan drawing no. 4123 – 03C shall be surfaced/ paved and marked out in accordance with the approved plan, and made available for use prior to the occupation of the dwelling hereby.

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

8. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5m behind the nearside edge of the carriageway and visibility splay fences or walls shall be erected from the gateposts to the existing highway boundary, such splays to be not less than 45° to the centre line of the access. The gates shall open away from the highway. Should the access remain ungated 45° splays shall be provided between the highway boundary and points on either side of the drive measured 5m back from the nearside edge of the carriageway.

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

9. Before the development hereby permitted becomes operative, the existing wall on the highway frontage of the site shall be reduced to and be permanently maintained henceforth at a height not greater than 1m above the crown level of the carriageway in its entirety.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to ensure adequate visibility for the drivers of vehicles entering and leaving the site.

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

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

NOTE(S):

This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require consent from the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system United Utilities may require the flow to be attenuated to a maximum discharge rate, determined by United Utilities.

A separate metered supply will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.

The applicant should contact United Utilities Service Enquiries on 0845 7462200 regarding connection to the water mains/public sewers.

Ribble Valley Borough Council imposes a charge to the developer to cover the administration and delivery costs in providing wheeled bins to each household within a new build property or provision. Details of current changes are available from the Ribble Valley Borough Council Contact Centre on 01200 425111.

APPLICATION NO: 3/2011/0544/P (GRID REF: SD 364860 430990)
APPLICATION FOR THE VARIATION OF CONDITION NO. 17 (OCCUPANCY PERIOD) OF PLANNING CONSENT 3/2004/0450P, TO ALLOW UNITS NO.1 AND NO.2 TO BE USED AS PERMANENT RESIDENTIAL ACCOMMODATION AT HEY MOO, ELSWICK FARM, MELLOR BROW, MELLOR, LANCASHIRE, BB2 7EX

MELLOR PARISH COUNCIL: The P.C. object to the application. The P.C. believes that its original objection in 2004 to the scheme was the correct one. The P.C. also consider that Condition No. 17 should be adhered to, as part of the Condition was that a register of all lettings be kept and made available to the Local Planning Authority for inspection on an annual basis. The P.C. wishes the Council to confirm that this inspection has been carried out annually since 2005.

LCC ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No objection in principle to the application on highway safety grounds.

ADDITIONAL REPRESENTATIONS: Two additional letters have been received from neighbours who wish to object for the following reasons:

1. Impact on parking.
2. Highway safety.
3. Visibility onto Mellor Brook
4. Access for emergency vehicles being affected.
5. Will the public right of way be protected?

Proposal

Planning permission was granted for the conversion of the stone building subject to this application to four self-contained holiday lets in September 2004 (3/2004/0450/P). The proposal was considered to be acceptable by the Planning and Development Committee, and a decision notice was released on the 13 of September 2004. Permission was granted subject to a number of conditions including the following condition No. 17, which states:

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

The permission was implemented and to my knowledge the units have been used as short term/holiday lets in accordance with condition No. 17. Permission is now sought for the variation of condition no. 17 (Occupancy Period) of planning consent 3/2004/0450/P, to allow Units No.1 and No.2 to be used as permanent residential accommodation.

The Agent/Applicant had originally applied for the entire removal of Condition 17, however as this would have required at least one of the four units within the converted building to be an 'Affordable' unit, in line with the Affordable Housing Memorandum of Understanding, they requested to alter the proposal to what is being proposed here. They have noted they will continue to promote the use of the other two units as holiday accommodation instead.

Site Location

Elswick Farm is situated on the western side of Mellor Brow. The farm comprises the original farmhouse and garden, now in separate ownership, a barn converted to a dwelling (approved under reference 3/2001/0127/P), three further buildings that have recently been granted consent under reference 3/2011/0163/P and a traditional stone barn converted for use as self-catering holiday accommodation (planning reference no. 3/2004/0450/P), which is the subject of this application. Access to the farm is via a track, which runs up the west side of no. 46 Mellor Brow, which is an end terrace property. The access track coincides with the settlement boundary of Mellor, which includes the terrace and properties to the east of the farm, but excludes the majority of the farm and the properties to the west and south. The majority of the site thereby lying within open countryside.

Relevant History

3/2004/0450/P – Change of Use to form Self-Catering Holiday Accommodation – Granted Conditionally.

3/2003/0865/P – Conversion of Barn to form 4 No. Holiday Let Units (Re-Submission) – Refused.

3/2003/0055/P – Conversion of Agricultural Barn to restricted use business self-catering accommodation – Refused.

Relevant Policies

Policy G1 - Development Control.

Policy G5 – Settlement Strategy.

Policy ENV3 – Development within Open Countryside.

Policy H2 – Dwellings in the Open Countryside.

Policy H15 – Building Conversions – Location.

Policy H16 – Building Conversion – Building to be converted.

Policy H17 – Building Conversions – Design Matters.

Policy H23 – Removal of Holiday Let Conditions.

Policy RT1 – General Recreation and Tourism Policy.

Policy RT3 – Conversion of Buildings to Tourism Related Uses.

PPS3 – Housing (June 2010).

PPS5 – Planning for the Historic Environment.

Affordable Housing Memorandum of Understanding.

Environmental, AONB, Human Rights and Other Issues

Policy H23 of the Local Plan states that ‘proposals seeking the removal of conditions which restrict the occupation of dwellings to tourism/visitor usage will be refused unless the proposal conforms to the normal development control policies of the Local Plan. Policies G5, H2, H15, H16 and H17 will be particularly relevant in any assessment’.

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: Housing and the relevant saved policies of the Local Plan. In practice, what we presently have is an established built development with a restricted class of residential use. In many ways, there is little difference between this being a form of conversion, and the proposal can be treated as tantamount to a conversion.

Saved Policy H2 of the Local Plan allows 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 building relating to this proposal sits to the east, north and west of a number of dwellings on Mellor Brow and Elswick Gardens, and as such, I therefore consider the building subject to this application to form a part of an established group of buildings. Therefore, if the original barn were still in its original condition, its conversion into a dwelling(s) with unrestricted occupancy would now be acceptable in principle and in accordance with the currently applicable policies and guidance. Therefore, I consider the lifting of the occupancy condition on the now existing building to also be acceptable in principle.

The Parish Council has again objected to the application, as they believe that the original objection in 2004 to the scheme was the correct one. Their previous objection was based on accessibility problems, the site being backland development and issues regarding the entrance to the site. The development has been completed and the LCC Highways Officer has raised no objections, so whilst I am mindful of the views shared by the Parish Council, I have no concerns. With regards to Condition No. 17 being adhered to, in that a register of all lettings be kept and

made available to the Local Planning Authority for inspection on an annual basis, I cannot confirm whether or not an inspection has been carried out annually since 2005.

With regards to the rights of way issue, this is a legal matter between landowners, however I do not envisage this right will be removed.

In conclusion, when viewing the proposal submitted in relation through the presently applicable policies and guidance, the proposed variation of the condition is considered acceptable.

SUMMARY OF REASONS FOR APPROVAL

The requested removal of the condition is in accordance with the presently applicable policies and would not result in any seriously detrimental effects upon visual amenity, the amenities of any nearby residents or highway safety.

RECOMMENDATION: That planning permission is GRANTED and that Condition 17 be varied to read:

“Units 3 and 4 of the accommodation converted as part of the Hey Moo complex at Elswick Farm, Mellor Brow, Mellor, approved by virtue of 3/2004/0450/P, shall not be let to or occupied by any one person or group of persons for a continuous period of longer than 3 months in any one year and in any event shall not be used as a permanent accommodation. A register of all lettings shall be kept and made available to the Local Planning Authority for inspection on an annual basis. Units 1 and 2 of this complex shall be used as permanent residential accommodation.

REASON: In order to comply with Policies G1, G5, ENV3, H2, H15, H17, RT1 and RT3 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2011/0546/P (GRID REF: SD 362842 442001)
CONVERSION OF TWO HOLIDAY LETS INTO ONE DWELLING HOUSE AT JEFFREY AND
PENDLE COTTAGES, MOSS LANE, CHIPPING, LANCASHIRE.

PARISH COUNCIL: The Parish Council feels that the application should be considered in conjunction with application no. 3/2011/0249/P (removal of condition to allow holiday let to be used as permanent residential at Parlick, Moss Lane), as they consider that all three units should become one single residential property. The original planning consent was for one dwelling, and it was only when this was breached that planning sought for holiday lets. It would be grossly inappropriate and unfair for the applicant to now benefit from the breach and would set a precedent.

LCC ENVIRONMENT
DIRECTORATE (COUNTY
SURVEYOR):

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

ADDITIONAL
REPRESENTATIONS:

No additional representations received.

Proposal

Planning permission was granted for the conversion of the building subject to this application into two holiday lets in 1998, by virtue of planning application 3/1998/0728/P. The building prior to conversion was used as a garage/store building, and remains attached to garaging owned by the adjacent property, Pale Farm Barn. The proposal was considered to be acceptable by the Planning and Development Committee on 9th of August 1999 and permission was therefore granted subject to a number of conditions. The permission was implemented and to my knowledge the units have been used (and are still being used) as holiday lets. Permission is now sought to convert the two separate holiday lets into one permanent residential unit, with a number of external and internal alterations proposed as part of the conversion.

Site Location

The site is located approximately ½ a mile from the village settlement boundary of Chipping, as defined by the Ribble Valley Districtwide Local Plan. The site lies down Moss Lane within a group of buildings. These buildings include dwellings and some holiday lets. The site lies within the Forest of Bowland Area of Outstanding Natural Beauty.

Relevant History

3/2011/0249/P – Removal of condition no 2 to allow holiday let to be used as permanent residential accommodation – Granted.

3/1998/0728/P – Conversion of Garage into Two Self Contained Holiday Units – Granted Conditionally.

3/1998/0579/P – Convert garage to dwelling. Erect garage and utility on site of former house - Refused.

3/1997/0038/P – Conversion of outbuildings into domestic garages – Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.

Policy G5 – Settlement Strategy.

Policy ENV1 – Area of Outstanding Natural Beauty.

Policy EN7 – Species Protection.

Policy H2 – Dwellings in the Open Countryside.

Policy H15 – Building Conversions – Location.

Policy H16 – Building Conversion – Building to be converted.

Policy H17 – Building Conversions – Design Matters.

PPS3 – Housing.

Environmental, AONB, Human Rights and Other Issues

The main issues with this application relate to the principle of the development, what affect the proposed change of use and the external/internal alterations may have with regards to its visual impact on the building, any potential impact on the residential amenity of the adjacent property, and any potential impact on habitats. The LCC Highways Officer has raised no objection in principle to the application on highway safety grounds.

PRINCIPLE OF THE DEVELOPMENT

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

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.

Finally, as 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: Housing and the relevant saved policies of the Local Plan. In practice, what we presently have is an established built development with a restricted class of residential use. In many ways, there is little difference between this being a form of conversion, and the proposal can therefore be treated as tantamount to a conversion.

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

- the location of the building within an existing group of four other residential properties;
- that the building has already been converted;
- the existing access road up to the site is considered acceptable; and
- that the design proposed will have little if no significant visual impact upon the character of the existing building,

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

VISUAL IMPACT ON THE CHARACTER AND SETTING OF THE BUILDING

As noted above, there are very few alterations proposed to this stone built, single storey building, with the main external alterations occurring to the rear of the building (facing east). The proposal seeks permission for the creation of three full-length doorways (two sets of double

doors) within the rear elevation, in the locations of three existing window openings. Given the history of the building, in that it was originally a single storey garage/storage building with its front and rear elevations covered in pebble dashed render, and of no architectural merit, I consider the proposal will have an acceptable visual impact on the character and setting of the building.

VISUAL IMPACT ON THE AONB

In respect of the visual impact on the AONB and the adjacent open countryside, and as noted above, I consider the proposal will have an acceptable visual impact on the character and setting of the building, and as such will have an acceptable visual impact when viewed from the adjacent Public Right of Way that runs through the site. The scheme is therefore considered visually acceptable.

IMPACT ON RESIDENTIAL AMENITY

With regards to any potential impact on the residential amenity of the occupiers of the nearby properties, there are no additional windows that overlook any existing areas of amenity space or indeed that face onto existing habitable room windows, and as such I do not envisage that the use of the amenity area to the rear of the converted building will cause a significant impact on the amenity of the occupiers of the adjacent dwellings.

IMPACT ON HABITATS

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

Therefore, bearing in mind the above comments and whilst I am mindful of the points of objection from the Parish Council regarding the applicant benefitting from the change in planning policies which incidentally is nothing the Planning Department can control, I consider the scheme to comply with the current relevant planning policies, and as such recommended accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. The permission shall relate to the development as shown on Plan Reference No's 1342-10 and 1342-11.

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

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

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

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

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

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

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

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 26 July 2011.

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

7. 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 dwelling, and any future additional structures, hard standing or fences including any development within the curtilage, as defined in Schedule 2 Part 1 Classes A to H and Part II Class A shall not be carried out without the formal written consent of the Local Planning Authority.

REASON: In order that the Local Planning Authority shall retain effective control over the visual appearance of the site to ensure the future protection of the character and appearance of the building and the location within the A.O.N.B. in compliance with Policy ENV1 of the Ribble Valley Districtwide Local Plan.

NOTE(S):

1. The granting of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpath 31 in the Parish of Bowland with Leagram runs past the site.

APPLICATION NO: 3/2011/0556 (GRID REF: SD 375495 446872)
APPLICATION FOR THE VARIATION OF CONDITION 2. AND REMOVAL OF CONDITION 3.
OF PLANNING CONSENT 3/2003/0209P, TO ALLOW THE BUILDING TO BE USED AS A
GRANNY ANNEX AT LANESIDE FARM, GRINDLETON

PARISH COUNCIL: Our Council has a planning policy whereby we do not accept building projects on Main Street or Slaidburn Road. This application would be for the building to be used as a granny annex. We are not too sure of the continuance of this usage for any future owner. Therefore we wish to retain the conditions 2 and 3 of planning consent of 2003.

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

ADDITIONAL REPRESENTATIONS: One letter of objection has been received from a neighbouring resident who wishes to raise the following:

- Concern with regards to the future use of the property as an independent dwelling.
- The property is bound by a restrictive covenant and court order restricting the use for the purpose of a permanent or temporary dwellinghouse or residential accommodation.

Proposal

Consent is sought to vary condition 2. and remove condition 3. that are attached to planning application 3/2003/0209/P which granted approval for the conversion of part of an existing workshop to form one holiday cottage and workshop.

Condition 2. is the standard holiday let condition which states: "*The unit of accommodation shall not be let to or occupied by any one person or group of persons for a continuous period of longer than 3 months in any one year and in any event shall not be used as a permanent accommodation*".

This condition is to be varied to read as follows: "*The annex building hereby approved shall only be occupied as an extended family unit relating to Laneside Farm and shall not be used as a separate residential unit*".

Condition 3. reads: "*This permission shall be read in conjunction with the Section 106 Agreement dated 8 September 2003*".

The purpose of revoking the Section 106 Agreement and varying condition 2. is to remove the restriction of use as a holiday let in order to allow the use of the building as annex accommodation only, and not as separate residential accommodation.

Site Location

Laneside Farm comprises of the original farmhouse with two-gated access points off the main road and attached converted barn (not in the applicants ownership). The property is located 0.4

miles north of the main settlement of Grindleton within an Area of Outstanding Natural Beauty. The building that is the subject of this application is sited to the south-west of the applicants property.

Relevant History

3/2003/0209/P – Conversion of part of existing workshop to form one holiday cottage and workshop. Approved with conditions 8th September 2003.

Relevant Policies

- Policy G1 – Development Control
- Policy ENV1 – Area of Outstanding Natural Beauty
- Policy G5 – Settlement Strategy
- Policy H9 – Extended Family Accommodation
- Policy H15 – Building Conversions – Location
- Policy H16 – Building Conversions – Building to be Converted
- Policy H17 – Building Conversions – Design Matters
- Policy H23 – Removal of Holiday Let Conditions

Environmental, AONB, Human Rights and Other Issues

Members should note that originally the description of the development read as follows:

“Application for the removal of Condition 2. and 3. of planning permission 3/2003/0209/P to allow the use as a granny annex”.

The removal of both conditions would allow the unrestricted use of the building as a residential dwelling even though the submitted supporting statement advised that the reason for removing the conditions was to enable the use of the building as a granny annex.

Following observations from the Parish Council, neighbouring residents and for the avoidance of doubt, the agent was advised to make it clear in the description of the proposal what the Council would be approving. Subsequently the agent has partially amended the application form, the original supporting statement and the description of the proposal to read as follows:

“Application for the variation of Condition 2. and removal of Condition 3. of planning consent 3/2003/0209/P, to allow the building to be used as a granny annex”.

Therefore in amending the description to variation of condition 2., the Council would not be granting consent for the building to be used as a separate residential property. A condition would remain if members are mindful to approve the application, restricting the use and occupation of the building as an extended family unit relating to Laneside Farm only and not as a separate residential unit.

.....
Matters for consideration in the determination of this application is the principle of allowing the removal of the holiday let condition and the use of the building as annexe accommodation.

Policy H23 concerns itself with the removal of holiday let conditions stating *“Proposals seeking the removal of conditions which restrict the occupation of dwellings to tourism/visitor usage will*

be refused unless the proposal conforms to the normal development control policies of this local plan. Policies G5, H2 and H15, H16 and H17 will be particularly relevant in any assessment”.

The application allows the conversion of the building to be used as a granny annex. No external alterations are to be made to the building for this purpose, and therefore I consider that the proposal conforms with the above policies.

With regards to the principal of annex accommodation, the level of accommodation is considered to be relatively modest. The building as viewed from the main road has a good visual relationship with the main property and is linked via a stairwell. As such it is considered that the proposal complies with Policy H9 of the Ribble Valley Districtwide Local Plan.

I consider that the removal of Condition 3. from application 3/2003/0209 in relation to the Section 106 agreement is acceptable and necessary to allow the use of the building as a granny annex. Members should note that whilst I have no objection to the removal of this condition, the approval of this application would not remove this condition, as this forms part of a separate application which the applicants agent has recently submitted (3/2011/0775).

To satisfy the concerns of the Parish and a neighbouring resident, Condition 2. is to be varied, and not removed. Thus ensuring that the use of the building is to be restricted to that of a family member and cannot be sold or occupied as a separate residential unit.

Therefore in consideration that no external alterations are to be made to the existing building, no alteration is to be made to the existing access arrangements, the level of accommodation is modest, and a condition will remain in force restricting the use as a granny annex only any impact upon the visual appearance of this Area of Outstanding Natural Beauty or neighbouring residential amenity will be minimal. I thus recommend accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

RECOMMENDATION: That planning permission be GRANTED for the variation of Condition 2. of planning consent 3/2003/0209/P to read as follows:

2. The annex building hereby approved shall only be occupied as an extended family unit relating to Laneside Farm and shall not be used as a separate residential unit”.

REASON: In order to comply with Policies G1 and H9 of the Ribble Valley Districtwide Local Plan. The use as a separate unit could be injurious to the amenities of neighbouring residents and to the character of the area and would require further consideration by the Local Planning Authority.

APPLICATION NO: 3/2011/0586/P & 3/2011/0587/P (LBC) (GRID REF: SD 381314 443959)
CONVERT GARAGE TO HOLIDAY COTTAGE WITHIN THE CURTILAGE OF THE LISTED MANOR HOUSE. CONVERT EXISTING GARAGE STRUCTURE TO TWO STOREY HOLIDAY COTTAGE AT THE MANOR HOUSE, TWISTON

PARISH COUNCIL:	Following a canvass of local residents, general consensus is that it is a tranquil village and feel that a holiday let will detract from this.
LANCASHIRE COUNTY COUNCIL (AONB):	In landscape terms the proposals would enhance the landscape character.
LANCASHIRE COUNTY COUNCIL (HIGHWAYS):	No objection subject to highway safety conditions relating to gateposts and materials.
ENVIRONMENT AGENCY:	No objection in principle.
ADDITIONAL REPRESENTATIONS:	Two letters of objection received. The following issues are raised: <ol style="list-style-type: none"> 1. Inadequacy of septic tank and issue of smells. 2. Twiston is a quiet hamlet, is unsuitable for holiday lets. 3. Possible precedent for similar proposals in the locality. 4. The building had a consent which lapsed which was more appropriate. 5. Concern about car park and the need for screening.

Proposal

This is a resubmission of a previous refused application which has been modified by reducing the size of the extension and changing its design. Listed building consent and planning permission is sought for the conversion and extension of the garage to holiday accommodation. The garage incorporates some historic fabric from a former building on this site but is ostensibly a modern flat-roofed single storey triple garage on a rectangular plan with a 9.9m frontage, 6.4m depth and 3.2m height.

The proposal would create an 'L' shaped plan with a cat slide roof and extend the maximum depth of the building to 10m through the addition of a lean-to to rear extension. The proposal would create a second storey raising the height of the building to 5.6m. At ground floor is shown a lounge, dining room, kitchen, shower-room, cloaks and utility; at first floor is shown x 2 bedrooms, a bathroom and eaves storage. Walls to match existing (sandstone), artificial stone slates, timber windows and doors. Two car parking spaces are created; the gateway access to the Manor House is to be set back to meet highway minimum access requirements. Foul sewage is to be disposed of via a septic tank. A part time employee will probably result. The application form notes that pre-application advice provided a "general indication of what might or might not be an acceptable submission".

Site Location

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

Relevant History

3/2011/0016/P and 3/2011/0017/P – Conversion of garage and extension to create holiday cottages. Referred.

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

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

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

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

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

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

Relevant Policies

Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Historic Environment Planning Practice Guide (HEPPG).

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

Policy ENV19 - Listed Buildings (Setting).

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy G1 - Development Control.

Policy RT1 - General Recreation and Tourism Policy.

Policy RT2 - Small Hotels and Guest Houses.

Policy RT3 - Conversion of Buildings to Tourism Related Uses.

Environmental, AONB, Human Rights and Other Issues

The main considerations in the determination of the listed building consent application relate to the extent of preservation of the listed building, its setting and its features of special architectural or historic interest. Additional main considerations in the determination of the planning application relate to the character of the Forest of Bowland Area of Outstanding Natural Beauty, the character and setting of heritage assets, residential amenity and probably employment.

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

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

PPS5 Policy states “where a proposal has a harmful impact on the significance of the designated heritage asset which is less than substantial harm, in all cases, local planning authorities should:

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

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

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

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

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

HEPPG paragraph 121 states ‘ The design of a development affecting the setting of a heritage asset may play an important part in determining its impact. The contribution of setting to the historic significance of an asset can be sustained or enhanced if new buildings are carefully designed to respect their setting by virtue of their scale, proportion, height, massing, alignment and use of materials..’

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

Policy ENV20 of the Ribble Valley Districtwide Local Plan (adopted June 1998) has the status, following Government Office North West approval, of a 'saved policy'. It states that "... proposals for the alteration or repair of listed buildings should be sympathetic to their character and appearance. The most important features of any listed building will be preserved".

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

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

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

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

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

On the terms of the resubmitted plan and having regard to the existing building I am now satisfied that the proposal will not detract from the setting of the listed building or have a significant impact on the landscape value of the Area of Outstanding Natural Beauty. This latter view endorsed by the Area of Outstanding Natural Beauty Officer. I note the concern expressed about the loss of tranquillity and although the introduction of noisy activities can be a material consideration I do not believe the creation of a 2 bedroom holiday let will exacerbate the issues to cause significant harm to the area. In relation to the car parking area I am satisfied the existing boundary treatment with an additional element of landscaping would adequately safeguard privacy issues.

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 1: That planning permission be granted subject to the following conditions:

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

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

2. This permission shall relate to the proposal as shown on drawing numbers PL-324SHT2V2, PL-324SHT3, PL-324SHT4.

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

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

REASON: In order to comply with Policies G1, G5, ENV1, ENV2, ENV3, ENV4, EMP12, RT1, RT3 and the Policy SPG – “Housing” (delete as appropriate) of the Ribble Valley Districtwide Local Plan. The building is located in an area where the Local Planning Authority would not normally be minded to grant the use of building for a permanent residential accommodation.

4. The proposed gateposts shall be positioned at least 5 metres behind the nearside edge of the carriageway and shall open away from the highway.

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

5. That part of the area extending from the near edge of the carriageway for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, block pavements or other approved materials.

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

6. The parking areas on plan reference PL-324SHT3 shall be implemented prior to commencement of use and thereafter retained.

REASON: To ensure adequate parking provision is available and to comply with Policy G1 of the Districtwide Local Plan.

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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan ensuring a satisfactory standard of appearance given the location of the property in a Conservation Area.

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

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

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

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

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

RECOMMENDATION 2: That listed building consent be GRANTED subject to the following condition(s):

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

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

2. This permission shall relate to the proposal as shown on drawing numbers PL-324SHT2V2, PL-324SHT3, PL-324SHT4.

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

3. The proposed gateposts shall be positioned at least 5 metres behind the nearside edge of the carriageway and shall open away from the highway.

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

4. That part of the area extending from the near edge of the carriageway for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, block pavements or other approved materials.

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

5. The parking areas on plan reference PL-324SHT3 shall be implemented prior to commencement of use and thereafter retained.

REASON: To ensure adequate parking provision is available and to comply with Policy G1 of the Districtwide Local Plan.

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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan ensuring a satisfactory standard of appearance given the location of the property in a Conservation Area.

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

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

APPLICATION NO: 3/2011/0608/P (GRID REF: SD 367237 435681)
PROPOSED CONVERSION AND ALTERATIONS TO INCORPORATE CHANGE OF USE AS PART OF AN EXISTING AGRICULTURAL BUILDING FOR CLASS B1 EMPLOYMENT SCHEME TO FORM PHASE II OF THE RURAL BUSINESS CENTRE KNOWN AS MANOR COURT, SALESBURY HALL, SALESBURY HALL ROAD, SALESBURY

- PARISH COUNCIL: No observations received.
- ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): At the time of writing this report no formal observations had been received although verbally indicated no objection, which was confirmed during pre-application discussions.
- ENVIRONMENT AGENCY: No objections in principle to the development but make the comments that the Environmental Permitting Regulations 2010 make it an offence to cause knowingly permit a discharge of a pollutant that might lead to its direct or indirect input into ground water, except under and to the extent authorised by environmental permit or an exemption as provided for in the regulations. The applicant is advised to check the capacity of the existing sewage plant to ensure that it can cope with additional load that would result from this development.
- UNITED UTILITIES: No objection to the proposed development.
- NATURAL ENGLAND: This proposal does not appear to affect any statutory protected sites or landscapes or has significant impacts on the conservation of soils nor is the proposal an EIA development. It appears that Natural England has been consulted on the proposal to offer advice on the impact on a protected species and therefore advise that it is up to the Council to assess its impact on the protected species

It has been confirmed in the bat survey that there was no implications of significance.

Proposal

This proposal seeks to convert part of a relatively modern agricultural building to form office space at ground floor and first floor whilst seeking to retain the majority of the agricultural building for its existing use. In essence it seeks to convert the northeastern section of the existing agricultural building into 17 offices with the insertion of a mezzanine floor and internal refurbishment. The external changes would result in the creation of numerous window openings, the insertion of stone plinths and retention of part of a timber boarded exterior and concrete wall.

The proposal would also create an additional 36 parking spaces as well as the creation of a new hedgerow along the boundary of the site that faces the existing fields.

The proposal will be accessed by the existing vehicular access, which currently serves the site, and there will be no alterations to the vehicular access.

Site Location

The building is located adjacent to the recently converted complex, which forms part of the rural business centre and opposite Salesbury Hall. It is set within the open countryside and surrounded by fields on the other elevations. It is approximately 2 miles from Ribchester.

Relevant History

3/2007/1048/P – Conversion of existing farm building for employment purposes, rebuilding of existing farmhouse at Salesbury Hall Farm, Salesbury, Ribchester. Approved with Conditions.

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV3 - Development in Open Countryside.

Policy ENV7 - Species Protection.

Policy EMP9 - Conversions for Employment Uses.

Policy T1 - Development Proposals - Transport Implications.

Policy T7 - Parking Provision.

PPS7 – Sustainable Development in Rural Areas.

PPS4 – Planning for Sustainable Economic Growth.

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in determining this application are the principle of development, its visual impact, effects on conservation interests and highway safety.

It is evident that this proposal would involve the conversion of an agricultural building to form various office suites for employment purposes. The principle of this type of use has been established with the granting of Phase I of this complex. Since that approval there is more encouragement in the form that national guidance to permit employment uses in rural locations. I am satisfied that although there is a limited access via public transport, that given recent

Government advice, the conversion of part of this building for employment use would be acceptable in this instance. There is also no objection from the Highway Authority in relation to the location of this development.

The Applicant has submitted a detailed transport assessment with this proposal which includes evidence relating to the existing office complex which is now predominantly occupied. I am satisfied that there will be no significant highway implications resulting from this development and that the existing highway network could accommodate this proposal.

The design of the proposal has been sympathetically handled and would still reflect the simple vernacular form of the agricultural building and also offer a more interesting appearance.

In relation to other issues such as conservation and protection of ecology, I am satisfied that the proposal would not lead to any harm to such interests.

A detailed flood assessment has been submitted and it is evident that the Environment Agency raised no objection to the proposal.

I am satisfied that this proposal would not only offer an employment opportunity to the locality and that the development itself would not result in issues to the detriment of visual amenity or highway safety.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. This permission shall relate to Drawing No 3955-12J, 3955-13G and 3955-13A.

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

3. The proposed materials shall relate to details submitted under cover of letter dated 17 August 2011 and roofing sample reference code Merlin Grey 18B25.

REASON: To ensure that the proposed materials are acceptable to the locality and to comply with Policy G1 of the Districtwide Local Plan.

APPLICATION NO: 3/2011/0646/P (GRID REF: SD 361295 438099)
PROPOSED REMOVAL OF CONDITION NO 2 OF PLANNING PERMISSION 3/2006/0373/P
TO ALLOW THE FAMILY ANNEX TO BE OCCUPIED AS A SEPARATE DWELLING AT
SEVEN ACRE COTTAGE, FORTY ACRE LANE, LONGRIDGE

TOWN COUNCIL: Objects to the application on the basis of potential for increased traffic movement along a designated 'quiet lane'.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR): No objection to this proposal.

ADDITIONAL
REPRESENTATIONS: None received.

Proposal

In 2005 planning permission was granted for the demolition of the existing two storey dwelling and detached garage and the building in their place of a larger two storey dwelling and a larger detached garage (3/2005/0155/P). No demolition or construction works have been carried out in connection with that previous planning permission which has now therefore lapsed.

In 2006, the applicants decided that they did not wish to build the approved detached garage which would have been sited approximately 17m to the rear of the house. Instead, they submitted an application that sought permission for a 10.3m x 7.6m single storey pitched roof building to be sited approximately 28m to the rear of the dwelling (3/2006/0373/P). The proposed building was to be used as a granny flat comprising a living room, dining area, kitchen, bathroom, bedroom, hall and store room. Planning permission was refused by the Council for the following reasons:

1. In the opinion of the Local Planning Authority, the proposed detached granny annex, by virtue of its size and location approximately 28m away from the existing main dwelling, would not constitute a modest level of accommodation which would be capable of integration into the main dwelling, or a use ancillary to the use of the main dwelling when circumstances change. As such, the proposal is contrary to Policy H9 of the Ribble Valley Districtwide Local Plan.
2. In the opinion of the Local Planning Authority, the proposal would have the appearance of a detached bungalow within the garden of an existing dwelling to the detriment and appearance of the locality contrary to Policy G1 of the Ribble Valley Districtwide Local Plan.

Permission, however, was granted on appeal subject to a condition (No 2) that 'the building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Seven Acre Cottage, Forty Acre Lane, Longridge'. This current application seeks the removal of that condition to allow the family annex building to be occupied as a separate dwelling. There would be no physical alterations to the building or the existing curtilage.

There is vehicular access into the site from Forty Acre Lane which passes down the eastern side of the main dwelling leading to a hard standing area between the main dwelling and the annex. This access would be retained and would be shared by both properties. It is not

proposed that there would be any boundary treatment between the two properties as the dividing boundary is across the hard standing area between the two properties, which will continue to be used for off street car parking and vehicle movements to and from the access on to Forty Acre Lane.

Site Location

Seven Acre Cottage and its annex to which this application relates are together sited on a long narrow curtilage on the south side of Forty Acre Lane. To the north west the site is adjoined by open land, there is a reservoir on the opposite side of Forty Acre Lane to the north east and there is a dwelling known as Rock Cottage to the south east of the site.

The site is within the Open Countryside just to the north of the settlement boundary of Longridge, but it is not within the Area of Outstanding Natural Beauty.

Relevant History

3/2005/0155/P – demolition of existing dwelling and detached garage and erection of replacement dwelling and detached garage. Approved with conditions but not implemented and now lapsed.

3/2006/0373/P – detached granny annex. Conditional permission granted on appeal.

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV3 - Development in Open Countryside.

Policy H2 - Dwellings in the Open Countryside.

Policy H15 - Building Conversions - Location.

Policy H16 - Building Conversions - Building to be Converted.

Policy H17 - Building Conversions - Design Matters.

PPS3: Housing.

Environmental, AONB, Human Rights and Other Issues

In the supporting statement submitted with the application, it is stated that the reason for the application is that, since the original permission in 2007, and the subsequent construction and occupation of the building, the family resident (father in law of the applicant) is now living in alternative accommodation following a change of life circumstances. It is stated that there are no other family Members in need of ancillary accommodation and so there is no longer a requirement for the property to be retained as a family annex.

The relevant considerations relate to the principle of the proposal in relation to the issue of the five year housing land supply, design matters and the impact of the proposal upon the character of the area, the amenities of nearby residents and highway safety.

As acknowledged in a number of recent applications similar to this proposal, the Council is presently not able to identify a five year housing supply. As such, applications for residential development should be considered favourably in accordance with advice contained in PPS3 and the saved policies of the Local Plan. Also, as this is an established building that has a

residential appearance, the recent stance that has been taken by the Council is that applications to remove occupancy conditions in situations such as this have been treated in the same way as applications for the conversion of an existing building.

Policy H2 of the Local Plan permits the conversion of buildings to dwellings in the open countryside subject to certain criteria that are contained in Policies H15, H16 and H17. Policies H15 and H16 relate more specifically to buildings or structures that have not yet been converted. Being located within the established residential curtilage of Seven Acre Cottage, and with no proposed physical alterations, additional landscaping or hardscaping areas required to bring the property into use as a separate dwelling, it is considered that the proposal complies with the requirements of Policies H15 and H16.

The criteria attached to Policy H17 are of more relevance to this application as they relate to design matters, impacts upon the locality through the creation of garden areas and car parking facilities etc, and access/highway safety issues.

As no physical alterations are proposed, there are no design issues associated with the application. As there are also no alterations to the curtilage boundaries and no proposed new walls or fences, the proposal would have minimal effects upon the appearance and character of the locality.

With regards to highway safety, more than adequate space is to be retained for off street parking for both properties and the existing vehicular access from Forty Acre Lane is to be shared by both properties. It is considered that the introduction of an additional residential unit of this size in this location will not result in an intensification of vehicle movements deemed sufficient to cause serious detriment to highway safety over and above the existing situation. The County Surveyor has confirmed that he has no objections to this application on highway safety grounds.

In allowing the appeal for the construction of the annex, the Inspector considered the residential occupation of the building to be acceptable in relation to the effects upon the amenities of the adjoining property to the east, Rock Cottage. I also consider that, due to the separation distance of 28m, the proposed independent use of the annex would not unduly compromise the amenities of the existing main dwelling, Seven Acre Cottage.

Overall, in the Council's current situation in respect of a five year housing land supply, I consider that the proposal would provide a unit of residential accommodation in accordance with the saved policies of the Local Plan and without any detriment to the character and amenities of the locality, the amenities of any nearby residents or highway safety.

I therefore consider that permission should be granted for the removal of the condition in order to allow the annex to be used as an independent dwelling. I consider, however, that in the interests of highway safety, a condition should be imposed requiring the retention of the existing access to serve both properties and the retention of the existing hard standing area to provide appropriate parking and manoeuvring for both properties.

SUMMARY OF REASONS FOR APPROVAL

The occupation of the existing annex as an independent dwelling would be in accordance with the relevant national planning guidance and saved Local Plan Policies and would not have any

seriously detrimental effects upon visual amenity, the amenities of nearby residents or highway safety.

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

1. The existing vehicular access on to Forty Acre Lane to be retained and shall serve both the existing Seven Acre Cottage and the new independent dwelling (former annex). The existing hard standing area between the two dwellings shall also be retained in order to provide a minimum of two parking spaces for each dwelling with the required associated manoeuvring area.

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

NOTE

Ribble Valley Borough Council imposes a charge to the developer to cover the administration, and delivery costs in providing wheeled bins to each household within a new build property or provision. Details of current charges are available from the RVBC Contact Centre on 01200 425111.

D. APPLICATIONS UPON WHICH COMMITTEE DEFER THEIR APPROVAL SUBJECT TO WORK DELEGATED TO DIRECTOR OF COMMUNITY SERVICES BEING SATISFACTORILY COMPLETED

APPLICATION NO: 3/2010/0934/P (GRID REF: SD 364962 435332)
PROPOSED ERECTION OF TWO TERRACED DWELLINGS FRONTING BLACKBURN ROAD AND ERECTION OF FIVE TWO-STOREY TERRACED COTTAGES ON EXISTING CAR PARK (PARKING SPACES WILL REMAIN FOR PUBLIC HOUSE) (RESUBMISSION OF PLANNING APPLICATION 3/2009/0160/P) AT BLACK BULL HOTEL, CHURCH STREET, RIBCHESTER

PARISH COUNCIL: Have no objections in principle to this application but would like to raise the following issues at this stage:

1. The owner of 48 Blackburn Road remains doubtful about the proposed access to his garage.
2. Works at the site access include for a slight narrowing of Blackburn Road past the frontage to a minimum of 5.5m to allow for the widening of the footpath past 49 Blackburn Road 0.2m to 0.7m. The Council has no objection to this change subject to the agreement of the County Council's Highway Engineering.
3. With a development of this scale, there appears to be scope for the provision of a contribution towards the amenity of the village under Section 106 of the Town and Country Planning Act. The Council intends to raise this issue with the applicant.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

I have no objection in principle to this application on highway safety grounds.

The revised proposal is for two terrace properties fronting onto Blackburn Road and five two-storey cottages within the site. In view of the existing demand for on-street parking in Ribchester village, the parking provisions of two per residential property are satisfactory. In addition to the off-street parking provided to numbers 49 and 50 there are 19 spaces identified for the continuing use of the Black Bull. I have no objection or adverse comment concerning this arrangement.

Significant improvements are proposed to the footway provision in the immediate vicinity of the access, and while the footway across the frontage of number 49 is narrow, there are a range of footway widths through the village. In view of the improved provisions at the focus of vehicular movements and pedestrian crossing movements, and to the improved visibility splays this helps to achieve, I am satisfied that both pedestrian and highway safety would benefit from these proposed improvements.

- COUNTY ARCHAEOLOGY: No objections subject to imposition of conditions.
- ENVIRONMENT AGENCY: Have reviewed the flood risk assessment as submitted and are satisfied that the development will not be at an unacceptable risk of flooding. The FRA forms part of the application and the proposed mitigation measures identified within it must be fully implemented as part of any subsequent development.
- ADDITIONAL REPRESENTATIONS: Three letters have been received with the concerns expressed being summarised as follows:
1. Concerns regarding highway safety issues associated with the proposed access and availability of parking spaces for the proposed development.
 2. The FRA is inaccurate with concerns of potential flooding.
 3. Concern that the existing surface water drainage systems are already strained.
 4. Whilst appreciating that Thwaites wish to maximise their site there are many houses currently on the market and movement of these seems stagnant.
 5. Has the possibility of this site being made available as a green communal area been considered?
 6. With the existing parking problems in the village use as a car park would be useful and much appreciated.
 7. Concerns about the placement of waste bins in the proposed development.

Proposal

Consent is sought for the erection of 7 dwellings within the car park of the Black Bull public house.

2 x 3 bedroom dwellings should be built fronting Blackburn Road attached to the gable of number 49 having overall approximate dimensions of 9.8m x 7.8m x 8.3m in height. They would be set back between approximately 2.4m and 3m from the carriageway edge of Blackburn Road, thereby enabling a wider footway at this point than is evident to the front of numbers 49 and 50. They would have enclosed gardens to their rear with a footway formed alongside the gable to plot 6 leading into the site.

5 x 2 storey, three bedroom cottages would be located to the rear/eastern boundary of the site with overall approximate dimensions of the block being 24.3m x 11.7m x 7.8m in height. Each unit would have a two-storey rear projection typical of terraced units with there being a minor set back of two of the units to act as a visual break. Each would have a rear garden area with acoustic fencing along the site's eastern boundary. Construction materials would be coursed

stone under slate roofs to the two plot onto Blackburn Road and a mix of coursed stone and render on slate roofs to the terrace within the existing car park.

In terms of parking provision, courtyard parking is shown with two spaces per unit (with a space for numbers 49 and 50) giving a total of 16 spaces.

The proposed site layout includes a new single point of site access off Blackburn Road set approximately 12m from the existing gable of number 49. To the east of the access extending towards the terrace that is adjacent to the church to the northeast of the site would be two parking spaces, some soft landscaping with a stone boundary wall to a height of 1m as the site frontage. In front of this to maintain a suitable visibility splay, it is proposed to use a surface finish of granite sets.

The layout retains parking provision for the pub (19 spaces) with the pub continuing to be serviced from within the car park area. The scheme also retains an informal pedestrian route through the site on the approximate line of the existing and formal route from Blackburn Road onto Church Street.

As part of the scheme, the applicants originally offered numbers 49 and 50 Blackburn Road as affordable units as they are within the ownership of the applicants and immediately adjacent to the proposed new build units. However negotiations have led to the two new build units fronting Blackburn Road now being offered as affordable rental units instead.

Site Location

The site lies to the east of Blackburn Road within the centre of Ribchester and comprises the car park and part grassed area to the rear of the Black Bull public house. The site lies within the settlement limit and conservation area of Ribchester.

Relevant History

3/2009/0875/P – Conservation area consent for demolition number 49 Blackburn Road, prior to rebuilding. Withdrawn.

3/2009/0160/P – Conversion of existing bunk house into two dwellings, the demolition and rebuild of number 49 Blackburn Road. The erection of 2 semi-detached dwellings fronting Blackburn Road and the erection of five three-storey terraced cottages. The new dwellings and road will be built on the existing car park to the public house. Parking spaces will be retained for the public house. Withdrawn.

Relevant Policies

Policy G1 - Development Control.

Policy G4 - Settlement Strategy.

Policy ENV16 - Development Within Conservation Areas.

Policy ENV17 - Details Required with Proposals in Conservation Areas.

The Affordable Housing Memorandum of Understanding.

Policy L4 – Regional Housing Provision – North West of England Regional Spatial Strategy to 2021.

Policy L5 – Affordable Housing – North West of England Regional Spatial Strategy to 2021.

PPS3 – Housing.

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application are the principle of development, highway safety, potential impacts on surrounding residential amenity, the design and visual impact of the works proposed and resultant effect on the character and appearance of the Conservation Area at Ribchester.

Principle of Development

In terms of the principle of development regard should be had to Policy G4 of the Districtwide Local Plan, the Council's Affordable Housing Memorandum of Understanding (AHMU), the Regional Spatial Strategy (RSS) and PPS3. Policy G4 of the Districtwide Local Plan allows for the use of infill sites and proposals which contribute to the solution of a particular housing 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 too large to be considered as an infill site. However I am mindful of the Policies of the RSS and requirements of PPS3 for the Council to have a five-year supply of housing land. As of 31 March 2011 we were able to demonstrate a 2.9 years supply. In relation to the issue of five-year supply of deliverable housing site, it is important to note that the situation is subject to rapid change. At the present time, the overall housing requirement for Ribble Valley is determined by the RSS, however Government advice has highlighted that the RSS is soon to be abolished and as a result it would fall on Local Planning Authorities to determine what the housing requirements should be for their own borough, albeit determined upon strong and robust evidence. As a result, in preparation for this abolition and having regard to the timeframes involved in consulting upon and adopting new housing numbers for use in determining planning applications and working on the Strategic Development Plan, Ribble Valley Borough Council recently instructed Nathaniel Litchfield and Partners (NLP) Consultants, to undertake some work on assessing what the overall requirement of the housing land should be in the borough. This work is now complete and Members have resolved to publish this information for public consultation. As a result it must be considered that dependent upon the outcome of this consultation, the five-year supply position is subject to change. However, having regard to the current position, I am of the opinion that in principle the redevelopment of this site for housing would be acceptable subject to material considerations outlined elsewhere within this report.

Affordable Housing

The scheme has been the subject of negotiations since its submission at which time numbers 49 and 50 Blackburn Road were offered as the affordable units. An internal inspection of those properties was undertaken and following subsequent discussions the applicants revised the affordable offer to comprise the two new build units fronting Blackburn Road. The need for the developer to provide affordable housing on this site is in order to comply with the requirements of the Affordable Housing Memorandum of Understanding and in its revised form the offer of two affordable new build rental units is acceptable to the Council's Housing Strategy Officer.

Highway Safety

It is evident from the observations of the County Surveyor that notwithstanding concerns expressed regarding this matter, implementation of the scheme would not lead to conditions to

the detriment of highway safety. The proposal has been subject of extensive discussions in order to ensure that, amongst other items, turning facilities were maintained within the car park to ensure that servicing of the public house would continue, adequate sightlines were proposed onto Blackburn Road and that a clearly defined pedestrian route into the site from the main road was incorporated into the scheme.

All of these matters have been satisfactorily resolved and therefore the County Surveyor does not raise any objections to the development outlined.

Flooding

Reference has been made by one of the objectors to the submitted FRA and the Environment Agency have considered the submitted details. The FRA was originally submitted in relation to application 3/2009/0160/P which put forward a different layout of dwellings to the Blackburn Road frontage. They are aware of the revisions to the layout since that time. Notwithstanding this they have confirmed that subject to the imposition of suitable conditions, they would not raise any objection to the development on the grounds of potential flood risk.

Visual Amenity/Impact on Character and Appearance of Conservation Area

As stated the site lies within the Conservation Area of Ribchester and number 49 Blackburn Road is identified as a building of townscape merit in the Conservation Area Appraisal undertaken by the Conservation Studio 2005 and adopted by Ribble Valley Borough Council following public consultation in April 2007. That document also identifies that the *“open space at the rear of the Black Bull, visible through the gap in the Blackburn Road frontage north of the Black Bull is unkempt and out of keeping with the historic character and appearance of the Conservation Area”*. It is thus considered to represent a negative feature in the Conservation Area in the SWOT analysis identified during the appraisal process. However, this should not mean that all other considerations regarding development within Conservation Areas are disregarded in order to permit any form of development on this site. Ribchester Conservation Area is characterised by two-storey 18th and 19th century terraced linear development along its arterial routes and this form of development would appear to have inadvertently produced a number of part enclosed backland informal spaces – the site in question being an example of this.

In assessing the overall design of this proposal and potential impact on the character and appearance of the Conservation Area, regard has been had to Policies of the Districtwide Local Plan, the Conservation Area Appraisal and PPS5. To this end the Council's Design and Conservation Officer has been consulted on this scheme, given its setting within the historic core of Ribchester, and he has been involved in the extensive negotiations that have been ongoing in order to secure revisions to the design. Construction materials to key elevations are to be stonework, slate roof and timber windows/doors with the use of render to the rear two-storey projection on the terraced row. The submission includes existing and proposed street scenes in order that the visual impact of the development can be set in context. The Council's Design and Conservation Officer has expressed some concern over the visual appearance of the two units fronting Blackburn Road, in particular their height in relation to immediately surrounding development. However, I am of the opinion that this scheme in its revised design as received on 27 September 2011 is considered in aesthetic forms to be an appropriate form of development which would not harm the character and appearance of the conservation area.

Residential Amenity

The site is surrounded predominantly by residential properties and regard should be had to the potential impact on those from the redevelopment of this site in the manner outlined above. The terrace of five units which is proposed to run north/south through the car park would be gable onto the rear of the terrace numbers 43 – 48 that align Ribchester Road. There would be a distance of approximately 17m between the rear of those dwellings at first floor (they have single storey rear extensions that lessen the distance) and the blank gable of the new dwellings. I consider this is sufficient distance away so as not to cause any significant detriment from potential over-bearing nature of development or loss of light. To the east properties are set sufficient distance away (in excess of 30m) and to the south commercial units. The plans denote acoustic fencing to the east boundary in order to protect the new properties from any commercial activity and an appropriately worded condition can ensure specific details of this are submitted for detailed consideration by the Council's Environmental Health team to protect residential amenity.

The proposed two units fronting onto Blackburn Road would face onto numbers 2 and 3 with a distance of approximately 10m between the respective front elevations. The dwellings proposed here would have a doorway and kitchen/dining window at ground floor and a bedroom and a bathroom window at first floor. Number 3 Blackburn Road has openings at both ground and first floor and on the basis of the plan submitted it would appear that the windows would be offset from one another. The situation would appear to be the same for number 2. Having regard to the overall character of the Conservation Area in terms of compact nature of development, I consider that provided the windows are off-set no significant harm would be caused through mutual overlooking.

Miscellaneous

Reference has been made to potential financial contributions towards the amenity of the village and whether thought had been given to turning the site into a green communal space for the village. In terms of financial contributions the site is below the threshold of 10 unit which we consult LCC on in terms of their planning obligations paper. Similarly the site is below the 1 hectare indicative threshold expressed in Policy RT8 (Open Space Provision) of the Districtwide Local Plan where a contribution would automatically be sought. The Policy does state that on smaller sites the Council may seek a contribution where recreational facilities or public open space is inadequate. I do not consider it will be appropriate in this instance to seek a contribution having regard to the facilities of Ribchester and also having regard to the community benefit secured by the two affordable units being created and enhancement of an area that is identified as a weakness in the Conservation Area Appraisals.

Legal Agreement Content

As stated the scheme is submitted with a draft Legal Agreement which will ensure the following:

- 2 new build properties to be offered as affordable rental units.
- Contribution of £90 per unit to RVBC for administration and delivery costs in providing appropriate wheeled bins.

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

SUMMARY OF REASONS FOR APPROVAL

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

RECOMMENDATION: That the application be DEFERRED AND DELEGATED to the Director of Community Services for approval subject to the satisfactory completion of a Section 106 Agreement to deal with matters of affordable housing and financial contribution for wheeled bins and the imposition of the following conditions:

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

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

2. This permission shall be implemented in accordance with the proposal as detailed on drawings 11/01/05-01 REV F proposed site layout, 08/1120-02 REV D proposed floor plans Plots 6-7, 11/01/05-03 REV F proposed elevations Plots 6-7, 08/1120-04 REV D proposed floor plans Plots 1-5, 08/1120-05 REV E proposed elevations Plots 1-5, 08/1120-06 REV E location and block plan, 11/01/05-08 REV F existing and proposed street elevations received on 27 September 2011.

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

3. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

REASON: To ensure and safeguard the recording of any archaeological deposits as required by Policies G1, ENV14 and ENV15 of the Ribble Valley Districtwide Local Plan.

4. Prior to commencement of development a detailed scheme for the provision of a suitable noise barrier along the site's eastern boundary shall be submitted to and approved in writing by the Local Planning Authority. The measures so submitted and approved shall then be fully implemented and thereafter retained.

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

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

The approved landscaping scheme shall be implemented in the first planting season following occupation or use of the development, whether in whole or part and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local

Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

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

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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan ensuring a satisfactory standard of appearance given the location of the site in a Conservation Area.

7. Notwithstanding the submitted details the gable elevation to Plot 6 shall be constructed in coursed stonework with details of the type, coursing and jointing of the natural stone to be used throughout the scheme being submitted to and approved in writing by the Local Planning Authority. The development shall be built to conform with the details so approved.

REASON: In the interest of the visual amenity of the area and so that the Local Planning Authority shall be satisfied as to the details and in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

8. Precise specifications of windows and doors, including cross-section drawings of window frame form and method of opening shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order to safeguard the character and appearance of the Conservation Area in accordance with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan.

9. Windows and doors shall be painted within one month of their insertion in accordance with details which will first have been submitted to and agreed in writing by the Local Planning Authority.

REASON: In order to safeguard the character and appearance of the Conservation Area in accordance with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan.

10. All new and replacement gutters shall be cast iron or aluminium supported on 'drive in' galvanised gutter brackets.

REASON: To comply with Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

11. The development shall be carried out in accordance with the flood mitigation measures outlined in the Flood Risk Assessment submitted in support of the application unless agreed otherwise in writing with the Local Planning Authority.

REASON: To reduce the danger to intended occupants of the buildings from potential flooding in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

12. This permission shall relate to a Section 106 Agreement dated which includes provisions for the delivery of affordable housing.

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

APPLICATION NO: 3/2011/0247/P (GRID REF: SD 373073 441975)
PROPOSED OUTLINE APPLICATION PROPOSING THE ERECTION OF 38 MARKET DWELLINGS AND 16 AFFORDABLE DWELLINGS AT LAND OFF CHAPEL CLOSE, LOW MOOR, CLITHEROE

TOWN COUNCIL:

Object for the following reasons:

1. Over-intensity of development.
2. The narrow entrance into Chapel Close for a potential further 100 vehicles.
3. The pressure of the further 100 plus vehicles on an existing difficult road structure.
4. Pressure on Edisford School for the extra potential pupils.
5. Availability of the existing sewage system to cope with additional dwellings. There would appear to be some difficulties at the moment on occasions.
6. A ransom strip of land between the properties on Meadowland and the potential development site. Has the ownership of this been considered by the developer?

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

I have no objections in principle to this proposal on highway grounds. However, there are a number of highway matters regarding aspects of the proposed development that could prove detrimental to residents and the operation of the local highway network. These matters should be resolved and formal agreements reached prior to permission being granted.

Parking Provisions

From the available site plans, the most recent of which dates from 8 June 2011, I have identified a total of 127 car parking spaces for the 54 properties, 39 of which are garages, either integral or detached. This level of provision would be appropriate for the various house types and layout shown on plan.

However, the supporting information for the application identifies 105 spaces, including 3 mobility spaces. It would be very beneficial to have any potential anomalies between the figures I have extrapolated and those identified on the application, made explicit.

Garaging

In relation to the garage provisions, details of their dimensions and layout are essential in order to ascertain if they can be used, in perpetuity, for the safe garaging of private vehicles. While the LCC standard dimension for a single garage is 3m by 6m, there is a degree of flexibility where the storage of materials, etc is not required.

Therefore, I would request that the following Condition should be attached to any future consent your Committee may provide in respect of this application;

- In order to retain the use of this space for the garaging of a private vehicle, the future development of this amenity for residential space or for exclusively storage purposes is to be prohibited.

Highway Safety

I have attached a plan of the Low Moor area indicating the location of Reported collisions involving personal injury during the last five years, 30 June 2006 to 1 July 2011 in the Low Moor area indicate that there have been three incidents and I have summarised them below:

Location	Date	Severity	Description
Union Street at Ribble Way	31.07.08	Slight	Pedal cyclist emerged into oncoming traffic
Queens Street & Union Street	20.12.09	Slight	Emerging from Queen Street vehicles collide on Union Street
St Pauls Street & Edisford Road	07.10.07	Slight	Emerging vehicle collides with PC on Edisford Road

Access

The access road to the site extends from Chapel Close and will provide a consistent carriageway width and footways of minimum width 1.8m to either side. As part of the Reserved Matters, the construction and design of the access road and other links will be conditioned to be consistent with the Lancashire County Council Specification for Construction of Estate Roads and the parameters set out in Manual for Streets 2.

There has historically been a lack of clarity concerning the continuity of land ownership on the route of the access road to the north of No. 3 Chapel Close. However, this will not in itself restrict the potential development of the site as there are existing rights of easement to the area of land being considered here.

The local highway infrastructure allows for a choice of routes from Chapel Close to St Paul's Street and thence to Edisford Road. The anticipated peak hour traffic generated by a 54 property development is likely to be less than 20 two way vehicle movements. At this level, the impact on vehicle flows and the experience of residents and other road users will not be significant.

Speed Limits

The introduction of a 20mph Speed Limit across Low Moor and a wider area identified as "Clitheroe North" has recently been advertised and will be implemented in the coming months. Accordingly, the design of the site layout will be consistent with the aims of Manual for Streets 2.

Planning Obligations

Should the Local Planning Authority be minded to approve this development, the County Council would seek planning obligation contributions from this development to fund measures that support sustainable transport. It is acknowledged that a number of measures provided under proposed s278 highway works support sustainable development. However, it is considered that further sustainable measures will be necessary to promote and support sustainable development, particularly in respect of public transport. Until agreement has been reached on all highway matters the Highways Authority is unable to provide full details on the request for planning obligations relating to highways and transport. The planning obligations are expected to cover:

- contribution for sustainable transport, walking, cycling and public transport; and
- request for contribution for advice and assistance with the Travel Plan.

A Highways contribution of £96,490 will be sought. This is based on 54 dwellings of varied room size, 38 for open sale and 16 affordable, with an approximated Accessibility score of 24, as follows:- 7 x £1,600 and 31 x £2,130 = £77,230 and 16 x £1,070 = £19,260.

Committed Development

There are no committed developments in the immediate vicinity of this site.

PROW

There is an existing Public Rights of Way, Footpath 21, running along the length of the existing access from Chapel Close. There is no proposed revision of the footway as a result of this development.

Public Transport

The C1 service presently operates within Low Moor, but is now being run directly by Lancashire County Council. This reinforces the view that plans need to be agreed to secure a long term, viable Public Transport service to ensure that this development is sustainable.

The issue of accessibility by sustainable public transport must be addressed. I refer to IHT "Guidelines for Public Transport in Developments" – with particular reference to pp 149/150 Annex B: "Public & Sustainable Transport Assessment".

This development features a single access point for highway traffic, removing the possibility of operating a through bus service that would provide the conditions required for its long term sustainability.

However, the proposal satisfies the key requirement that all proposed housing should be within 400m walking distance of a regular and frequent bus service.

The nearest formal stop is at St Ann's Court and the level of service is limited to daytime only, with no evening services and only 4 buses on a Sunday.

Furthermore, as the layout of the site does not encourage use of public transport, it will be increasingly reliant on the use of private transport, increasing traffic levels on local network as indicated elsewhere in this response. The existing arrangements would make it difficult for residents to access employment or other facilities outside of the immediate locality at anything other than peak travel times.

In order to address these deficiencies, I would recommend the development funds the upgrading of the existing stop and the provision of a new bus stop on Union Street. Subject to a suitable design being agreed, the intention would be to pursue stops to LCC Quality Bus Standards, including illuminated shelters to LCC specification, raised footway (160mm kerb height) and Bus Clearway Markings.

I would initially estimate that the costs of this provision would be £20k plus a £2k commuted sum for future maintenance. I would require that acceptance to future maintenance of the shelters by Borough Council is obtained as part of this process.

Cycling

I have no request for specific cycle provisions from this development.

Traffic Regulation Orders

There are no TRO's being proposed as a part of this application.

Standard Conditions

There are a number of Standard Conditions that will apply to this application.

LANCASHIRE COUNTY
COUNCIL PLANNING
CONTRIBUTIONS OFFICER:

Have considered the application as originally submitted and comment as follows:

Transport

There is likely to be a contribution request for sustainable transport measures in relation to this development. (See comments from County Surveyor)

Education

The response dated 3 May 2011 detailed a need for a contribution from the developer for the full primary pupil yield for this development ie 20 places.

Using the DCSF cost multiplier (12,257 x 0.9) x 1.1072 per place = £244,277.

In terms of secondary school places a contribution from the developer for the full pupil yield of this development ie 14 places was sought.

Using the DCSF cost multiplier (18,469 x 0.9) x 1.1072 per place = £257,656.

The total education contribution sought on the basis of these figures was £501,933.

However the most recent response from the education team at Lancashire County Council dated 22 September 2011 outlines the following:

Requirement based purely on forecasts:

Primary

There were 185 places in the local primary schools at January 2011 pupil census.

*Latest forecasts*¹ for the local primary schools show there to be just 1 place in 5 years' time. These forecasts take into account the current numbers of pupils in the schools, the expected take up of pupils in future years based on the local births, the expected levels of inward and outward migration based upon what is already occurring in the schools and the housing development within the local 5 year Housing Land Supply document, which has already had planning permission.

Therefore, we would be seeking a contribution from the developer for a contribution in respect of $19 - 1 = 18$ places.

Secondary

There were no surplus places in the local secondary schools at January 2011 pupil census. Therefore, early delivery of this development would impact upon school places.

However, *Latest forecasts*¹ for the local secondary schools show there to be approximately 47 places available in 5 years' time.

In addition, a planning application has already been approved for the former Cobden Mill, which has the potential to yield 11 additional pupils which are expected to attend one of these secondary schools.

Therefore, the number of remaining places would be 47 less 11 = 36 places. Therefore, there is sufficient capacity to accommodate the potential yield of 14 pupils from this development in the longer term.

Other developments impacting upon these schools pending a decision (including appeals):

When considering this reassessment, LCC would ask that Planners be aware of the significant number of developments which are either pending a decision or have appealed and a decision has not yet been made.

These developments are as follows:

Henthorn Road - appeal pending?
Barkers Garden Centre
Barrow Brook Business Village
Chatburn Old Road
Victoria Mill

These developments have the potential to generate an additional 95 primary and 96 secondary school pupils for this group of schools. Therefore, if any decisions were to be made on those developments (including by the Planning Inspector) before the decision on this development, the number of available places would be reduced and the impact may be significant enough to impact upon the ability to provide local children with a local school place.

Summary of response:

There are sufficient secondary school places to accommodate this development.

However, LCC would be seeking a contribution from the developer in respect of 18 primary school places.

18 places @ (£12,257x0.9) x1.1072 per place = **£219,849**

In the event that the decision on this development is taken after that on other developments affecting these schools, the maximum contribution which could be sought would be for the full pupil yield of this development is as follows:

Primary places 19 places @ £12,257x (0.9) x 1.1072=
£232,063

Secondary places 14places@ £18,469 x (0.9) x 1.1072=
£257,656

¹ Latest forecasts produced at spring 2011, based upon Annual Pupil Census January 2011.

Waste Management

The County Council makes vital major investments in waste management infrastructure for reasons of environmental protection and sustainability. Every district in the County is being provided with advanced treatment facilities to treat waste prior to landfilling, either directly or via purpose designed transfer stations. Since each and every new house, wherever it is in the County, has to be provided with this basic service and the Council has to comply with significant new requirements relating to the management of waste, it is considered that the Council is justified in requesting a contribution towards waste management. Based upon the Policy Paper methodology for Waste Management, the request is £26,880.

By way of summary, the likely planning contribution request for Lancashire County Council services is as follows:

Transport	To be finalised as part of S106 negotiations
Education	£219,849
Waste Management	£ 26,880
<hr/>	
Grand Total	£246,729

LANCASHIRE COUNTY
COUNCIL (ARCHAEOLOGY):

On the basis of the RSK's Archaeological Desk Based Assessment, impact assessment and proposal for mitigation report it would be a reasonable assumption that the former site of the St Nicholas Leper Hospital does not lie within the current application site. Consequently LCAS does not consider that any further archaeological investigation of the site is necessary.

ENVIRONMENT AGENCY:

Further to discussions with RSK regarding the Food Risk Assessment submitted with this application, the Environment Agency are now satisfied that the return period flows are appropriate and thus raise no objections to the proposed development subject to the imposition of conditions regarding flood risk.

The boundary of the proposed development is shared with the boundary of a former landfill site known as Ashworth's Farm. The site was filled before the controls imposed under the Control of Pollution Act 1974. A former munitions storage facility was present on the site during World War II and anecdotal evidence implies that mustard gas may have been deposited in the landfill. As such it is recommended that conditions be imposed regarding site investigation.

In respect of biodiversity, any vegetation clearance should be conducted outside of the bird breeding season. The site contains existing structures which may support bats. All British species of bats are protected by Section 9 (1 and 4) of the Wildlife and Countryside Act (1981) Bern Convention, and the Bonn Convention.

Under the Wildlife and Countryside Act (1981) it is an offence to intentionally kill, injure or take from the wild; damage or destroy or obstruct access to places of shelter or protection; disturb these species while they are in a place of shelter or protection. A Natural England Licence is required to undertake survey work and a DEFRA licence is required to undertake mitigation work that will affect any bat species or its roost.

UNITED UTILITIES:

Have no objections to the proposal.

ADDITIONAL REPRESENTATIONS:

A total of 61 letters of objection have been received to the development. Members are referred to the file for full details of these which can be summarised as follows:

1. Low Moor has a serious problem with traffic flow and access which is already at a dangerous level and will be further exacerbated by an additional 100 plus cars.
2. An access to Edisford Road should be provided before any building works commence.
3. The only exit from the village onto Edisford Road is already hazardous and if the proposed change of premises by Spar becomes a reality, the junction will be even more dangerous.
4. A one-way system along St Paul's Street, High Street along the west end of Nelson Street onto Union Street, Queen's Street and back onto St Paul's Street may alleviate some of the problems.
5. There are three residential homes for the elderly who frequently require the need of emergency vehicles and there are already instances of access problems by emergency vehicles as well as buses.
6. Concerns over the impact of heavy construction traffic on an already vulnerable local road system.
7. The levels of additional traffic would cause a danger to the elderly and children.
8. The number of parking spaces within the development is insufficient.

9. Reference to previous discussions with a Highway Officer of Lancashire County Council regarding traffic and an understanding that the village could not take further development that would result in more traffic.
10. Reference to areas where the road network is reduced to single width due to parked vehicles and concerns over the capacity of the existing network to accommodate the additional vehicles – two public access roads to the site both of which are narrow, residential and at present quite enough for children to play in. This development will reduce in a considerable increase in traffic with all the dangers involved and considerable inconvenience. Already it is necessary for road users to frequently pull over to allow the passage of oncoming vehicles down St Paul's Street.
11. Opposition to building on green field sites.
12. There is an abundance of suitable brown field sites and if there is such a shortage of housing as claimed, why is a construction of a fourth supermarket going ahead in Clitheroe.
13. The building of multi-storey accommodation would be a solution to a housing shortage – the construction of the three-storey Ribble Valley Homes Office demonstrates the Planning Department is quite amenable to multi-storey-ism.
14. The development falls outside the settlement boundary.
15. The land is designated open countryside. ENV3 should be read and followed carefully.
16. The development is contrary to Policies G2 and G7.
17. The site is green belt.
18. The SHLAA 2008 identified only part of the site for development.
19. The Housing Needs Survey 2008 identified a need for one and two bedroom accommodation, particularly for the elderly and young people. This application provides mainly for the profit of the private developer.
20. The type of housing proposed does not appear to be appropriate for the area.

21. The dwellings would not form part of the existing village but be an almost self contained area.
22. The number of houses proposed is out of proportion to the existing size of Low Moor village, representing a 15-20% increase in the size of the village.
23. Question the density of development – it is contended that this development represents considerable over-development of the available land.
24. With the proposed development of 250 houses at Henthorn and other sites under consideration why does Low Moor need any more houses?
25. If, when balancing all the factors, some development on the site is allowed, the Council need to be mindful of creeping development. If we are not careful the whole banks of the Ribble will be built upon and the character of Clitheroe permanently harmed.
26. The public open space provision seems without imagination.
27. The development would have a detrimental impact on the landscape/flora and fauna due to the loss of trees, hedgerows and natural habitats.
28. An environmental survey has been submitted but this appears to be misinformed. There are small brown amphibians living on the site near the cuts/dykes, although the recent removal of topsoil etc must have had a drastic impact on this habitat.
29. There are Great Crested Newts in the area which appear to have been totally ignored or glossed over.
30. Loss of agricultural land with its food production capacity.
31. There are deer, bats, badgers, owls and Peregrine Falcons.
32. There is no provision to retain the existing field pond in the development.
33. The application mentions contamination but makes no mention of the significant quantity of asbestos waste that has been stored on the land for at least the last 12 years.

34. Where are all the children going to attend school? The local primary schools are all full as are the secondary schools.
35. Do medical facilities have such spare capacity that they can accommodate this large increase in the local population?
36. Concerns about sewage capacity – during heavy rainfall the foul sewers cannot cope with the existing flows and have overflowed on several occasions.
37. Has the effect of several years of ongoing construction been considered?
38. Adverse impacts on surrounding properties in terms of loss of sunlight to the gardens, light pollution in the evenings, noise pollution, air pollution, loss of privacy and overlooking and the proposed houses creating a dominating and oppressive effect.
39. The dwellings are of excessive height in comparison with other buildings on Riverside.
40. Query the relationship of the development with the allotments which may mean future residents make representations to the Council regarding environmental health issues associated with noise and disturbance from animals kept on the allotments.
41. Better layout should be considered that provide buffers to existing housing and minimise if not eliminate the difficulties of houses overlooking one another.
42. Decisions concerning the proposed application should not be made within the walls of a Council building and recommend that an organised visit to the site thus effecting practical and proper decision-making takes place.
43. Should RVBC allow this development to take place, then it is a clear signal that our Council places the needs of big business (who obviously prefer green field to brown field sites) before those of the people they are supposed to represent, and makes a mockery of the democratic process.
44. The current condition of the site (which Mr Ashworth has turned into an industrial land stripping operation) is so dire that some small development might be an improvement.

45. What is the status of the caravan that has been occupied for at least the last 12 months?
46. The area by the allotments on the way to the river is part of the Ribble Way and used by a lot of walkers and more dwellings would spoil this beautiful unspoilt countryside.
47. Why did the developers move in with their machinery and start developing the site by stripping the surface before the application had even been filed?
48. The planning history of the site shows previous applications have been refused.
49. It would create an undesirable precedent.
50. The idea of building a speculative housing estate across and around the Ribble Valley is obscene.
51. Devaluation of property prices.
52. Question whether there is a Ransom strip on a thin strip of land to the rear of Meadowlands.

Proposal

This is an outline application which in its revised form seeks consent for the erection of a total of 54 dwellings which includes 16 affordable dwellings with the remaining 38 dwellings being market properties. Approval is sought for the means of access into the site together with the siting of the dwellings and provision is made on site for public open space which will be privately managed. The site is approximately 1.88 hectare with this scheme giving a gross total density of 33 units per hectare.

Access to the site is proposed from Chapel Close and a new road will be constructed within the site ownership to enable a direct connection to Chapel Close. The access road will then sweep into the larger portion of the site to the east of public footpath number 21 to service most of the new dwellings (43 units). A number of properties will be served from a driveway at the northern end of this access (5 dwellings) which will also safeguard the existing public right of way which follows the same route. There are 6 properties to the west of the road leading from Chapel Close 4 of which will have individual driveways onto that road with Plots 5 and 6 accessed of a hammer/turning head.

It is proposed that most of the dwellings will be detached, although the scheme does provide for a small number of terraces, semi-detached, bungalows and apartments. Dwellings in the main will be 2 storeys in height with one property being 2 ½ storeys interspersed with bungalows. The submitted Design and Access Statement provides a table of approximate overall dimensions of house types shown on the submitted master plan and indicates heights ranging from 5.7m (bungalow) to 7.9m for the dwellings and approximately 8.1m for the apartment block which is situated in the northeast corner of the site. Plots 24 to 39 will be affordable housing

provided in partnership with an approved registered provider with several specifically earmarked for affordable sheltered or elderly care.

An area of public open space is set to the east of the access road leading from Chapel Close with dwellings surrounding it on all sides providing natural surveillance.

Site Location

The site lies to the north of Chapel Close outside but immediately adjacent to the settlement boundary of Clitheroe, lying within land designated open countryside. The site is green field in nature with existing hedgerows along its eastern, northern and southern boundaries. The scheme submitted has its main area for development to the immediate east of an existing track leading from Chapel Close that heads in a northerly direction and has public footpath number 21 along its route. This larger section of land is fairly level and has the dwellings fronting Meadowlands running along its southern boundary. There are open fields beyond to the east and north with a number of allotments set to the northwest of the site. The smaller section of development to the west of the track is on land which does fall away in a westerly direction towards properties on Riverside. At present there is an unauthorised caravan in situ on the site.

Relevant History

3/2003/0924/P – Use of land for horse breeding and erection of stables, office and staff room, siting of caravan until office/staff room completed. Refused. Appeal allowed.

3/2001/0690/P – Change of use of land for stabling and horse breeding and erection of stables. Refused 19 December 2002.

3/85/0362/P – Erection of two houses. Refused.

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV3 - Development in Open Countryside.

Policy H20 - Affordable Housing - Villages and Countryside.

Policy H21 - Affordable Housing - Information Needed.

Policy RT8 - Open Space Provision.

Policy T1 - Development Proposals - Transport Implications.

Policy T7 - Parking Provision.

Affordable Housing Memorandum of Understanding.

Policy DP1 – Spatial Principles, North West of England Regional Spatial Strategy to 2021.

Policy DP2 – Promote Sustainable Communities, North West of England Regional Spatial Strategy to 2021.

Policy DP7 – Promote Environmental Quality, North West of England Regional Spatial Strategy to 2021.

Policy L1 – Health, Sport, Recreation, Cultural and Educational Services Provision, North West of England Regional Spatial Strategy to 2021.

Policy L4 – Regional Housing Provision, North West of England Regional Spatial Strategy to 2021.

Policy L5 – Affordable Housing, North West of England Regional Spatial Strategy to 2021.

PPS1 – Delivering Sustainable Development.

PPS3 – Housing.
PPS7 – Sustainable Development in Rural Areas.
PPG13 – Transport.
PPG17 – Planning for Open Space, Sport and Recreation.
PPS22 – Renewable Energy.
PPS25 – Development and Flood Risk.

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application are the principle of development, whether the affordable housing offer meets identified needs, highway safety, infrastructure provision, nature conservation, visual and residential amenity. For ease of reference these are broken down into the following sub-headings for discussion:

Principle of Development

The policy basis against which this scheme should be appraised is set out in the context of national, regional and local plan development policies. The site falls within land designated as Open Countryside (policy ENV3 and policy G5).

The proposals are for the development of 54 residential units, 16 of which are for affordable housing. Policy G5 of the DWLP recognises the need to protect the countryside from inappropriate development, and therefore planning permission for local needs housing would only be considered if an affordable local housing need could be identified in this location.

This approach of meeting an identified, affordable housing need is consistent with Policy ENV3 of the Districtwide Local Plan which, as well as requiring that any development must be in keeping with the character of the landscape area and reflect local vernacular, scale, style, features and building material, also stipulates that only development that has benefits to the area will be allowed. Although small-scale affordable housing that meets an identified need would comply with this requirement, wider issues of site suitability and housing supply must also be considered.

In looking at this issue it is apparent that Ribble Valley Borough Council is currently unable to identify a 5-year supply of deliverable housing land, with this figure standing at 2.9 years as at 31/03/11 (most up to date monitoring information). Paragraph 71 of PPS3: Housing, states that where LPAs 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 considerations in paragraph 69.

Paragraph 69 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.

An important consideration in assessing these proposals is bullet point 3 of para 69 (as above), which relates to the need for Local Planning Authorities to have regard to the suitability of a site

for housing, including its environmental sustainability, as well as bullet point 5, which requires that development consider planning for housing objectives. Paragraph 10 and 36 of PPS3 discuss this further and state that housing developments should be in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure.

In assessing the sustainability of the site regard should also be had to national planning guidance offered in PPS1 'Delivering Sustainable Development' and PPS7 'Sustainable Development in Rural Areas'. The latter document comments in paragraph 3 that 'away from larger urban areas, planning authorities should focus most new development in or near to local service centres where employment, housing (including affordable housing), services and other facilities can be provided close together'. PPS1 comments in paragraph 8 that 'the plan led system, and the certainty and predictability it aims to provide is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan unless material considerations indicate otherwise (in this instance the requirements of PPS3). Reference is also made in paragraph 33 to the fact that 'good design ensures attractive, usable, durable and adaptable places and is a key element in achieving sustainable development'.

It is considered that although the site would be located on land designated as open countryside, it is adjacent to the settlement boundary of Clitheroe and therefore closely related to a service centre which can offer these facilities and access, which is in line with planning for housing objectives and considered a suitable site for housing. Therefore it is considered that the proposals satisfy the criteria set out in paragraph 69 of PPS3 and the requirements of PPS1 and PPS7 in terms of sustainable development.

In relation to ensuring the proposed development is in line with planning for housing objectives the level of affordable housing provision on the site needs to be considered and is considered in detail below.

In relation to the issue of a 5-year supply of deliverable housing sites, it is important to note that the situation is subject to rapid change. At the present time, the overall housing requirement for Ribble Valley is determined by the Regional Spatial Strategy (RSS) however Government advice has highlighted that the RSS is soon to be abolished and as a result it will fall upon LPAs to determine what the housing requirement should be for their own borough, albeit determined upon strong and robust evidence. As a result, in preparation for this abolition and having regard to the time frames involved in consulting upon and adopting new housing numbers for use in determining planning applications and working on the Strategic Development Plan, Ribble Valley Borough Council recently instructed Nathaniel, Litchfield and Partners (NLP) consultants to undertake some work on assessing what the overall requirement for housing land should be in the borough. This work is now complete, and Members have resolved to publish this information for public consultation. Therefore as a result it must be considered that dependent upon the outcome of this consultation, the five-year supply position is subject to change.

The potential for change in policy is also relevant in relation to the emerging Local Development Framework. Between June and August 2011, consultation took place on further development strategy options work, forming part of the Regulation 25 stage Core Strategy. A high level of response was received and analysis work is currently being undertaken to work towards identifying a preferred development strategy option. Consultation work was also undertaken on developing the LDF Development Management policies and Key Statements document, as well

on a revised Memorandum of Understanding on Affordable Housing, now titled 'Addressing housing need in Ribble Valley'. Once adopted, as is anticipated in the coming months, there will be a requirement to provide sheltered provision as part of the scheme, and the thresholds for affordable housing provision currently set out in the AMHU are subject to change.

Affordable Housing

In considering the affordable housing element of the proposal, it is important to have regard to Policies H20 and H21 of the Ribble Valley Districtwide Local Plan and the Council's Affordable Housing Memorandum of Understanding (AHMU). Policy H20 of the Plan identifies that on sites outside defined settlement limits, schemes should provide for 100% affordable needs. However, having regard to material considerations, namely PPS3 as outlined above, I am of the opinion that as the scheme immediately abuts the saved settlement limit of Clitheroe a more relaxed approach is in order and that it is the requirements of the AHMU and Policy H21 that the affordable elements of the scheme should be assessed against.

In terms of assessing the development under the requirements of the AHMU a scheme outside defined settlement limits for three or more dwellings (or sites of 0.1 hectare or more) should provide 30% of the site for affordable provision. Policy H21 sets out the information to be submitted in support of affordable schemes in terms of who the accommodation is intended to be provided for and details of the methods by which the accommodation will be sold, let, managed and retained a suitable for its original purpose.

The scheme is made in outline for the erection of 54 dwellings. A draft Legal Agreement was submitted with the application and has been the subject of negotiations with the Council's Housing Strategy Officer in order to ensure that the scheme matches identified needs. Given the scheme is within the Clitheroe area, the approach taken is that development in this key service centre should meet housing needs expressed throughout the borough and not just those specific to the parish as is the case in the villages. The negotiations have secured revisions to the originally submitted agreement with the Legal Agreement content sub-heading later within this report providing specific details for the clauses covering the affordable elements.

Highway Safety

Members will note that many of the objections received to this development relate to matters of highway safety. The response of the County Surveyor has been given in full earlier in this report in order that Members can see the range of issues that have been examined in forming the conclusion that there are no objections in principle. The Officer at Lancashire County Council question the number of parking spaces in his response and the applicants have confirmed that the scheme would allow for a maximum of 120 spaces (the form does however stated 105) and this is considered acceptable.

The response from Lancashire County Council comments that matters that could prove detrimental to residents and the operation of the local highway network should be resolved and prior agreement reached prior to permission being granted. This has been queried as to whether the applicant discussing the contribution for sustainable transport, walking, cycling, public transport and advice/assistance with the travel plan in order to sign up to the Section 106 Agreement would be sufficient or if further measures are necessary prior to Committee even considering this scheme. It is the opinion of the Highways Officer at Lancashire County Council that the matters identified can adequately be addressed as part of the negotiations to finalise a Section 106 Agreement and thus it would be appropriate for Members to establish whether they

are satisfied with the principle of development on this site prior to those detailed negotiations. As Members will see the potential contribution sought towards highway measures is a substantial sum of money and the applicants have stated that they have no objection in principle to making such contributions subject to achieving a negotiated agreement on the level and phasing of the contributions.

I am also mindful that public footpath number 21 dissects the site. The Public Rights of Way Officer at Lancashire County Council has commented on the application and stated that the public right of way must not be obstructed during the proposed development. It is the responsibility of the land owner to ensure that the necessary procedures are followed and if it is necessary for the public right of way to be temporarily diverted or temporarily closed this is the responsibility of the land owner to ensure it is done following the appropriate legal proceedings.

Education

Members will note from the response of LCC that the position and subsequent contribution request for an education has changed since the initial response received in May 2011. In light of discussions that took place regarding the recent planning appeal and public inquiry for the development at land off Riddings Lane, Whalley, and bearing in mind comments made by the Inspector about the CIL test, a reassessment has been made taking into account just the approvals from other developments. The result of this is a reduced contribution for primary provision and no contribution sought towards the provision of secondary places. However, the point is made in the LCC response that if any of the other developments impacting upon the same schools as this site pending a decision, are granted approval before this scheme, then there needs to be a way of factoring that into any potential contributions sought. For this reason the reason the response from LCC now states a minimum at the time this report was drafted of £219,849 but also a potential maximum contribution of £232,063 towards primary places and £257,656 towards secondary places. It is the intention that at the time of finalising the Section 106 Agreement, an up-to-date reassessment of those pending decisions will be made to finalise the contributions sought up to the maximum level as outlined in the consultation response.

It is acknowledged that this is a different way of presenting this evidence to Members and indeed calculating the requisite sums of money. There has been much debate about what is reasonable to incorporate into any calculations of contributions given the amount of time it takes for these larger schemes to progress through the planning system. Hopefully this gives a fairer model that can adapt to changes in circumstance but it is recognised that it takes away the certainty for Members of a fixed sum of money being expressed when they reach their decision. However, based on the latest methodology being adopted by LCC at the time this report was drafted, the only contribution sought is towards primary provision with the sum of money being £219,849.

Public Open Space

Policy RT8 of the Districtwide Local Plan requires that residential sites over 1 hectare provide adequate and usable public open space. The supporting text notes that community open space within new residential areas provides a useful informal recreational facility for residents of the neighbourhood and a particular requirement will be for the provision of children's play areas.

The indicative site layout provides for an area of public open space measuring approximately 50m x 14m at a location immediately adjoining the access route from Chapel Close along which public footpath number 21 runs. The planning statement submitted in support of the application

outlines that this area will be privately managed and should Committee be minded to approve the application, a suitably worded condition will need to be imposed to ensure that the site is appropriately laid out and managed/maintained. It is considered that the size of the site provided is adequate and in terms of its positioning within the overall site I consider that in this location there would be natural surveillance of it by surrounding houses and indeed those using the public footpath. It could also be argued that it would also draw children from the surrounding area to make use of its facilities, whereas if it were in a more secluded spot within the core of the site it would not appear as accessible to those from outside the development site itself.

Nature Conservation – Protected Species/Landscape/Trees

This is a green field site and there are trees and hedgerows that align the site to establish field boundaries. As part of the application an Arboricultural Impact Assessment was submitted which provides a preliminary analysis of the impacts that the proposed development would potentially have on trees. It also offers guidance on suitable tree management and mitigation and appropriate tree protection measures in the context of the proposed development. The assessment identifies that the proposed development can be achieved with the removal of seven individual trees, one group and part of a hedgerow to facilitate the access all of which are considered of low value. It is considered that the loss of these trees would have a negligible impact upon the visual amenity value of the area and the loss can be more than adequately mitigated for through tree planting as part of the landscaping scheme submitted at reserved matters stage.

The application is also submitted with a Phase 1 survey report to present the results of ecological surveys undertaken, namely a Phase 1 habitat survey and an assessment of the habitat of all protected vertebrates. Most of the survey area is improved grassland with a smaller proportion of marshy grassland scrub. Hedges, ponds and ditches are also present but in a smaller proportion. The hedges are the most ecologically valuable feature on site and they are important in the landscape for maintaining habitat connectivity. Trees also have intrinsic value. However none of the habitats have more than low conservation value. In respect of protected vertebrates, badgers, bats, great crested newts, reptiles, nesting birds and water voles have been considered in the submitted survey information. In respect of these the only mitigation measures identified are that vegetation should be cleared outside the bird nesting season, if works are to proceed in the marshy grassland/scrub area then there should be a watching brief by an ecologist to ensure that no reptiles are injured whilst vegetation is removed and that whilst no bat roosts were identified, there is a good quality foraging habitat that includes trees, scrub, hedgerow, marshy grass land and ponds. Thus because bats often fly along linear features such as hedgerows, these should be retained where possible and trees should be retained where possible.

Therefore notwithstanding comments received about the nature conservation value of the site, it is considered that subject to the aforementioned safeguards there is no justifiable reason to withhold consent on ecological grounds.

Layout/Scale/Visual Amenity

As stated previously this is an outline application with the two detailed matters being applied for at this stage being means of access and layout. To assist the Local Planning Authority in making a decision on these matters, there is a requirement for applicants to provide a basic level of information on other matters including parameters of scale.

An indicative site layout has been submitted to show how the scheme would fit into the immediate surroundings with existing residential development to its southern boundary and set low to the far western boundary with open fields to the remainder. I am of the opinion that notwithstanding concerns expressed about loss of green field land, no significant detriment would be caused were the development to be approved. Reference has also been made by objectors to the number of houses proposed being out of proportion to the existing size of the village representing a 15-20% increase. This development would extend the built edge of Low Moor in a northern direction but the dwellings on Riverside already extend beyond the building line that runs along the back of the estate known as Meadowlands. Low Moor has grown piecemeal over the years and the density shown of this development at approximately 33 dwellings per hectare would I consider be in keeping with the area which, as Members are no doubt aware, contains a mix of predominantly terraces and semi-detached properties with detached and sheltered accommodation also evident. This scheme provides for a mix of house types and tenures and thus in terms of layout and visual amenity, I consider the scheme acceptable.

Turning to the scale of development the submission outlines upper limits for development of between 5.7m (bungalows) and 7.9m for the dwellings with approximately 8.1m for the apartment block. Having regard to the dwellings on Chapel Close and Meadowlands it is apparent that they are built to heights ranging between approximately 7.5m to 7.8m. Committee should remember that as scale is not a detailed matter being applied for at this stage, the heights are indicative with further information being submitted at reserved matters stage to provide precise details of each unit in terms of scale and appearance. On the basis of the information provided and having regard to the scale of surrounding developments, I do not consider that the parameters of scale shown would prove significantly detrimental to the visual amenities of the area.

Residential Amenity

In considering residential amenity, it is important to assess the relationship with properties outside of the site as well as that between the units proposed as part of this scheme. To the south are properties set on Meadowlands with properties at a lower level on Riverside to the west.

The properties on Meadowlands will back onto the development with the indicative site layout denoting the rear elevation of proposed properties facing onto these units at a distance of approximately 11m from the site boundary. I am aware that some of the existing dwellings have rear single storey extensions in the form of conservatories but it is the distance between facing habitable rooms at first floor that is an important consideration when assessing privacy. Members will be aware that the Council's SPG on extensions and alterations to dwellings advocates 21m as an indicative threshold and I am of the opinion that such a distance would be respected here. I am mindful that objectors have commented about overlooking but do not consider the impact on residents of Meadowlands would prove significantly detrimental to their existing amenities.

To the west of the site are properties situated on Riverside and the 6 dwellings to the west of the access road leading from Chapel Close would back onto those dwellings. The Design and Access Statement submitted with the application provides a site section running east/west to illustrate the gradients of land where these dwellings would be constructed. The dwellings would be built off existing ground levels adjacent to the track with there being a need to have a retaining structure part way up/down the banking to the rear to form a paved sitting area, with a

lower garden are to the rear of the site. This is a similar situation to existing properties on Chapel Close. As this is an outline application, these details are illustrative but provide sufficient information to make an assessment at this time. The development on Riverside that is to the west of the development site comprises 3 blocks – 2 terraces that back onto the site in the centre of these a terrace that is set at 90° ie its gable faces towards the rear of Plot 3. The distance between these blocks of development is approximately 38m from the rear of Plots 5 and 6 to the elevations of numbers 76-77 Riverside; 38m from the rear of Plot 3 to the gable of 78 Riverside and approximately 49m from the rear of Plot 1 and 45m from the rear of Plot 2 to numbers 82 and 83 Riverside.

The land to the east of these properties rises steeply towards the application site with the site section showing that levels within the application site rise by approximately 6m. The distance as proposed between properties would be greater than those between the dwellings on Chapel Close and properties on Riverside which is approximately 30m. After giving careful consideration to the scheme as outlined on submitted drawings, I do not consider that any detriment caused to existing residents would be so significant as to substantiate a reason for refusal on those grounds.

In respect of the internal relationship of the development site, the indicative site layout shows properties facing onto internal access roads/shared accesses. From the submitted plan it would appear that the separation distances between facing blocks are approximately 21m and thus I conclude the relationships to be satisfactory.

Miscellaneous

There are a number of points raised by objectors that do not sit easily within the headings given to consider the main issues associated with this scheme. Some of the points raised are matters of opinion that are not for the Local Planning Authority to pass comment on. However others can be addressed as follows.

Reference is made to previous applications which are mentioned under the relevant section of this report. As Members will be aware, each application should be determined on its own merits, having regard to the Policies (local, regional and national) that apply to that particular form of development. The most up to date guidance has been applied to this scheme and discussed elsewhere within this report. Mention is made of the caravan on site and its status is questioned. I can confirm that this is an unauthorised caravan and the Council's Enforcement Officer is aware of its presence. However, it was not felt expedient to pursue that matter whilst the outcome of this decision was awaited. As stated previously the site lies in land designated open countryside in the Districtwide Local Plan, it is not green belt. In terms of inclusion in the SHLAA, part of the site was included within that study but again as Members are aware that document does not mean that any site mentioned within it will receive planning consent or conversely if it is not included, is therefore unsuitable for development. An objector makes reference to contamination and it is evidenced from the observations of the Environment Agency that they consider an appropriately worded condition necessary to ensure that a study is undertaken to identify potential contaminants. In respect of drainage, again the comments of the Environment Agency and United Utilities are such that no objections are raised on this ground and as for the site's relationship with the allotments this is a use commonplace in residential areas.

Section 106 Content

The application has been submitted with a draft Legal Agreement which covers matters of affordable housing provision. This report has outlined this aspect and also identified matters raised by consultees in respect of various other contributions sought towards education and highways. To clarify for Members the Section 106 Agreement would stipulate the follows:

1. *Affordable Housing*

- The total number of affordable units shall consist of 16 new build dwellings.
- 6 of the units shall be affordable rental units (these shall be 2-bed apartments).
- 10 of the units shall be shared ownership (which shall be made up of 3x2-bed bungalows 3x2-bed houses; 3x3-bed houses and 1x4-bed house).
- Delivery of the affordable units be phased with the provision of market units to ensure that no more than 50% of the private housing is occupied until the affordable dwellings are developed.
- In terms of eligibility for the properties this shall relate to a borough wide connection.
- That the bungalows be available for the over 55 years.

2. *Education*

- This is defined in the first instance as being a minimum of £219,849 towards primary provision. However at the time the Section 106 is finalised a reassessment of pending decisions as outlined in the education response will take place in order to establish whether the additional contributions would be sought to the maximum level as outlined in their consultation response dated 22 September 2011.

3. *Wheeled Bin Provision*

- The developer to fund the administration and delivery costs of up to £90 per unit providing the appropriate wheeled bins.

4. *Highways*

- A highways contribution towards supporting sustainable transport measures of £96,490 (based on 54 dwellings of varied room size, 38 for open sale and 16 affordable, with an approximated accessibility score of 24, as follows:

$$7 \times 1,600 + 31 \times £2,130 = £77,230 \text{ and } 16 \times £1,070 = £19,260)$$

- £20,000 towards the cost of upgrading the existing bus stop at St Ann's Court and the provision of a new bus stop at Union Street, plus a £2,000 commuted sum for future maintenance.

It should be noted that LCC Highways have expressed the view that until agreement has been reached on all the highway matters in terms of the necessary sustainable transport measures, the above figures are not definitive and may be subject to change.

Members will note that it is not proposed to request the sum LCC have asked for in terms of waste management ie £26,880. The contribution sought by LCC is in accordance with their

policy paper on planning obligations in Lancashire which has not formally been adopted by the Council. A report presented to Planning and Development Committee on 16 December 2008 identified priorities for this Council when seeking contributions namely affordable housing transport safety, open space and education.

Therefore having carefully assessed all the above, I am of the opinion that the scheme accords with plan policy and recommend accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

RECOMMENDATION: That the application be deferred and delegated to the Director of Community Services for approval following the satisfactory completion of a Legal Agreement as outlined in paragraphs numbered 1-4 under the Section 106 Agreement sub heading within this report and subject to the following conditions:

1. Application for approval of reserved matters must be made not later than the expiration of 3 years beginning with the date of this permission and the development must be begun not later than whichever is the latter of the following dates:
 - (a) the expiration of 3 years from the date of this permission; or
 - (b) the expiration of 2 years from final approval of the reserved matters, or in the case of approval of different dates, the final approval of the last such matter to be approved.

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

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

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

3. This outline planning permission shall be read in conjunction with the Legal Agreement dated ...

REASON: For the avoidance of doubt as the application is subject of an agreement.

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

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

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

REASON: In order to comply with Policy G1 of the Ribble Valley Districtwide Local Plan in order to reduce the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

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

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

7. No development approved by this planning permission shall be commenced until:
 - a) A desktop study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information and diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
 - b) A site investigation has been designed for the site using the information obtained from (a) above. This should be submitted to, and approved in writing, by the Local Planning Authority prior to that investigation being carried out on the site.
 - c) The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the Local Planning Authority.
 - d) A Method Statement and Remediation Strategy, based on the information obtained from (c) above has been submitted to and approved in writing by the Local Planning Authority.

The development shall then proceed in strict accordance with the measures approved. Work shall be carried out and completed in accordance with the approved Method Statement and Remediation Strategy referred to in (d) above, and to a timescale agreed in writing by the Local Planning Authority: unless otherwise agreed in writing by the Local Planning Authority.

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

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

REASON: In accordance with Policy G1 of the Ribble Valley Districtwide Local Plan to:

- a) Identify all previous site uses, potential contaminants that might reasonably be expected given those uses and the source of contamination, pathways and receptors.
- b) Enable:
 - A risk assessment to be undertaken;
 - Refinement of the conceptual model; and
 - The development of a Method Statement and Remediation Strategy.
- c) & d) Ensure that the proposed sit investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site

8. This permission shall relate to the Phase 1 survey report dated March 2011 submitted with the application. All details shall comply fully with that report.

REASON: To protect and conserve the habitats identified on site in accordance with Policy ENV7 of the Ribble Valley Districtwide Local Plan.

9. The submission of reserved matters in respect of scale, appearance and landscaping and implementation of development shall be carried out in substantial accordance with the Design and Access Statement and the Indicative Site Layout drawing no. AL001 Rev A as amended dated 8 June 2011.

REASON: For the avoidance of doubt to define the scope of this permission.

10. The new estate road/access shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

REASON: To comply with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan and to ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

11. Prior to commencement of construction works, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site, the wheel cleaning facilities shall be retained throughout the life of the development.

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

12. Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall be avoided between March to August. In the event that works are carried out during the nesting period a comprehensive risk assessment in order to establish the absence/presence of nesting birds shall be submitted to the Local Planning Authority prior to any works taking place for approval in writing and any mitigation measures outlined therein shall be carried out to the satisfaction of the Local Planning Authority.

REASON: In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan.

13. Prior to commencement of development a landscape management plan including long term design objectives, timing of the works, management responsibilities and maintenance schedules for all landscaped areas (other than within curtilages of buildings) including the public open space area shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall also provide precise details of any play equipment and its maintenance and indicate a timescale when the open space shall be provided and made available for use. The landscape management plan shall be carried out in accordance with the details so approved.

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

14. The plans and particulars submitted in accordance with condition 2 above shall include an Arboricultural Method Statement and Tree Protection Plan (including a tree protection monitoring schedule) detailing special mitigation construction issues in accordance with BS5837 as outlined in the Arboricultural Impact Assessment submitted in support of this application. The development shall thereafter be carried out in strict accordance with the procedures, working methods and protection measures so identified and approved unless agreed otherwise in writing by the Local Planning Authority.

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

15. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority.

REASON: To comply with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan in order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/work are acceptable before work commences on site.

16. The proposed garages shall not be used for any purpose (including any purpose incidental to the enjoyment of the dwellinghouse) which would preclude their use of the parking of a private motor vehicle.

REASON: To facilitate adequate vehicle parking facilities to serve the dwelling in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

NOTE(S):

1. The granting of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act.
2. This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/SUDS as stated on the application form and may require the consent of the Environment Agency.
3. 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: 3/2011/0307/P (GRID REF: SD 373855 438182)
PROPOSED RESIDENTIAL DEVELOPMENT OF 37 DWELLINGS AT BARROW BROOK
BUSINESS VILLAGE, BARROW

PARISH COUNCIL: Raise concerns and make the following observations.

1. There is currently insufficient infrastructure in place in Barrow to support a further 37 dwellings in terms of schools, health services and local facilities. The existing residents of Barrow should be able to attend local schools and access local services.
2. There is concern over the increased pressure on the village's existing utilities, especially sewerage. The current system at Whalley, into which the Barrow system is pumped, is already running at full capacity and maybe unable to cope.
3. Local roads are busier than ever and the highways would be placed under even greater strain.
4. Whilst we accept that some development is necessary, this proposal and the recent new housing developments in Barrow will have increased the size of the village by approximately two to three times. Increases of this size completely change and destroy a village's identity.

In addition, please note that any future development at Barrow Brook must not be allowed to access on to Whalley Road and any cycleway/pedestrian link must have fixed bollards to prevent its use by vehicles.

Finally, the Parish Council wonder if such a large development should contribute to the village as a whole with funds being provided by the developers to improve local services and amenities?

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

I have no objection in principle to this application on highway safety grounds. However I would recommend that some aspects of the application are amended before consent is granted.

The proposed physical layout of the site is acceptable, with the carriageway and footway provisions meeting LCC standards.

LANCASHIRE COUNTY
COUNCIL PLANNING
CONTRIBUTIONS OFFICER:

Members are referred to the file for full details of the correspondence from LCC which can be summarised as follows:

Transport

There is likely to be a contribution request for sustainable transport measures in relation to this proposed development. This, however, has not yet been determined.

Education

The response dated 24 May 2011 detailed a need for a contribution from the developer for the full pupil yield at this development ie 13 places.

Using the DCSF cost multiplier $(12,257 \times 0.9) \times 1.072$ per place = 158,780.

However, the most recent correspondence from the education team at LCC dated 21 September 2011 outlines the following:

Requirement based purely on forecasts:

Primary

There were 65 places in the local primary schools at January 2011 pupil census.

*Latest forecasts*¹ for the local primary schools show there to be 60 places in 5 years' time. These forecasts take into account the current numbers of pupils in the schools, the expected take up of pupils in future years based on the local births, the expected levels of inward and outward migration based upon what is already occurring in the schools and the housing development within the local 5 year Housing Land Supply document, which has already had planning permission.

Since our original assessment, Planning Inspector approval has been given to development at Riddings Lane, which also impacts upon these schools with a potential yield share of 19 pupils. However, even with this pupil yield, our latest assessment shows there to be sufficient primary places to accommodate the potential yield of 13 pupils expected to be generated by this development, should no further developments come forward.

Secondary

There were no surplus places in the local secondary schools at January 2011 pupil census.

*Latest forecasts*¹ for the local secondary schools show there to be approximately 38 places available in 5 years' time.

Planning applications have already been approved for the former Cobden Mill and the Co-Op site at Riddings Lane, which have the combined potential to yield 40 additional pupils which are expected to attend one of these secondary schools. However, a S106 contribution secured against the Riddings Lane development as part of a recent Planning Inspection means that we can discount this from the calculation.

Therefore, the number of remaining places would be 38 less 11 = 27 places. Therefore, there is sufficient capacity to accommodate the potential yield of 9 pupils from this development.

Other developments impacting upon these schools pending a decision (including appeals):

When considering this reassessment, LCC would ask that Planners be aware of the significant number of developments which are either pending a decision or have appealed and a decision has not yet been made.

These developments are as follows:

Henthorn Road - appeal pending?
Whalley New Rd – deferred and delegated for approval subject to S106
Barkers Garden Centre
Land off Chapel Close
Chatburn Old Road
Petre House Farm
Old Manchester Offices

These developments have the potential to generate an additional 39 primary and 94 secondary school pupils for this group of schools. Therefore, if any decisions were to be made on those developments (including by the Planning Inspector), the number of available places would be reduced and the impact may be significant enough to impact upon the ability to provide local children with a local school place.

Summary of response:

There are sufficient places to accommodate this development. However, in the event that the decision on this development is taken after that on other developments affecting these schools, the maximum contribution which could be sought would be for the full pupil yield of this development is as follows:

Primary places 13 places @ £12257x (0.9) x 1.1072= £158,780.

Secondary places 9 places @ £18469 x (0.9) x 1.1072= £165,639

¹ Latest forecasts produced at spring 2011, based upon Annual Pupil Census January 2011.

Waste Management

The County Council makes vital major investments in waste management infrastructure for reasons of environmental protection and sustainability. Every district in the County is being provided with advanced treatment facilities to treat waste prior to landfilling, either directly or via purpose designed transfer stations.

Since each and every new house, wherever it is in the County, has to be provided with this basic service and the Council has to comply with significant new requirements relating to the management of waste, it is considered that the Council is justified in requesting a contribution towards waste management. Based upon the Policy Paper methodology for Waste Management, the request is £17,760.

By way of summary, the likely planning contribution request for Lancashire County Council services is as follows:

Transport	yet to be determined
Education	£0
Waste Management	£17,760
<hr/>	
Grand Total	£17,760

ENVIRONMENT AGENCY:

Have reviewed the flood risk assessment as submitted and are satisfied that the development would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere provided that the recommendations of the FRA are implemented and that any subsequent consent is appropriately conditioned.

In respect of land quality, the application is accompanied by a desk study which has been reviewed and again a condition is specified to cover this and matters of biodiversity.

UNITED UTILITIES:

Have no objections to the development.

ADDITIONAL REPRESENTATIONS:

Two letters of objection have been received which raise the following points.

1. Loss of identity of the village which is moving from being a small village to urban sprawl.
2. There are already insufficient facilities/infrastructure for the existing households.
3. The land could be put to much better use to benefit the local communities who have no leisure facilities.
4. The previous planning application for the site was for a mixed development of an aspire centre and various live/work units which was fairly acceptable as it would have created much needed jobs and an education base for young people in the area.
5. Concerns over highway safety.

Proposal

This is a detailed application for the erection of 37 dwellings as Phase 2 of the Barrow Brook development.

The scheme comprises a mix of detached and mews/terraced units of varying house types, sizes and tenures (9 x 3 bed; 17 x 4 bed; 6 x 2 bed affordable and 5 x 3 bed affordable). Car parking is provided to a level of 150% to the mews/terraced units and a maximum of 200% across the remainder of the development. The external appearance of the proposed dwellings will be identical to that approved for Phase 1 and currently under construction with the use of brickwork and render under concrete tiled roofs. All properties will be two storey with heights ranging from approximately 7.5m to 8.1m. The parking provision to the mews/terraces is provided by way of private parking courtyards and to the houses by combination of double width driveways and either integral single garages or detached single garages.

Access into the site is taken off the existing access serving Barrow Brook Business Village, with six dwellings having individual driveways/accesses directly on to that road – the remainder served from a new estate road taken from the aforementioned access road.

The affordable housing element of the scheme comprises the mews/terraced units (11 in total offering 2 and 3 bed roomed accommodation) which would be a mix of rented and shared ownership units.

The scheme does not provide any public open space but the accompanying draft legal agreement makes provision for a commuted sum in respect of the improvement and future maintenance of the existing open space area to the north west of the site.

The plans denote a new tree planting in landscaped areas with a buffer zone/habitat area alongside the brook to the south of the site. Rear gardens and private amenity spaces will be enclosed by a mixture of 1.8m high walls and fences.

Site Location

The site is the former Barrow Printworks which is now marketed as Barrow Brook. The land in question forms part of a previous consent for a mixed use development (see 3/2009/0791/P details under relevant history section) and is the land where a vocational learning centre, children's nursery, commercial elements and live/work unit were to be provided. To the west of the site Phase 1 of the residential development is under construction, to the east is an existing commercial unit occupied by the business of the Printworks, to the south a belt of trees adjacent to the brook with modern residential properties beyond and to the north an open area with consent for office development along with the development of an industrial unit ongoing.

The site is currently vacant and is largely covered with loose and fixed hard surface areas. It has an area of approximately 1.2 hectare and is within the defined settlement limit of Barrow.

Relevant History

3/2007/1144/P – Mixed use development comprising a vocational learning centre, children's nursery, commercial elements, live/work units, 55 residential units – Approved with conditions 12 May 2009.

3/2009/0791/P – Mixed use development comprising vocational learning centre, children’s nursery, commercial elements, 19 live/work units, 70 residential units – Approved with conditions 11 May 2010.

3/2010/0382/P – Removal of condition which restricted timescale in relation to office and residential elements of the site. Approved 16 July 2010.

3/2010/0568/P – Erection of 64 dwellings and associated infrastructure. Approved with conditions 4 November 2010.

Relevant Policies

Policy G1 - Development Control.

Policy G4 - Settlement Strategy.

Policy H20 - Affordable Housing - Villages and Countryside.

Policy H21 - Affordable Housing - Information Needed.

Policy RT8 - Open Space Provision.

Policy T1 - Development Proposals - Transport Implications.

Policy T7 - Parking Provision.

Affordable Housing Memorandum of Understanding.

Policy DP1 – Spatial Principles, North West of England Regional Spatial Strategy to 2021.

Policy DP2 – Promote Sustainable Communities, North West of England Regional Spatial Strategy to 2021.

Policy DP7 – Promote Environmental Quality, North West of England Regional Spatial Strategy to 2021.

Policy L1 – Health, Sport, Recreation, Cultural and Educational Services Provision, North West of England Regional Spatial Strategy to 2021.

Policy L4 – Regional Housing Provision, North West of England Regional Spatial Strategy to 2021.

Policy L5 – Affordable Housing, North West of England Regional Spatial Strategy to 2021.

PPS1 – Delivering Sustainable Development.

PPS3 – Housing.

PPG13 – Transport.

PPG17 – Planning for Open Space, Sport and Recreation.

PPS22 – Renewable Energy.

PPS25 – Development and Flood Risk.

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application are the principle of development, highway safety, infrastructure provision, ecological considerations, visual and residential amenity. For ease of reference these are broken down into the following sub-headings for discussion.

Establishing Whether Principle of Residential Development is Acceptable

The policy basis against which this scheme should be appraised is set out in the context of national, regional and local development plan policies. The site comprises the redevelopment of the most easterly sector of the Barrow Brook Business Village between the residential development under construction and the Printworks offices within settlement limit of Barrow.

The current development plan comprises both the saved policies of the Districtwide Local Plan and the Regional Spatial Strategy (RSS). Whilst Government has stated its intention to abolish the RSS, formal revocation has not yet occurred, regard must therefore be given to the RSS policies as part of the assessment process.

Planning Policy Statement 4 – Planning for Sustainable Economic Growth, is not considered to have any specific bearing on this site. It does require Local Planning Authorities to keep an up to date evidence base relating to employment land sites and supply and this is important in relation to the Employment Land and Retail Study 2008 which forms part of the LDF evidence base.

In relation to potential housing, use of this site PPS3 is relevant. The borough does not have the required five-year supply of deliverable housing land (2.9 years as at 31 March 2011) and therefore applications for housing should be regarded favourably taking into particular account PPS3, paragraphs 69-71. In relation to issues of suitability as defined within paragraph 69 this site would seem to be suitable. In relation to the issue of five-year supply of deliverable housing sites, it is important to note that the situation is subject to rapid change. At the present time, the overall housing requirement for Ribble Valley is determined by the RSS, however Government advice has highlighted that the RSS is soon to be abolished and as a result it will fall upon LPS's to determine what the housing requirement should be for their own borough, albeit determined upon strong and robust evidence. As a result, in preparation for this abolition, and having regard to the timeframes involved in consulting upon and adopting new housing numbers for use in determining planning applications and working on the Strategic Development Plan, Ribble Valley Borough Council recently instructed Nathaniel Litchfield and Partners, Consultants, to undertake some work on assessing what the overall requirement for housing land should be in the borough. This work is now complete, and Members have resolved to publish this information for public consultation. Therefore as a result it must be considered that dependant upon the outcome of this consultation, the five-year supply position is subject to change.

However, there is a question regarding this site's possible employment status and future employment use and fundamentally the borough has to balance two important considerations, namely the need to maintain a sufficient forward supply of employment land as required by national policy and secondly to consider housing applications in the absence of the required five-year land supply.

The site is not an allocated employment site, nor one in current use and therefore the policies of the Districtwide Local Plan seem to have limited relevance on the direct employment status over this site. National Policy seems mainly to point to the need for LPA's to keep an up-to-date evidence base and not to retain functionally defunct employment land. The borough wide forward requirement for employment land provision is evidenced in detail within the Employment Land and Retail Study 2008 but the specific position of this site in the Employment Land Study Assessment is ambiguous at best. The majority, specifically 2.74 hectares of the wider original New Close site is implicitly considered to be unavailable for employment use within the study. In addition the recent permission of housing on 1.8 hectare of the western part of the site (Phase 1 of the Barrow Brook housing development) seems to recognise that housing is an acceptable use of the site together with employment. Given this, it is difficult to make a case that the remaining 1.5 hectare of the New Close site that the applicant is specifically proposing for housing here, is so important for the local economy that it should be retained for employment use over housing. Taken together it would seem that the whole of the New Close site and therefore this particular site, should not necessarily be considered as a part of any forward

employment land supply. However in terms of the wider employment land considerations on the Barrow Brook site, this should not be taken to imply that other parts of the wider Barrow Brook site could also be used for housing without impact on strategic employment land interests. The Employment Land and Retail Study considers only the New Close site of the various Barrow site to be specifically unavailable and that the remaining parts are important elements of future employment land supply as part of the flagship employment area it identifies at Barrow. Given the employment position the second consideration relates to a housing use. A major element of this is the Council's need to provide a sufficient five-year supply of housing land and in particular of suitable housing land. The site would appear to pass the suitability test both within the current Districtwide Local Plan Policies and national guidance, subject to associated considerations as detailed elsewhere in this report.

Therefore on the basis of the above the advice from the Council's Regeneration and Housing team is that development of this site for housing is acceptable as a land use principle.

Affordable Housing

In considering the affordable housing element of the proposal it is important to have regard to Policies H20 and H21 of the Ribble Valley Districtwide Local Plan and the Council's Affordable Housing Memorandum of Understanding (AHMU). Policy H20 identifies that on site other than infill sites within village boundaries planning permission will only be granted for 100% affordable needs housing developments which are intended to meet a local need. However having regard to material considerations, namely PPS3 as outlined above, I am of the opinion that a more relaxed approach is in order and that it is the requirements of the AHMU and Policy H21 that the affordable element of this scheme should be assessed against.

In terms of assessing the development under the requirements of the AHMU a scheme on site such as this for 3 or more dwellings (or sites of 0.1 hectare or more) should provide 30% of the site for affordable provision. Policy H21 sets out the information to be submitted in support of affordable schemes in terms of who the accommodation is intended to be provided for and details of the methods by which the accommodation will be sold, let, managed and retained as suitable for its original purpose.

The scheme is a detailed submission for 37 units. A draft Legal Agreement was submitted with the application and has been the subject of negotiations with the Council's Housing Strategy Officer in order to ensure that the scheme matches identified needs. As a result of these discussions revisions have been agreed to the draft Agreement that satisfies the issues raised in relation to the original submitted Agreement and ensure the provision of 11 affordable units.

Highway Safety

It is clear from the observations of the County Surveyor that the principle of the scheme is acceptable. He did however make comments regarding the integral garage sizes which do limit the potential for storage of associated maintenance materials but which would not place any other limitations on their use for the parking of vehicles. At his request, the internal arrangements to one of the house types has been revised in order to remove a door opening inwards to one of the garage thereby restricting its use and he has requested that a condition be imposed to ensure that the integral garages remain available for that use and do not become subsumed into the main house as part of the living accommodation. Subject to this he raises no objections to the development.

Education

Members will note from the response of LCC that the position and subsequent contribution request for education has changed since the initial response received in May 2011. In light of discussions that took place regarding the recent planning appeal and public inquiry for the development at land off Riddings Lane, Whalley, and bearing in mind comments made by the Inspector about the CIL test, a reassessment has been made taking into account just the approvals from other developments. The result of this is no contribution is sought. However, the point is made in the LCC response that if any of the other developments impacting upon the same schools as this site pending a decision, are granted approval before this scheme, then there needs to be a way of factoring that into any potential contributions sought. For this reason the response from LCC now states a minimum at the time the report was drafted which was zero pounds but also a potential maximum contribution of £158,780 primary places and £165,639 secondary places. It is the intention that at the time of finalising the Section 106 Agreement, an up-to-date reassessment of those pending decisions will be made to finalise the contributions sought up to the maximum level as previously expressed.

It is acknowledge that this is a different way of presenting this evidence to Members and indeed calculating the requisite sums of money. There has been much debate about what is reasonable to incorporate into any calculations of contributions given the amount of time it takes for these larger schemes to progress through the planning system. Hopefully this gives a fairer model that can adapt to change in circumstances but it is recognised it takes away the certainty for Members of a fixed sum of money being expressed when they reach their decision. However, based on the latest methodology being adopted by LCC at the time the report was drafted, no financial contribution has been sought towards education provision at either primary or secondary level. Since the first draft of this report, approval has now been issued on the Barkers Nursery site at Clitheroe and this would need to be taken into account in reassessing the contribution.

Flooding/Drainage

Members will note that the Parish Council have expressed concerns over the increased pressure on existing utilities especially sewage with reference made to the current system in to which this would be pumped at Whalley running at full capacity. United Utilities raised no objections to the application when consulted but given the concerns raised this was queried further with their response being as follows:

I have discussed with the Catchment Analyst and whilst there are issues at Whalley he had looked at this application and due to the fact it was on a brownfield site it was considered along the grounds of not being unreasonable. For greenfield sites we would object.

Therefore on the basis of this and the comments received from the Environment Agency I am satisfied that the scheme in respect of flooding/drainage is acceptable.

Public Open Space

Policy RT8 of the Ribble Valley Districtwide Local Plan specifies that on residential sites over 1 hectare the layout will be expected to provide adequate and useable public open space. On this scheme the site is so closely related to an existing play area that the developer has offered to pay a commuted sum in lieu of actual provision on site and this is an arrangement that Planning and Development Committee were satisfied when Phase 1 was determined.

The Council's Head of Cultural and Leisure Services has been consulted on this scheme in order to work out the level of commuted sum required. Based on the contribution on Phase 1 and establishing that this Phase should be on a pro rata basis with that development this equates to £28,900. The money would be used for the ongoing maintenance/management of the existing play area and its facilities.

Nature Conservation – Protected Species/Trees/Landscape

As part of the application an arboricultural method and material statement has been submitted. This concludes that all-important vegetation exists on or at the site boundary and in this regard proposals for the site will have minor impact on these trees with the additional benefit of enhancing site condition and the condition of retained trees. The vegetation recommended for removal is either in decline, failing or incompatible with the proposals.

A Phase 1 habitat survey is also provided which identifies that overall the site is considered to have relatively limited ecological value. Recommendations are made however for suitable mitigation measures and subject to the imposition of conditions the scheme is not considered to have a significant detrimental impact on nature conservation interests.

Layout/Scale/Visual Amenity

This is a detailed application with a layout that creates parcels of landscaping within the site to soften the impact of the built form. Housing has been sited to prevent damage to existing trees and to provide an active frontage on all proposed access roads within the development. The design and scale of the scheme reflects other buildings in the surrounding area and for this reason I do not consider there to be any detriment caused to the visual amenities of the area as a result of this scheme's implementation.

Residential Amenity

In considering residential amenity it is important to assess the relationship with properties outside the site as well as that between units proposed as part of this scheme. To the west of the site are the dwellings part complete and part under construction on Phase 1 of this development site and to the south west properties on Chestnut Crescent and Ash Close. There is an extensive tree belt between this site and the latter mentioned properties and thus I do not consider there to be any significant detriment to those properties.

In respect of the site's relationship with Phase 1 of the development there are two points to bear in mind. Firstly there is a distance of approximately 21m between the facing rear elevations of the respective properties and secondly the new dwellings would be set higher than those nearly complete. Having carefully assessed the relationship between these units, I am of the opinion that there would be no significant detriment caused through overlooking/overshadowing/oppressive nature of the development.

Having regard to the internal relationship of the development site properties face onto either the internal access road or the access road leading towards Phase 1. Separation distances are acceptable throughout.

I am mindful that Plots 79 to 83 to the to the eastern extreme of the site back onto the car park area associated with the Printworks office building. The authorised planning use of the Printworks site is B1 as defined in the Town and Country Planning (Use Classes) Order 1987.

By definition such uses are *uses which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.*

Given the acceptability of B1 uses in residential area, I consider that the juxta position of the buildings and car park is such that there should be no significant detriment caused.

Legal Agreement Content

The application has been submitted with a draft Legal Agreement to cover matters of affordable housing and open space. Discussions with the applicant have led to revisions to the originally submitted terms and this report has also identified the comments from Lancashire County Council in relation to education. To clarify for Members the Legal Agreement in its final form will stipulate the following:

1. Affordable Housing

- The total number of affordable units shall consist of not less than 30% of the residential units on site (11 in total).
- Six of the units shall be two-bed properties and five shall be three-bed properties.
- The tenure mix to include four affordable rent properties (2x2 bed and 2x3 bed) with the remaining 7 to be shared ownership.
- The most recently agreed approved person definition be incorporated into the Agreement with the neighbouring Parishes of Barrow being inserted to be eligible for the second cascade of eligibility once Barrow residents have been offered the affordable units.
- The phasing of the affordable units to be stated as a minimum of no more than 25% of the market dwellings to be complete before the registered provider is agreed and that no more than 50% of the market dwellings be occupied before the affordable units are completed.

2. Public Open Space Contribution

- To pay the Council a commuted sum of £28,900 in respect of the future maintenance and management of the public open space (the area set to the northwest of the site where a contribution on Phase 1 will provide for improved/enhanced play equipment).
- The initial £10,000 of the commuted sum to be paid within 2 months following occupation of the tenth market dwelling with the remaining balance of £18,900 to be paid within 2 months following occupation of the 25th market dwelling.

3. Wheeled Bin Contribution

- The developer is to fund the administration and delivery cost of £90 per unit in providing the appropriate number of wheeled bins.

4. Education Contribution

- At the time of drafting the report, there was no contribution being sought for either primary or secondary provision.

- There will need to be an up-to-date reassessment of the pending applications made at the point of time the Section 106 is finalised to address whether there would be the need to make contributions in light of other decisions to a maximum of £158,780 primary places and £165,639 secondary places.

Members will note that it is not proposed to request the sum LCC requested in respect of waste management. The contribution sought by LCC is in accordance with their Policy Paper on Planning Obligations in Lancashire which has not been formally adopted by this Council. A report presented to Planning and Development Committee on 18 December 2008 identified priorities for this Council in seeking contributions – namely affordable housing, transport safety, open space and education.

SUMMARY OF REASONS FOR APPROVAL

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

RECOMMENDATION: That the application be Deferred and Delegated to the Director of Community Services for approval subject to the satisfactory completion of a Legal Agreement as outlined in paragraphs numbered 1-4 under the Legal Agreement sub heading within this report and subject to the following conditions:

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

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

2. This permission shall be implemented in accordance with the proposal as detailed on drawings RO51/1-2 planning layout Phase 2; RO51/1-101/2 street scenes; RO51/102-2 A2 house type; RO51/103-1-2 A3 house type; HT38/P/01 Ashgate house type; HT105/P/01 Burlington house type; HT148/P/01 Elmbridge house type; HT132/P/01 Victoria house type; HT104/P/01 REV A Dean house type as amended 22 September 2011; HT149/P/02 Bellingham house type elevations; HT149/P/01 Bellingham house type floor plans; HT149/P/01 Renishaw house type; HT147/P/02 Bonington elevations; HT147/P/01 Bonington floor plans; HT147/P/04 Bonington elevations with bay; HT147/P/03 Bonington floor plans with bay; HT147/P/06 Bonington elevations no bay; HT147/P/05 Bonington floor plans no bay; RO51/105 garage details; SD.1 high close board timber fence; S.D.46 high screen wall.

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

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

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

4. No development approved by this permission shall be commenced until a scheme for the disposal of surface waters, including any surface water attenuation measures that may be necessary, have been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

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

5. No development approved by this planning permission shall be commenced until:
 - (a) A site investigation has been designed for the site using the information obtained from the Phase 1 Geo Environmental Desk Study for Proposed Residential Development at Barrow Brook (second phase) Clitheroe for Rowland Homes (dated March 2011; reference 43933p1r0). This should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site;
 - (b) The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the Local Planning Authority;
 - (c) A Method Statement and remediation strategy, based on the information obtained from (b) above has been submitted to, and approved in writing by the Local Planning Authority.

The development shall then proceed in strict accordance with the measures approved. Work shall be carried and completed in accordance with the approved method statement and a remediation strategy referred to in (c) above, and to a timescale agreed in writing by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

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

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

REASON: In accordance with Policy G1 of the Ribble Valley Districtwide Local Plan to:

(a) enable:

- a risk assessment to be undertaken;
- refinement of the conceptual model; and
- the development of a method statement and remediation strategy.

(b) and (c) Ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site.

6. No development shall take place until a scheme for the buffer strip between the development and Barrow Brook has been submitted to and approved by the Local Planning Authority. Such a scheme shall be completed in accordance with the approved plans.

REASON: To maintain the character of the water course and provide undisturbed refuges for wildlife using the river corridor in accordance with Policies G1 and ENV10 of the Ribble Valley Districtwide Local Plan.

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

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

8. The proposed integral garages to house types Victoria, Dean, Bellingham and Renishaw shall not be used for any purpose (including any purpose incidental to the enjoyment of the dwellinghouse) which would preclude their use of the parking of a private motor vehicle.

REASON: To facilitate adequate vehicle parking facilities to serve the dwelling in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

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

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

10. This permission shall relate to the extended Phase 1 Habitat Survey, Arboricultural Method and Material Statement and supporting letter dated 21 March 2011 from Landscape Planning Group Ltd submitted with the application. All details shall comply full with those reports. The landscaping details including hard landscaping where appropriate shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development.

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

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

NOTE(S):

1. Any works to the water courses within or adjacent to the site which involves infilling, diversion, culverting or which may otherwise restrict flow, require the prior formal consent of

the Environment Agency under Section 23 of the Land Drainage Act 1991. Culverting other than for access purposes is unlikely to receive consent, without full mitigation for loss of flood storage and habitats.

APPLICATION NO: 3/2011/0422/P (GRID REF: SD 372472 435836)
OUTLINE APPLICATION FOR THE ERECTION OF TWO DETACHED DWELLINGS
TOGETHER WITH ASSOCIATED GARAGES, PARKING/TURNING AREAS AND GARDENS
ON LAND AT NEDDY LANE, BILLINGTON

- PARISH COUNCIL: No objections to this application.
- ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): Comments that 'notwithstanding the planning history in the vicinity of this proposal, Neddy Lane is an unadopted private road and the two proposed dwellings would not cause significant additional traffic on the lane or at the junction with Whalley New Road and therefore I have no objection to the proposal'.
- ENVIRONMENT AGENCY: Has stated that it has no comments to make on this application.
- UNITED UTILITIES: Has no objections to the proposal subject to a condition specifying that the site must be drained on a separate system with only foul drainage connected to the public sewer.
- ADDITIONAL REPRESENTATIONS: Four letters have been received from nearby residents who express objections to the application on the following grounds:
1. The application relates to agricultural land that is green field land outside the settlement boundary of Billington.
 2. The proposed dwellings are too large and are out of proportion with others in Neddy Lane. If permission is to be granted, it should be for smaller properties that would be less obtrusive and more appropriate to the locality.
 3. The development would be detrimental to the rural view of Ribble Valley and Whalley Viaduct from the A59 and will adversely affect both local residents and those using the public footpath.
 4. The proposal would be detrimental to highway safety for the following reasons:
 - Neddy Lane is a well-used public footpath, particularly by school children. It is narrow and any increase in traffic, especially heavy vehicles, will make it more dangerous.

- There is no space to widen the lane.
 - The proposed parking and turnaround areas for the new dwellings would be directly opposite the entrance to the children's playing field.
 - The lane is not ideal for use by emergency vehicles such as ambulances and fire engines.
 - Whalley Road is a busy road and its junction with Neddy Lane is not ideal. This resulted in an appeal in 1990 for one new dwelling gaining access from Neddy Lane being dismissed on highway safety grounds.
5. Many services run under the lane which is not well maintained and would require work to allow the passage of heavy vehicles.
 6. Increased usage will cause more damage to the unmade surface of the road.

Proposal

The application seeks outline planning permission for the erection of two detached dwellings together with associated garages, parking/turning areas and gardens. Permission is sought at this stage only for the means of access with the matters of appearance, landscaping, layout and scale reserved for consideration at reserved matters application stage.

The proposed means of access is from Neddy Lane with each property served by its own individual driveway. An illustrative plan submitted with the application shows that the driveways would give access to an attached double garage at each property and that there would be a vehicle turning facility in front of each dwelling.

Site Location

The application site comprises a small parcel of agricultural land with an area of approximately 0.15 hectares. It is a sloping site that is enclosed by stockproof fencing and there are a few small trees located on some of the boundaries of the site.

The site is adjoined to the southwest by the dwelling Oak House that it presently the end property at the cul-de-sac end of Neddy Lane. To the west and north the site is adjoined by other agricultural land; to the south (on the opposite side of Neddy Lane) there is a children's playground; and to the east is the residential development of Dale View.

Oak House and the other properties on Neddy Lane are within the settlement boundary of Billington. The application site is within the open countryside just outside the settlement boundary.

Relevant History

3/76/0992/P – Two detached bungalows on this site. Refused and appeal dismissed.

3/77/0873/P – Agricultural workers dwelling on this site. Refused and appeal dismissed.

3/90/0621/P – Detached bungalow with access from Neddy Lane on land to the rear of Standridge, Whalley New Road. Refused and appeal dismissed.

Relevant Policies

Policy G1 - Development Control.

Policy G2 - Settlement Strategy.

Policy G5 - Settlement Strategy.

Policy ENV3 - Development in Open Countryside.

Policy H2 - Dwellings in the Open Countryside.

PPS1 – Delivering Sustainable Development.

PPS3 – Housing.

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this outline application relate to the principle of the development; highways access, accessibility and highway safety; impact upon visual amenity and upon the amenities of nearby residents, which will each be discussed below under appropriate sub-headings.

Establishing Whether the Principle of Residential Development is Acceptable on this Site

The policy basis against which this application should be appraised is set out in the context of national, regional and local development plan policies.

At national level, Planning Policy Statement 3: Housing, confirms that Local Planning Authorities must identify a five year housing land supply and where they cannot, residential developments should be favourably considered taking account of Policies in PPS3 and in particular paragraph 69 which specifically refers to:

- achieving high quality housing;
- ensuring a good mix of housing;
- the suitability of the site for housing;
- using land effectively and efficiently;
- ensuring the proposal is in line with planning for housing objectives.

Recent monitoring demonstrates that the Council is unable to identify a five-year supply, and consequently the provisions of PPS3 are applicable until the point at which a five-year supply is available. We currently have a 2-9 year's supply measured against our requirements.

Policy G2 of the Local Plan states that developments will be mainly directed towards land within the boundaries of the main settlements of Wilpshire, Clitheroe, Billington, Longridge and Whalley. As this site immediately adjoins the settlement boundary of Billington, and in the

Policy circumstances described above, it is considered that the scale and general location of the site is in accordance with the overall settlement strategy as outlined in the Local Plan.

It is considered that, although this is a green field site, it is recognised both nationally and locally that not all development can be accommodated on brown field sites. The proposed density of the development is considered to be appropriate for the site characteristics and locality. The site is also accessible to public transport and is within cycling and walking distance of the range of services in Whalley, including the railway station.

Overall, within the current national and local policy context, this relatively small development of two houses immediately adjoining a settlement boundary is considered to be acceptable in principle.

Highway Access, Accessibility and Highway Safety

In relation to accessibility, there are bus stops within 300m of the application site on Whalley New Road which provide a frequent service for residents to travel to either Clitheroe or Blackburn. The railway station in Whalley also provides a service is provided to Clitheroe and Blackburn, with connections on to Manchester and the wider railway network. To conclude I consider that the site is therefore considered to be in an accessible location.

With regards to the detailed considerations relating to the access to the site and highway safety, there is reference in the history section of this report to three proposals for developments of either one or two dwellings gaining access from Neddy Lane. Two of these applications relate to the current application site and both were refused for a policy reason that is no longer relevant and for a reason relating to highway safety by reason of the restricted width of Neddy Lane, the absence of footways and a substandard junction with Whalley New Road. The third application relating to a different site, was refused only for a similar highway safety reason. Appeals against all three refusals were dismissed with the Inspectors upholding the objection on highway safety grounds.

In view of the appeal, I have requested additional details from the highway authority in which the County Surveyor stated he is aware of these previous applications but has commented that, notwithstanding this history, Neddy Lane is an unadopted private road and the two proposed dwellings would not cause significant additional traffic on the lane or at the junction with Whalley New Road and he therefore has no objection to the proposal.

There is therefore no highway safety objection to this application, despite the application having been previously refused, and dismissed, an appeal in 1976 in which the Inspector stated 'Neddy Lane and its junction with Whalley New Road are well below generally accepted standards for roads serving residential developments'.

Impact Upon Visual Amenity

I have asked for further clarification as to whether or not there are any material changes in the highway network, such as speed restrictions, traffic calming measures or parking changes that would lead to a different recommendation from that given in 1876. When considering the proposal in relation to this particular matter, it must be borne in mind that this is an outline application with many detailed considerations to be made at reserved matters application stage. However, an illustrative site layout plan and an illustrative section across the site have been submitted with the application. The layout plans shows that the size of the dwellings relative to

their plot size would be similar to existing properties in Neddy Lane. The section across the site also shows the immediately adjoining property Oak House and Holmleigh that is to the southwest of Oak House. This drawing illustrates that the ridge height of Oak House is approximately 1.3m lower than the ridge height of Holmleigh and that the proposed house on Plot 1 would be approximately 1.3m lower than Oak House and the house on Plot 2 would be a similar height lower than the house on Plot 1. In this way, the development will step down the sloping site such that the roofs of the proposed dwellings would be lower than the roofs of existing dwellings in the locality. As such, the development would integrate well within the locality and would not be unduly obtrusive in the local landscape.

Subject to the development being broadly in accordance with the illustrative plans/sections, and subject to appropriate design details and external materials, I consider that the proposed development would not have any seriously detrimental effects upon the visual amenities of the locality.

Impact Upon the Amenities of Nearby Residents

The proposed dwellings would be sited sufficiently far away from the nearest existing property, Oak House, that they would not have any overbearing or overshadowing effects on that property (especially as they would also be on lower ground). The matter of neighbours' privacy would be dealt with at reserved matters application stage in relation to the proposed position of windows in the respective elevations of the proposed dwellings.

It is not considered that the additional traffic using Neddy Lane as a result of the development would have any effects upon the amenities of nearby residents sufficient to justify refusal of the application.

Other Matters

An ecological survey report submitted with the application concludes that "the site supports habitat of some, albeit, limited value to wildlife" and that "there is limited potential for use of the areas affected by work by protected species, there should be minimal impact on local important habitat and there is unlikely to be extensive use of the site by bats or any other protected species".

There are therefore no ecological reasons why this application should be refused.

Although there are a number of trees on the site boundaries, they are only small overgrown hedgerow plants such as Holly and Hawthorn. These trees can be fully considered at reserved matters application stage, but they are not of sufficient amenity value to represent a sustainable reason for refusal of this outline application.

As the development is for less than 3 dwellings, there is no requirement under the Affordable Housing Memorandum of Understanding for either or both of the units to be "affordable".

Conclusion

For the reasons explained in the report it is considered that the proposal relates to a small housing development in a sustainable location that satisfies the requirements of paragraph 69 of PPS3: Housing and would therefore accord with the local, regional and national planning policies and guidance. I can therefore see no objections to the application.

SUMMARY OF REASONS FOR APPROVAL

The proposed development is acceptable in principle and would have no detrimental impact on visual amenity, nearby residential amenity or highway safety.

RECOMMENDATION: the application be DEFERRED AND DELEGATED to the Director of Community Services for approval following the satisfactory completion of a Section 106 Agreement (in the terms detailed above in this report) and subject to the following conditions:

1. Application for approval of reserved matters must be made not later than the expiration of 3 years beginning with the date of this permission and the development must be begun not later than whichever is the latter of the following dates:
 - (a) the expiration of 3 years from the date of this permission; or
 - (b) the expiration of 2 years from final approval of the reserved matters, or in the case of approval of different dates, the final approval of the last such matter to be approved.

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

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

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

3. The submission of reserved matters in accordance with conditions 1 and 2 of this outline permission shall show a development that is substantially in accordance with the illustrative plans (drawing numbers Gel/454/1193/01 and 02) submitted with this outline application. In particular, each dwelling shall be provided with its own access, adequate parking area and a turning facility within its curtilage.

REASON: For the avoidance of doubt as a development in this form would respect the amenities of the locality and would address a highway safety issue in accordance with the requirements of Policy G1 of the Ribble Valley Districtwide Local Plan.

4. The development hereby permitted in outline shall not be commenced until a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show the drainage of the site on a separate system with only foul drainage connected into the foul sewer; surface water should discharge directly to soakaway/water course; and no surface water will be allowed to discharge into the public sewerage system. The scheme shall then be provided in accordance with the approved details prior to occupation of the development and thereafter retained.

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

NOTE

Ribble Valley BC imposes a charge to the developer to cover the administration, and delivery costs in providing wheeled bins to each household within a new build property or provision. Details of current charges are available from the RVBC Contact Centre on 01200 425111.

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

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

APPLICATIONS APPROVED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0207/P (LBC)	Installation of toughened glass in the windows that are below 800mm as per building control regulations. Windows to be the same size, colour and style as existing but there will be a small logo in the bottom corner of the windows to show that it is toughened glass	1 Abbey Croft The Sands Whalley
3/2011/0332/P	Proposed use of three holiday cottages as one residential dwelling (no internal or external alteration changes proposed)	Rakefoot Farm Thornley Road Chaigley
3/2011/0345/P	Two-storey extension to side (East) elevation with balcony at first floor level, new porch to rear (North) elevation with balcony at first floor level. Demolition of outhouse to rear and alterations to hard standing	Sunnyside Dean Top Whalley Road Simonstone
3/2011/0374/PA	The creation of a new recreation area for resident activities connected to the existing psychiatric unit, within a secure fence boundary including the erection of new security fencing with vehicle "airlock", and removal of existing liquid propane storage vessels, concrete base and adjacent gabion wall. Installation of new 5x2 tonne above ground tanks including new security fencing. Also installation of CCTV system with cameras fixed to heads of fence upright	Gisburn Lodge Gisburne Park Estate Gisburn
3/2011/0393/P	Single storey extension to rear of property and demolition of existing lean-to rear of property	129 Whalley Road Sabden
3/2011/0415/P	Re-submission of an application 3/2010/0537/P for the proposed replacement of an existing permanent chalet building with a permanent single storey dwelling	Sugar Hill Chalet Cow Ark Clitheroe
3/2011/0439/P	Application to remove condition No 16 (occupancy condition) of planning consent 3/20006/0001/P to allow the two holiday cottages at High Laithe to be used for permanent residential accommodation	High Laithe Barn Brockthorne Farm Tosside

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0465/P	Formation of new vehicle access road off the highway to serve the commercial units	Stonebridge Mill Preston Road, Longridge
3/2011/0470/P	Application to discharge of condition no. 5 (site investigation), condition no. 6 (materials), condition no. 10 (conservation Velux Rooflights) and condition no. 16 (building record and investigation) of planning consent 3/2010/0741/P	Cobden Farm Watt Street Sabden
3/2011/0490/P	Application for a Lawful Development Certificate for the existing use of land as a residential garden	3 Bailey Green Cottages Longridge Road Hurst Green
3/2011/0495/P	Two storey extension to the rear of the dwelling	Glen View, Lower Road Longridge
3/2011/0511/P	Proposed installation of a 3.96kw black solar photovoltaic system to the rear south facing roof slope	Kays Barn Fleet Street Lane, Ribchester
3/2011/0512/P	Proposed general purpose cattle shed/extension of present housing (cement fibre roof with concrete panelled sides, approx. 18.2m x 15.2m)	Clough Farm, Carters Lane Paythorne
3/2011/0513/P	Change of use of part of the property from Sui Generis to residential	70 Downham Road Chatburn
3/2011/0514/P	Extension to existing livestock building	Thornley Hall Thornley with Wheatley
3/2011/0515/P	Extension to existing livestock building	Thornley Hall Thornley with Wheatley
3/2011/0543/P	Creation of internal doorway between 4 and 6 Wellgate to create one shop	4-6 Wellgate Clitheroe
3/2011/0545/P	Demolition of the existing garage and outbuildings and construction of a kitchen extension	2 De Lacy Street Clitheroe
3/2011/0555/P	Proposed ground floor and first floor extension, and remodelling to house and garage	3 Springfield Close Whalley
3/2011/0560/P	Single storey rear extension	Torroen Simonstone Lane Simonstone
3/2011/0563/P	Single storey rear extension	23 Walmsley Brow Billington
3/2011/0564/P	Single storey rear extension with balcony over to replace the existing conservatory	Mill Pond House Clitheroe Road West Bradford
3/2011/0569/P	Proposed erection of dormer to front elevation and rear first floor extension	13 Highfield Drive Longridge
3/2011/0572/P	Re-submission of application 3/2011/0337 for a two-storey side and single storey rear extension	16 Hesketh Road Longridge

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0573/P	Rear conservatory	5 Anderson Road Wilpshire
3/2011/0576/P	Installation of solar photovoltaic panels on the existing building	Maplewood Phase One Calderstones Hospital Mitton Road, Whalley
3/2011/0581/P	Proposed rear ground floor extension, conservatory and decking	3 Hospital Cottages Preston Road, Ribchester
3/2011/0588/P	Proposal for two cooler ducts to be re-routed vertically 3m above the apex of the mill roof (Subject to the Environment Agency requirements for a PPC operating permit)	Dugdale Nutrition Bellman Mill Salthill, Clitheroe
3/2011/0589/P	Application to remove condition no. 18 (relating to occupancy eligibility) of 3/2000/0811/P	Wheelwright Cottage Back Lane, Grindleton
3/2011/0590/P	Proposed two-storey side extension including rear dormer	10 Holly Grove Longridge
3/2011/0593/P	Single storey rear extension and two-storey side extension	18 Bilsberry Cottage Hurst Green
3/2011/0594/P	Improvements to existing access road	Dudland Hollins land off Gisburn Rd, Sawley
3/2011/0595/P	Proposed two-storey side extension and replacement of front porch. Replacement of part retaining wall and widening of existing vehicular access	56 Linden Lea Chapel Hill Longridge
3/2011/0602/P	Proposed installation of a 3KwP solar photovoltaic array for the Coach House. The installation is to be mounted next to the field boundary at ground level on a standard frame to minimise visual impact	Field at the rear of The Coach House Clitheroe Road Waddington
3/2011/0605/P	Two-storey side extension, single storey rear extensions, detached garage and gravel hard standing parking area	21 Clitheroe Road Whalley
3/2011/0614/P	Single storey rear extension	11 Goosebutts Lane Clitheroe
3/2011/0617/P	Single storey rear extension	1 Chestnut Cottage Grindleton
3/2011/0628/P	Resubmission of application 3/2010/0979/P for proposed replacement dwelling to include the demolition of the existing cottage	Ashes Farm Cottage Salesbury
3/2011/0637/P	Installation of solar photovoltaic panels within the curtilage of the dwelling	Fields Farm House Sawley Road Grindleton, Clitheroe
3/2011/0645/P	Proposed roof mounted 10Kwp solar PV installation	Moor Game Hall Old Clitheroe Road, Dutton

APPLICATIONS REFUSED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2011/0005/P	Removal of outbuilding and building of a two-storey extension onto the side of the existing building. Reinstate the white windows to front of existing building. Create drive from existing road access point. This will require a change of use from agricultural to domestic for the access drive (resubmission of 3/2010/0418/P)	The Old School Room Walker Fold Chaigley	Policies G1, ENV1, H10, SPG Extensions and Alterations to Dwellings, and PPS5 Planning for the Historic Environment – over prominent and discordant feature to the detriment of the appearance of the property itself and the appearance and character of the Forest of Bowland Area of Outstanding Natural Beauty and harm to a non-designated heritage asset.
3/2011/0399/P	First floor extension to existing property. New porch to front elevation	10 Carter Fold, Mellor	G1, H10, SPG – <ul style="list-style-type: none"> • Prominent extension to the visual detriment of the street scene. • Loss of light • Loss of privacy
3/2011/0425/P (PA) 7 3/2011/0426/P (LBC)	Demolition of existing timber garage and stone outbuilding to provide improved vehicular access, parking spaces and new double garage for no 29 and two new single garages and private amenity/garden space for no's 30 and 31	29 Church Street Ribchester	The proposed demolition of the stone outbuilding and 4-garage court redevelopment would be unduly harmful to the character, setting and significance of the listed building and the character, appearance and significance of Ribchester Conservation Area. This would be contrary to Policies

Cont/

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
Cont...			ENV20, ENV19, ENV18 and ENV16 of the Ribble Valley Districtwide Local Plan.
3/2011/0488/P	Proposed erection of a single garage within the curtilage of an existing building/dwelling house	The Hey Barn Back Lane Newton	G1, ENV1, H17 – Detrimental impact upon the character and setting of the traditional barn to the visual detriment of the Area of Outstanding Natural Beauty.
3/2011/0509/P	Proposed new access and two storey side extension with porch extension	Craigmore Eastham Street Clitheroe	Policies G1 and H10 of the DWLP and the Council's SPG on Extensions and Alterations to Dwellings – impact on street scene.
3/2011/0528/P	Change of use of part of lower ground floor of existing social club to create 1 No self contained flat including internal alterations involving removal of an internal wall	St Peter's Catholic Club Avenue Road Hurst Green	The proposal has an unduly harmful impact upon the character and significance of the listed building because of the loss of important historic fabric and the disruption to historic plan form. This is contrary to Policy ENV20 of the Ribble Valley Districtwide Local Plan.
3/2011/0531/P	Retrospective application for the insertion of two velux rooflights	76 Pendle Drive Calderstones Park Whalley	G1, H10 and SPG 'Extensions and Alterations to Dwellings – Loss of privacy and overlooking to the serious detriment of neighbouring residential amenity.

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2011/0542/P	Replacement dormer window to front of building and installation of 3no. conservation rooflights to rear roof slope. Removal of existing chimney stack to rear outshut	50 King Street Clitheroe	Policies G1, H10 and ENV16 of DWLP - prominent and incongruous feature on the front elevation and the removal of a historic chimney stack at the rear - harmful to the character and visual appearance of the property itself and the character, appearance and significance of Clitheroe Conservation Area.
3/2011/0557/P	Application for the removal of condition no. 2 (occupancy period) of planning consent 3/2004/0523/P, to allow the holiday let to be used as permanent residential accommodation	Burons Laithe Horton	Policies G1, G5, ENV3, H2, H15, H23, and PPS3: Housing – unsustainable location for the creation of a new dwelling and contrary to Local Plan Policy, with potentially detrimental effects upon the appearance and character of the locality.
3/2011/0611/P	Proposed new vehicular access from the A59 road	Blue Trees Copster Green	Policy G1 – detriment to highway safety.
3/2011/0620/P	Installation of 18 PV panels on the south facing roof	Unit 4 at Root Hill Estate Yard, Whitewell Road, Dunsop Bridge	G1, ENV1 & H17 – Detrimental visual impact upon the appearance of this traditional stone built outbuilding to the visual detriment of the Area of Outstanding Natural Beauty.

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>
3/2011/0490/P	Application for a Lawful Development Certificate for the existing use of land as a residential garden	3 Bailey Green Cottages Longridge Road Hurst Green
3/2011/0566/P	Application for a Lawful Development Certificate for the proposed infilling of the arches on the North East and West elevations. Replacing and altering windows and bay window configuration, as well as other fenestration details	The Laurels 2 Maple Close Whalley
3/2011/0602/P	Application for a Lawful Development Certificate for conversion of existing double garage space into new study and utility room at front of property and form larger kitchen/dining/family room at rear	10 Mearley Syke Highmoor Park Clitheroe
3/2011/0650/P	Application for a Lawful Development Certificate for conversion of existing attached garage	115 Kemple View Clitheroe

REFUSAL OF CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0708/P	Application for a Lawful Development Certificate for a proposed conservatory to be built on part of the existing patio area to the rear of the dwelling	The Heathers Avenue Road Hurst Green

CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE OR ACTIVITY IN BREACH OF PLANNING CONDITION

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0663/P	Certificate of Lawfulness for an existing development of industrial plant for the storage of water	Samlesbury Aerodrome Balderstone

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 PARTS 6 & 7 PRIOR NOTIFICATION OF AGRICULTURAL AND FORESTRY BUILDINGS AND ROADS PRIOR APPROVAL **NOT** REQUIRED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0638/P	Open silo clamp	Law Farm, Trapp Lane Simonstone

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0639/P	To excavate an area 20m x 20m into slope of land to create silo store. Excavation material banded to side and rear	Law Farm Trapp Lane Simonstone
3/2011/0682N	Roof to cover existing silage clamp	Hengil Farm, Hellifield Road Bolton-by-Bowland
3/2010/0685N	All weather housing for pigs	Sedgwicks Farm, Grunsaigill Road, Tosside

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>
3/2010/0820 O	28.3.11	Co-Operative Estates Outline application for a maximum of 80 residential units at land off Riddings Lane with access from Hayhurst Road with all other matters reserved Land to the north of Riddings Lane Whalley	-	Inquiry held – 4 & 5 Aug 2011	APPEAL ALLOWED 16.9.11
3/2010/0751 O	20.7.11	Acland Bracewell Ltd Outline application for a residential development for 39no. dwellings Land off Whalley New Road Billington	WR	–	Awaiting site visit
3/2010/0959 D	1.8.11	Mr Ian Smith Agricultural worker's dwelling – temporary for three years Stubs Wood Farm Rimington Lane Rimington	–	Hearing – to be held 18.10.11	
3/2011/0189 D	17.8.11	Mr Steven Turnbull Proposed upper storey side extension to be built over existing garage 51 Warwick Drive Clitheroe	Householder appeal	–	AWAITING DECISION

<u>Application No:</u>	<u>Date Received:</u>	<u>Applicant/Proposal/Site:</u>	<u>Type of Appeal:</u>	<u>Date of Inquiry/Hearing:</u>	<u>Progress:</u>
3/2009/0968 O	22.8.11	Mr A Patel Residential development comprising 9no. new dwellings Fell View Barnacre Road Longridge	WR	–	Awaiting site visit

LEGEND

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