

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

Agenda Item No

meeting date: THURSDAY, 8 DECEMBER 2011
 title: PLANNING APPLICATIONS
 submitted by: DIRECTOR OF COMMUNITY SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION NO: 3/2011/0266/P (PA) & 3/2011/0267/P (LBC)

(GRID REF: SD 374296 441790)

PROPOSED CHANGE OF GROUND AND FIRST FLOOR FROM RETAIL (USE CLASS A1) TO A MIXED-USE COFFEE SHOP (A1/A3) INCLUDING INTERNAL ALTERATIONS AND A NEW SHOP FRONT AT 9 CASTLE STREET, CLITHEROE

PARISH COUNCIL: No objection.

ENVIRONMENT
 DIRECTORATE
 (COUNTY SURVEYOR):

I have no objection in principle to the applications on highway safety grounds. The revised plan shows that all seating provision is contained within the building structure and does not extend onto the adjacent footway.

ENGLISH HERITAGE:

No observations. The application should be determined in accordance with national and local policy guidance, and on the basis of your expert consultation advice.

ADDITIONAL
 REPRESENTATIONS:

Seven letters have been received, which raise the following objections:

- Loss of large retail premises.
- Clitheroe already has enough coffee shops for the size of the town thus reducing the range of services and income for other retailers.
- Application is from a national chain affecting the appearance and uniqueness of the town.
- Frequent deliveries causing congestion.
- Hours of opening
- Concern regarding fire safety
- Impact upon local suppliers as the national chain will use their own.

Clitheroe Chamber of Trade & Commerce observations, summarised as follows:

Applications of this nature set a precedent for other similar ventures. Clitheroe is a unique market town already well provided with an existing interesting array of cafes offering excellent hospitality. Members are anxious to protect Clitheroe from becoming a clone town and losing individuality.

Clitheroe Civic Society observations, summarised as follows:

- The building is very important to Clitheroe Civic Society and local residents as being in a significant position on Castle Street, close to the castle and of 18th century origins, and its future development is of concern.
- This application does not demonstrate a careful regard for the traditions of shop front appearances which are evident in the town and does not add a high-quality development to the Conservation Area in Clitheroe.
- To bring the doorway into line with the traditional design, we would suggest keeping the first 3 rows of stone flags in the current doorway.
- Outside seating is inappropriate in this position.
- Concern regarding the removal of the stall riser and the large window in the plan lacks any interest.
- Clitheroe is already abundantly supplied with such outlets.

Proposal

Listed building consent and planning permission is sought for the change of use of both the ground and first floor of the Grade II Listed premises from an A1 (retail) use to a mixed use of A1 (retail) and A3 (restaurant and café) use. The hours of operation are proposed to be 0700 to 1900 Monday to Sunday and including Bank Holidays. The interior of the building to both levels is to accommodate seating areas with associated counter, kitchen, office, store and toilets with careful consideration being made of retaining internal features and historic window openings. Exterior alterations are to include a significant alteration to the recessed shopfront, which is not original to the premises. The main shopfront design has been amended from the initial design and now introduces a shopfront which will abut the pedestrian footpath with a recessed timber doorway and framework with a new wooden stall riser. Proposed signage to the premises is to be determined as part of a separate application (3/2011/0331).

Site Location

The premises falls centrally within the principal shopping frontage of Castle Street, which is characterised by a number of commercial, and business premises within the vicinity. The building is currently in A1 retail use as a bridal shop and forms a very prominent and historic feature within Clitheroe Conservation Area. The premises are Grade II Listed and according to the list description, this property together with Nos 3 to 19 and the Starkie Arms Hotel forms an important group.

Relevant History

3/2011/0331 – One non-illuminated fascia sign and one illuminated projecting sign. To be considered independently by members within this agenda.

Relevant Policies

Policy G1 – Development Control
Policy ENV16 – Development within Conservation Areas
Policy ENV19 – Listed Buildings
Policy S1 – Shopping Policies – Clitheroe Centre
Policy S3 – Principal Shopping Frontage – Clitheroe
PPS5 – Planning for the Historic Environment

Environmental, AONB, Human Rights and Other Issues

Matters for consideration in the determination of this application are the principle of development, the visual impact of the proposal upon the street scene and appearance of the Listed Building, and the potential impact on neighbouring residential amenity.

With regards to the latter, the majority of the premises within the immediate vicinity of 9 Castle Street are commercial in nature and operate within a similar time period Monday to Friday. However the proposed business hours of 0700 to 1900 on Sundays and Bank Holidays may prove injurious to the amenity of neighbouring residents due to the impact of vehicle movements and pedestrians. Therefore I consider it more appropriate to approve the hours of operation on a Sunday and Bank Holiday to between 1000 and 1600 in order to ensure that the business operates more in line with other commercial premises on Castle Street. Therefore subject to an appropriate condition, it is considered that the change of use of the premises will not significantly impact upon the amenity of neighbouring residents.

Policy S1 of the Ribble Valley Districtwide Local Plan states that developments within the main shopping centre of Clitheroe will be approved subject to other policies of this Plan, and in particular Policy G1. Special regard will be had to the likely contribution of proposals to the vitality and viability of the centre and their effect on the character and appearance of the area as well as the arrangements for vehicular movement and parking. With regards to applications which specifically relate to a change of use, Policy S3 states that ‘only new uses considered appropriate at ground floor level will be uses included in Class A1 of the Town and Country Planning (Use Classes) Order 1987 and use for the sale of food or drink for consumption on the premises’. This policy allows the change of use of properties to cafes and restaurants subject to the provisions of Policy G1 of this plan. The application conforms to the above policies and therefore the principle of development for change of use to A1/A3 (restaurant and café) within the principal shopping frontage of Clitheroe is acceptable.

I acknowledge the concerns that have been raised with regards to the loss of a retail premises within the town, and the number of similar businesses within the locality. The approval of the scheme would result in the approval of a business that is part retail (A1) and part restaurant/café (A3), the retail use of the premises is not to be removed. Therefore, a different retail firm in the future can use the premises only without planning permission being required.

A large part of Costa Coffee’s trade is purchased and consumed off the premises, much akin to a retail A1 use. I am therefore of the view that the retail character of this former bridal shop will not be lost and will still support the shopping experience within the town centre and an appropriate condition would restrict the premises from being changed to purely A3 use without prior consent from the Local Planning Authority. As a result, the appearance of the town centre would not be harmed as the principal frontage area would operate predominately like an A1 use

and therefore would not conflict with the aims of policies contained within the Ribble Valley Districtwide Local Plan.

In particular, the amended shopfront will provide an improvement upon the existing more modern design by reflecting more traditional shopfronts that are in-keeping with the character and appearance of the street scene and the visual amenity of Clitheroe Conservation Area.

The main consideration in the determination of the listed building consent application is the duty at Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the (listed) building, its setting and any features of special architectural or historic interest which it possesses. Furthermore, Section 72 of the above Act requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area, and the impact upon residential amenity. Policy ENV19 of the Ribble Valley Districtwide Local Plan in relation to development affecting the setting of Listed Buildings states that in assessing the harm caused by any proposal the desirability of preserving the setting of the building, the effect of the proposed development on the character of the listed building, any effect on the economic viability of the listed building and the contribution which the listed building makes to the townscape are all important factors to be considered. In addition Policy HE9.1 of PPS5 states that 'there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated asset, the greater the presumption in favour of its conservation should be'. As the premises are within a designated Conservation Area reference should be made to Policy ENV16 of the Districtwide Local Plan which states that 'within conservation areas development will be strictly controlled to ensure that it reflects the character of the area in terms of scale, size, design and materials.

With regards to internal works the proposed plans have sought to retain as much of the original character of the building as possible, by ensuring that original windows and features such as alcoves and cupboards are not removed, and that seating is placed against original fireplaces rather than being fixed to.

The design of the shopfront has been amended on a number of occasions from that which was originally submitted following consultation with the applicant's agent. I consider that the proposal which is now to be considered reflects, and is more in-keeping with the traditional appearance of shopfronts within the Conservation Area. The existing shopfront was constructed in the 1970s following the removal of the original and is not considered to be of any historic interest. The proposed shopfront will include design features which has sought to add interest, such as the introduction of a stall riser to the base of the main shopfront, the window has been subdivided with mullions giving vertical emphasis and the doorway has been recessed. I therefore consider that the appearance and design of the shopfront will enhance the appearance of the listed building by virtue of its more traditional appearance and will make a positive contribution to the principal shopping frontage and Clitheroe Conservation Area in accordance with Policies G1, ENV19 and ENV16 of the Districtwide Local Plan.

The Environmental Health section has confirmed that the level of sanitary provision for the number of covers does not meet the requirements of the British Standard 6465 'Sanitary installations: Code of practice for scale of provision, selection and installation of sanitary appliances' and section 20 of the Local Government (Miscellaneous Provisions) Act 1974. Following discussions with the agent they are unwilling to provide the required facilities on the grounds that it would have an impact upon the interior of the Listed Building. This issue is currently being negotiated with the agent. Therefore, an appropriate condition is placed on the

decision notice requesting that prior to commencement of development the level of sanitary provision and of the number of covers shall be submitted to the Local Planning Authority. Any action by the Local Planning Authority will be dealt with under separate legislation.

Lastly with regards to concerns regarding congestion of the high street, the County Surveyor has raised no objections and considers that the removal of the outside seating from the original scheme is a significant improvement, thus removing any impact of the use upon the adjacent footway. Any issues with regards to fire safety will be dealt with under separate legislation.

Therefore I consider that the proposal will have minimal impact upon residential amenity and has an acceptable impact upon the character and significance of the Grade II listed building and Clitheroe Conservation Area. As such, the application is recommended accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposal has an acceptable impact upon the character, setting and significance of the Grade II listed building, the character, appearance and significance of Clitheroe Conservation Area and residential amenity.

RECOMMENDATION 1: That planning permission be GRANTED subject to the following condition(s):

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

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

2. This permission shall be implemented in accordance with the proposal as amended by plans received on the 16th of November. Drawing No. 773010/01 in relation to the existing ground and first floor plan, Drawing No. 773010/02 Rev. D in relation to the proposed ground and first floor plan and Drawing No. 773010/03 Rev. D in relation to the proposed and existing elevation.

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments and to ensure that the development is carried out in accordance with the submitted plans in accordance with Policy G1, ENV16 and ENV19 of the Ribble Valley Districtwide Local Plan.

3. No primary cooking of unprepared food shall be carried out on the premises. Only re-heated or cold food that has been prepared elsewhere shall be served within the premises.

REASON: To safeguard the amenity of the area as supported by Policies G1, ENV16 and ENV19 of the Ribble Valley Districtwide Local Plan.

4. The premises shall be used for mixed A1/A3 use and no other purpose, except A1 use as specified in the Town and Country Planning (Use Classes) Order 2005.

REASON: To ensure that no alternative use is made of the premises which would cause harm to the vitality and viability of the principal shopping area in the Town Centre.

5. The use of the premises in accordance with this permission shall be restricted to the hours between 0700 to 1900 Monday to Saturday, and 1000 to 1600 on Sundays and Bank Holidays.

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

6. Precise specifications and samples of materials to be used in the construction of the shopfront including their colour and texture shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1, ENV16 and ENV19 of the Ribble Valley Districtwide Local Plan ensuring a satisfactory standard of appearance given that the property is Grade II Listed and located in a Conservation Area.

7. Prior to commencement of development further details of the level of sanitary provision and number of covers at the premises shall be submitted to the Local Planning Authority and agreed in writing and thereafter installed before commencement of use.

REASON: For the avoidance of doubt since the application was the subject to agreed amendments and in the interests of neighbouring amenity in order to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

NOTE: The applicant is strongly advised to comply with the British Standard 6465 'Sanitary installations: Code of practice for scale of provision, selection and installation of sanitary appliances' and section 20 of the Local Government (Miscellaneous Provisions) Act 1974 to avoid possible enforcement action being taken by the Local Planning Authority. Failure to do so may lead to prosecution.

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

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

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

2. This permission shall be implemented in accordance with the proposal as amended by plans received on the 16th of November. Drawing No. 773010/01 in relation to the existing ground and first floor plan, Drawing No. 773010/02 Rev. D in relation to the proposed ground and first floor plan and Drawing No. 773010/03 Rev. D in relation to the proposed and existing elevation.

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments and to ensure that the development is carried out in accordance with the submitted plans in accordance with Policy G1, ENV16 and ENV19 of the Ribble Valley Districtwide Local Plan.

3. Precise specifications and samples of materials to be used in the construction of the shopfront including their colour and texture shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1, ENV16 and ENV19 of the Ribble Valley Districtwide Local Plan ensuring a satisfactory standard of appearance given that the property is Grade II Listed and located in a Conservation Area.

APPLICATION NO: 3/2011/0331/P

(GRID REF: SD 374301 441787)

ONE NON-ILLUMINATED FASCIA SIGN AND ONE ILLUMINATED PROJECTING SIGN AT 9 CASTLE STREET, CLITHEROE

PARISH COUNCIL: No objection.

ADDITIONAL REPRESENTATIONS: Two letters have been received. One from a neighbouring commercial premises and the other from Clitheroe Civic Society who wish to raise the following objections:

- The signs are out of keeping with the conservation area and the street scene.
- Given the opening times there is no reason for the signs to be illuminated.

Proposal

Amended plans have been received which differ from the original plan submitted which sought consent for four illuminated signs. Consent is now sought to erect one non-illuminated fascia sign above the main shopfront measuring 4.6m x 0.6m and a externally illuminated projecting sign above the doorway.

Site Location

The premises falls centrally within the principal shopping frontage of Castle Street, which is characterised by a number of commercial, and business premises within the vicinity. The building is currently in A1 retail use as a bridal shop and forms a very prominent and historic feature within Clitheroe Conservation Area. The premises is Grade II Listed and according to the list description, this property together with Nos 3 to 19 and the Starkie Arms Hotel forms an important group.

Relevant History

3/2011/0266/P (PA) – Proposed change of ground and first floor from retail (use class A1) to a mixed-use coffee shop (A1/A3) including internal alterations and a new shop front. To be considered independently by members within this agenda.

3/2011/0267/P (LBC) – Proposed change of ground and first floor from retail (use class A1) to a mixed-use coffee shop (A1/A3) including internal alterations and a new shop front. To be considered independently by members within this agenda.

Relevant Policies

Policy G1 – Development Control

Policy ENV16 – Development within Conservation Areas

Policy ENV19 – Listed Buildings

Environmental, AONB, Human Rights and Other Issues

Matters for consideration in the determination of this application is the visual impact of the proposal upon the appearance of the street scene and the character and appearance of the Listed Building.

Policy ENV19 of the Ribble Valle Districtwide Local Plan in relation to development affecting the setting of Listed Buildings states that in assessing the harm caused by any proposal the desirability of preserving the setting of the building, the effect of the proposed development on the character of the listed building, any effect on the economic viability of the listed building and the contribution which the listed building makes to the townscape are all important factors to be considered. In addition, Policy ENV16 of the Districtwide Local Plan states that ‘within conservation areas development will be strictly controlled to ensure that it reflects the character of the area in terms of scale, size, design and materials’.

The removal of any form of illumination to the more traditional and simplistic design of the timber fascia board ensures that this aspect of the signage scheme is more appropriate to the character and appearance of the Grade II Listed building and Clitheroe Conservation Area. It is considered that the design of the projecting sign is also traditional in appearance and will not result in a prominent and incongruous addition to the premises located on a principal shopping frontage due to its size, position on the building and the method of illumination.

Therefore, in consideration of the above I consider that the proposed signs are appropriate, will have minimal impact upon the visual amenity of the Conservation Area and would not cause undue harm to the appearance or setting of the Listed Building. As such, the application is recommended accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposed signs have no significant detrimental visual impact upon the setting and appearance of the Listed Building or on the character and appearance of the Conservation Area.

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

1. This permission shall be implemented in accordance with the proposal as amended by plan received on the 16th of November. Drawing No. 773010/03 Rev. D in relation to the proposed signage scheme.

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments and to ensure that the development is carried out in accordance with the submitted plans in accordance with Policy G1, ENV16 and ENV19 of the Ribble Valley Districtwide Local Plan.

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

REASON: In the interests of visual amenity and in accordance with Policies G1, ENV16 and ENV19 of the Ribble Valley Districtwide Local Plan.

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

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

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

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

5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic signal or aids to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

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

APPLICATION NO: 3/2011/0498/P (GRID REF: SD 375156 438116)
PROPOSED DEMOLITION OF ALL BUILDINGS ON SITE (EXISTING HOUSE, KENNELS AND VARIOUS OUT BUILDINGS) AND ERECTION OF A NEW DWELLING INCORPORATING A BED AND BREAKFAST BUSINESS AT THE EAVES, PENDLETON ROAD, WISWELL

PARISH COUNCIL: Object on the grounds that it contravenes the following Local Plan policies:

1. G1 (a) and (e) – the size of the proposed development will adversely affect the amenities of the surrounding area.
2. ENV1 and ENV2 – the AONB and area immediately adjacent to the AONB must be protected and enhanced.

3. ENV3 – the development is not in-keeping with the character or the landscaped area and does not reflect local vernacular, scale, style, features and building materials.
4. H2 – the development does not meet the criteria for dwellings in the open countryside. The proposed dwelling does not solve a housing need.
5. PPS7 – the plans are not of exceptional quality or of an innovative nature.

In addition, the Parish Council wish to make the following comments:

1. The development will be detrimental to the street scene from Pendleton Road and from the A59.
2. The property is out of keeping with its neighbouring properties which are bungalows. The scale of the property (13 bedrooms plus swimming pool) has all the makings of a spa hotel.
3. The property to be demolished has only recently been refurbished.
4. The properties used as illustrations in the Design and Access Statement are very old houses set in extensive grounds not next to a country lane.
5. Concerns regarding traffic both during construction and afterwards as the use of the property as a large B&B business on a narrow country lane.
6. Reference to another site and issues surrounding trying to obtain consent for a barn conversion.
7. If consent is granted then a request that hours of working be imposed for construction and that construction of the building and associated landscaping be complete within 24 months from the date of commencement of development.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

No objection in principle on highway safety grounds.

LCC (ECOLOGY):

Provided mitigation and compensation can be secured by planning condition, the proposals will be in accordance with the requirements of the biodiversity planning policy, guidance and legislation.

LANCASHIRE COUNTY
COUNCIL (LANDSCAPE
UNIT):

The building as proposed does have much to commend it and, arguably, could be regarded as a positive feature in the landscape. The applicant has made a positive and largely successful attempt at designing a building which reflects much of the area's 'country house' vernacular, scale, form and massing such as that exhibited at Mitton hall (3.4km away). The proposals would consolidate the extent of development at the site by unifying the current collection of irregularly arranging buildings into one distinctive structure. Visibility of the application site from areas to the north and south are limited by the filtering effects of field boundary trees, hedging and buildings.

Set against these positive aspects however are concerns relating to the location of the application site and the scale of the proposed building. These are explained in more detail below.

The application site is situated adjacent to the Forest of Bowland AONB which is a designated landscape of national importance. The land within the AONB rises quite steeply to the east and as such provides good visibility of the site from the local footpath network. The moorland fringe landscape in these areas to the east provides a sense of wildness and the landscape's tranquillity is quite high; this is the landscape context – a highly sensitive one at that – within which the proposed building would be seen from the AONB.

In areas to the west of the site, the site is seen, particularly from the local footpath network, within an area which has a strong rural character and is part of the setting of the AONB. Although many of the field boundaries have tree planting there is nevertheless good visibility of the site from the footpath network.

An appropriate scale of development is a significant factor in minimising the impacts of development on the setting and character of the AONB. The large 'country house' scale of the proposed building whilst being a feature of the area – albeit a scarce one – is not typical of the local landscape that the site is situated within. The predominance of much smaller residential properties in the area would emphasize the large scale of the proposed building. In addition the large building scale would make it more visible over a larger area than would be the case had it been of a more typical domestic scale associated with the locality.

It is worth noting that very large country houses in the area such as Mitton Hall (now a hotel) are located in well treed undulating *lowland* landscapes set well back from other properties and within a carefully designed 'parkland' landscape. Views of these properties are generally very limited due to the filtering/screening effects of the undulating topography and extensive estate tree/woodland planting. By comparison the proposed building would be close to a nearby road (Pendleton Road) in a site with a relatively weak landscape structure.

Taking into account the issues relating to location and scale described above, I conclude that the proposed building would likely have the following landscape and visual impacts:

a) localised landscape character impacts of ***moderate – major*** significance. Overall impacts on the Undulating Farmland landscape character type (ref. *Forest of Bowland AONB Landscape Character Assessment, 2008*, Lancashire County Council) that the site is situated within would be of ***negligible – slight*** significance.

b) localised landscape amenity impacts, particularly for users of public rights of way to the west and south east of the site, of ***moderate significance***.

c) localised impacts of ***moderate*** significance on the setting and character of the AONB.

The level of impacts identified above suggest that overall, the proposals would be deemed unacceptable in landscape terms. However there is considerable potential to mitigate these likely landscape and visual impacts to acceptable levels. I recommend the following:

a) Native tree planting to the west of the building to filter views of it. The planting should be designed to reflect the 'parkland' style (just as the building has taken inspiration from others in the area) such as that found at Mitton Hall and Browsholme Hall.

b) Provision of native shrub planting along the site's northern boundary to enhance the mitigating effects of the boundary trees.

Much greater amounts of tree/shrub planting would create a bolder landscape structure appropriate for the scale of the proposed building and the area's landscape character. This planting would greatly reduce visibility of the site from the footpath network to the west of the site. Crucially, from the elevated areas within the AONB to the south east of the site, the building's rooftop would be seen within a more substantially wooded area greatly reducing its presence in the landscape.

UNITED UTILITIES:

No objections.

ENVIRONMENT AGENCY:

Have no objection in principle to the proposed development.

CPRE RIBBLE VALLEY
DISTRICT GROUP:

Object as the scheme is contrary to the following policies:

1. G1 – the size and grandure of the development would dramatically affect neighbouring properties because of their single height structure. One property is within 20m of the development and this would result in an overbearing presence causing unnecessary distress to the present occupiers and would trigger undue harm with regard to residential amenity and visual impacts.
2. ENV1 – the development will have a significant impact on the setting of the AONB due to the proposed imposing structure and scale within the existing lowland fringe farmland.
3. ENV2 – the size of the proposed development located within a landscape of much less intrusive properties and the open, undulating features of the landscape would only exaggerate the dominant nature of the proposed development subsequently making it stick out like a sore thumb, resulting in the views from the AONB will not be enhanced but will in fact be degraded.
4. ENV3 – the imposing structure would not be in-keeping with the character of the area.
5. H2 – the criteria iterates the impotence of considering the siting and design of dwellings and a countryside mansion would most probably not fall into the category as solving a required need.
6. PPS7 – CPRE fails to see any architectural innovation in the design and the documentation fails to provide a sustainability assessment, so the design cannot be judged on those credentials.

ADDITIONAL
REPRESENTATIONS:

Four letters of objection have been received. Members are referred to the file for full details which can be summarised as follows:

1. The intrusive scale of the development is not considered appropriate for the selected site.
2. Reference to a similar but smaller demolish and rebuild project in the village that has just been completed and the impact which the work had on the village in particular heavy traffic.
3. Approval could set a precedent for total site re-development along this stretch of road where it is considered there has been a policy of retaining bungalows to protect the views.
4. The positioning of the house does not take advantage of the whole site available. A manor house of this scale and proportion would be much more appropriate in an area with a long sweeping drive.
5. A critique of the submitted design and access statement is provided by one objector.
6. Reference to planning advice given on a neighbouring site historically regarding extensions to a dwelling and concerns expressed about extending upwards to create a two storey dwelling.
7. An over reliance on calculating the footprint of the new building compared with the existing property plus all manner of outbuildings.
8. The existing property is not two storeys but rather a dormer bungalow at approximately 5m high. The proposed building is double this height at 10m.
9. Over bearing nature of development which would over shadow an adjacent property.
10. Loss of privacy with the designated bed and breakfast bedrooms having direct views of a neighbour's property and garden.
11. Potential noise impact.
12. The architecture of the property is out of character with neighbouring properties and the village as a whole.

13. Concerns over the viability of the project and possible potential for other future uses.
14. If looking at Policy G5 this allows for small scale developments which are small scale tourism developments and small scale recreational developments appropriate to rural area. It could be argued that the inclusion of a four bedroom bed and breakfast business is an attempt to circumnavigate rural planning policies since the house actually comprises 13 bedrooms.
15. Concerns over traffic generation. At the moment the kennels traffic is confined to working hours which would change with the introduction of this business. There is no public transport within walking distance.
16. Parking is inadequate.
17. The kennels are a thriving business and the loss of employment needs to be considered.
18. Effect on ecology, tree felling and watercourse.
19. Consideration should be given to the destruction of the land cut away to create the basement and swimming pool.
20. Contrary to ENV1, ENV2, ENV3 and G1.
21. Object to the use of the name Wiswell Hall.

Proposal

This application details the proposed demolition of an existing dwelling, The Eaves, and kennels and replacement with a major new residence that incorporates bed and breakfast accommodation and ancillary facilities.

The house is designed around a compact 'E' plan over four levels with the basement level sunk fully into the ground and the top floor being contained within the roof space. The formal reception rooms (drawing room and billiard room) are contained within the northern wing whilst the family areas are located predominantly in the southern wing. Guest accommodation is located at the second floor level (four bedrooms). There are 13 en-suite bedrooms in total arranged over the first and second floors. The basement level provides accommodation for stores/plant room, garaging, cinema/games room, sauna, changing rooms and swimming pool – the pool is an extension beyond the side elevation of the dwelling but given it is sunk into the ground presents itself as a raised terraced area when viewed from the west.

The dwelling would have overall dimensions of approximately 32m in length and 25m in depth to the northern wing, 19m to the southern wing with a height to ridge of approximately 10m. Construction materials would be dressed of stone, slate tiles, metal windows and timber doors.

Proposed landscaping will be contained within the existing developed boundaries of the site with the remainder of land being retained as semi improved grassland. The area of land between the proposed building and Pendleton Road will be planted as a formal garden, retaining existing trees and including the planting of new. Two vehicle access points into the site will be maintained allowing for a one way drive across the front of the building. This will involve the widening of the gap in the hedge of the existing vehicular access to allow for visibility splays. New gateposts would be constructed set back from the road allowing vehicles to pull off the highway before stopping at the gates. There are three garage spaces within the basement for family use and an additional six spaces provided off the driveway adjacent to the south entrance.

Site Location

The site lies to the west of Pendleton Road outside the defined settlement limit of Wiswell. It is set in land designated open countryside with the boundary to the AONB aligning the eastern side of Pendleton Road. There is presently a dwelling and kennels on site with a property located to the north of the site and opposite to the east.

Relevant History

3/08/0799/P – Construction of balcony and orangery to rear, two rear windows, front dormer and detached garage. Approved with conditions.

3/07/0009/P – Single storey extension to rear, bedroom over garage, new canopy, stone facings to two elevations and new roof covering. Approved with conditions.

3/07/0008/P – Amended extension to cattery. Approved.

3/04/0991/P – Extension to cattery. Approved.

3/99/0338/P – Single storey garage extension. Approved with conditions.

3/92/0088/P – Modification of conditions to permit further kennel facilities. Approved.

3/90/0123/P – Single storey detached cattery. Approved with conditions.

3/89/0599/P – Outline application for erection of building to be used as cattery. Approved with conditions.

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 ENV13 - Landscape Protection.

Policy RT1 - General Recreation and Tourism Policy.

Policy T1 - Development Proposals - Transport Implications.

Policy T7 - Parking Provision.

Policy H14 - Rebuilding/Replacement Dwellings - Outside Settlements.

Policy EMP11 - Loss of Employment Land.

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 RDF2 – Rural Areas - North West of England Regional Spatial Strategy to 2021.

Policy W6 – Tourism and the Visitor Economy - North West of England Regional Spatial Strategy to 2021.

Policy EM1 – Integrated Enhancement and Protection of the Regions Environmental Assets - North West of England Regional Spatial Strategy to 2021.

PPS1 – Delivering Sustainable Development.

PPS7 – Sustainable Development in Rural Areas.

The Good Practice Guide on Planning for Tourism.

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application are the principle of development, highway safety, visual and residential amenity. For ease of reference these are broken down into the following sub headings for discussion.

Principle of Development

In terms of assessing the appropriateness of this scheme, there are various saved policies of the Districtwide Local Plan that the proposal should be judged against. There is an existing dwelling on site and Policy H14 of the Plan allows for the demolition and replacement of dwellings in the open countryside subject to a number of criteria – in particular *(ii) the impact on the landscape will be assessed in relation to that of a new dwelling. As such, very careful consideration to design and use of materials must be made. In addition, excessive increase in the size of property will not be permitted.* The remainder of the site is currently an existing employment use (kennels) and Policy EMP11 of the Plan concerns itself with the loss of employment land. In particular one of its criteria seeks to establish *(v) any attempts that have been made to secure an alternative employment generating use for the site.*

The proposal that is before Members is in part a private dwelling but also an employment generating tourism use. Details provided on the application form state there are two full time employees at present and that should consent be forthcoming, two full time and two part time jobs would be created in order to service the bed and breakfast accommodation within this scheme. Given the details submitted, I am satisfied that the requirements of EMP11 have satisfactorily been addressed. I am also mindful of Policies G5 and RT1 of the Plan that advise outside settlement/village boundaries planning consent will only be granted for small scale developments, which are amongst other things, small scale tourism developments appropriate to a rural area. Under RT1 the proposal must be physically well related to an existing main settlement/village or to an existing group of buildings. I am of the opinion that the nature of use of the building proposed and its location in relation to other buildings would accord with these criteria of G5 and RT1. Thus, in terms of the actual principle of a development of this nature, which represent a hybrid residential/tourism,/employment use, I am satisfied that it accords with planning policy (the relaxation on site of the dwelling under H14 is a reflection of its hybrid uses). There are however, other detailed development control considerations that need to be explored in order to assess the impact of the proposal and these are detailed below.

Highway Safety

The County Surveyor has raised no objection in principle to this development. He has questioned the retention of two points of access to the site but has confirmed to me verbally that he would not wish to recommend refusal of this scheme should the arrangements remain in their originally submitted form.

The additional vehicular activity associated with this development would derive from two sources – four rooms operating as commercial B&B business and a nine room family home. It is not anticipated by the County Surveyor that traffic movements generated by such an establishment would place any significant burden on the capacity of the road. The layout provides for three garage spaces, an extensive driveway and a six vehicle car park and this level of off street parking provision is considered sufficient to meet the anticipated domestic and commercial uses of the development.

Therefore, notwithstanding concerns expressed over highway safety matters, I must be guided by the County Surveyor and conclude that there would be no significant detriment to highway safety as a result of this scheme's implementation.

Visual Amenity/Scale/Layout/Design

As noted earlier, the site lies outside any defined settlement limit within land designated open countryside but on the fringe of the AONB. For these reasons, Policies ENV2 and ENV3 of the Districtwide Local Plan must be considered when assessing the visual impact of the scheme as well as the criteria of RT1 that stipulates *the development should not undermine the character, quality or visual amenities of the Plan area by virtue of its scale, siting, materials or design*. G1 is also of relevance as it requires development to be sympathetic to existing and proposed land uses in terms of size, intensity and nature.

The site lies on ground which falls away from the south east to north west and the building has been positioned on site in order to make use of this fall in order to mitigate the height of the building. As Members will note from the planning history section of this report, the existing house on site has been subject of extensive alterations to its post war construction. The kennel buildings are also detailed in the planning history section. There is currently vehicular access into the site off Pendleton Road via driveways to both the house and kennels. The existing buildings are separated from the agricultural land to the north western end of the site by a hedge and timber panel fence. All of the development proposed under this application is contained within this boundary with the residential dwelling to the north being similarly constrained.

The applicant has put forward a design rationale as part of their design and access statement and they suggest that the Ribble Valley around Clitheroe is home to a series of major country houses and the proposal to create a new 'Wiswell Hall' is conceived as a continuation of this long tradition. The scheme was subject of pre-application discussions at which time other approaches were explored to provide a large house such as this including a farmstead design. The applicant has looked at examples of local vernacular to take inspiration from places such as Mitton Hall, Stirk House, Browsholme Hall and Hammerton Hall in Slaidburn. From such analysis, they consider that stylistically, there is a clear language of 'E' form or variant plan arrangements, raised plinths, string course, corniced eaves and gables with finial details. Using this 'local language' the applicants consider they have put forward a proposal which is rooted in and appropriate to the local landscape character.

Given the location of the site on the fringe of the AONB there was consultation with the AONB Manager at Lancashire County Council as part of the pre-application discussions that took place. His comments at that time were as follows:

The estate country house style has some resonance in the wider Pendle Hill area but the development clearly meets a modern need that is quite different from early country houses of this scale and therefore does not have all the features that might be associated with a typical country house of an earlier century, eg it is not set within the traditional landscape setting with planned landscaping of woodland, copses with pastures dotted with parkland trees, with a main house approach by tree lined driveways. It therefore has to be assessed in the modern context.

In the photo montages, although Pendle Hill remains the dominant feature, its dominance is visually challenged by the large scale manmade structure proposed. The views benefit from the building being seen in the larger frame of the hillside, rather than the building being seen as breaking the skyline.

That scheme was revised prior to submission as a formal application in order to reduce the length of the building. In respect of the application scheme before Members the officer at LCC Landscape Unit has commented that:-

the building as proposed does have much to commend it and, arguably, could be regarded as a positive feature in the landscape. The applicant has made a positive and largely successful attempt at designing a building which reflects much of the area's 'country house' vernacular, scale, form and massing such as that exhibited at Mitton hall (3.4km away). The proposals would consolidate the extent of development at the site by unifying the current collection of irregularly arranging buildings into one distinctive structure. Visibility of the application site from areas to the north and south are limited by the filtering effects of field boundary trees, hedging and buildings.

Taking into account the issues relating to location and scale described above, I conclude that the proposed building would likely have the following landscape and visual impacts:

- a) localised landscape character impacts of **negligible – slight** significance.*
- b) localised landscape amenity impacts, particularly for users of public rights of way to the west and south east of the site, of **moderate significance**.*
- c) localised impacts of **moderate** significance on the setting and character of the AONB.*

However there is considerable potential to mitigate these likely landscape and visual impacts to acceptable levels by native tree planting to the west of the building to filter views of it. The planting should be designed to reflect the 'parkland' style (just as the building has taken inspiration from others in the area) such as that found at Mitton Hall and Browsholme Hall; and provision of native shrub planting along the site's northern boundary to enhance the mitigating effects of the boundary trees.

Much greater amounts of tree/shrub planting would create a bolder landscape structure appropriate for the scale of the proposed building and the area's landscape character. This planting would greatly reduce visibility of the site from the footpath network to the west of the site. Crucially, from the elevated areas within the AONB to the south east of the site, the building's rooftop would be seen within a more substantially wooded area greatly reducing its presence in the landscape.

Therefore, after carefully considering the above, I am of the opinion that whilst this is a sizeable building, its visual impact would not prove so significantly detrimental to the visual amenities of the area and setting of the AONB as to warrant an unfavourable recommendation on design grounds.

Residential Amenity

In assessing the potential impact of this scheme on residential amenity, I am mindful of the properties that lie to the north and east of the site.

The proposed house is positioned approximately 16m from the northern boundary at its closest point graduating to 19m and is set further back into the site than the existing dwelling (approximately 20m from the roadside). The dwelling to the north is set approximately 18m from the common boundary and has a driveway/parking area that runs along the site boundary. The private garden area is set to the rear of the property with there being a belt of trees that runs down the boundary division. The elevation of the new building that faces towards that property has windows serving a billiard room and dining room at ground floor, with four family bedrooms at first floor and four bed and breakfast room windows at second floor. Having regard to the distances involved, and positioning of the new build in relation to the aforementioned existing house (front building line is set behind the existing dwelling) I do not consider that the potential impact on them in terms of overlooking or oppressive or overbearing nature of development would be so significant as to warrant an unfavourable recommendation on residential amenity grounds in respect of the relationship with that property.

Turning to the property opposite the site, the building has been positioned in order to reduce the impact on long distance views across the site from that property. The provision of the swimming pool in a basement area reduces the impact for the neighbour – their present outlook is between the existing dwelling and on to the kennel building. Therefore, having regard to the siting of the new structure in relation to this property, I do not consider that there would be any significant detrimental to impact upon them.

Therefore, having carefully assessed all the above, I am of the opinion that the proposal accords in principle with planning policy and whilst substantial in size would not have a significantly detrimental effect on visual or residential amenity nor would such a use be to the detriment of highway safety. An extended phase 1 survey was submitted in support of the application along with arboricultural assessments. Subject to the imposition of appropriately worded conditions, nature conservation interests should not be significantly compromised as a result of this scheme's implementation. I thus recommend accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. This permission shall be implemented in accordance with the scheme as detailed on drawings:

105/01(02)001REVA; 105/01(00)002REVA; 105/01(02)003REVA; 105/01(02)004REVA; 105/01(02)005REVA; 105/01(02)006REVA; 105/01(02)007REVA; 105/01(02)008REVA; 105/01(02)009REVA; 105/01(02)010REVA; 105/01(02)011REVA; 105/01(02)012REVA; 105/01(02)013REVA; and 105/01(02)014REVA.

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

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 Policy G1 of the Ribble Valley Districtwide Local Plan.

4. Prior to the commencement of the development hereby permitted, details of the type, coursing and jointing of the natural stone to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built to conform with the details which shall have been 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.

5. Notwithstanding the submitted details, 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. This permission shall relate to the Extended Phase I Habitat Survey; Stage 1 Arboricultural Report with Tree Constraints Plan and Arboricultural Implications Assessments to aid in the size and design/layout and stage 2 arboricultural indications assessment and method

statement submitted with the application. All details shall comply fully with recommendations of those reports.

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

7. Unless otherwise agreed in writing with the Local Planning Authority the development shall be carried out in strict accordance with the recommendations and mitigation notes attached to the protected species survey submitted with the application dated 25 May 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.

APPLICATION NO: 3/2011/0657 (GRID REF: SD 362301 437538)
ERECTION OF STABLE BLOCK AND ASSOCIATED SITE WORKS AT RADCLIFFE FARM COTTAGE, LOWER ROAD, LONGRIDGE.

PARISH COUNCIL: No objection.

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

- Concern regarding proximity of proposal to 3 neighbouring residential properties.
- Size and footprint is excessive and out of proportion to the adjacent and neighbouring properties.
- Visually prominent from the objectors garden and property.
- Concern regarding additional noise and smells.
- There are Livery/stables 1 mile down the road.
- Concern regarding impact upon highway safety.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No objection – Provided that the proposed stable block is not intended for commercial use I would envisage little additional traffic using the existing access point.

Proposal

Permission is sought to erect a stable block measuring 14.1m x 5.2m x 3.8m in height to the ridge constructed of stone to the base with timber boarding to the walls and a slate roof. The proposal is to be orientated north to south and located 6.3 metres north-west of the applicants property on a parcel of land within the applicants ownership which is accessed via an existing timber gateway. A gravelled area with concrete edgings is proposed to the eastern side elevation of the stables, with a mix of trees and shrubs to be planted to the western side elevation to offer screening. The total area of development covers 7.5m x 9m.

Site Location

Radcliffe Farm Cottage is the far western end-terraced property of a group of four residential properties fronting Lower Road, which originally comprised the main farmhouse of Radcliffe Farm with attached cottage and barn, located 120 metres east of Spade Mill Reservoir and 0.7 miles from the main settlement of Longridge. Residential curtilage extends to the north and east of the property, with the land beyond (which borders the reservoir) being in the applicant's ownership.

Relevant History

None

Relevant Policies

Policy G1 – Development Control

Policy ENV3 – Development in Open Countryside

Environmental, AONB, Human Rights and Other Issues

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

In terms of visual impact I consider that the scale, size and design of the proposal is appropriate to the locality. Due to the proximity of the development to the property it relates to, the development will not be viewed in isolation. The stable block will be set back from the roadside by 28.5 metres and the existing mature hedgerow to the southern boundary of the applicant's property will screen the development when travelling by foot or car on Lower Road. Therefore I consider that any impact of the proposal upon the visual amenity of the Open Countryside will be minimal.

I note the concerns from a neighbouring resident with regards to the proximity of the proposal to neighbouring properties and the potential impact upon their amenity, in particular visual impact, noise disturbance, increased smells and impact upon highway safety.

With regards to the latter, the County Surveyor has confirmed that he has no objection in principle to the application on highway safety grounds subject to it being used for private and domestic purposes.

With regards to visual impact the proposal is to be sited 27 metres from the nearest residential property which is not in the applicant's ownership. Any views of the stable block from the rear of neighbouring residential properties will not directly overlook the proposal but will be at an obscure angle. It is also considered that the materials used are in-keeping with the locality, and the size will not prove visually prominent so as to significantly affect the amenity of neighbouring residents.

The proposal is to include two stables, storage for a horsebox and a tack room/plant equipment store. It is to be used for private and domestic purposes only and it is considered that the level of use to include the movement of vehicles on the basis of the scale and size of the building would not be so intensive as to significantly affect the amenity of neighbouring residents. An

appropriate condition has been placed on the decision notice to ensure that the stables are not used for any commercial enterprise.

Lastly with regards to potential noise disturbance and smells I have discussed the proposal with an Environmental Health Officer. Due to the size of the building, the number of stables and that it is for private use, he considers that the use would not be so intensive as to warrant any additional conditions or concerns. The applicant has also confirmed that they already have a compost heap in the far corner of the field away from residential dwellings. Some manure will be put on this heap to add to the garden and the rest will be removed from site as required.

In consideration of the above and subject to appropriate conditions I consider that the proposal is an appropriate form of development in this location and would not have a significantly detrimental impact upon the amenity of neighbouring residents. As such, the application is recommended accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. This permission shall relate to Drawing No. 03 in relation to the existing site plan, Drawing No. 03A in relation to the proposed site plan and Drawing No. 02A in relation to the proposed floor plan and elevations.

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

3. The stables building hereby permitted shall be used for private recreational purposes only and shall not be used in connection with any commercial enterprise such as livery stables or a riding school.

REASON: In the interests of the amenities and character of the locality, the amenities of nearby residents, and highway safety, and to comply with Policy G1 and ENV3 of the Ribble Valley Districtwide Local Plan.

4. No external lighting shall be installed to facilitate the use of the stables unless precise details thereof have first been submitted to and approved in writing by the Local Planning Authority.

REASON: To comply with Policy G1 and ENV3 of the Ribble Valley Districtwide Local Plan in the interests of the visual amenity of the area and to safeguard, where appropriate, neighbouring residential amenity.

APPLICATION NO: 3/2011/0695/P

(GRID REF: SD 378118 437272)

PROPOSED ERECTION OF ONE DETACHED DWELLING, NEW VEHICULAR ACCESS, PARKING, TURNING AND CREATION OF GARDEN ON LAND ADJACENT TO MOUNT PLEASANT, PADIHAM ROAD, SABDEN

PARISH COUNCIL:

Objects to the proposal for the following reasons:

- The proposed dwelling is higher than dwellings which are adjacent on Mount Pleasant and Padiham Road and the Parish Council believes that as such it is out of scale and will be detrimental to the area.
- The proposed access is to the left of the existing BT pole where there is more limited space and requires removal of existing trees, there appears to be more space to the right of the BT pole.
- The Parish Council questions if there is root damage to existing trees and suggests a full tree survey be conducted by a professional.
- The proposed dwelling is on a site which is agricultural and until fairly recent has been farmed by the neighbouring farm.

The Parish Council requests that any trees on the site that are felled should be replaced.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

Has no objection in principle to the application on highway safety grounds.

The location of the proposed access allows for some flexibility in the manoeuvring and parking of vehicles within the site. However, I recognise that the proximity of the BT pole at the south of the access has been noted.

The proposed layout clearly retains an element of physical protection from the pole as the line of the site boundary wall is unaltered. I am satisfied that this is sufficient to prevent any damage to the pole as a result of vehicles manoeuvring to and from the site.

However, a minor revision of the access layout, to bring the opening and minimum of 1m from the centre of the pole would improve its long-term integrity and provide improved separation between the pole and the access. This would involve moving the point of access approximately 0.5m to the north.

ADDITIONAL
REPRESENTATIONS:

Two letters have been received from nearby residents in which objections are made to the proposal on the following grounds:

1. The scale and height of the proposed 2½ storey building is out of proportion with existing neighbouring properties and will not fit into the street scene.
2. The use of the site will change from agricultural to residential. The Council should be adopting policies to protect its greenbelt land, a major factor in attracting people to the area.

(The site is not within a greenbelt.)

3. The site is outside the settlement boundary of Sabden and Policy G5 of the Local Plan states that such sites can only be developed for specific requirements such as an agricultural workers dwelling.
4. The existing trees should be retained as they are important in the landscape. There is no space available for replacement trees to be planted.
5. The access could be re-sited to the other side of the telegraph pole to enable the retention of the trees. This would also give the access better visibility. It is questioned whether the proposed access is directly onto the adopted highway or involves trespass over the private access track to the properties on Mount Pleasant.
6. The proposed use of black uPVC window frames is not in keeping with the white and brown frames of adjoining properties.
7. The elevations facing Padiham Road should be natural coarsed stone, not a mixture of stone and render.
8. Sabden does not need this development; it is in the wrong location; and it is too large.

Proposal

Full planning permission is sought for a detached 2½ storey house with a new vehicle access to Padiham Road, off-street parking/turning area and the creation of a garden area.

The proposed dwelling is 'T' shaped in form and has a footprint with maximum dimensions of approximately 15m x 11m. It is 5m high to eaves and the ridge heights of the two section of roof are 9.2m and 9.7m.

It comprises a double garage, dining room, family room/kitchen and utility room on the ground floor; two bedrooms, bathroom and lounge on the first floor; and 3 bedrooms within the roof space at second floor level.

The second floor rooms would be illuminated by windows in the front and rear gables, by 1 small piked roofed dormer at the rear and 2 roof lights. There are no proposed dormers in the front elevation.

The front elevation would be in coarsed natural stone, and the side and rear elevations would be rendered with a stone plinth and stone quoins. There would be stone window and door surrounds to all elevations. The doors and window frames are to be black uPVC and the garage door is to be black steel. The roof will be natural slate.

A new access onto Padiham Road will lead to a block paved area in front of the dwelling that will provide two parking spaces and turning facilities in addition to the double integral garage.

The garden area at the rear will be separated from the adjoining field only by a 1.1m high stained timber post and rail fence.

Site Location

The application relates to a piece of land between 52 Padiham Road and Mount Pleasant in Sabden. The land has been fenced off from the field to the north and east of the site. There is presently no vehicle access from the site to Padiham Road but the land is adjacent to a track which forms part of the adopted highway. The rear of the site runs parallel to the rear garden of the semi-detached houses on Padiham Road to the south of the site and is presently marked by a post and wire fence. The southern boundary is adjacent to the side boundary of 52 Padiham Road and is divided from it by the stone garden wall at the front and close boarded fence of that property at the rear. The western boundary is marked by a dry stone wall which separates the site from the track that provides access to the rear of the terraced houses at Mount Pleasant. There are trees within the site close to this wall. The northern boundary is separated from the field by a post and wire fence that runs almost parallel to the front of the terraced houses at Mount Pleasant.

Padiham Road is the main traffic route out of Sabden towards Padiham and Burnley. This road carries a bus route and there are bus stops in both directions within easy walking distance of the site.

The site is outside by immediately adjacent to the settlement boundary of Sabden as defined in the adopted Ribble Valley Districtwide Local Plan. The adjoining houses in Mount Pleasant and on the eastern side of Padiham Road and all the houses on the western side of Padiham Road are within the settlement boundary.

The site is therefore on the edge of the village close to existing residential properties. The site is also within the Forest of Pendle Area of Outstanding Natural Beauty.

Relevant History

None.

Relevant Policies

Policy G1 - Development Control.
Policy G4 - Settlement Strategy.
Policy G5 - Settlement Strategy.
Policy H2 - Dwellings in the Open Countryside.
Policy ENV1 - Area of Outstanding Natural Beauty.
PPS3 - Housing.

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application are the principle of the development and effect upon visual amenity, the amenities of nearby residents and highway safety.

Principle of Development

Sabden is a village that is covered by Policy G4 of the Local Plan. That Policy states that small-scale developments within the settlement boundary would be acceptable in principle. The site, however is just outside the settlement boundary where Policy G5 states that only housing for specific requirements, such as agricultural workers dwellings, is acceptable. If it was appropriate to consider the application solely in relation to the saved policies of the Local Plan, the proposal would not be acceptable in principle.

However, as the Council only presently has a 3.3 year supply of deliverable housing land (most up to date monitoring information dated 1 October 2011) it is also necessary to take into account guidance within PPS3: Housing.

Paragraph 71 of PPS3 states that where Local Planning Authorities cannot demonstrate an up to date 5-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 the site for housing, including its environmental sustainability;
- using land effectively and efficiently;
- ensuring the proposed development is in line with planning for housing objectives.

An important consideration in assessing this proposal is bullet point 3 of paragraph 69 (as above) which relates to the need for Local Planning Authorities to have regard to the suitability of the site for housing, including its environmental sustainability, as well as bullet point 5 which requires development to be in line with planning for housing objectives.

This site immediately adjoins the settlement boundary of Sabden and is within walking distance of bus stops (for buses to Whalley, Clitheroe, Padiham and Burnley) and also within walking distance of the shops and other facilities, such as the medical centre within the village. I consider this to be a sustainable location in relation to the requirements of PPS3. I also

consider that permission for this single dwelling would be in line with planning for housing objectives.

In the current housing situation in the Borough, the proposal is therefore considered to be acceptable in principle.

Visual Amenity

Sabden in general, and this part of the village in particular, is characterised by a variety of house types, designs and external materials. In the immediate vicinity of the site, Mount Pleasant and the terrace of houses on the opposite side of Padiham Road are built out of coarsed natural stone with slate roofs and stone detailing to the window and door openings. The side and rear elevations of Mount Pleasant are rendered. The semi-detached houses to the south of the site are wholly rendered with no architectural detailing and have a hipped pitched slate roof. The newer houses on the opposite side of Padiham Road towards the village centre are built of brick and render with tiled roofs.

The proposed dwelling is to be coarsed natural stone to the front elevation with stone window and door surrounds to all elevations and the side and rear are to be rendered with a stone plinth and quoins, whilst the roof is to be natural slate. In the Design and Access Statements, the agent says that the architect has chosen to make the windows and doors distinctive by use of dark colours to treat the window frames and doors.

I consider the use of natural stone on the front elevation with render on the side and rear elevations to be in keeping with the locality. I do not have any strong objection to the use of black door and window frames.

I consider the basic form of the proposed dwelling, having a relatively narrow gable adjoining the semi-detached house to the south, and then widening with front and rear gables on the northern part of the building to be appropriate. I do not consider the footprint of the building to be excessive relative to the size of the site.

Concern has been expressed by the Parish Council and a nearby resident about the height of the building. Although it is to be 2½ storeys high, it will be slightly cut into the ground. The eaves height of the proposed dwelling would actually be approximately 1m lower than the eaves of number 52 Padiham Road (to the south) whilst the ridge would be approximately 0.6m higher than that neighbouring property. The eaves of the northern part of the dwelling would be at approximately the same height as the eaves of the terrace at Mount Pleasant, and the ridge would be approximately 1.2m higher than the ridge at Mount Pleasant (which is the approximate height of the top of the chimneys at Mount Pleasant).

Overall, I do not consider the height of the building to be excessive.

The proposed rear/side boundary treatment of 1.1m high post and rail fence is appropriate for this locality on the edge of the village.

The Countryside Officer has visited the site and does not consider any of the existing trees to be of any particular merit. He therefore has no objections to the trees being felled subject to the planting of appropriate replacements. This can be covered by an appropriate condition in the event that the Committee resolves to approve the application.

Overall, I consider the proposal to be acceptable with regards to its effects upon visual amenity.

Amenities of Nearby Residents

The dwelling has been designed so that there are no windows in the side elevation that faces number 52 Padiham Road to the south. There is a balcony on the northern end of the rear elevation, but I consider this to be sufficiently far away from number 52 that the privacy of that property would not be seriously adversely affected.

Whilst some of the windows in the front elevation will look across the front gardens of Mount Pleasant, there would be no direct overlooking of windows in the Mount Pleasant dwellings. I therefore consider the proposal to be acceptable in relation to the privacy of adjoining properties.

The dwelling has also been designed such that there is a relatively narrow gable adjoining number 52 which ensures that there will be no serious overshadowing or overbearing effects upon that neighbouring property. Overall, I consider the proposal to be acceptable in relation to this particular consideration.

Highway Safety

The County Surveyor has no objections in principle to this application, subject to a minor amendment that involves moving the point of access approximately 0.5m to the north. Subject to a condition requiring this amendment, there are no highway safety objections to this application.

Even in the required slightly amended position, the access will be onto land that is part of the adopted highway.

Overall, I can see no sustainable objections to this application.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. This permission shall relate to the proposal as shown on drawing numbers 176/01,02,03 and 04 (as slightly amended in accordance with condition number 3 below).

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

3. The vehicular access shall be formed in a position 0.5m to the north of the position shown on drawing numbers 176/03 and 04.

REASON: To provide an improved separation distance between the access and the existing telegraph pole in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

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

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

5. In the first planting season following the completion of the development or the first occupation of the dwelling, whichever is the sooner, four trees (as replacements for the trees to be felled) shall be planted within the site in accordance with precise details that have first been submitted to and approved in writing by the Local Planning Authority.

If, within a period of five years from their planting, any of the trees are removed, or die or become seriously damaged or seriously diseased, it shall be replaced by a species of similar size to that which was originally planted.

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

6. The north and east boundaries of the site shall be enclosed only with a 1.1m high stained timber post and rail fence as stated on drawing number 176/04. No different means of boundary treatment (such as walls or closed board fences) shall at any time be erected on these boundaries unless a further planning permission has first been granted in respect thereof.

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

APPLICATION NO: 3/2011/0703/P (GRID REF: SD 374238 442493)
PROPOSED ERECTION OF A THREE BEDROOM, TWO-STOREY DETACHED DWELLING
WITH ATTACHED GARAGE (RE-SUBMISSION OF 3/2011/0315/P) AT 43 HAWTHORNE
PLACE, CLITHEROE

CLITHEROE TOWN No objections.
COUNCIL:

LCC ENVIRONMENT
DIRECTORATE (COUNTY
SURVEYOR):

No objection in principle to this application on highway safety grounds, as the residential layout provides satisfactory off road parking provisions to the redeveloped property.

ADDITIONAL
REPRESENTATIONS:

Six letters of objection have been received from the occupiers of dwellings adjacent to the site, with the following points of objection raised:

1. Contrary to Local Plan Policies,
2. Contrary to National Guidance,
3. Development not sympathetic to existing and proposed land uses in terms of size, intensity and nature,
4. Original development of Hawthorne Place was designed to ensure adequate space between houses, this will create a cramped appearance,
5. Impact on neighbouring properties,
6. Increase in car parking issues currently experienced,
7. Detrimental to pedestrian and highway safety by virtue of increase in vehicular traffic,
8. Development will destroy the open plan nature of this site to the detriment of the streetscene,
9. Damaging to local landscape,
10. The dwelling proposed is an ugly, utilitarian design straight out of a pattern book with no architectural merit,
11. Scheme is out of scale when compared to the rest of the estate,
12. Its squat appearance is at odds with the more spacious and elegant appearance of neighbouring properties,
13. Loss of privacy due to inadequate spacing standards between first floor windows,
14. The scheme neither integrates with nor complements the neighbouring buildings in terms of scale, density, layout or access,
15. Private residential gardens are now excluded from the definition of previously developed land in Annex B of PPS3, surely preventing 'Garden Grabbing'?
16. Development does not conform with current guidelines in relation to window separation distances,
17. Precedent will be set if approved,
18. Distances to the boundary edge of the site are at 800mm, which are totally inadequate,
19. Garden depth of 4.5m is inadequate for a three bedroom family house,
20. Proposal will have an overbearing impact on 41 Hawthorne Place,
21. Rear of dwelling faces south, so it will restrict natural daylight/sunlight to adjacent properties, especially during winter months,
22. Increase in noise due to the location of the car parking area adjacent to a neighbours extension, and

23. Committee are urged to refuse the proposal on the basis that it would result in a dominant addition to the streetscene, resulting in a cramped appearance to the detriment of the visual amenities of Hawthorne Place and Eastham Street.

Proposal

This is an application for the erection of one, three bedroom, two-storey detached dwelling within the residential curtilage of no. 43 Hawthorne Place, Clitheroe. The dwelling will be sited between the no's 41 and 43 Hawthorne Place. Vehicular access to the site will be directly off Hawthorne Place, and there are two car parking spaces indicated within the site.

Site Location

The site lies within the settlement boundary of Clitheroe, as defined by the Ribble Valley Districtwide Local Plan. The site lies within the residential curtilage of no. 43 Hawthorne Place, however the main, and most used, amenity space is to the rear of the dwelling. The land is bounded by the residential curtilages of three properties, no. 43 Hawthorne Place to the north west, no. 41 Hawthorne Place to the South East and Ashdown, on Eastham Street, to the South West.

Relevant History

3/2011/0315/P – Erection of 4-bedroom, two-storey detached dwelling – Withdrawn.

Relevant Policies

Policy G1 - Development Control.

Policy G2 – Settlement Strategy.

Policy H10 – Residential Extensions.

Policy T7 – Parking Provision.

SPG – “Extensions and Alterations to Dwellings”.

Policy L4 of the Regional Spatial Strategy (RSS).

PPS3 – Housing.

Affordable Housing Memorandum of Understanding (AHMU).

Environmental, AONB, Human Rights and Other Issues

The main 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 the visual amenity of the streetscene and the potential impact on 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 Settlement Boundary of Clitheroe, is Policy G2. That policy defines as acceptable, the development of sites within the settlement boundary and outside Green Belt. As the application

site lies within the boundary and is outside the Green Belt, I consider that it complies with Policy G2. In addition, as a single dwelling within the Settlement Boundary of Clitheroe, there is no requirement under the terms of the Affordable Housing Memorandum of Understanding (AHMU) for the dwelling to be 'affordable'. This is also agreed with in the wording of Policy L4 of the RSS, still a material consideration, which states that on sites where less than 15 dwellings are proposed, no affordable housing element will be required and the proposals will be acceptable in principle providing they comply with the limits of the development as identified in the saved settlement hierarchy of the Districtwide Local Plan.

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

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

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

- The location of the site in relation to the settlement and its services and amenities, and
- The scale of the development and subsequent visual impact on the streetscene and nearby areas.

On this basis, whilst the location of the site is considered entirely suitable, the scale of the development and its subsequent visual impact are also key factors when considering the proposal. The proposed development of this site for a dwelling is therefore acceptable in principle when considered in relation to the current housing policies and guidance.

VISUAL IMPACT, SCALE AND DESIGN

Visually, any development of this site will affect the streetscene and views through the site, and in order to refuse this development, the harm of a proposal must be demonstrated. The land in question is within the ownership of the Applicant (part of his residential curtilage) and as such the openness created could be considered artificial, as it is not provided for public benefit, merely just created by virtue of the original design of the estate. Therefore, its loss is not considered to be significantly detrimental to the amenities of the streetscene.

The previous scheme for this site proposed a four bedroom detached dwelling, at two storey across its entire width. The plan 'Proposed Rear Elevation' indicates what was originally proposed, prior to it being withdrawn following adverse comments from the Planning department as well as from neighbour objections. This new scheme has taken into account some planning concerns and the dwelling has been significantly reduced mass of dwelling and is considered to create less of a cramped appearance on site, as well as reducing the potential loss of light issues by careful design of the roof over the garage. Concerns have still be raised regarding the layout and scale of the dwelling proposed overdeveloping the site, given the gap of only 800mm between side boundaries and a garden depth of only 4.5 metres, however having visited and

assessed the site, the scale of the dwelling is considered to be in proportion with the size of the site, both in terms of floor area and height, and given the minimal gaps that already existing between property no's 33 to 41 and no's 43 to 51, I do not consider the scheme will create a cramped development on this site. This is further helped by the position of the dwelling on the site, set back from the frontages of the adjacent dwellings, and that the height is of the dwelling is similar to those on Hawthorn Place.

With regards to the design of the dwelling proposed, in relation to nearby dwellings the dwelling planned sufficiently reflects the design of other dwellings on Hawthorne Place, in light of the window detailing, materials and roof shape proposed. Hawthorne Place itself is a relatively modern housing estate, and as such I do not envisage that the dwelling proposed here will significantly affect the visual aspect of this location within the streetscene.

IMPACT ON RESIDENTIAL AMENITY

There are two main concerns in respect of the proposal impact on residential amenity, and these are the potential loss of light, and the loss of privacy.

With regards to the potential loss of light, the dwelling this would potentially most affect is no. 41 Hawthorne Place, as this is the dwelling closest to the site. This property has a conservatory to the rear of the dwelling with an opaque roof and windows in the rear elevation, with a bedroom window at first floor. The Council's SPG 'Extensions and Alterations to Dwellings' notes that extensions can have an effect on neighbouring properties due to shadows that they cast, and the closer to neighbours properties, the greater effect this will have. In cases where an extension (or new dwelling) is perpendicular to the neighbour's property, the Council will assess the impact using the methodology produced by the Building Research Establishment (B.R.E.). In this instance, the Agent has supplied a specific plan indicating the B.R.E. Test in relating to the two adjacent properties. Having looked at this, visited the site and having carried out my own assessment, I am satisfied that the new dwelling will not cause a significant loss of light to either of the adjacent properties, that would detrimentally affect the amenity of the occupiers. In addition, given the position and orientation of the proposed dwelling on the site in relation to no's 41 (to the West) and 43 (to the South East), I do not consider that the development will cause a significant loss of sunlight to either property that would be significantly detrimental to the amenity of the occupiers.

With regards to the potential overlooking/loss of privacy caused by the development of this site, the dwelling proposed includes two windows at first floor on both the front and rear (NE and SW facing) elevations of the property, with no windows in the side elevations. The guidance provided within the adopted SPG – "Extensions and Alterations to Dwellings", advises a distance of 21m between habitable room windows at first floor, however it also states that windows at oblique angles may be acceptable and that there may be cases where intervening land uses mean that the 21 metre distance is less relevant. With regards to the two nearest properties, no. 41 Hawthorne Place and Ashdown on Eastham Street, the guidance relating to oblique angles comes into play. The closest habitable room windows to those in the new property will be within the first floor of Ashdown. The distance between the windows is approximately 15.5m. The position of the dwelling on site and the position of the windows in the rear elevation, there is considered to be no direct line of sight into any habitable room window due to the oblique angle at which the new dwelling is positioned and therefore no significant loss of privacy.

With regards to the overlooking of garden areas, the new dwelling is set back within the plot to such an extent that it will marginally be able to see the back 15% of the rear garden of no. 41, however given the view afforded to no. 39 of the rear garden of no. 41, I do not consider that the proposal will significantly reduce the existing levels of privacy to an extent where it will impact on the amenity of the occupiers of this dwelling. In respect to the front garden area of Ashdown, it is accepted that this will be overlooked, however given the majority of this area is now used as a parking area for the property, that it is clearly visible from other properties on the street and that the rear garden provides more than sufficient private amenity space, I do not consider that the proposal will significantly reduce the existing levels of privacy to an extent where it will impact on the amenity of the occupiers of this dwelling.

On this basis, given the use of a high level window in the bedroom closest to Ashdown, and the potential for screen planting along the rear 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.

IMPACT ON HIGHWAY SAFETY

With regards to the proposed access to the site and the required parking arrangements, the LCC County Surveyor has raised no objection in principle to this application on highway safety grounds noting that the proposed parking (2 x 2 off road spaces) and access arrangements for the new dwelling is considered satisfactory to accommodate the anticipated movements and level of vehicular activity associated with a three-bedroom property. Therefore, despite the concern raised by local residents, there are no objections to the application in principle on highway safety grounds.

OTHER ISSUES

Aside from other non-material planning considerations raised by nearby neighbours, there is concern that the amenity space provided to the rear is insufficient, however this is considered to be a choice of the Applicant and when assessing against the Council's SPG "Extensions and Alterations to Dwellings" which states that a minimum of 10 sq.m. should be provided, which this clearly does, I do not consider this to be a concern that would warrant the refusal of this proposal.

In conclusion, the scheme submitted is considered to comply with the relevant Local, Regional and National Policies, and whilst I am mindful of the points of objection from nearby neighbours, the scheme proposed will provide a dwelling that will have no significant impact on the amenities of nearby neighbours, nor will be to the detriment of the visual qualities of the streetscene, and is therefore recommended accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. The permission shall relate to the development as shown on Plan Drawing No's 7005, 7006, 7007, 7008, 7009, 7010 and the Location Plan.

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 Policy G1 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance – “Extensions and Alterations to Dwellings”.

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

REASON: In the interests of visual amenity and to facilitate adequate vehicle parking and/or turning facilities to serve the dwelling in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance “Extensions and Alterations to Dwellings”.

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

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order amending, revoking or re-enacting that Order) the building shall not be altered by the insertion of any window or doorway without the formal written permission of the Local Planning Authority.

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

INFORMATIVES

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.

APPLICATION NO: 3/2011/0714/P (GRID REF: SD 373876 437360)
THREE NON-ILLUMINATED SPONSORSHIP ACKNOWLEDGEMENT SIGNS AT 500MM X 1200MM X 3MM AT JUNCTION OF A59/A671 ACCRINGTON ROAD ROUNDABOUT, WISWELL

WISWELL COUNCIL: PARISH The Councillors strongly object to both of the applications in this area, and have made the following comments:

- The signs would cause a serious distraction to drivers negotiating the roundabout, which already has a history of accidents.
- There is already a clutter of signs, and any further would create a visual, unacceptable obscenity.
- It seems inconceivable that the Highways Authority is in favour of such a scheme.

WHALLEY PARISH COUNCIL: Despite the LCC Principal Engineer stating that the displays “are not likely to obscure, or hinder the ready interpretation of any traffic signs”, it is the Parish Council’s considered opinion that motorists will be confused and that erection of such displays will increase the potential for accidents.

LCC ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No objection with the proposal having taken into account the standard size and design of the signs, he is satisfied that:

1. the signs will not compromise the safety of persons using the highway, and
2. that the displays of the advertisements in question are not likely to obscure, or hinder, the ready interpretation of any traffic signs.

And therefore this particular application for advertisement consent on the highway infrastructure located within the Borough of Ribble Valley is considered acceptable to LCC.

ADDITIONAL
REPRESENTATIONS:

No additional representations have been received.

Proposal

The application seeks advertisement consent for the erection of three 1200mm x 500mm x 3mm non-illuminated/non-reflective sponsorship acknowledgement signs, that will be mounted on 1250mm x 50mm silver posts. The signs will be positioned a minimum of 1000mm away from the curb edge, and their total overall height above ground level will be no more than 1000mm. Consent is sought for a period of five years.

Site Location

The site relates to the Traffic Island at junction of A59/A671 Accrington Road.

Relevant History

3/2009/0599/P - Pole mounted non-illuminated sponsorship acknowledgement signs – Refused.

Relevant Policies

Policy G1 - Development Control.

PPG19 – Outdoor Advertisements.

Town and Country Planning (Control of Advertisements) Regulations 1992.

Environmental, AONB, Human Rights and Other Issues

The application seeks advertisement consent for the erection of three 1200mm x 500mm x 3mm non-illuminated/non-reflective sponsorship acknowledgement signs, that will be mounted on 1250mm x 50mm silver posts. The signs will be positioned a minimum of 1000mm away from the curb edge, and their total overall height above ground level will be no more than 1000mm. Consent is sought for a period of five years. A previous proposal for three larger signs on this site was previously refused, and this application has been the subject of Pre-Application discussion.

On this basis, given the simple design of the signs, the size of this roundabout and its relative visual isolation from nearby residential properties or commercial developments, it is considered that the visual impact of the introduction of the signs has now been reduced to an acceptable level.

Whilst I am mindful of the comments from the Parish Council's in relation to concerns relating to highway safety, but this view is not supported by LCC Highways as they consider them to be acceptable. In visual terms they have a limited and acceptable visual impact on the amenity of the area. The application is therefore recommended accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

REASON: In the interests of visual amenity and in accordance with Policies G1 and S14 of the Ribble Valley Districtwide Local Plan.

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

REASON: Required by the Town and Country Planning (Control of Advertisements) Regulations 1992.

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

REASON: Required by the Town and Country Planning (Control of Advertisements) Regulations 1992.

4. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aids to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

REASON: Required by the Town and Country Planning (Control of Advertisements) Regulations 1992.

APPLICATION NO: 3/2011/0716/P (GRID REF: SD 374366 438981)
TWO NON-ILLUMINATED SPONSORSHIP ACKNOWLEDGEMENT SIGNS AT 500MM X
1200MM X 3MM AT JUNCTION OF A59 CLITHEROE BY-PASS/A671 WHALLEY ROAD
ROUNABOUT

WISWELL PARISH
COUNCIL:

The Councillors strongly object to both of the applications in this area, and have made the following comments:

- The signs would cause a serious distraction to drivers negotiating the roundabout, which already has a history of accidents.
- There is already a clutter of signs, and any further would create a visual, unacceptable obscenity.
- It seems inconceivable that the Highways Authority is in favour of such a scheme.

PENDLETON PARISH
COUNCIL:

The P.C. objects to this application. None of the Parish Councillors favoured the two signs at the two locations suggested, and they do not favour any further signs at the roundabout at all for the reason of distraction to drivers as unnecessary.

LCC ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

No objection with the proposal having taken into account the standard size and design of the signs, he is satisfied that:

- the signs will not compromise the safety of persons using the highway; and
- that the displays of the advertisements in question are not likely to obscure, or hinder, the ready interpretation of any traffic signs.

And therefore this particular application for advertisement consent on the highway infrastructure located within the Borough of Ribble Valley is considered acceptable to LCC.

ADDITIONAL
REPRESENTATIONS:

No additional representations have been received.

Proposal

The application seeks advertisement consent for the erection of two 1200mm x 500mm x 3mm non-illuminated/non-reflective sponsorship acknowledgement signs, that will be mounted on 1250mm x 50mm silver posts. The signs will be positioned a minimum of 1000mm away from the curb edge, and their total overall height above ground level will be no more than 1000mm. Consent is sought for a period of five years.

Site Location

The site relates to the Traffic Island at junction of A59/A671 Whalley Road.

Relevant History

3/2009/0597/P - Pole mounted non-illuminated sponsorship acknowledgement signs – Refused.

Relevant Policies

Policy G1 - Development Control.
PPG19 – Outdoor Advertisements.

Town and Country Planning (Control of Advertisements) Regulations 1992.

Environmental, AONB, Human Rights and Other Issues

The application seeks advertisement consent for the erection of two 1200mm x 500mm x 3mm non-illuminated/non-reflective sponsorship acknowledgement signs, that will be mounted on 1250mm x 50mm silver posts. The signs will be positioned a minimum of 1000mm away from the curb edge, and their total overall height above ground level will be no more than 1000mm. Consent is sought for a period of five years. A previous proposal for three larger signs on this site was previously refused, and this application has been the subject of Pre-Application discussion.

On this basis, given the reduction in the number of signs, the simple design of the signs, the size of this roundabout and its relative visual isolation from nearby residential properties or commercial developments, it is considered that the visual impact of the introduction of the signs on this Island has now been reduced to an acceptable level.

Whilst I am mindful of the comments from the Parish Council's in relation to concerns relating to highway safety, but this view is not supported by LCC Highways as they consider them to be acceptable. In visual terms they have a limited and acceptable visual impact on the amenity of the area. The application is therefore recommended accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

REASON: In the interests of visual amenity and in accordance with Policies G1 and S14 of the Ribble Valley Districtwide Local Plan.

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

REASON: Required by the Town and Country Planning (Control of Advertisements) Regulations 1992.

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

REASON: Required by the Town and Country Planning (Control of Advertisements) Regulations 1992.

4. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aids to navigation by water or air, or

so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

REASON: Required by the Town and Country Planning (Control of Advertisements) Regulations 1992.

APPLICATION NO: 3/2011/0719/P (GRID REF: SD 374177 442539)
OUTLINE APPLICATION FOR THE ERECTION OF 3 DETACHED DWELLINGS AT LAND OFF RIBBLESDALE AVENUE, CLITHEROE

- TOWN COUNCIL: No representations have been received.
- ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): Has no objection in principle to this outline application on highway safety grounds. The shared access proposed for plots 1 and 2 is shown as 7.0m wide. For this shared access to operate safely, I would recommend some form of delineation to identify the point of access to plot 1 and to plot 2. However, this can be retained as a reserved matter should the Planning and Development Committee be minded to grant outline permission.
- UNITED UTILITIES: No objection to the proposed development.
- ADDITIONAL REPRESENTATIONS: A letter has been received from the owner/occupier of a dwelling at the rear of the site who objects to the proposal as it will result in an intrusion of his privacy. He states that any property other than a bungalow would have a view into his living accommodation.
- A letter has been received from the owners/occupiers of another dwelling at the rear of the site who do not object to the proposal but wish to see the retention of the mature planting on their boundary with the application site; and they ask that the single storey nature of their property and their rear conservatory be taken into account when positioning windows in the new development.

Proposal

The application seeks outline permission for 3 detached dwellings. Only the layout and means of access are to be considered at this stage with the matters of appearance, landscaping and scale reserved for consideration at Reserved Matters application stage.

With regards to "layout" the front elevations of all three dwellings will be parallel to Ribblesdale Avenue, although the position of the dwellings is relative to that front boundary of the site varies. The front elevation of Plot 1 is approximately 10m away from the front boundary; on Plot 2 that distance is approximately 9.5m; and on Plot 3 it is approximately 5m. The length of the rear garden on Plot 1 measures between 13.2m and 14m; the rear garden on Plot 2 is approximately 14m long for half of its width and approximately 5.3m for the other half; the rear garden on Plot

3 is approximately 10.4m long (although this plot has substantial gardens to both sides of the dwelling).

The proposed means of access is in the form of a shared drive with parking and turning facilities for Plots 1 and 2 with an individual drive serving Plot 3. Both drives are onto Ribblesdale Avenue.

Although the matter of “scale” is not submitted for consideration in this outline application, the submitted plans shows that Plots 1 and 2 would both have footprints of 12m x 9m and the house on Plot 3 would be 12m x 12m.

Although there is reference is the Design and Access Statement to two and a half storey buildings, the applicants agent has agreed that the dwellings will be only two storeys with an eaves height of approximately 5m. The ridge height will be dependent upon the angle of pitch, but should not exceed 9m.

Site Location

The application site comprises detached garden areas on the western side of Ribblesdale Avenue. The gardens are long established with areas of lawn, shrubs, plants, garden buildings and fruit trees. There is presently only pedestrian access to the site. The perimeter of the site is bounded by a substantial hedge. The site slopes gradually from east to west.

The site is surrounded by residential development. The gardens abut Ribblesdale Avenue on the east side and the vehicle access to 3 houses to the north. The rear gardens of the dwellings on Duncroft Court adjoin the site to the west. To the south, the site abuts a modern property that was constructed in what was the former garden to the house, Westwood.

The land slopes downwards from east to west. The houses on the east side of Ribblesdale Avenue are substantial 3-storey red brick properties with blue slate roofs that were constructed in the early 20th century. The adjoining modern house to the south of the site is 2-storeys in height and is a brick and render construction with concrete roof tiles. That property is similar in design to the modern houses to the west of the site on the Knunck Knowles estate. Ribblesdale Avenue serves several houses and is adopted across the front of the site, and it also gives access to Moorland School further to the north.

The site is within the settlement boundary of Clitheroe in the Local Plan.

Relevant History

6/2/2013 – Outline application for residential development on part of the current application site. Outline permission granted in December 1972.

Relevant Policies

Policy G1 - Development Control.
Policy G2 - Settlement Strategy.
PPS3 – Housing.

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application are the principle of the development and effects upon visual amenity, the amenities of nearby residents and highway safety.

Principle of Development

The Council presently has a 3.3 year supply of deliverable housing land (most up to date monitoring information dated 1 October 2011). Paragraph 71 of PPS3: Housing states that where LPA's cannot demonstrate an up to date 5-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 application, LPA's 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;
- ensuring the proposed development is in line with planning for housing objectives.

An important consideration in assessing proposed housing developments is bullet point 3 of paragraph 69 (as above) which relates to the need for LPA's 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 is in line with planning for housing objectives.

This application site is within the settlement boundary of Clitheroe which is designated in the Local Plan as a main settlement. Policy G2 states that development will be directed towards land within the main settlement boundaries. The proposal therefore, not only satisfies the advice in PPS3 concerning sustainability, but it is also in line with planning for housing objectives as evidenced by its compliance with Settlement Strategy Policy G2.

The proposed development is therefore acceptable in principle.

As the application is for less than 10 dwellings, and is within the settlement boundary of Clitheroe, the Affordable Housing Memorandum of Understanding does not require affordable housing to be provided on this site.

Visual Amenity

As the application is in outline, precise details of the design and external materials of the dwellings are not known at this stage. The erection of 3 detached 2-storey houses on the site will, however, result in a density and a general form of development that is in keeping with the locality. As such, and with appropriate care in relation to design and external materials at reserved matters application stage, the proposal would not, in my opinion, detract from the appearance or character of the locality.

Amenities of Nearby Residents

As this is an outline application, the precise position of windows in the dwellings is not known at this stage.

The dwellings are, however, sited so that a separation distance of 21m between main elevations on the proposed dwellings and main elevations of directly facing existing dwellings is either met or exceeded in all cases.

The dwellings potentially most affected by the development are the relatively modern 2-storey houses (no's 6, 8 and 10) and bungalow (no 12) in Duncroft Close at the rear of the site. These properties are presently separated from the site by a very substantial hedge which, if retained, would increase the level of privacy afforded to the occupiers of the existing dwellings and also the future occupiers of the proposed dwellings. However, the applicant's agent considers that any conditions to require the retention of this hedge or the similar substantial hedges on the other site boundaries would impose a maintenance liability on the site. As the proposal will satisfy the normally required privacy distances, such conditions could not, in my opinion, be justified.

Even if the hedges are removed, the proposal remains acceptable with regards to the effects upon the amenities of nearby residents.

Highway Safety

The County Surveyor has no objection in principle to this application on highway safety grounds subject to a minor alteration to the proposed shared access for plots 1 and 2 that can be the subject of an appropriate condition.

Therefore, having carefully assessed all of the above, I am of the opinion that there are no sustainable objections to the proposed development.

SUMMARY OF REASONS FOR APPROVAL

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

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

1. This outline permission shall relate to the proposal as shown on drawing number TRI-0648-06.

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

2. 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 a 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 the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

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 to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

3. 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, the proposed floor slab level and driveway level (called the reserved matters) shall be submitted to and approved by the Local Planning Authority before development commences. The submitted plans and details shall include, in relation to the proposed shared drive, some form of delineation to identify the point of access to Plot 1 and to Plot 2, any dwellings that are two storeys high (not 2½ storeys as referred to in the Design and Access Statement) with an eaves height of approximately 5m and a ridge height not exceeding 9m.

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.

APPLICATION NO: 3/2011/0753/P (GRID REF: SD 370657 441076)
PROPOSED COW HANDLING BUILDING AT WITHGILL FARM, WITHGILL FOLD, WITHGILL,
CLITHEROE

PARISH COUNCIL: No representations have been received.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR): No representations have been received.

ENVIRONMENT AGENCY: Has no objections in principle to the application but wish to make the following comments:

The supporting statement with the application states that the purpose of the building is for marshalling cows prior to milking. It is understood that the handling building will not facilitate any further increase in stock numbers. If the proposal involved any increase in the number of dairy cows handled at this site, then we would need further information as to the potential increase in the volume of waste generated. Surface water run-off from the proposed building should be kept separate from the existing foul drainage system.

The Environment Agency recommends the imposition of a condition relating to surface water drainage works, and an advisory note concerning compliance with anti-pollution legislation.

**ADDITIONAL
REPRESENTATIONS:**

Sixteen letters have been received from individual residents of Ribble Valley and from a number of fishing and conservation groups/associations. Objections are made to the application on the following grounds:

1. Withgill Farm has caused serious pollution problems in the past, has received cautions from the Environment Agency, and continues to pollute local watercourses. Bashall Brook is already devoid of fish life due to effluents from this farm. The River Ribble suffers algae and weed growth that is harmful to fishing. Increased slurry spreading from this farm could be harmful to the health of children bathing in the River at Edisford Bridge. This proposal (although, in itself relatively minor) could facilitate a further increase in the size of the herd and with it, an increase in the level of pollution. No further development should be allowed until existing pollution has ceased.
2. It is incorrectly stated on the application forms (question 13) that the proposal will not impact upon protected and priority species for designated sites important to habitats or other biodiversity features.
3. Odour nuisance from slurry spreading.
4. Mud and effluent on local roads.
5. Traffic associated with this farm extends into Clitheroe where tractors towing slurry tankers are often seen.
6. This farm has wide ranging impacts upon Clitheroe and the Ribble Valley in respect of potential for local employment, impact upon local farms, tourism and leisure.

Proposal

Permission is sought for a portal framed open sided building with an internal gated system to hold and marshal cattle awaiting milking. The part of the building enclosed by the fences and gates would measure 22.5m x 5m. Due to overhanging eaves to provide more protection from the elements, however, the overall dimensions of the roof would be 23.5m x 7m. The highest part of the shallow single slope roof would be 2.6m.

Just one end elevation of the building would be enclosed with a concrete retaining wall to 0.8m high with Yorkshire boarding above. Both sides and the other end would be open and the roof would be corrugated steel sheets.

Site Location

The agricultural holding of Withgill Farm extends to approximately 350 hectares of meadowland. The complex of agricultural buildings and dwellings (which is presently the base for a milking herd of 1,500 cows) is situated in the open countryside between Clitheroe and Chaigley. These agricultural buildings and dwellings are located at the end of a track some 150m to the east of the highway, Whalley Road, that serves the site. The residential development at Withgill Fold (formed through the conversion of the traditional buildings originally belonging to this farm) is situated to the south-west of the farm buildings complex and is served by a separate access road.

The milking parlour is within a building at the southern end of the farm complex. To the north of this building, and running from south to north, are four existing cow barns. Planning permission has been granted for a fifth barn to be sited to the north of the existing northernmost barn, thus continuing the existing layout (3/2010/0747/P). The recently approved barn will measure 138m x 28.8m with an eaves height of 3.5m and a ridge height of 6.5m. This is the same size/height as two of the existing barns.

The building proposed in this application would be sited in the group between the milking parlour building and the southernmost of the existing cow barns.

Relevant History

3/1993/0796/P – New herdman's cottage. Approved.

3/1999/0166/P – Four new agricultural buildings, new dairy facilities, new store, new farm road and associated landscaping and external works. Approved with conditions.

3/2005/0465/P – Covered midden. Approved.

3/2005/1011/P – Farm worker's dwelling. Approved.

3/2006/0213/P – Expansion of existing dairy cow accommodation by extending two of the existing barns, replacement slurry storage, and associated landscaping. Approved.

3/2007/0266/P – Farm worker's dwelling, substitution of house type. Approved.

3/2007/0362/P – Retention of five agricultural workers caravans and screen fencing. Approved for a temporary period expiring on 31 July 2010.

3/2008/0006/P – Construction of an agricultural worker's dwelling to replace five agricultural workers caravans. Approved subject to the removal of the existing caravans.

3/2008/0129/P – Replacement dry feed store. Approved.

3/2008/0731/P – Change of agricultural worker's house type and alterations to siting. Approved.

3/2008/0749/P – Replacement of dry cow building and store with a new portal framed building. Approved.

3/2010/0747/P – Proposed cow building, earth mound and landscaping. Approved with conditions.

3/2011/0281/P – Application for the discharge of three n° conditions on planning permission 3/2010/0747/P. Approved.

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV2 - Land Adjacent to Area of Outstanding Natural Beauty.

Policy ENV13 - Landscape Protection.

PPS7 – Sustainable Development in Rural Areas.

Environmental, AONB, Human Rights and Other Issues

Before considering the planning merits of this current application, I consider it appropriate to refer to the Council's consideration of previous application 3/2010/0749/P. That application sought permission for a cow building that would accommodate a total of 540 cows, comprising 270 additional milk cows and 270 dairy cows that would be relocated from the nearby Bashall Barn. In relation to that application, the Environment Agency confirmed that it had no objections subject to conditions (relating to the provision and management of compensatory habitat; the approval and implementation of a scheme for the disposal of foul and surface water; and the approval and implementation of a manure management plan) and a number of advisory notes. The Environment Agency considered that, subject to compliance with their recommended conditions, and by following the appropriate DEFRA Guidance, the proposed development would not cause any pollution problems as feared by some of the persons who had expressed objections to that previous proposal.

Details required by the conditions requested by the Environment Agency were submitted as part of discharge of conditions application 3/2011/0281/P. Following a number of amendments/additions to the submitted information at the request of the Environment Agency, those details were considered by the Environment Agency to be satisfactory. Insofar as the details are concerned, the conditions have therefore been discharged. The Environment Agency therefore remains of the opinion that, through the implementation of the approved details, the proposed building to house 540 cows would not cause any pollution problems.

The majority of the objections to this current application are from fishing and conservation bodies (or from individual members from those bodies) on the grounds of the proposal exacerbating alleged existing pollution problems caused by this farm. This application, however, is for a relatively small building that will not house any cattle. It is only required to maximise the efficiency of the overall farming operation by constructing this building close to the milking parlour to improve the marshalling of the cows as they line up for milking.

The Environment agency has confirmed that the proposal does not involve an increase in stock numbers but, if it had, they would have required more information regarding the potential increase in the volume of waste generated.

A comment is made in some of the objection letters that the answer “no” given to the three sections of question 13 on the application form is incorrect. “No”, however is the correct answer because this development does not adversely affect protected and priority species; designated

sites, important habitats or other biodiversity features; or features of geological or conservation importance.

There is therefore no sustainable reason for refusal of this application that relates to the issue of pollution or harm to the environment.

The problems alleged in some of the objection letters relating to mud/effluent on local roads and farm traffic and local roads would not be in any way exacerbated by this proposed development.

The next relevant consideration concerns the effects of the proposed building on visual amenity. The proposed building is, however, much smaller and lower than the buildings that is to be sited between. The proposal would not therefore have any detrimental effects upon the visual amenities of the locality.

Due to its small size, its intended use and its location, it is not considered that the proposed building would have any detrimental effects upon the amenities of nearby residents. None of the letters of objection to this application were received from residents of Withgill Fold.

The proposal would not have any effects on traffic generated to/from the site. There is therefore no highway safety objection to the application. Overall, there are therefore no sustainable objections to what is a relatively minor proposal within the context of Withgill Farm.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. This permission shall relate to the proposal as shown on drawing number BARN/20DWG02.

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

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

REASON: To ensure a satisfactory means of drainage and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

NOTE(S):

The proposed development must comply with the terms of The Water Resources (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010. The proposals must fully comply with the DEFRA

Guidance document "Protecting Our Water, Soil and Air: A Code for Good Agricultural Practice for Farmers, Growers and Land Managers".

APPLICATION NO: 3/2011/0763/P (GRID REF: SD 372623 436815)
PROPOSED TWO-STOREY EXTENSION TO THE REAR FORMING GROUND FLOOR TREATMENT ROOMS AND FIRST FLOOR OFFICE SPACE INCLUDING A DORMER WINDOW AND TWO ROOF LIGHTS. REPLACEMENT SHOP FRONT, REINSTATEMENT OF WINDOW TO MOOR LANE ELEVATION AND INSTALLATION OF ONE ROOF LIGHT TO EXISTING ROOF AT DEEP BEAUTY SALON, 76 MITTON ROAD, WHALLEY.

PARISH COUNCIL: No objection.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No objection to the application on highway safety grounds. There is no reason to anticipate that the proposed development will generate a level of additional vehicular activity that will result in significant additional on street parking activity.

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

- Increased traffic/parking/congestion on Moor Lane.
- Impact upon highway safety.
- Noise disturbance during build works.

Proposal

Consent is sought to erect a two-storey rear extension to the existing commercial premises measuring 5.7m x 7.6m x 7.3m in height to the ridge constructed of materials to match those of the existing building. Additions to the extension include the installation of a rooflight to the northern roofslope of the extension and the erection of a flat-roofed dormer projecting 1.9m from the roofslope, 4.7m in length and 1.6m in height. Three windows are proposed at ground floor level to the northern elevation of the extension fronting Moor Lane. Two rooflights are proposed to the far eastern side of the southern roofslope to the extension and a window is proposed at ground and first floor level to the rear. Alterations to the existing building include the reinstatement of a blocked window to the northern elevation of the building and the straight replacement of the existing timber framed shopfront with no alteration to the design.

Site Location

The property is a detached building lying at the junction of Mitton Road and Moor Lane outside the settlement limit of Whalley within land designated as open countryside.

Relevant History

None

Relevant Policies

Policy G1 – Development Control

Policy ENV3 – Development in Open Countryside

Environmental, AONB, Human Rights and Other Issues

Matters for consideration are the visual impact of the proposal upon the street scene and the potential impact on neighbouring residential amenity.

In terms of visual impact I consider that the scale, size and design of the proposed extension is acceptable in principle. The design has sought to ensure that it compliments, and does not subsume the main premises. The flat-roofed dormer extension will add a new design feature to the building, but it is considered that the size will not dominate the roofscape and flat-roofed dormer extensions are common within the locality. Therefore the visual impact of the dormer upon the appearance of the building and street scene will be minimal.

With regards to potential impact upon the amenity of neighbouring residents I note that only one objection has been received from a resident not immediately affected by the proposal to the side and rear. In any event it is considered that the proposal will not unduly affect the availability of light to neighbouring properties or impede upon privacy to neighbours. The distance between the windows to the rear elevation of the proposal and the rear elevation of the property directly facing the extension is 22 metres. This distance should ensure that any impact upon the amenity of residents to this neighbouring property will be minimal. In addition, windows to the dormer extension will not directly overlook properties to the north of the premises and there is an intervening distance of 20 metres between them.

The proposed rear extension will result in an extension to the north of the adjacent two-storey detached property to the south of the premises, which has an existing single storey rear extension. As the built form to the proposal is single storey in nature with a hipped roof, which will slope away from the property it is considered that the proposal will not significantly result in loss of light to the rear of this neighbouring property.

With regards to increased parking and congestion the premises has been in commercial use as a beauty salon for some time and was previously occupied as a convenience store. Thus there are already a number of traffic movements and general comings and goings associated with its use. The Highway Engineer has not expressed any concerns over increased traffic and I do not believe that movements associated with this business would be so significantly different from that of the present one to adversely impact on neighbouring amenity.

Therefore, in consideration of the above I do not consider this application would cause a significant detrimental impact on the visual amenity of the area or on the residential amenity of the occupiers of the surrounding properties. As such, the application is recommended accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. This permission shall relate to Drawing No. A.200 in relation to the existing floor plans and elevations and Drawing No. A.100 in relation to the proposed floor plans and elevations.

REASON: For the avoidance of doubt and to ensure that the development is carried out in accordance 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 by the Local Planning Authority before their use in the proposed works.

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

NOTE:

The applicant's attention is drawn to the actions, methods and timings included in the mitigation notes attached to 'Bat Surveys – Guidance Note for Planning Departments' dated the 21st of September 2011. In the event that any bats are found or disturbed during any part of the development work shall cease until further advice has been sought from a licensed ecologist.

APPLICATION NO: 3/2011/0775/P (GRID REF: SD 375495 446872)
APPLICATION FOR DISCHARGE OF PLANNING OBLIGATION RESTRICTING THE
BUILDING AS A HOLIDAY COTTAGE AT LANESIDE FARM, GRINDLETON

Proposal

Consent is sought to discharge the provisions of a legal agreement that covers a detached building used as an existing workshop and holiday let at Laneside Farm. The Agreement outlines that the holiday cottage should not be occupied or let to any one person or groups of persons for a continuous period of more than three months in a calendar year, that it should not be used as permanent accommodation and that a monitoring report be provided to the Council detailing lettings.

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 – Convert existing workshop building into holiday cottage and workshop – Approved with conditions 8 September 2003.

3/2011/0556 – 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 – Approved with conditions 14 October 2011.

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 approved an application at the October meeting (Appn. 3/2011/0556) for the variation of Condition 2. and removal of Condition 3. of planning consent 3/2003/0209P, to allow the building at Laneside farm, which is the subject of this application, to be used as a Granny annex. The text of this report gave a full explanation as to why allowing the building to be used as a granny annex is considered to comply with the requirements of saved policies within the Ribble Valley Districtwide Local Plan. In addition, to satisfy concerns raised by the Parish and a neighbouring resident with regards to the future occupancy of the building, Condition 2. of the application was varied so that the use of the building was restricted to that of a family member and could not be sold or occupied as a separate residential unit. Therefore it was considered that the removal of Condition 3. from application 3/2003/0209 in relation to the Section 106 agreement was acceptable and necessary to allow the use of the building as a granny annex.

This application is the next step in formally revoking the Section 106 agreement by way of a deed of release. As the principle of revoking the Section 106 agreement has already been established as acceptable in planning policy terms I therefore recommend the application accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

RECOMMENDATION: That the application be GRANTED and the Section 106 Agreement be formally revoked.

APPLICATION NO: 3/2011/0832/P (GRID REF: SD 374803 442520)
PROPOSED CONSTRUCTION OF A FRONT PORCH AT 3 WARWICK DRIVE, CLITHEROE.

PARISH COUNCIL: No objection.

ADDITIONAL REPRESENTATIONS: No observations received.

Proposal

Consent is sought to construct a hipped roof porch extension to the front elevation of the property measuring 2m x 2.6m x 3.5m in height to the ridge constructed of materials to match those of the main property.

Site Location

This is a semi-detached property that fronts Warwick Drive, off Chatburn Road within the main settlement of Clitheroe.

Relevant History

None.

Relevant Policies

Policy G1 – Development Control
Policy H10 – Residential Extensions
Policy SPG – “Extensions and Alterations to Dwellings”

Environmental, AONB, Human Rights and Other Issues

Members should note that the application has been taken to committee as the Council employs one of the applicant's.

Matters for consideration are the visual impact of the proposal upon the street scene and the potential impact on neighbouring residential amenity.

In terms of visual impact I consider that the scale, size and design of the proposed porch extension is appropriate and will be viewed as a subservient addition to the main property. The extension will also reflect proposals of similar size and design, which have been constructed on neighbouring properties.

As the extension does not serve a habitable room any impact upon the amenity of neighbouring residents will be minimal.

Therefore, in consideration of the above I do not consider this application would cause a significant detrimental impact on the visual amenity of the area or on the residential amenity of the occupiers of the surrounding properties. As such, the application is recommended accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. This permission shall relate to Drawing No. SJ/2011/01 in relation to the existing site plan and elevations and Drawing No. SJ/201/02 in relation to the proposed floor plan and elevations.

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

NOTE:

The applicant's attention is drawn to the consultation response from United Utilities, who advise that due to the Private Sewers Transfer not all sewers are currently shown on the statutory records. As a result, the development may fall within the required access strip of a public sewer; therefore the applicant is advised to contact a Building Control Body at an early stage, to discuss this matter further.

APPLICATION NO: 3/2010/0937/P (GRID REF: SD 366158 438177)
PROPOSED WIND TURBINE ON FREESTANDING 15M HIGH MAST ON LAND AT
CARLINGHURST FARM, HUNTGINDON HALL LANE, DUTTON

PARISH COUNCIL: No representations have been received.

LCC SENIOR LANDSCAPE ARCHITECT: Initially had concerns about the inadequacy of the details and information submitted with the application in order that the effects of the proposed turbine on the Area of Outstanding Natural Beauty could be fully and properly assessed.

Further information was submitted on two occasions, and the Senior Landscape Architect also had a meeting at the site with the planning application case officer, the applicant and his agent. Following that site meeting, an amended plan was received on 24 October 2011 showing additional screen planting.

Subject to the planting shown on the amended plan, the Senior Landscape Architect considers that 'the landscape and visual impacts of the proposed wind turbine would be deemed acceptable'. Conditions requiring more detail of the species, size etc of the trees and outlining a five year maintenance programme would, however, be required.

ADDITIONAL
REPRESENTATIONS:

A letter has been received from a planning consultant on behalf of a local resident in which objections are made to the application on the following grounds:

1. There are about six houses within 300m of the proposed location for the turbine.
2. The modern structure will be visible from many viewpoints, some of which, such as Whalley Nab and Mellor, are quite distant from the site.
3. The structure would be 22m tall to the top of the blades and the Design and Access Statement does not contain any evaluation of its impact upon residents and walkers either locally or at further distances.
4. The noise data submitted with the application is inadequate as it is not specifically related to the application site.
5. There is no justification of need except to generate personal power.
6. As the site is within the AONB it needs special justification which has not been submitted.
7. National Policy Statement 22: Renewable Energy 2004 states that planning permission for wind turbines in an AONB 'should only be granted where it can be demonstrated that the objectives of designation of the area will not be compromised by the development, and any significant adverse effects on the quality for which the area has been designated are clearly outweighed by the environmental, social and economic benefits'.
8. The proposal does not satisfy the requirements of Local Plan Policies G1 Development Control, ENV1 Area of Outstanding Natural Beauty, ENV24 Renewable Energy and ENV26 Wind Energy.
9. The designation as AONB is one of the highest landscape designations nationally. The LCC Landscape Sensitive to Wind Energy Development in Lancashire states at paragraph 1.8 'high sensitivity indicates that the characteristics of that landscape will

generally be such that wind energy developments will not be appropriate within that Landscape Character Area.

10. In a similar case in Waddington in 2008, permission was refused and the subsequent appeal was dismissed.

Proposal

Permission is sought for a 3 blade 15kw wind turbine on a freestanding 15m high mast. Including the blades, the maximum height of the structure would be 22m. The blades would be of fibre glass construction and the mast would be steel, both of which would be light grey in colour.

Site Location

Carlinghurst Farm is a long established 400 acre farm, the complex of buildings for which is at the end of a long access track at the eastern side of Huntingdon Hall Lane, Dutton within the Forest of Bowland Area of Outstanding Natural Beauty. Within the complex of buildings, there is an original farmhouse, two additional more modern dwellings (within the same family ownership), a traditional stone built barn and numerous modern agricultural buildings.

The proposed turbine would be located on the edge of a field (upon which there is a hedge and numerous hedgerow trees) approximately 150m to the south west of the farmhouse at Carlinghurst Farm. The two other properties within the same family ownership, Spring Cottage and Rye Hill Cottage would be approximately 182m and 187m respectively away from the proposed location of the turbine. The nearest residential properties in separate ownership are a group of three dwellings (Nook Farm, Lane Ends, and Lane Ends Cottage) to the north west of the proposed position of the turbine. Those properties are, respectively approximately 246m, 251m and 265m away from the proposed position of the turbine.

Relevant History

Although there have been numerous previous planning applications relating to the farm buildings complex at Carlinghurst Farm, none are considered to be of any relevance to this current application.

Relevant Policies

Policy G1 - Development Control.

Policy G8 – Environmental Considerations.

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy ENV24 – Renewable Energy.

Policy ENV25 – Renewable Energy.

Policy ENV26 – Wind Energy.

PPS22 – Renewable Energy.

Companion Guide to PPS22 ‘Planning for Renewable Energy’.

Environmental, AONB, Human Rights and Other Issues

The considerations to be made in the determination of this application relate to the principle of the development and the effects of the proposed turbine upon visual amenity and the amenities of nearby residents.

PRINCIPLE OF DEVELOPMENT

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

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

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

The relevant Local and National Policies all note that proposal of this nature should only be approved where it can be demonstrated that the objectives of the designation of the area are not compromised, and that there are no significant environmental impacts on the area as a whole. The designation of the landscape as AONB is indicative of a high value landscape, and one that may be particularly sensitive to wind energy development. However, many recent wind energy development planning applications in A.O.N.B.s show that small wind turbines like that proposed here have been given planning consent subject of course to acceptable landscape, noise, access, etc. impacts. As such, the proposal is considered, in principle, to comply with planning policy subject to there being no adverse visual impact.

Visual Amenity

The relevant national planning guidance and local plan policies do **not** say that wind turbines cannot be approved within Areas of Outstanding Natural Beauty. In PPS22, it is stated that within nationally designated sites (including AONB’s) small scale developments should be permitted provided that there is no significant environmental detriment to the area concerned. In the Local Plan, ENV25 states that “in assessing proposals for renewable energy schemes, the Borough Council will have particular regard to the immediate and wider impact of the

proposed development on the landscape, and AONB” and Policy ENV26 states that: “development proposals within or close to the AONB will not be allowed unless (amongst other considerations) the proposal is acceptable in environmental and landscape terms”.

It is advised in the Companion Guide to PPS22 that the cumulative impact of wind turbines on visual amenity should be taken into account. In this case, (although there are other wind turbines in the AONB) there are none in the immediate vicinity of this site so no consideration of cumulative impact is necessary.

It is considered that this application for a single turbine on a 15m mast represents a small scale development.

As a matter of course, this Council consults the Specialist Landscape/AONB Officers of the County Council on applications of this type within the AONB. In this particular case, the Design and Access Statement originally submitted with the application was not detailed enough for the Landscape Officer to properly assess the visual effects of the development on the AONB. More details, including photographs from various vantage points, were provided and the Landscape Officer visited the site in order to properly assess these effects.

As a result of this, the Senior Landscape Architect has now confirmed that, subject to appropriate planting, the wind turbine would not, in his opinion, have any unduly detrimental effects upon the AONB. I concur with his conclusions. Therefore, in relation to the consideration of “visual amenity”, I consider that the proposal complies with the relevant national planning guidance and local plan policies.

Amenities of Nearby Residents

The fact that nearby residents would be able to see the wind turbine and might consider it to be detrimental to their existing view, would not represent a sustainable reason for refusal of the application.

In PPS22: Renewable Energy, it is stated that: “shadow flicker can be mitigated by siting wind turbines at sufficient distance from residences likely to be affected. Flicker effects have been proven to occur only within 10 rotor diameters of a turbine”. The diameter of the rotors in this case is 12.8m. As there are no dwellings within 128m of the proposed position of the turbine, there would be no nuisance caused to any residents by shadow flicker.

The only potential nuisance to neighbours that could, therefore, represent a sustainable reason for refusal of the application concerns noise nuisance. The information initially submitted on this matter was inadequate. Further information has, however, now been provided.

In the Companion Guide to PPS22 a table showing the noise generated by wind turbines in comparison with other every day activities states a rural night-time background noise level of 20–40dba and a wind farm at 35-45dba at 350m distance. A level of 35dba is considered to be acceptable. Evidence submitted with the application states that this turbine will result in 35dba at a distance of 150m. The applicant’s own property is approximately 150m away from the turbine; all the other properties are further away. At the three nearest properties that are in third party ownership, the sound level would be 29.9dba, 30.4dba and 30.6dba. These properties are all approximately 100m outside the 150m/35dba zone.

It is not therefore considered that the proposal would result in any noise disturbance to any dwelling (whether in the applicant's or third party ownership).

Overall, for the reasons given above, and especially following the involvement of the County Council Senior Landscape Architect, and his conclusions in relation to the visual effects of the proposed turbine, I can see no sustainable objections to the application. I also consider that the proposal satisfies the relevant requirements of the applicable national planning guidance and local plan policies.

SUMMARY OF REASONS FOR APPROVAL

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

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

1. The development must be begun 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 development as shown on drawing numbers CF15e, and 9013.005/S50/A (amended plan received 24 October 2011).

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

3. Whilst the screen planting shown on drawing number 9013.005/S50/A is acceptable in principle, no development shall be commenced until further details of the precise number, location, species, size at planting and spacings of the trees, and details of the proposed plant specification, plant handling method, ground preparation, planting method and short-term after care have been submitted to and approved in writing by the Local Planning Authority.

Details shall also be submitted of a five-year maintenance programme that shall include details of proposals for weed control, watering, stake/tie adjustments and removal, thinning, control of pest and diseases and fertilizer application. Any trees that, within the five-year maintenance programme, are removed, or die, or become seriously damaged or diseased, shall be replaced by a species of similar size to those originally planted.

REASON: In order to ensure that the applicant has the right kind of methodology and techniques in place to ensure that the mitigation planting successfully establishes and, ultimately, achieves its intended purpose, in the interests of visual amenity and to comply with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan.

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

APPLICATION NO: 3/2011/0025/P

(GRID REF: SD 376579 444018)

PROPOSED OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT (10 DWELLINGS)
AT LAND OFF CHATBURN OLD ROAD, CHATBURN

PARISH COUNCIL:

Strongly objects to the development. Members are referred to the file for full details of the grounds which can be summarised as follows:

1. An application for part of this site was refused under 3/1990/0834/P and was dismissed on appeal for the following reason:

Whilst the appeal site has not been designated as an Essential Open Space, I consider that development of this land would be unacceptably harmful to the character of the settlement by filling in an area of open land, which provides visual relief between buildings and contributes to the setting of the village. There can be cases where small-scale development can be satisfactorily integrated into the rural community. In this appeal however I consider that environmental damage would result from the scheme.

2. An application for 8 starter homes, four family houses and four bungalows (3/1989/0077/P) was refused because the access was deemed inadequate.
3. This is agricultural land outside the village boundary.
4. Reference to the Secretary of State revoking the Regional Strategies in July 2010.
5. Proximity to quarry.
6. Access issues at the junction with Ribble Lane, width of road and vehicles parked on road.
7. Highway safety issues.
8. The findings of the housing needs survey in 2009 would not support this development.

Additional correspondence has been received requesting Committee delay any further consideration of the application before a full enquiry into the Hughes Craven report has been carried out.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

Initially commented that whilst having no objection in principle to this application on highway safety grounds, there were certain highway issues to consider and that these must be resolved before consent is granted. Members are referred to the file for full details of these matters which to summarise concerned the junction of Chatburn Old Road and Ribble Lane and visibility.

The applicant provided additional information on 13 September 2011 which comprised details of junction works to Chatburn Old Road/Ribble Lane. In response to the additional information the County Surveyor commented that the measures shown did not satisfactorily address concerns regarding the safe operation of the junction.

Since that time a further amended plan has been received and in response the County Surveyor has made the following observations:

The revised junction plan aims to address the concerns I have raised previously in relation to achieving satisfactory sightlines from Chatburn Old Road.

As with previous proposals, this proposal offers a potential solution through the introduction of hatched road markings that draw forward the STOP line at Chatburn Old Road. However, in this instance other measures are proposed to address the impact of advancing this line.

The physical alterations to the south side of the Chatburn Old Road junction results in (a) an element of protection for motorists waiting at the STOP line, and (b) a reduction of the radius at the junction to correspond with the alignment to the north and is consistent with the low speed of approaching traffic.

The sightline shown is 2.4m by 20.0m but I would consider a measurement from 2.0m back from the edge of carriageway to be acceptable in this instance and at this location. This would reduce the impact on the available carriageway width to the north of the junction, while retaining the element of physical protection. A subsequent drawing, 1350/04 Rev B, showing a 2.0m by 20.0m sightline is attached.

Considering the impact of the reduced "active" carriageway width immediately to the north of the junction, there must be a minimum carriageway width of 5.5m to accommodate the convenient movement of two way traffic. While there are often parked vehicles to the east side of Ribble Lane, the movement of passing traffic should not be hindered by the location of a revised STOP line or any associated markings.

The proposed alteration to the alignment of the junction retains a satisfactory carriageway width throughout and would have the benefit of improving visibility for motorists exiting Chatburn Old Road. The physical works would remove the potential for vehicles on Ribble Lane to over-run the hatched markings and impeded the safe operation of the STOP junction.

On this basis, I am satisfied that the junction can operate in a safe and efficient manner.

LANCASHIRE COUNTY
COUNCIL (PLANNING
CONTRIBUTIONS):

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. This however has not yet been determined.

Education

The response dated 31 January 2011 detailed a need for a contribution from the developer for the total primary yield of this development i.e. 4 places

Using the adjusted DCSF cost multiplier $(12,257 \times 0.9) \times 1.0733$ per place = £47,360.

However the most recent response from the education team at Lancashire County Council dated 18 October 2011 outlines the following:

Requirement based on forecasts and other housing development (where applicable):

Primary

There were 111 places in the local primary schools at January 2011 pupil census.

With *latest forecasts* for the local primary schools showing there to be a shortfall of 30 places in 5 years' time, the shortfall will occur without the impact from this development. 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 in respect of the full pupil yield of this development, i.e. 4 places.

Secondary

There was a shortfall of 14 places in the local secondary schools at January 2011 pupil census.

Latest forecasts for the local secondary schools show there to be approximately 47 places available in 5 years' time. With an expected pupil yield of 3 pupils from this development, it is expected that there would be a further 44 places available. However, planning applications have already been approved for Barkers Garden Centre, Victoria Mill and Cobden Mill, which have the potential to yield 24 additional pupils which are expected to attend one of these secondary schools. Therefore, the number of remaining places would be $47 - 24 = 23$ places. With a potential yield of 3 pupils from this development, there would be sufficient places to accommodate this development.

Therefore, we would not be seeking a contribution from the developer in respect of the remaining pupil yield of this development, i.e. 2 places.

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

There is also an additional housing development at Henthorn Road which will impact upon this group of schools which is pending appeal.

Effect on number of places:

The proportion of the expected yield from this development which is expected to impact upon this group of secondary schools is 68 pupils. Therefore, should a decision be made on this appeal before agreement is sealed on this contribution, our position may need to be reassessed, taking into account the likely impact of such decisions.

Summary of response:

The latest information available at this time was based upon the 2011 annual pupil census and resulting forecasts.

Based upon the latest assessment, LCC would be seeking a contribution for 4 primary school places.

Calculated at 2011 rates, this would result in a claim of:

Primary places: 4 @ (£12,257 *0.9) x 1.1072 = £48,855

Total contributions: **£48,855**

NB: Dependent upon the outcome of the appeal at Henthorn Road the total secondary claim could increase to a maximum of the full pupil yield for this development i.e. 3 places. In this case the secondary contribution would be

Secondary places: 3 places@ £18469 x (0.9) x 1.1072= £55,212

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 £4,800.

LANCASHIRE COUNTY
COUNCIL
(HEAD OF PLANNING):

Initially commented that the application raises serious concerns due to its proximity to a working quarry. The site located 60m to the east of the permitted boundary of Lanehead Quarry. This quarry has permission until 2027 for the extraction of limestone and shale in order to provide raw materials to the adjacent cement manufacturing plant. The quarry is of significant scale and uses blasting as part of the extraction process. The quarry provides raw materials to the only cement manufacturing plant in the northwest region. The quarry is therefore of national significance in terms of the provision of essential construction materials in order to maintain production. It is important to ensure that the future availability of this strategic mineral reserve is not compromised by the encroachment of development towards the quarry which could generate problems in terms of the impact of quarrying operations on adjacent residents. On the basis of the information available at that time an objection was made on behalf of the County Council and request that planning permission be refused.

Since that time additional information was provided in the form of an environmental appraisal (received 13 September 2011). In response to that document the following comments have been received from LCC:

The County Council agree that that the future quarrying operations in this location could probably be undertaken without causing any major issues relating to breaches of permitted limits on noise, air quality and blasting vibration. That would appear to be demonstrated having regard to the existing monitoring information, and to the fact that any future development at the quarry will be at greater depth rather than at a closer distance towards the houses. The fact that the application is for a relatively modest number of houses is a factor that also needs to be taken into account.

However, I do feel that it would be remiss of me not to raise the point that building more houses in close proximity to a quarry site of this scale, may result in a greater number of complaints or objections to any future development at the site, and that such complaints or objections do represent an additional complication for any quarry operator in the planning process, particularly with regard to the political dimensions of any future proposals for the extension of the quarry.

I am aware that there have been occasional complaints relating to blasting vibration from properties on the western edge of Chatburn. Occasionally other issues have also been raised in relation to night time noise or to dust.

This is particularly the case in relation to the context of Hanson having recently requested a scoping opinion from the County Council in relation to the deepening of Lanehead Quarry. This being indicative of the Company's intentions with regard to the future sourcing of raw materials to supply the cement works.

In such circumstances, the Borough Council will need to weigh these comments in the overall planning balance, including the need for the housing and the availability or otherwise of other sites that would not be in such proximity to the strategic mineral resource. The overall planning balance is clearly a matter for the Borough Council to determine.

ENVIRONMENT AGENCY: Have no objection to the development in principle subject to the imposition of conditions.

ADDITIONAL REPRESENTATIONS: Forty-five letters of objection have been received. Members are referred to the file for full details which can be summarised as follows:

1. Reference to the planning history of the site and an appeal decision in 1990, for part of the land that forms this site, where an Inspector considered that development of the land would be unacceptably harmful to the character of the settlement.
2. Proximity to the edge of Lanehead Quarry void quarry face where blasting is required approximately once a week. This greatly reduces the environmentally acceptable standoff between the quarry and proposed properties and could effect mineral safeguarding.
3. Concerns over highway safety which include reference to following:
 - The junction with Ribble Lane where visibility is reduced.
 - Width of the road is around 4.5m at its narrowest point and when cars are parked on the side of the road utility vehicles such as the refuse collection lorries have great difficulty as they have to reverse up the road.
 - Lack of off-road parking means approximately 20 vehicles park on Old Chatburn Road and three properties have direct access onto the road.
 - Reference to number of vehicles that travel along Ribble Lane passing the junction with Old Road and the number that now leave the A59 at the Sawley Road junction and travel through Chatburn to Clitheroe (at peak times approximately 950

- vehicles per hour).
 - Approximately 6 years ago requested a mini roundabout to be sited at the junction of Ribble Lane and Crowtrees Brow to assist with the traffic flow. The request was not successful.
 - Reference to comments by LCC Highways in 1989 as part of the planning application it was recommended that the application be refused in the interests of road safety stating that the junction was substandard in terms of visibility in both directions and increased turning movements would increase the risk of accidents.
 - During periods of snow the lane is impassable.
 - There are no footpaths on Old Chatburn Road to link the site to the village.
4. A Housing Needs Survey was carried out in 2009. The 35% response could indicate that there is no imminent need for a change of housing. Of those saying how much they could afford when buying a house the maximum is way below the anticipated cost of the properties planned for sale.
 5. There is a need for starter homes but not the four-bed dwellings proposed.
 6. The development site is outside the settlement boundary – contrary to Policy G5.
 7. The area opposite is regularly tested for methane – is this a health and safety issue?
 8. Lack of school places at primary level and secondary level.
 9. The land has become home to a large range of wildlife including deer and wild birds of prey.
 10. Reference to pre-application advice offered which is prejudicial to the outcome of this application.
 11. Could some of the remaining land be donated to a charity such as the Woodland Trust?
 12. Concerns over infrastructure – sewers, water, electricity.
 13. Impact on properties on Crowtrees Brow – privacy/outlook/overshadowing.

14. The site would be visible in the skyline and thus become a prominent feature in both the village and in views from further afield.
15. The site is unsuitable for development given its undulating nature and the fact that it is rocky and partially boggy.
16. reference to the number of dwellings indicated as the potential development in the SHLAA which is more than that applied for.
17. Possibly sheltered accommodation would be of benefit to the village.
18. The removal of trees should be resisted.
19. In view of the proximity to the active quarry and the potential to have a significant impact of the operation of the cement works question its impact on local employment and economy and operating practices of the cement works.
20. Question the accuracy of the submitted Environmental Appraisal.

Proposal

This is an application made in outline that seeks consent for the erection of 10 dwellings. Matters of access are being applied for at this time with layout, scale, landscaping and associated details reserved for future submission. An illustrative plan is submitted which details 7 detached and 3 terraced houses arranged around a cul-de-sac formed off Chatburn Old Road. Other than for the formation of the access/visibility splays the trees/hedgerow along the site to Chatburn Old Road frontage would be retained along with other trees of value within the site. Three of the dwellings would be affordable (representing 30% of the site) with the proposed mix being 1 social rented and 2 shared ownership. The indicative scale parameters of the proposed dwellings detail approximate maximum heights of 7.3m to ridge.

Site Location

This is a greenfield site that lies outside but immediately adjacent to the settlement limit of Chatburn within land designated Open Countryside. To the west and north of the site lies Lanehead Quarry, to the east residential properties on Chatburn Old Road and to the south properties that front onto Crowtrees Brow. There is a public footpath leading from Crowtrees Brow across the land included within the blue edge of this application (ie same land ownership but not intended for development under this application) to Chatburn Old Road and beyond. Within the site are trees and hedgerow and the land is undulating in nature and set higher than Chatburn Old Road.

Relevant History

3/1989/0674/P – Provision of four-bed house and stable yard with outdoor dressage area. Refused 8 March 1990.

3/1990/0834/P – Outline application for residential development. Refused – appeal dismissed.

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 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.

PPS22 – Renewable Energy.

Policy H2 - Dwellings in the Open Countryside.

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application are the principle of development, highway safety, visual and residential amenity, and impact on ecological interests. For ease of discussion, these are broken down into the following sub-headings:

Principle of Development

This application is for the development of 10 units at Chatburn Old Road, Chatburn. Under the adopted Districtwide Local Plan, the site falls outside but adjacent to the settlement boundary and is designated Open Countryside (Policy ENV3 and policy G5). Policy ENV3 states that in the open countryside development will be required to be in-keeping with the character of the landscape area and should reflect local vernacular style features and building materials. Proposals to conserve, renew and enhance landscape features will be permitted, providing regard has been given for the characteristic landscape features of the area.

As the proposals are for the development of 10 residential units, Planning Policy Statement 3: Housing (PPS3) must be considered. Paragraph 72 of PPS3 states that where LPAs cannot demonstrate a 5-year supply of deliverable housing land, paragraph 69 should be considered in deciding planning applications. As at 1st October 2011, Ribble Valley can only demonstrate a 3.3 year supply of housing. Therefore, in assessing the proposals in relation to paragraph 69, Local Planning Authorities should consider:

- 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.

It is considered that although the site would be located on land designated as open countryside, it is adjacent to the settlement boundary of Chatburn and therefore closely related to a service centre that can offer these facilities and access, which is in line with planning for housing objectives.

However it is important to also consider the environmental suitability of the site, as set out in para 69 of PPS3. As highlighted by Lancashire County Council (LCC), the site is located in close proximity to a quarry site and that work associated with the quarry may result in future complaints from residents who would be living at the development site. The concerns raised by LCC are addressed within the environmental appraisal report that accompanies the application, which states that it is not considered that there would be unacceptable impacts upon residents as a result of proposed new development.

Although the site itself is considered suitable in terms of its environmental suitability in land use terms, LCC's concerns are acknowledged and the Council's Environmental Health department have been consulted to further consider this issue with those comments included later in this report.

In relation to the issue of a lack 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 Local Planning Authorities 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 has 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 out 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.

It will also be important to consider any potential visual impact of the scheme. Policy H2 of the adopted Districtwide Local Plan discusses this in greater detail and states that the impact of proposals on the countryside will be an important consideration in determining all planning applications. Development should be appropriately sited and landscaped. In addition, scale, design, and materials used must reflect the character of the area, and the nature of the enterprise. This is covered elsewhere within this report.

In terms of potential change in policy, as well as the Core Strategy Development Strategy options, 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 Chatburn 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 10 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 Chatburn area, the approach taken is that development in this area should meet housing needs within the village. 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 County Surveyor has been in discussions with the applicant regarding concerns that he had in relation to achieving satisfactory sight lines from Chatburn Old Road. This has resulted in various proposals with the latest drawing received 11 November 2011 offering a potential solution through the introduction of hatched road markings that draw forward

the STOP line at Chatburn Old Road – the full response of the County Surveyor in relation to this latest drawing are given in full earlier in this report. It is clear from these comments that the negotiations that have been ongoing in this respect for the past months have resulted in the production of a scheme that is considered to address the concerns raised and enable the junction to operate in a safe and efficient manner. Thus, on the advice of the technical specialist in this field, I must conclude that on the basis of the amended drawing received 11 November 2011, there would be no significant detriment to highway safety as a result of this scheme's implementation.

Layout, Scale, Visual Amenity

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

An indicative site layout plan has been submitted to show how the scheme would fit into the immediate surroundings with existing residential development to the east and some distance away to its south east that fronts on to Crow Trees Brow. To the north eastern corner of the site is an area of unimproved calcareous grassland and this area is retained with the short cul de sac proposed under this application set to the west of this. The development site sits between the grassland area and an existing public footpath and the plan shows a link to the public footpath from the development. The site generally slopes down from west to east and is undulating in nature. As part of this application, site sections and elevations have been provided to assist in the decision making process.

In respect of the visual impact of this development I am mindful that the site does lie outside the defined settlement boundary and is set on rising land. Comments have been made by objectors to previous appeal decisions and that the properties would be visible on the skyline. For Committee's information, the appeal decision relates to a site to the east of this one on land between Crow Trees Brow and the rear of properties on Chatburn Old Road (3/90/0834/P). Development on that site would fill the void that separates two wedges of residential development. The scheme here is different in nature in that whilst it extends the development edge of the village in a westerly direction, the layout shown would not, I consider, significantly compromise the visual amenities of the area. Dwellings are provided with separate garden areas but there are substantial areas of open land to retain areas of calcareous grassland and protect trees. Visually, the site is well contained with no open views into the site from Crow Trees Brow by reason of the intervening ribbon of housing fronting that roadside and areas of woodland. The only public views of the site are from positions on Chatburn Old Road immediately adjoining the site and from the public footpath as it runs past the site.

I am of the opinion that the two storey scale of development reflects the predominant scale of property in the locality. There is a mix of development styles in the area and at this outline stage, reference is made in the Design and Access Statement to external facing materials being complimentary to the character and traditions of the area, including stone walls and slate roofs. Clearly, detailed matters of design are reserved for future submission and Members should be guided by the indicative layout and scale. The dwellings are shown to be between 6.8m to 7.3m in height and on the basis of this and having regard to the scale of surrounding development, I do not consider that the parameters of scale shown would prove significantly detrimental to the visual amenities of the area.

Residential Amenity

In assessing residential amenity, I am mindful of the relationship between the dwellings proposed as part of this scheme as well as the relationship with existing properties adjacent to the site. Dwellings that face toward each other within the scheme are set between 25m to 35m apart and thus that relationship is considered satisfactory.

To the south are dwellings that front on to Crow Trees Brow. These are set lower than the application site and approximately 70m distant. Again I consider this relationship satisfactory.

Existing dwellings that align the southern edge of Chatburn Old Road are set approximately 40m to the east of plot 10 which is the first dwelling on the proposed cul de sac. An area of calcareous grassland is to be retained and set between these two respective areas. I am of the opinion that given the distances involved there is sufficient separation distance to ensure that existing amenities of residents would not be so significantly compromised as to warrant an unfavourable recommendation on residential amenity grounds.

Nature Conservation

This is a Greenfield site with trees within the site and hedgerows that align the roadside boundary. As part of the application, a tree survey and development constraints plan was submitted which provides a condition report on existing trees and indicates the constraints on site development presented by these trees and the implications of tree retention. The dominant species on the site are self seeded Hawthorn with a scatter of early mature and mature Ash together with Lime, Beech and Field Maple. The hedge bordering the site along Chatburn Old Road is a degraded thorn hedge with young Ash, Holly, Elm, Field Maple and Sycamore. The scheme would involve the loss of some of the trees on site but it is considered that their loss 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 an ecological survey and assessment to examine the ecological, bio diversity and nature conservation status of the site. Appropriate surveys for protected species have not detected the presence of Great Crested Newt, Badger, Water Vole or reptile species within the actual site. The Calcareous grassland habitats within the site are assessed to be suitable for use by ground nesting birds such as Skylark. The report concludes that the principle of development is feasible and acceptable and provides a set of recommendations concerning protection of vegetation, protection of breeding birds, ecological enhancement and landscape planting and landscape management. Therefore, subject to an appropriately worded condition to ensure the recommendations of the ecological survey are carried out, there is no justifiable reason to withhold consent on ecological grounds.

Miscellaneous

Members will note from the objections and comments received to this development that reference has been made to the relationship of the site with the neighbouring quarry activities and limestone resources. In particular, LCC had initially raised concerns in relation to this development but upon further detailed discussion, and submission of additional information by the applicant withdrew their 'in principle' objection. They have made reference to the fact that building houses in close proximity to a quarry site may result in a greater number of complaints and in such circumstances the Borough Council needs to weigh these comments in the overall

planning balance, including the need for housing and the availability or otherwise of other sites that would not be in such proximity to the mineral resource. Reference has been made elsewhere within this report to factors associated with housing supply and thus it is the potential impact on the residential amenity of those new occupants that needs to be considered further here. In respect of the potential environmental issues, I have discussed the submitted documentation with the Council's Head of Environmental Services. He considers that on the basis of the technical report submitted, there is no objection in principle to this scheme but he considers that with regard to gas migration from the adjacent landfill, he would support the need to undertake the additional gas monitoring as set out in Section 1 of the submitted Phase 1 Land Quality Assessment, and that with regard to noise and vibration attenuation, it is recommended that a condition be required for detailed noise and vibration attenuation measures being incorporated into the design of the dwellings at reserved matters stage.

Section 106 Content

The application has been submitted with a draft legal agreement to cover matters of affordable housing. Discussions with the applicant have led to revisions to the originally submitted terms and this report has also identified the contribution sought from LCC in relation to education. To clarify for Members, the legal agreement in its final form, stipulates the following:

1. *Affordable Housing*

1. The total number of affordable units shall consist of three houses.
2. One of the units shall be a rented affordable unit – 1 x 3 bed house.
3. Two of the units shall be low cost market units – 2 x 3 bed houses.
4. The low cost market units are at a 40% discount to the open market value.
5. The phasing of the delivery of the affordable units to be specified as not to allow the first occupation of more than 50% of the open market units until all the affordable units have been built ready for immediate occupation.
6. Approved persons in the first instance in respect of the low cost market units to have a Chatburn connection, the second cascade of eligibility once Chatburn residents have been offered the units to be Grindleton, West Bradford, Clitheroe, Worston, Downham or Sawley (a neighbouring Parish) then Ribble Valley as a third cascade.

2. *Wheeled Bin Contribution*

1. The developer to fund the administration and delivery cost of £90 per unit in providing the appropriate number of wheeled bins (£900).

3. *Education Contribution*

1. This is defined in the first instance as £48,855 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.

Members will note that it is not proposed to request the sum LCC have asked for in terms of waste management ie £4,800. The contribution sought by LCC is in accordance with their policy paper 'Planning obligations in Lancashire' which has not been formally adopted by this 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, public open space and education.

Therefore, after having carefully assessed all the above, I am of the opinion that this 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 or be to the detriment of highway safety.

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Community Services for approval following the satisfactory completion of a legal agreement within a period of six months (from the date of this decision) as outlined in paragraphs numbered 1-3 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. The submission of reserved matters in respect of scale, layout, appearance and landscaping and implementation of development shall be carried out in substantial accordance with the Design and Access Statement and the proposed site layout drawing number D1350/PL01REVB; D1350/PL02REVB and D1350/PL03REVA.

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

6. Development shall not begin until a scheme for surface water drainage and attenuation for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. Details of the maintenance and management of the scheme after completion shall be included. A scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, to improve habitat and amenity and to ensure future maintenance of the surface water drainage system in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. This permission shall relate to the Ecological Survey and Assessment dated September 2010 submitted in support of the application. All details shall comply fully with the recommendations of that report.

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

8. Any application for the approval of reserved matters shall include details of noise and vibration attenuation measures to be incorporated into the design of all dwellings. The measures so submitted and approved shall then be fully implemented prior to first occupation of the dwellings and thereafter retained in perpetuity.

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

9. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees identified in the arboricultural/tree survey [T1 – T18 inclusive] shall be protected in accordance with the BS5837 [Trees in Relation to Construction] the details of which shall be agreed in writing, implemented in full, 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 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 considered to be of visual, historic or botanical value are afforded maximum physical protection from the adverse affects of development. In order to comply with planning policies G1, ENV13 of the District Wide Local Plan. In order to ensure that trees of visual amenity/botanical/historical value are protected against adverse affects of the development.

10. No part opf the development hereby approved shall be occupied until the junction improvement works as detailed on drawing D1350-04REVB received on 11 November 2011 have been implemented in full to the written satisfaction of the Local Planning Authority.

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

11. This permission shall relate to the Phase 1 Land Quality Assessment dated December 2010 submitted in support of the application. all details shall comply fully with the recommendations of the report.

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

APPLICATION NO: 3/2011/0129/P (GRID REF: SD 377598 437271)
PROPOSED DEMOLITION OF PART OF VICTORIA MILL AND CONVERSION OF FORMER SPINNING MILL INTO 22 NO. APARTMENTS, CONVERSION OF FORMER OFFICE BUILDING INTO 3 NO. TOWNHOUSES, ERECTION OF 4 NO. AFFORDABLE ELDERLY CARE BUNGALOWS, 23 NO. OTHER AFFORDABLE DWELLINGS, 18 NO. DWELLINGS AND THE CREATION OF A NEW POND. VICTORIA MILL, WATT STREET, SABDEN

PARISH COUNCIL: Sabden Parish Council do not object to the development of the Victoria Mill site, but object to this application for the following reasons:

1. Proposed Number of Dwellings – Over intensification of the site that will destroy the character of the village.
2. Highway Safety – The proposal will generate more traffic and increase volumes emerging onto Whalley Road. Consideration must also be had to the previous schemes already approved on other nearby sites.

3. Infrastructure – Sabden is a Village with an infrastructure that can barley cope, e.g. sewers, telephone, broadband, and this proposal will seriously impact upon this.
4. Cumulative effect – The proposal should be looked at in conjunction with other recently approved developments at Cobden Mill and on Whalley Road. An overall impact of approximately 120 new houses will be significant.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

No objections in principle on highway safety grounds, subject to appropriate conditions and an agreement for a commuted sum towards a number of highway improvements.

UNITED UTILITIES:

No objection to the proposal in principle provided the site is drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge directly into the adjacent watercourse as stated within the Flood Risk Assessment and will require consent from the Environment Agency.

ENVIRONMENT AGENCY:

Having reviewed the additional information as submitted, the Environment Agency withdraws their objection to the proposed development, subject to the inclusion of conditions, which meet certain requirements.

LANCASHIRE COUNTY
COUNCIL PLANNING
CONTRIBUTIONS:

The planning contribution request for Lancashire County Council services is £33,600 for waste management. Members will be aware of a report to Committee in December 2008 where it was agreed that contributions towards Waste were not considered to be priority requests. There is no request for a contribution to Education.

COUNTY ARCHAEOLOGY:

The proposal site contains two non-designated heritage assets, Victoria Mill, built in the 1840s, & Brook or Cobden Mill (Lancashire Historic Environment Record PRN 6168), built in the 1880s, little of which survives today. It is also thought that buried remains associated with the site's earlier use as a printworks in the late 18th century (PRN 6167) might be encountered. The Heritage Statement and Archaeological Desk-based Appraisal that accompany the application acknowledge the local significance of the site and the need for the comprehensive record to be made of the standing buildings, as well as the need for archaeological investigation and recording of any below-ground remains that might also be encountered. LCAS is in agreement with the proposed mitigation strategy and as such recommend that such work is secured by means of a Condition.

COUNTY ECOLOGIST: Having now reviewed the additional information submitted by Victoria Allen of ERAP (e-mail dated 09/06/11), this information addresses the outstanding concerns, demonstrating that the necessary mitigation and compensation for impacts on Habitats of Principal Importance (the mill pond) and protected and priority species (including common toads, bats and eels) could be delivered as part of these proposals. Planning conditions will need to be attached (as outlined in the original consultation response, and reiterated in section 6.0 of the ERAP report 'Advisory Report and Executive Summary on Ecological Issues') to ensure that the proposals do comply with the requirements of relevant biodiversity legislation, planning policy and guidance.

ENGLISH HERITAGE: Following discussions with the Applicants following the previous application submitted in November 2010, English Heritage are pleased that the designs have been amended and developed in line with the advice given, with the issues raised being addressed. In their view, the revised layout/density, massing, scale, height and streetscape design would result in a development that will preserve the character and appearance of the Conservation Area subject to careful detailing and choice of materials. They are also satisfied that with the application of appropriate conditions, or clarification of detail prior to determination, that the requirements of S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) can be satisfied. They are pleased that the chimney, office block and main Spinning block will be retained on site, however it is up to the Local Planning Authority (LPA) to determine whether the policy requirements of PPS5 HE9.2 (i) or (ii) have been met in relation to the other buildings on site.

ANCIENT MONUMENTS SOCIETY: We continue to object to the demolition of the historic buildings for the reasons below:

- The existing buildings make a positive contribution to the Sabden Conservation Area, partly due to the architectural significance but also due to the historical significance as part of the industrial heritage of the village and its connection with calico printing.
- In our view the retention of the chimney is mere tokenism and would offer no relevance in its divorced state from the original buildings to be lost through the development.

- If the Council is persuaded otherwise, we consider the design of the development to neither preserve nor enhance the character of the Conservation Area, and makes no significant contribution to the continuation of Sabden's distinctive local character.
- We would encourage the Council to urge the developers to return to the approach of converting the buildings on site, but failing that transfer the site to someone who would adapt that approach.

NATURAL ENGLAND:

Natural England have not provided a reply to the revised details provided by the Applicant on the 9th of June 2011. However, they did not raise an objection to the proposal in their letter dated 28th April 2011; they merely provided a series of guidance notes in relation to protected species, bats, breeding birds and biodiversity on the site, all of which have been covered by conditions within the revised responses from both the LCC Ecologist and the Environment Agency. One of the main comments received from NE is the need for a NE licence for the protection of bats. This is recognised in the ERAP report and they have provided a draft method statement, which will be updated for a licence application once planning permission is received.

ADDITIONAL REPRESENTATIONS:

Fifty six (56) letters from forty one (41) households within Sabden have been received. The points of objection made have been simplified as follows:

1. Loss of light to neighbouring properties.
2. Loss of view.
3. Noise disturbance.
4. Impact on highway safety.
5. Increased pollution.
6. Increase in traffic.
7. Overshadowing.
8. The Council ignore the residents and the scheme will be built regardless.
9. Transport Statement is inaccurate and misleading.
10. Sabden is NOT served well by public transport, and I would have hoped this new development would improve these links.
11. Sabden is NOT served well by shops, as we only have a Post Office, General Store and a Sandwich Shop.
12. Sabden is a 'Village' and should stay that way.
13. Detrimental impact on infrastructure (Doctors/Schools).
14. The houses for the elderly in the middle of an estate is beyond belief.

15. Scheme lacks design and understanding considering it is in a Conservation Area.
16. The flats adjacent to Whalley Road is a brutal, modern design, totally out of keeping.
17. Increase in height of building adjacent Whalley Road is unacceptable and surely against EH guidance?
18. Inappropriate use of modern materials.
19. Why keep the chimney? Is it to offset the visual impact of losing the rest of the buildings?
20. The chimney will be a burden in years to come.
21. Lack of parking in the area.
22. Increase in vehicular traffic to/through Sabden.
23. The roads are dangerous already and a number of accidents have occurred due to parked cars.
24. Losing the factory will benefit the area but by increasing the number of houses will not.
25. Overdevelopment of the site.
26. Unacceptable density and mass of dwellings on site.
27. Development is insensitive to the historic townscape.
28. Impact on the character and setting of Sabden.
29. Impact on the character and setting of the A.O.N.B.
30. Unsympathetic conversion of the Whalley Road Mill.
31. Do the Council ignore residents as this is the 4th time I have objected.
32. Impact on wildlife and ecology on site.
33. Consent was granted for 40/50 on this site however 70 is too many.
34. Does not comply with the requirements of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.
35. Can the sewerage system cope with this development?
36. Concern regarding flooding and how this scheme will affect Sabden?
37. Style and design of proposed dwellings are out of keeping.
38. Development would not align with the Core Strategy.
39. Sabden should be provided the same protection as other A.O.N.B. villages (Grindleton, Slaidburn e.t.c.)
40. The previous consent was on the basis of retaining employment in the Village (Marbill), this offers no such benefits.
41. Is there any 'Open Space' provision?
42. The Planning Department should be more pro-active and 'plan' for Sabden, not just approve anything.

One letter welcomes the development, as it will open up the Brook side to residents and provides more wildlife protection.

Proposal

This application seeks permission for the creation of 70 dwellings on the Victoria Mill Site on the corner of Watt Street and Whalley Road in Sabden. The application proposes the demolition of a number of buildings on site including the weaving sheds and several outbuildings, with the former Spinning Mill and Chimney (as with previous proposals) retained as a symbol of the site's industrial past. As with the previously approved proposal, the former Spinning Mill accessed off Whalley Road, will be converted into 22 apartments (as per the proposal previously approved by Application 3/2008/0621/P) consisting of:

- 8no. one bedroom apartments,
- 5no. two bedroom apartments, and
- 9no. two bedroom duplex apartments,

In addition, the buildings accessed off Watt Street that were previously used as the main offices for Marbill, will be also be retained and converted into three, three bed town houses. The site north of the exposed Sabden Brook also includes the erection of 7 no. market houses, with the four facing onto Whalley Road, two/three storey in height (two storey onto Whalley Road, with a three storey rear elevation due to the drop in land levels) and the three closer to the Brook at three storeys.

The remainder of the buildings on site are to be demolished and the site redeveloped in its entirety for housing. This will include the erection of a further 38 dwellings consisting of 27 affordable dwellings (4no. two bed bungalows, 10no. three bed/2 storey, 3no. two bed/2 storey, 9no. two bed apartments/three storey and 1no. one bed apartment) and 11 no. market dwellings. (3no. three-bed/2 storey, 7no. four-bed/3 storey and 1no. two-bed apartment).

With regards to the design rationale for the site, along Watt Street, 5 no. mews houses are proposed to replicate the character of existing properties further along Watt Street and on Whalley Road opposite the site, with the frontage of the four facing onto Whalley Road on the northern portion of the site following this underlying principle. The access to the main body of the site is via a new roadway close to the position of the existing site access. Within the site, the dwellings are a mixture of single, two and three storey properties, with the three storey properties set to the far corner of the site. Due to the identified need for single storey accommodation, 4 no. affordable bungalows are proposed, with the design and style replicating the engine room building that is to be removed from that particular location on site. The rest of the properties on site have been designed with the traditional scale of properties in Sabden in mind, providing details such as the pitched roofs, window proportions, architectural details etc, with the focus on the detailing placed to ensure the desired simplicity is achieved successfully utilising more modern materials to reflect the traditional form.

With regards to the soft and hard landscaping proposed for the site, there includes a hierarchy of semi-mature tree planting along the route way into the site that assist in defining and softening the impact of the vehicular user, with key nodal points and junctions clearly defined and a number of pockets of open space and seating areas within the core of the site provided. Opening up the riparian corridor and the creation of a brook side meadow has created further open space with the peripheral woodland/development interface carefully considered and native woodland species proposed to assist in assimilating the development into the semi-rural locality. A Management Company in collaboration with the Registered Provider will manage all of these pockets of open space. The landscaping for front and rear gardens provides a formal attractive setting for the dwellings, with formal box hedging, accent tree and shrub planting to the fronts

provides an attractive and appropriate arrival space and public amenity, and fenced enclosures with patios and lawns to the rear to provide private space for residents to enjoy. Gated access allows for ease of maintenance and the storage of bins and bicycles. The boundary treatment to the south and south-west adjacent to existing woodland is made up of a combination of 1.8m high close boarded fencing (where screening and some noise attenuation is required) and 1.8m high railings to allow views onto the woodland, with the south-eastern boundary remains largely unchanged being made up of existing walls open railings to allow views onto the river and proposed hedging to provide garden privacy. Brick walls with archways provide visual connectivity between the proposed dwellings with pedestrian permeability provide through archways.

Finally, the scheme also includes the provision of a pond off Sabden Brook to the south-west of the site, in order to replace the former mill lodge on site that will be lost via the erection of plots 34-40, and a feature construction on the north side of the Brook to replicate the environment currently provided by what was believed to be the blowing tower attached to the mill. This structure will form a feature at the end of the access road off Whalley Road. The report prepared by ERAP identifies this lodge as having an importance for bats and other wildlife, and as such these measures are required to ensure no significant loss of wildlife habitat.

Site Location

The site is located on the western edge of the village boundary of Sabden, which lies approx. 3m south east of Clitheroe. The site also lies within the recently adopted Conservation Area, and the Forest of Bowland Area of Outstanding Natural Beauty, as designated by the Ribble Valley Districtwide Local Plan. The site covers approx. 1.3 hectares and approx. 60% of the site is currently occupied by Victoria Mill itself and associated offices.

Relevant History

3/2011/0128/P - Partial demolition of Victoria Mill with retention of the mill chimney, offices and spinning block (Conservation Area Consent) – Report on this Committee Agenda.

3/2010/0845/P - Proposed demolition of existing mill, opening up of Sabden Brook, the erection of 46 dwellings (20 affordable), a new access road to Watt Street and retention of the mill chimney – Withdrawn.

3/2010/0844/P - Demolition of buildings at Victoria Mill, with retention of the Mill Chimney – Withdrawn.

3/2008/0622/P – Conservation Area Consent for the part demolition of Victoria Mill – Granted Conditionally.

3/2008/0621/P - Mixed use development comprising erection of general industrial unit (B2), 28no. houses and conversion/extension of mill building into 22no. apartments (Resubmission) – Granted Conditionally.

3/2007/1083/P – 1.23ha mixed use development comprising of the part conversion part extension of existing mill into 21no. apartments; the erection of 27 no. townhouses and 1858sq.m. of general industrial (B2) space. – Withdrawn.

3/2001/0125/P – Extension of the loading/unloading area – Granted Conditionally.

3/2000/0607/P – Use of first floor premises for the manufacture and sale of leather three-piece suits – Granted Conditionally.

3/1999/0006/P – Change of Use of industrial unit to form coach depot for six coaches including repair & maintenance facilities (Retrospective) – Granted Conditionally.

3/1997/0126/P – Outline Application for residential development (40 units) – Withdrawn.

3/1994/0092/P – Extension to engineering works – Granted Conditionally.

3/1990/0783/P – Change of use for land as storage for caravans and other vehicles – Granted Conditionally.

3/1990/0025/P – Change of use from industrial to offices – Granted.

Relevant Policies

Policy G1 - Development Control.

Policy G4 – Settlement Strategy.

Policy ENV1 – Area of Outstanding Natural Beauty.

Policy ENV7 – Species Protection.

Policy ENV13 – Landscape Protection.

Policy ENV16 – Development in Conservation Areas.

Policy ENV18 – Retention of Important Buildings within Conservation Areas.

Policy H15 – Building Conversions – Location.

Policy H16 – Building Conversions – Building to be Converted.

Policy H17 – Building Conversions – Design Matters.

Policy H20 – Affordable Housing – Villages and Countryside.

Policy H21 – Affordable Housing – Information Needed.

Policy RT8 – Open Space Provision.

Policy T7 - Parking Provision.

SPG 'Extensions and Alterations to Dwellings'.

Regional Spatial Strategy (RSS) Policy L4 - Regional Housing Provision.

RSS Policy L5.

RSS Policy ER5.

PPS3 Housing.

PPS5 – Planning for the Historic Environment.

PPS7 Sustainable Development in Rural Areas.

PPS9: Biodiversity and Geological Conservation.

PPS25 Development and Flood Risk.

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

The Wildlife and Countryside Act 1981 (as amended).

The Conservation of Habitats and Species Regulations 2010.

Environmental, AONB, Human Rights and Other Issues

The original report relating to this application was taken to the July 2011 Planning and Development Committee Meeting where Members were minded to grant planning permission subject to conditions and therefore Deferred and Delegated the final decision to the Director of Community Services to negotiate the satisfactory completion of a Legal Agreement (in terms described in the section 'Content of Legal Agreement') to deal with the delivery of affordable housing and secure the necessary highways contributions of wheeled bin provision requested in relation to this development. The reason this report is now back on the Agenda is that the Agent seeks to vary the tenure mix for the Affordable Housing on site, and the full details of this will be set out in the relevant section. The rest of this report remains the same as that presented on the 14 July 2011.

This application seeks permission for the creation of 70 dwellings on the Victoria Mill Site on the corner of Watt Street and Whalley Road in Sabden. The proposal seeks consent to convert two of the buildings on the site into residential units, namely the former Spinning Mill, accessed off Whalley Road, and the buildings accessed off Watt Street that were previously used as the main offices for Marbill, with the remainder of the buildings on site (not including the chimney) to

be demolished and the site redeveloped in its entirety for housing. This will include the erection of 45 'new build' dwellings, of which 27 will be affordable dwellings.

Committee will be aware that planning permission and conservation area consent were granted in November 2008 for a mixed-use development on the site comprising the conversion and extension of the existing three storey mill building for 22 apartments, with the remainder of the buildings on site (not including the chimney) being demolished in its entirety in order for the site to be redeveloped with the erection of a general purpose industrial unit (B2) for use by the owner, Marbill Ltd, and the erection of 28 dwellings. The application also included 6 'Affordable Units'. Within the Planning Statement submitted with the Application, it notes that at the time of this application being submitted, Marbill had hoped this permission would enable the Company to stay in Sabden within modern premises to accommodate the business' updated technological requirements, as the building in its current state is unsuitable for modern day industry. However, in order to safeguard the company's future, and retain 30 jobs within the Ribble Valley, the decision was made to relocate the business away from this site, and as such, since the end of May 2011, they are now based full-time at Time Technology Park in Simonstone.

The current amended and proposed scheme has been the subject of lengthy negotiations between the Planning Department, the developer/agent and the Housing Association linked to the previous consent. The Housing Association were aware of the change in circumstances of Marbill, and sought the opportunity to provide additional affordable housing on the site, hence the amendments to the scheme and the significant increase in the number of affordable units proposed. Whilst the Planning Department are mindful that there is still a 'live' consent on this site for its development for housing, the previous proposal was linked closely to the retention of the existing industrial use on the site. Therefore, in assessing this proposal, consideration must be had in relation to the significant change in situation for the previous applicant (including their relocation), the current housing supply within the Borough and the increase in the number of affordable units proposed, as well as how the overall design of the scheme relates to the recently introduced National Planning Policy Document PPS5, which relates to development within the historic environment.

There have been a number of objections from both neighbours and statutory consultees, and in assessing this scheme these objections/issues will be answered/outlined throughout this report.

PRINCIPLE OF DEVELOPMENT

In terms of the principle of developing the site for housing, we must consider that the scheme offers two means by which residential accommodation is to be provided. There are 25 units to be created by converting existing buildings on site, and as such Policies H15, H16 and H17 are considered to be important. Indeed, given the location of the site in relation to the settlement boundary and adjacent residential properties and the provision of the buildings assessment report, the conversion of the two buildings to residential units would comply with the relevant Local Plan Policies.

However, these 25 units form part of an overall scheme that would result in the creation of 70 units in total, and in assessing this regard should be had towards Policy G4, the Council's Affordable Housing Memorandum of Understanding (AHMU), the RSS and PPS3. Policy G4 of the Districtwide Local Plan allows for the use of infill sites, the rehabilitation and re-use of rural buildings and proposals that contribute to the solution of a particular need. For the purposes of this policy, infill is described as the filling of small gaps within small groups of houses and it is considered that this particular site is too large to be considered as an infill site. The scheme

proposes over a third of the residential units on site to be created by virtue of the rehabilitation and re-use of existing buildings on the site, and that over a third of the residential units on the site will be 'Affordable' units to contribute to the solution of a local housing problem.

The RSS Policies are still a material consideration, and as they supersede the Districtwide Local Plan, it is worth considering Policy L4 - Regional Housing Provision which notes that local planning authorities should monitor and manage the availability of land identified in plans and strategies and through development control decisions on proposals and schemes, to achieve the housing provision set out. In doing so they should use the results of the up-to-date Strategic Housing Market Assessments and Strategic Housing Land Availability Assessments to inform the allocation of and development control decisions on specific sites. Given the development is specifically for housing, the National Planning Policy Statement 3: Housing (PPS3) must also be considered. Paragraph 72 of PPS3 states that where LPAs cannot demonstrate a 5-year supply of deliverable housing land, which is the current case in the Ribble Valley, paragraph 69 should be considered in deciding planning applications. Therefore, in assessing the proposals in relation to paragraph 69, Local Planning Authorities should consider:

- 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.

Details relating to bullet points 1, 2, 4 and 5 will be covered later in this report, however in respect to bullet points 3 and 6 and as the site lies wholly within an existing village settlement boundary with local amenities and services, it is considered that the site is located in a suitable location and meets the PPS3 (bullet point 3) criteria.

Another material consideration in respect of housing on this site is the Affordable Housing Memorandum of Understanding, which was subject to public consultation. Within this document it notes that 'The Council will negotiate the provision of affordable housing on all qualifying housing developments as follows: In Longridge and Clitheroe on housing developments of 10 or more dwellings (or sites of 0.5 hectares or more, irrespective of the number of dwellings), the Council will seek affordable housing provision at 30% of units on site. The scheme provides 27 Affordable Units on site, equating to 38.5% of the dwellings on site, and as such is considered to comply with this requirement. This in turn also helps the scheme meet PPS3 (bullet point 6) criteria.

In conclusion, given the current lack of a five year housing land supply within the Borough, and that the number of Affordable Units provided on this site is over and above the level normally required, it is considered that the development of this site is acceptable in principle in line with point 3 of paragraph 69 of PPS3 and Local Plan Policy G4, on the basis that the scheme will contribute to the solution of a particular local housing problem, the development of this particular site has been considered appropriate subject to other material considerations set out below.

AFFORDABLE HOUSING

With specific regards to the proposed Affordable Housing on site, as noted above the scheme provides 27 Units on site, equating to 38.5% of the dwellings on site, and as such is considered to comply with this requirements of the Affordable Housing Memorandum of Understanding

which requires a minimum of 30%. The original site offer comprised of 21 affordable rented units with 6 shared ownership units included in the proposal. In relation to this proposal, the Council's Housing Officer noted that this would satisfy the rented affordable housing need in Sabden.

The Agents have now requested that the tenure mix for the affordable units on the Victoria Mill is altered, with the main chance being that the 6 shared ownership units on the site (3x2 bed and 3x3bed properties) be increase to 10 shared ownership units, and for these to be all 3 bed properties. The number of rental units will obviously decrease to 17 units. This request has been made by Ribble Valley Homes, the Registered Provider delivering the affordable units on the site, with the reason for the request being that another site in Sabden has received confirmation of Homes and Communities grant allocation for some rental units in Sabden therefore reducing the evidenced need for rental units on this scheme.

The Council's Housing Officer notes that demand for shared ownership units in Sabden is evidenced in the Sabden Housing Needs survey 2011, with 14 households identified discounted home ownership as there tenure preference, and that this request has been discussed and is supported by the Strategic Housing Working Group. On this basis, there are no objections to this variation in the tenure mix.

The revised Legal Agreement submitted as part of the application is also considered to be satisfactory in terms of nomination rights, approved persons criteria and the proposed phasing of the affordable units, in line with the requirements of Local Plan Policies H20 and H21, and the requirements of PPS3 (bullet point 2) criteria. As noted above, the Strategic Housing Working Group discussed the revised offer and were satisfied with the revised Affordable Housing Offer.

LOSS OF EMPLOYMENT

The scheme proposed no longer includes the replacement of employment space on site as the previously approved scheme did, and as such the tests to be considered on the matter of the loss of employment in relation to this site are set out in the save Local Plan Policy EMP11. Amongst other criteria to consider, the Policy seeks to ensure that the impact of the loss of the site from employment is not detrimental to the local economy, and that other environmental considerations are of benefit to the locality.

The Head of Regeneration and Housing, Colin Hirst, notes in his considerations of the proposal that he has always taken the view that a mixed scheme would be a preferred option, as was intended in the previous scheme. However, he notes the applicants report explores the relevant matters namely:

- the intended relocation of the business to another site, likely to be within the Ribble Valley (Marbill have moved sites to Time Technology Park); and
- the challenge that the site presents in terms of achieving not only a viable redevelopment for employment purposes but also fundamentally the extent of viable demand that would exist if a scheme was delivered speculatively.

In considering this, it is not anticipated that given the location of the site and access to the strategic highway network that there would be a great demand for premises. Indeed viewed another way would the Council seek to allocate land at this location for employment purposes? The Head of Regeneration and Housing considers not. Therefore, in the absence of a need from an existing occupier it is accepted that the employment opportunities on this site are

limited, and on this basis, it is considered that the wider benefit of redeveloping the site for a suitable residential scheme with affordable housing offers a more recognised regeneration benefit for not only Sabden but for the surrounding villages and towns, and in doing so is considered to comply with the requirements of Policy EMP11.

IMPACT ON HERITAGE ASSETS

The site lies within the Sabden Conservation Area, which by virtue of the guidance provided in PPS5: Planning for the Historic Environment is considered to be a designated Heritage Asset. A Heritage Statement and Archaeological Desk-based Appraisal have all been submitted as part of the application, regarding the development of the site and the proposals overall effect on the designated Heritage Asset, as there is no question that the scheme proposed will have a significant impact on not only the Conservation Area (Heritage Asset) but also the Area of Outstanding Natural Beauty. In line with PPS5, consideration of the scheme must be held in accordance with the following relevant Policies of this document:

- Policy HE7.1 states that ‘such identification and assessment of the particular significance of each element of the historic environment is fundamental to decision making’,
- Policy HE7.4 requires consideration of the sustaining and enhancement of the significance of heritage assets and of the consideration of the positive role of heritage assets in place-shaping,
- Policy HE 9.1 states that: “there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated asset, the greater the presumption in favour of its conservation should be. Once lost, heritage assets cannot be replaced and their loss is a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification”,
- Policy HE9.2 states that where the application will lead to substantial harm to or total loss of significance local planning authorities should refuse consent unless it can be demonstrated that:
 - (i) the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss; or
 - (ii)
 - (a) the nature of the heritage asset prevents reasonable uses of the site;
 - (b) no viable use of the heritage asset itself can be found in the medium term that will enable its conservation;
 - (c) conservation through grant-funding or some form of charitable or public ownership is not possible; and
 - (d) the harm to or loss of the heritage asset is outweighed by the benefits of bringing the site back into use”.

English Heritage have positively commented on the proposal, noting that in their view the revised layout/density, massing, scale, height and streetscape design would result in a development that will preserve the character and appearance of the Conservation Area subject to careful detailing and choice of materials. They are also satisfied that with the application of

appropriate conditions, or clarification of detail prior to determination, that the requirements of S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) can be satisfied. However, whilst they are pleased that the chimney, office block and main Spinning block will be retained on site, they consider that the LPA must determine whether the policy requirements of PPS5 HE9.2 (i) or (ii) have been met in relation to the other buildings on site.

As noted above, Policy HE9.2 states that where the application will lead to substantial harm to or total loss of significance local planning authorities should refuse consent unless it the proposed development can demonstrate that it complies with sections (i) or (ii). The Agent has considered the scheme against Section (i), which asks whether “the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss”. In this case, a substantial level of information has been provided by the Agent within the documents supplied as part of the proposal, within the Employment Report, Planning Statement and Heritage Statement. They consider that given the ‘significant’ focal buildings being safeguarded and retained on site, the proposal would not only promote the long-term future and vitality of the majority of the significant buildings on site, but also facilitate and enable the delivery of a high proportion of new affordable homes targeted at locally defined needs. This substantial public benefit is considered to outweigh the harm or loss of associated with the loss of some buildings. Moreover, the Employment Report submitted notes the challenge that the site presents in terms of achieving a viable ‘redevelopment’ opportunity for employment purposes and the extent of viable demand that would exist if a scheme was delivered speculatively, and that the proposal itself enables the existing business user to relocate to another suitable site and therefore retain valuable employment within the Borough. The proposals also facilitate the opening up of the site and the Brook into the public realm, enabling a wildlife corridor and associated ecological value, therefore delivering additional substantial public benefit.

With specific regards to the conversion of the retained buildings on site, Local Plan Policy H15 of the Local Plan notes, “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”. In this case, the scheme is considered to acceptably comply with these two Policies.

With specific regards to the design of the converted buildings, Policy H17 discusses such points noting that it must of a high standard and in keeping with the local tradition, and that “Too many doors and windows, the insertion of dormers, roof lights and chimneys and the alterations of roof trusses will devalue the character of traditional farm buildings and that of the surrounding environment.” In this case, the existing buildings benefit from a number of existing openings within their elevations to enable a reasonably easy conversion, indeed there are very few alterations proposed to either building on site apart from the incorporation of Juliet balconies on some of the larger openings of the spinning mill, and in the elevation of the former office building facing the Brook, and the replacement of the roof of the spinning mill with a zinc clad extension that incorporates a mezzanine floor. This element was approved as part of the currently extant 2008 scheme.

Therefore, having assessed the scheme in regards to not only the relevant Local Plan Policies G1, G2, H2, H15, H16 and H17, and the national guidance provided within PPS5, I am satisfied

that the principle of the scheme complies as the Agent has indicated sufficient supporting details to the consideration that the substantial harm to or loss of significance of the heritage assets are necessary in order to deliver substantial public benefits that outweigh that harm or loss.

VISUAL IMPACT OF SCHEME ON A.O.N.B. AND CONSERVATION AREA

As with previous proposals for developing this site, one of the main considerations has been the visual impact on the character and setting of the Sabden Conservation Area and the this particular section of the Forest of Bowland Area of Outstanding Natural Beauty. The basis of the previously approved application was first and foremost, to provide a new industrial building to allow the applicant at the time, Marbill Development Ltd, to remain within the village of Sabden. The project was to be funded by the sale of the proposed 28 new build dwellings and 22 apartments within the converted part of the mill, and in order to create space for this development; a large portion of the site was to be demolished.

This revised application seeks the retention of the chimney and former spinning block, as well as the former office buildings that sit on the bank of Sabden Brook. As noted earlier, the LPA have considered the principle of the proposal in regards to the policy requirements of PPS5 HE9.2 (i), and have concluded that, “the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss”, as the proposal would not only promote the long-term future and vitality of the majority of the significant buildings on site, but also facilitate and enable the delivery of a high proportion of new affordable homes targeted at locally defined needs.

Aside from this, whilst the loss and replacement of buildings on the site is considered in principle to be acceptable, the scheme must still be visually acceptable in relation to the A.O.N.B. and the Conservation Area. Policy ENV1 states that “The landscape and character of the A.O.N.B. will be protected, conserved and enhanced, and development will need to contribute to the conservation of the natural beauty of the area.” Policy ENV16 states, “Within conservation areas, development will be strictly controlled to ensure that it reflects the character of the area in terms of scale, size, design and materials, with trees, important open spaces and natural features also protected as appropriate.”

English Heritage have positively commented on the proposal, noting that in their view the revised layout/density, massing, scale, height and streetscape design would result in a development that will preserve the character and appearance of the Conservation Area subject to careful detailing and choice of materials. They are also satisfied that with the application of appropriate conditions, or clarification of detail prior to determination, that the requirements of S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) can be satisfied. Indeed one of the key suggestions to the Agent whilst discussing the proposal is that as the existing buildings cannot be retained on site, it is imperative that the residential buildings proposed on the site and the conversion of the mill be represented by a high quality and sympathetically designed scheme. The scheme as submitted is the consequence of various meetings and discussion with the agent/applicant, and it is worth noting the following key points:

- The chimney as a focal point has been retained within the proposal.
- The mill building conversion scheme is as the previously approved scheme, which retains the main features of the building during its conversion with a limited number of additions to its structure.

- The retention of the former office building that fronts the Brook, will ensure a distinct feature remains to aid the setting of the chimney, considered to be a 'focal building' within the Sabden Conservation Area Appraisal.
- There is sufficient distance between habitable room windows of the proposed residential units and those existing.
- The proposed new dwellings fronting Whalley Road and Watt Street have been designed to match those properties adjacent, providing a suitable gateway into the village and into the site.
- The proposed development follows a traditional scale of architecture, with a focus on detailing to ensure the desired simplicity of the proposal, but via using modern materials to reflect traditional form.
- A palette of materials has been selected to ensure a cohesive development is achieved, however the final materials strategy plan is yet to be agreed.
- The three storey properties in the centre of the site do not appear dominant due to the difference in ground levels, and as such have no visual impact.
- The proposed new apartment building in phase 2 of the development has been designed as a modern interpretation of the spinning mill building on the north of the Brook, and is considered to be of sympathetic design, scale and massing.

Considering the above, along with the sensitively designed landscaping proposals for the site which includes a hierarchy of semi-mature tree planting along the route way into the site, a number of pockets of open space and seating areas within the core of the site provided, the open space created by opening up the riparian corridor along the Brook and the creation of a brook side meadow with the peripheral woodland, the scheme is considered to apply with Local Plan Policies ENV1 and ENV16 respectively, and as such, the proposal as a whole is considered to have no significant impact on the amenity of nearby residents, and is considered to be sympathetic to the character of the village of Sabden, the setting and character of the Conservation Area and will have no significant impact on the setting or character of the A.O.N.B.

FLOOD RISK

The Environment Agency (EA) originally objected to this proposal on the basis of the flood risk data supplied, however following the submission of additional information, they have withdrawn this objection subject to certain conditions being added to any approval. The site has a history flooding, and has flooded twice before because the upstream culverted watercourse blocked and overflowed. As a consequence, floodwaters flowed down Whalley Road, up Watt Street and into the site. As such, the EA see it as imperative that the entrance to this development is raised so that floodwaters cannot enter the site, as they are satisfied that the raised levels will prevent flood waters from entering the site in the future should the upstream culvert block and overflow again. The other concern raised was with regards to there being insufficient detail supplied in regards to the culvert being removed, however the submission of dimensioned cross-sections through the river in relation to the culvert to be removed has satisfied their concern. The prior consent of the EA will be required for the removal of the culvert and associated works.

IMPACT ON BIODIVERSITY

With specific regards to the developments impact on ecology on this site, due to constraints being placed upon the development by the E.A and the Lancashire County Council Ecologist, the scheme also includes the creation of a new pond to the west of the main site on agricultural land in order to mitigate for the loss of the existing pond on site. The proposed development is dependant upon mitigation being undertaken on land that is outside the control of the applicant. To address this, a Deed of Easement between the applicant and the adjacent landowner is proposed, a copy of which has been included within Appendix 3 of the Advisory Report and Executive Summary on Ecological Issues by ERAP. This demonstrates how the applicant intends to deliver the off-site mitigation on land outside their control. Circular 11/95 states that permission cannot be granted subject to a condition that the applicant enters into an agreement under other powers, so the EA appreciate that they cannot recommend a condition requiring the applicant and adjacent landowner to complete a Deed of Easement. However they have requested that any subsequent approval be conditioned such that the proposed mitigation works be undertaken and completed prior to the commencement of development.

The scheme also includes a significant number of other biodiversity gains including:

- the culvert beneath the mill will be opened-up to create a permanent and functional wildlife corridor and permanent habitats for roosting, commuting and foraging bats, fish species, aquatic invertebrates, aquatic and water-margin plant life, breeding Dipper and feeding Kingfisher;
- the Sabden Brook proposals including a buffer zone as agreed with the EA will increase the wildlife corridor function of the brook;
- the leaking millpond will be replaced by a new pond of the same water area (600 m²), specifically designed and constructed for biodiversity and as a permanent habitat for protected and Priority species;
- a further advantage of replacement of the millpond by an appropriately designed and sited new pond will be that the fish (Bullhead, Trout and European Eel) that are trapped in the millpond and cannot return to Sabden Brook can be released and given access to the brook;
- three hibernacula to support the Common Toad population will be constructed close to the new pond, in areas that will not be inundated, to provide year-round cover for toads and other amphibians as well as hibernation sites;
- invasive and introduced alien species that are harmful to natural biodiversity, namely Japanese Knotweed and Indian Balsam, will be eradicated from the site to ensure that existing biodiversity can be retained and enhanced, and new biodiversity can be incorporated successfully in the design of the scheme without threat of invasion by alien species;
- Nesting birds can be protected and permanent new nesting and feeding habitats will be provided as an integral part of the redevelopment by landscape planting to native flowering and berried species, and installation of nest boxes on buildings and along Sabden Brook for House Sparrow, Swift and Dipper.

- The lighting scheme will be designed to maximise biodiversity value by the use of directional and screened artificial lighting, to avoid the new pond, new bat roosts and the Sabden Brook corridor.
- The proposed landscape planting to native species in gardens and streetscape habitats will also improve habitat connectivity.
- An additional benefit to urban wildlife will be erection of close-boarded fencing along garden boundaries at 0.15m to 0.2m above ground level. This will allow Hedgehogs and Common Toads, both of which are Priority Species, to move between gardens and throughout the garden network as well as providing garden habitat connectivity with the proposed new pond-breeding site for Common Toads.

The biodiversity gains that will be achieved will ensure that there will be a net gain in biodiversity at the site, and that the gains will be permanent and sustained. Of key biodiversity importance is the opportunity that the scheme presents for ensuring that the habitats and populations of protected species and Priority Species at the site are given lasting protection, either by retention and enhancement in the case of the culvert, or by replacement in the case of the leaking and redundant millpond. The scheme provides an opportunity to secure the long-term management of the habitats for wildlife in accord with the objectives of National and Local biodiversity action plans and species action plans. The biodiversity proposals, the implementation of which will be incorporated in the design and construction of the redevelopment of the site, are in good accord with the Key Principles of Planning Policy Statement 9: Biodiversity and Geological Conservation (PPS9).

IMPACT ON TREES

With specific regards to the developments impact on trees on site, the LCC Ecologist notes that the tree survey indicates that there are a number of fairly large and mature trees with features characteristic of veteran trees, e.g. deadwood in the canopy, rot holes and decay, and that PPS9 emphasizes the importance of aged or 'veteran' trees for biodiversity, and recommends that their loss is avoided and that planning authorities should encourage the conservation of such trees as part of development proposals. On this basis, despite the loss of a number of trees from within the site, the key frontage trees onto Whalley Road and the substitute trees proposed as part of the landscaping scheme for the site are considered to more than mitigate for the loss.

IMPACT ON HIGHWAY SAFETY

The following comments relate to the formal response from the County Surveyor in respect to the proposal, sent in response to the Transport Statement (Savill, Bird and Axon), Design and Access Statement (Street Design Partnership) and the Planning Statement, all dated February 2011, prepared on behalf of Bowsall Limited, and the revised Transport Statement (Savill, Bird and Axon) received 17 June 2011. Lancashire County Council is responsible for providing and maintaining a safe and reliable highway network, and with this in mind the present and proposed traffic systems have been considered in and around the area of the proposed development.

These supporting documents make specific reference to an existing planning consent at this site for 50 dwellings (D3/2008/0622) and aspects of the existing permission inform elements of the

current proposal, and the following comments regarding the means of access to the proposed development and the consequent high safety and capacity impacts.

a. Access Strategy

There are three points of access to the site, one from Whalley Road and north (existing) and south (new) accesses from Watt Street. These have been designed to a satisfactory standard for the anticipated end users and provide a safe means of access to the site. There is only 17m separation between the new and existing vehicular access points on Watt Street and this is below the normally accepted standard, however he is aware that the northern access will serve a small number of units and that a low level of vehicular activity is anticipated. The creation of the new access, serving the majority of the Watt Street based development, does reduce the potential impact with the proposed development opposite at Cobden Mill (D3/10/0001), achieving a separation in excess of 40m between the two.

b. Traffic Flows

The Transport Statement provided details of the net impact of the proposed development in Table 4.5 (page 16). These figures are consistent with accepted methodology and trip data, and he has no reason to question these results. On this basis, he is confident that the proposed development will not have a detrimental impact on the operational capacity of the immediate highway infrastructure on Watt Street and Whalley Road and that any further impact will be acceptable.

c. Committed and Other Proposed Developments

Consent has been granted to a previous application for 50 dwellings on this site, D3/2008/0622. Furthermore, there is an existing consent for a development on land opposite this site, at Cobden Mill, D3/2010/0001.

d. Pedestrians and Cyclists Access

There are no existing Public Rights of Way passing through or along the immediate site boundary.

e. Public Transport

The provision of good & reliable public transport is essential to this development. There are two existing stops on Whalley Road close to its junction with Watt Street, with an existing shelter provided to the south side. In view of the increased residential activity the development will provide in the immediate area, improvements should be considered at both of these locations. Consideration should be given to improving the facilities, construction and inconspicuous nature of the shelter opposite the site.

There is scope to improve the condition of the existing shelter and improve the information it carries on local services. However, while the main structure is sound, changes could be to the bus stop bay with the relevant costs of these improvements being included in a Legal Agreement. In this instance, a sum in the region of £6,500 would address the essential engineering works.

f. Road Safety

He has reviewed the latest accident data on the immediate highway network surrounding the development, and notes that there have been no reported incidents involving personal injury within 300m of the development site in the last five years, 1 January 2006 to 31 December 2010. However, in order to improve road safety at this location and reduce road signage clutter, it is proposed to complete the following work:

1. Replace the existing signing at the junction of Padiham Road and Whalley Road with a more coordinated arrangement.
2. Remove redundant signing and posts from Whalley Road.
3. Review and replace other highway signage in the vicinity of the proposed development.

In this instance, the County Surveyor notes it is difficult to provide an accurate estimate of the necessary engineering works without a more detailed study of the local requirements. However, the cost of amending the range of signs initially identified would be in the region of £1,500 to £3,500. Lancashire County Council is looking at the introduction of 20mph Speed Limits on all suitable residential roads by 2015. The proposed development could offer an opportunity to promote such a scheme as a matter of priority, independent of the normal schedule. It would be necessary to agree that the costs of consulting on and subsequently implementing this measure would have to be met by the developer. The precise extent of the reduced Speed Limit within the village will require further detailed consultations.

g. Parking Standards

The parking standards contained within The Regional Spatial Strategy (RSS) – North West of England Plan (2008) remain the County wide standard for parking provision. The Government has announced its intention to revoke the Regional Strategies in England through enactment of the localism Bill. However, until such time, the RSS must still remain a material consideration in assessing planning applications. The application identifies a total of 110 car parking spaces for the 70 residential units, which he considers to be entirely appropriate.

h. Internal Site Layout

He notes that it was made clear during discussions that it is the intention of the applicant to request that the Highway Authority adopt the roads on the site. Therefore, all construction should be consistent with the LCC Residential Road Design Guide and we will pursue a Section 38 Agreement.

In view of the surface materials being considered, the complexity of the finish and the need to provide some security for maintenance of these features, there should also be included a commuted sum for this purpose.

i. Servicing, Delivery, Waste Collection, Emergency Access and Routing

The Transport Statement (Section 3.4.2) indicates that suitable manoeuvring space is available within the site to allow for the safe movement of refuse and other service vehicles. He would be grateful if this could be confirmed by providing details of the swept path modelling that have been carried out.

j. 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 considered that measures will be necessary to promote and support sustainable development, particularly in respect of public transport. Until agreement has been reached on the Transport Assessment, the Local Highway 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 contributions for sustainable transport, walking, cycling and public transport.

In this instance, specific contributions will be sought in respect of Public Transport improvements (£6,500) and highway signage improvements (up to £3,500). In addition, costs for possible Section 38 commuted sums and a contribution to a 20mph Speed Limit would have to be assessed in more detail.

Having discussed these revised comments with the agent, I can confirm that the applicant is agreeable in principle to this proposed contributions request.

Conclusion

The proposals will result in increased flows on the existing transport network in and around Sabden village, and there will be increased vehicle turning movements and impacts on pedestrian movements at junctions in the vicinity of the development and, to a lesser extent, elsewhere within the village centre. However, the level of increased vehicular and pedestrian activity can be accommodated safely by the existing highway infrastructure, taking into account the measures included within the application, with minimal detriment to existing amenity enjoyed by residents, and as such the County Surveyor raises no objections in principle on highway safety grounds.

PUBLIC OPEN SPACE PROVISION

Policy RT8 considers the provision of public open space on sites proposed for residential development. It notes that on sites over 1 hectare; the layout will be expected to provide adequate and usable public open space. In order to satisfy this requirement, the Agent has submitted a supporting landscape statement outlining the design of the landscape proposals on site, noting that considerable effort has been made to create an established high quality landscape setting for the development that is in keeping with neighbouring properties and of considerable benefit to the local amenity.

The statement notes that the surveys identified a number of opportunities to manage, augment and enhance the existing landscape fabric, and as part of the overall development proposals include additional native tree and shrub planting to the south-west and west of the site as part of the creation of a replacement open water body within the woodland. A number of trees have been identified to be removed as part of both arboricultural management programme and to enable the development, however effort has been made to mitigate this with inclusion of substantial tree and shrub planting within the development. In addition, they consider that by opening up of the culvert this will also provide an opportunity to provide a valuable wildlife corridor, riparian habitat and public open space to be enjoyed by local residents.

They consider that the residential core of the site has been carefully designed to create a pleasant and sustainable environment in which to live, with a hierarchy of semi-mature tree planting along the route way assist in defining and softening the impact of the vehicular user. They point out that key nodal points and junctions have been clearly defined and a number of pockets of open space and seating areas within the core of the site have been provided, with further open space created by opening up the riparian corridor and the creation of a brook side meadow. It is noted that a Management Company, in collaboration with the Registered Provider, will manage all these pockets of open space. Finally, a 5m wide shared reinforced grass vehicular and pedestrian access has been provided, which not only allows riverside maintenance for the Environment Agency but also provides a pedestrian link to the woodland to the south- west. A further stepped access is provided from the cobble courtyard onto the riverbank.

In considering the proposed landscaping of the site and the areas of Public Open Space indicated on the submitted plan, it is considered that by virtue of the defined series of public squares, the core of the site has been well designed, providing an attractive setting for the dwellings and also a key sense of arrival. The shared surfaced contrasting block paving provides adequate space for safe manoeuvring and access to car parking as well as adding to the sense of place on site which, in contrast to a typical series of tarmaced pavements and roads, is welcomed. The proposals are in keeping with surrounding development and the vernacular of the locality, with a number of demonstrable improvements and enhancements incorporated including:

- provision of public open space and seating;
- improvements to the landscape fabric with tree and shrub planting and quality surfacing materials;
- ecological diversification with the creation of a wildlife riparian corridor and replacement water body; and
- enhanced public realm and improved public access.

On this basis, and in view of the proposals set out and the undoubted 'public realm' benefits being generated, it is considered that the package of improvements and enhancements should be viewed favourably in lieu of any request for any financial contribution, as when combined with the social, economic and sustainability benefits of the development the proposed landscape treatment will improve and enhance the local amenity, the setting and character of the A.O.N.B. and Conservation Area, and compliment the heritage assets retained on site.

CONTENT OF LEGAL AGREEMENT

This application has been submitted with a draft Legal Agreement to cover matters of affordable housing. This report has outlined in detail these aspects and taken account of comments from respective consultees/officers of this Council who are responsible for those matters. To clarify for members, the Legal Agreement will stipulate the following:

1. The total number of affordable units on this site shall consist of not less than 27.

2. 17 units shall be affordable rented housing (which shall be made up of 1x1 bedroom apartment, 9x2 bedroom apartments, 4x2 bedroom EP bungalows and 3x2 bedroom dwellings) to be allocated in accordance with the Council's prevailing allocations policy.
3. 10 units shall be shared ownership (which shall be made up of 3x2 bedroom dwellings and 3x3 bedroom dwellings) to be occupied in accordance with the order of priority set out in the shared ownership occupancy criteria.
4. Delivery of the affordable units shall be within the first phase of the site, with parties agreeing that the site will be developed with no more than 50% of the private housing being occupied until the approved affordable dwellings are completed.
5. The strategic housing working group are satisfied with regards to the terms of nomination rights and approved person's criteria.
6. A request for contributions to the Local Highway Authority (Lancashire County Council) will be sought in respect to Public Transport improvements (£6,500) and highway signage improvements (up to £3,500).
7. Contribution of £7,560 towards the administration and delivery costs of provided wheeled bins for the site.

CONCLUSION

Having assessed the scheme in regards to not only the relevant Local Plan Policies but also the guidance provided within the relevant National Planning Policy Statements, it is considered that the wider benefit of redeveloping a site of previously developed land to bring forward a mix of housing, including the delivery of affordable housing, that takes account of not only the heritage conservation interests of the site but also the environmental and bio-diversity interests, clearly outweighs the harm and loss to the site in question.

The proposal as a whole is considered to have no significant impact on the amenity of nearby residents, and with the proposed improvements for Highway Signage and Public Transport adjacent to the site, will have an acceptable impact on highway safety in the nearby vicinity and improve the accessibility to and from Sabden.

Finally, the design, layout, scale, massing and material palette proposed for the scheme is considered to be sympathetic to the character of the village of Sabden, the setting and character of the Conservation Area and will have no significant impact on the setting or character of the A.O.N.B. Therefore, as I am satisfied that the scheme complies with the consideration that the substantial harm to or loss of significance of the heritage assets is necessary in order to deliver substantial public benefits that outweigh that harm or loss, I recommend accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

RECOMMENDATION: That Committee be minded to grant planning permission subject to the following conditions and therefore Defer and Delegate to the Director of Community Services to

negotiate the satisfactory completion of a Legal Agreement within a period of six months (from the date of this decision and in the terms described in the section 'Content of Legal Agreement') to deal with the delivery of affordable housing and secure the necessary highways contributions of wheeled bin provision requested in relation to this development.

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 1029-7f, 1029-10, 1029-19, 1029-39, 1029-43, 1029-49, 5808-PS01-Rev B, 5808-PS02-Rev A, 5808-PS03-Rev A, 5808-PS04, 5808-PS05-Rev A, 5808-PS06-Rev A, 5808-PS07-Rev A, 5808-PS08-Rev A, 5808-PS09-Rev A, 5808-PS10-Rev A, 5808-PS11-Rev A, 5808-PS12-Rev A, 5808-PS13-Rev A, 5808-PS14-Rev A, 5808-PS15-Rev A, 5808-PS16-Rev A, 5808-EA-01 and 250-01-Rev. A.

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

3. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 13th of May 2011.

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

4. The phased development of the site shall be carried out in accordance with the details provide within the e-mail dated 21 of June 2011, and as follows,

- Phase 1 – Plots 4-30,
- Phase 2 – Plots 1-3 and 31-41, and
- Phase 3 – Plots 42-70.

REASON: In order to safeguard the development of the entire site and prevent the further deterioration of the original buildings proposed to be retained on site.

5. All the external works of the building to be converted into dwellings hereby permitted, shall be completed before the expiration of three years from the date of this permission.

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

6. Prior to the commencement of the demolition works on site, a further full building condition survey relating to the buildings/structures to remain on site, namely the former office building, the chimney and the former spinning mill, shall be carried out by a qualified surveyor. Further surveys including a full, dimensional, verticality survey and a thorough, specialist structural survey, as indicated within the RSK Group plc Structural Condition Report dated February 2011, shall be carried out in relation to the chimney. The details, findings, a schedule of conditions and a proposed sequence of operations for the conversion

of the two storey, office building located on the bank of Sabden Brook, shall all be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing.

REASON: In accordance with the requirements of Policy G1, H16, ENV16 and ENV18 of the Local Plan, and PPS5, in order that the Local Planning Authority may be satisfied as to the extent of necessary rebuilding works, and the manner in which it is to be carried out.

7. Within two years from the date of this decision, a schedule of works including a proposed sequence of operations for the scheme of conversion of the former spinning mill shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include full details of the methods of 'cleaning' the building in question.

REASON: In accordance with the requirements of Policy G1, H16, ENV16 and ENV18 of the Local Plan, and PPS5, in order that the Local Planning Authority may be satisfied as to the extent of necessary rebuilding works, as the application is for the conversion of the building only, and the extent of other works and the manner in which they are to be carried out.

8. Prior to the commencement of phase 2 of the development, a schedule of works including a sequence of operations for the scheme of conversion of the former Marbill office building shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include full details of the methods of 'cleaning' the building in question.

REASON: In accordance with the requirements of Policies G1 and H16 of the Ribble Valley Districtwide Local Plan in order that the Local Planning Authority may be satisfied as to the extent of necessary works involved, and the manner in which they are to be carried out.

9. Precise specifications and samples of walling, roofing, window and door 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. This can be agreed by submission of a materials strategy plan if required.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies G1, ENV1, ENV16 and H17 of the Ribble Valley Districtwide Local Plan.

10. Prior to the commencement of built development, larger scale details, specifications and cross sections for all important features such as chimney pots, flues, external openings, bays, joinery, eaves and roof junctions, shall be submitted to and approved in writing by the Local Planning Authority before their use in the approved works. This is in respect to both the new and the converted buildings.

REASON: In order that the Local Planning Authority may ensure that the design, style and materials of the features to be used are appropriate to the locality in accordance with Policies G1, ENV1, ENV16 and H17 of the Local Plan.

11. 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 or apartments hereby approved, or any future additional structures, hard standing or fences including any development within the

curtilages, 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 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, ENV1, ENV16, H2, H16 and H17 of the Ribble Valley Districtwide Local Plan.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) the new dwellings, apartments or converted buildings shall not be altered by the insertion of any window or doorway without the formal written permission 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, ENV1, ENV16 and H17 of the Ribble Valley Districtwide Local Plan.

13. No development approved by this permission shall be commenced until details of the existing and proposed ground levels at the site entrances off Watt Street have been submitted to and approved in writing by the local planning authority. The development shall subsequently proceed in accordance with the approved details.

REASON: To ensure that the development is subject to minimum risk of flooding.

14. No site clearance, site preparation or development work shall take place until a scheme for the removal of the culvert 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.

REASON: To ensure that the watercourse and associated species are adequately protected during this operation.

15. Prior to the commencement of development a scheme for the provision and management of a buffer zone alongside Sabden Brook shall be submitted to and agreed in writing by the local planning authority. 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. The scheme shall include:

- plans showing the extent and layout of the buffer zone,
- details of any planting scheme (for example, native species),
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term, and
- details of any footpaths, fencing, lighting etc.
-

REASON: To ensure the development does not detrimentally impact upon Sabden Brook.

16. No development shall take place until a scheme for compensatory habitat creation to mitigate for the loss of the existing on-site pond has been submitted to and agreed in writing by the local planning authority and implemented as approved. The scheme must include details of long-term management and phasing and must be created prior to the loss of the

existing pond. Thereafter the development shall be implemented in accordance with the approved scheme.

REASON: To compensate for the loss of the existing pond and ensure no net-loss of aquatic habitat as a result of the development.

17. No development approved by this permission shall be commenced until a detailed 5-year management plan for the conservation of the mitigation pond has been submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be implemented in accordance with the approved scheme.

REASON: To protect and conserve the amphibian and fish mitigation ponds.

18. No site clearance, site preparation or development work shall take place until details of methods for the rescue of fish (including Species of Principal Importance) has been submitted and approved in writing by Ribble Valley Borough Council in consultation with specialist advisors. The approved details shall be implemented in full.

REASON: In order to protect and provide aftercare for important species, and for the benefit of biodiversity in accordance with ENV7 of the Local Plan.

19. No site clearance, site preparation or development work shall take place until a scheme of habitat creation, enhancement and management has been submitted and approved by Ribble Valley Borough Council in consultation with specialist advisors. The approved management plan shall be implemented in full. The scheme should include but not be limited to further details of adequate replacement tree planting (numbers and species and location), brook corridor treatment, nesting bird habitats, replacement ponds and surrounding terrestrial habitat, and habitat connectivity within the application area and the wider landscape.

REASON: In order to protect and provide aftercare and long-term habitat management of the site.

20. No site clearance, site preparation or development work shall take place until a construction environment management plan 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 include but not be limited to details of protective fencing for retained habitats and trees (in accordance with guidelines *BS5837: 2005 Trees in relation to construction - Recommendations*), directional and screened lighting to avoid impacts on wildlife habitat, and pollution prevention measures for the protection of water bodies/watercourses.

REASON: In order to protect and provide aftercare and long-term habitat management of the site.

21. Prior to commencement of development, full details of scheme for the eradication of Japanese Knotweed (*Fallopia japonica*) and Himalayan Balsam (*Impatiens glandulifera*) on site shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of these species during any operations such as mowing, strimming or soil movement. It shall contain measures to ensure that any soils brought to the site are free of seeds/root/stem of any

invasive plant covered under the Wildlife and Countryside Act 1981. The scheme shall include a timetable for implementation and works shall be commenced within one year of approval, and the development shall proceed in accordance with the approved method statement. A delay of more than a year will render the approved scheme void and a further site survey must be undertaken and submitted to the Local Planning Authority for approval in order to ensure that the agreed scheme is still applicable.

REASON: To ensure the development does not contribute to the further spread of these invasive species.

22. The bat mitigation proposals given in the Draft Method Statement for the protection of bats (Appendix 3 of the report '*Land at Victoria Mill, Sabden, Lancashire. Ecological Survey and Assessment (including surveys for protected species)*' by ERAP, February 2011) will be implemented in full, subject to any changes required by Natural England at the licensing stage.

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

23. No site clearance, site preparation or development work shall take place until the approved method statement for impacts on common toads and their habitat has been implemented in full.

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

24. All mitigation and enhancement for biodiversity shall be implemented in the first twelve months following occupation or use of the development and maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. All mitigation/enhancement measures shall be in accordance with the details identified in the Environment Services report [sections 5 to 5.7.1 Water Courses/Water Bodies, Vegetation and Habitats, Wildlife, Ponds and Planting].

REASON: In accordance with Policy ENV7 of the Ribble Valley Districtwide Local Plan, in order to protect, enhance and mitigate for biodiversity on the site.

25. Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds will be avoided between March and July inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections.

REASON: In accordance with Policy ENV7 of the Local Plan, in order to protect, enhance and mitigate for biodiversity on the site.

26. The approved landscaping scheme for phases 1 and 2, shall be implemented in the first planting season following completion of each phase of the development and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of the amenity of the area and to comply with Policies G1, ENV1 and ENV16 of the Ribble Valley Districtwide Local Plan.

27. Phase 3 of the approved 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 Policies G1, ENV1 and ENV16 of the Ribble Valley Districtwide Local Plan.

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

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

29. Prior to the commencement of development, a comprehensive desk top and site survey shall be carried out by a competent person, to assess the nature, scale and extent of contamination; to assess the potential risks to: human health, property, adjoining land, ground waters and surface waters, ecological systems and archaeological sites and ancient monuments; and detail and appraise the remedial works required to meet the objectives in the Environmental Protection Act. The findings of the survey and proposed remedial actions to be submitted in writing to the Planning Authority for approval prior to development commencing, and be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11.

REASON: To ensure that risks from land contamination to site workers; future occupiers and users; and to neighbouring land, controlled waters, property and ecological systems are minimised in accordance with Policy G1 of the Local Plan.

30. Prior to commencement of built development further details of bin storage areas for the converted mill building and the new apartment building, 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 adequate bin storage and to comply with Policy G1 of the Districtwide Local Plan.

31. No development approved by this permission shall be commenced until a detailed management plan for the retention, conservation and maintenance of the chimney on site has been submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be implemented in accordance with the approved scheme. The chimney and the proposed public open space landscaping details at ground floor level shall be repaired and brought into use prior to the commencement of Phase 2 of the development unless otherwise agreed in writing with the Local Planning Authority.

REASON: To protect and conserve the existing chimney on site in accordance with Policies G1 and ENV16 of the Local Plan, and to ensure its survival.

32. The three new vehicular access points proposed for the scheme shall be constructed in accordance with the amended site plan received on the 13th of May 2011, and the sightlines provided shall be kept free of all buildings, structures or erections above the surface of the land and shall remain so in perpetuity.

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

33. All parking areas and spaces indicated on the approved plans, shall be surfaced or paved in accordance with a scheme to be approved by the local planning authority with the manoeuvring areas marked out in accordance with the approved plan, before the use of the dwellings to which they relate become operative.

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.

34. 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, ENV1 and ENV16 of the Ribble Valley Districtwide Local Plan, and for clarification with the Highways Department prior to the highways being formally adopted.

35. Prior to the commencement of built development at this site, the following highway signage improvement works shall be carried out in consultation with the Local Highway Authority,

1. Replace the existing signing at the junction of Padiham Road and Whalley Road with a more coordinated arrangement,
2. Remove redundant signing and posts from Whalley Road, and
3. Review and replace other highway signage in the vicinity of the proposed development,

The final agreed improvement works shall be agreed in writing with the Local Planning Authority.

REASON: In order to improve road safety at this location and reduce road signage clutter in the interests of visual amenity.

36. 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 commencement of the built development on site and thereafter retained.

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

37. No site clearance, site preparation or development work shall take place until a scheme of site lighting 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, the brook corridor, 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, ENV1, ENV7 and ENV16 of the Ribble Valley Districtwide Local Plan. The ecology report highlights the need to avoid artificial illumination of wildlife habitat, both during construction and operation of this site and recommends that lighting is directional and screened to avoid illumination of boundary trees, ponds, and the brook corridor and bat roosts/bat habitats.

38. No site clearance, site preparation or development work shall take place until a scheme of replacement bird nesting opportunities (as recommended by the ecology report) 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.

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

39. 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 schedule of trees 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 Conservation area 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.

40. Prior to the commencement of development, details of the swept path modelling that have been carried out on the proposed site shall be submitted to and approved in writing by the Local Planning Authority.

REASON: For clarification purposes, as the submitted Transport Statement (Section 3.4.2) indicates that suitable manoeuvring space is available within the site to allow for the safe movement of refuse and other service vehicles.

41. Phase 3 of the approved development shall commence, at the latest, upon completion of the 40th unit on site unless otherwise agreed in writing. In addition, external works to enable the conversion of the former spinning mill to the north of Sabden Brook into apartments shall have commenced prior to the ground works required for the development of units 42-48, unless otherwise agreed in writing.

REASON: To avoid parts of the site remaining undeveloped and in order that the Local Planning Authority shall retain effective control over the development and to prevent the further deterioration of the original buildings proposed to be retained on site.

42. A detailed phasing plan and timetable for Phase 3 of development shall be submitted to and agreed in writing by the Local Planning Authority, prior to the completion of Phase 2 of the development.

REASON: To avoid parts of the site remaining undeveloped and in order that the Local Planning Authority shall retain effective control over the development and to prevent the further deterioration of the original buildings proposed to be retained on site.

43. No development shall take place, including any works of demolition, 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:

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

REASON: In the interests of residential amenity.

INFORMATIVES

As the Mill Chimney is to be retained, it is considered that there should be some sort of on-site information provided regarding the history of the site. In this instance, the production of either on-site interpretation panels or a 'popular' leaflet/pamphlet should form part of the agreed scheme of works.

Sabden Brook is designated as a 'Main River' watercourse, and it is therefore subject to Land Drainage Byelaws. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 metres of the top of any bank/retaining wall of the watercourse without our prior written consent. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted for consideration.

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of Sabden Brook.

The Environment Agency has a right of entry to Sabden Brook by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 Of the same Act.

As palmate newts are present on the existing pond, we would advise sensitive translocation to the new pond, to preserve and enhance biodiversity. The EA agree with the recommendation in the ERAP report that the amphibian method statement be submitted to the Local Panning Authority for approval.

The EA recommend that the applicant consider options to restore the channel, to increase flood storage and enhance biodiversity of the area of the culvert being opened.

The proposed mitigation ponds are currently on land that appears to be outside the ownership of the applicant. Our concerns are dependant upon the mitigation scheme being provided as part of the development, so it is imperative that this matter does not prevent the agreed mitigation being implemented.

Our consent is needed before any fish can be introduced or removed from a watercourse or fishery. We have produced a detailed guide about moving fish called 'Healthier fisheries - a guide to moving fish.' This contains all the information an applicant needs to know about moving fish, including:

- how to apply for a consent to introduce fish to a watercourse or fishery
- how to apply for a consent to remove fish from a watercourse or fishery
- copies of the application forms and an explanation of how to complete them
- when fisheries need to register with the Centre for Environment, Fisheries and Aquaculture Science (Cefas)
- when fish health checks need to be carried out and who can do them
- where to buy fish from
- what to do if you are introducing non-native fish to a watercourse or fishery.

This guide can be downloaded from our publications database on our website via the following link <http://publications.environment-agency.gov.uk/?lang=e>

APPLICATION NO: 3/2011/0482/P (GRID REF: SD 368356 431564)
OUTLINE APPLICATION FOR DEMOLITION OF THE EXISTING HOTEL AND ASSOCIATED BUILDINGS AND THE SUBSEQUENT REDEVELOPMENT OF THE SITE FOR RESIDENTIAL USE. BROWN LEAVES COUNTRY HOTEL, LONGSIGHT ROAD, COPSTER GREEN, LANCASHIRE

SALESBURY COUNCIL: PARISH The Parish Council OBJECT to this development for the following reasons:

1. It will not be sympathetic to the existing use of the land,
2. Immediate highway infrastructure is extremely poor,
3. An inspection of the immediate highway will identify that the infrastructure is unable to support the existing traffic let alone an increase,
4. The area is a notorious accident black spot, and vehicles pulling into or out of this site would only increase the hazards,
5. Proposal would be detrimental to highway safety,
6. Overdevelopment of the site,
7. There would be a loss of green open space,
8. Consideration has to be given to the operational efficiency and safety of the existing residents,
9. Inadequate public transport available near the site,
10. Proposal would have a significant detrimental impact upon the density, layout and relationship between buildings, especially upon the visual appearance and relationship to the surroundings, and
11. Overlooking issues if the development is permitted.

LCC ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No objection in principle to the application on highway safety grounds, subject to a number of appropriate conditions being added to any subsequent approval.

LCC PLANNING OFFICER (CONTRIBUTIONS): With regard to the above proposed development, based upon the Policy Paper 'Planning Obligations in Lancashire', Lancashire County Council Services outlines the Planning Contribution request for Education and Waste.

PRIMARY EDUCATION

There were 20 places in the local primary schools at January 2011 pupil census. *Latest forecasts*¹ for the local primary schools show there to be 0 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. This indicates that there will be a shortfall in primary places within 5 years. Therefore, there is insufficient capacity to accommodate the potential yield of 6 pupils from this development and a contribution is being sought for a full pupil yield of this development i.e.6 places.

SECONDARY EDUCATION

There were no secondary schools within a 3-mile radius of this proposed development. Therefore, we would not be making a claim for secondary school provision.

SUMMARY RESPONSE

There are insufficient primary places to accommodate this development and the maximum contribution which could be sought would be for a full pupil yield of this development is as follows:

Primary places:

6 places @ £12257x (0.9) x 1.1072 = £73,283

Based upon the Policy Paper methodology for Waste Management, there is a request for £8640 towards waste management from LCC. Members will be aware of a report to Committee in December 2008 where it was agreed that contributions towards Waste were not considered to be priority requests.

UNITED UTILITIES:

No objection to the proposed development, however please attach a condition requiring the developer to contact the Local Authority confirming how surface water will be managed.

ADDITIONAL REPRESENTATIONS:

Fifty-Nine (59) letters of objection have been received from the occupiers of fifty-one (51) dwellings close to the site. The points of objection raised have been summarised as follows:

1. Extra traffic accessing the A59 is dangerous,
2. Poor visibility from the new access road,
3. Even if a 30 m.p.h. limit is imposed, this would not eliminate the dangers,
4. A traffic survey should be required, as it is an over-used, dangerous road,

5. There should be a filter lane, but there is no space,
6. Increased chance of nearby properties flooding due to increased surface water run-off,
7. Loss of trees and wildlife will be detrimental,
8. Unsafe footpath along A59 leading to Lovely Hall Lane,
9. Existing culvert and A59 drainage system is insufficient at this location,
10. There is no demand for Housing in this area,
11. Local infrastructure is oversubscribed, and transport links are poor,
12. Privacy and noise from new properties,
13. Proposal will drastically alter the character of the area,
14. Set a precedent for future development in the area,
15. Risk to passengers being picked up, and dropped off, at the bus stop opposite the site entrance,
16. Loss of privacy for occupiers of neighbouring dwellings,
17. Impact on water pressure for existing dwellings if more dwellings are added,
18. No amenities within walking distance of the site,
19. Post Office is over 2000metres (1.2miles) away,
20. Proposal, although only outline, is densely packed,
21. Houses have no garages so where will owners put their domestic equipment (lawnmowers etc.)
22. Bungalows on entire site would be more in keeping,
23. Existing boundary treatments should be retained,
24. The bypass project should be reinstated in this area,
25. Road between Oaks Bar and the Yu & You Restaurant is dangerous,
26. Impact on ecology of the area/site,
27. Loss of light to adjacent dwellings,
28. Design, scale and density of proposal is out of keeping,
29. Development could be more sympathetic if low level buildings were to be provided on site,
30. Increase congestion on Lovely Hall Lane,
31. Concerns regarding the proximity of the two properties closest to site entrance,
32. Rural setting of the area could be lost forever, and
33. 21-days is insufficient time to fully study the proposal.

Proposal

This is an outline application for the demolition of the existing Brown Leaves Country Hotel off Longsight Road, Clayton-Le-Dale, and the sites subsequent redevelopment for residential use. The reserved matters for which approval is sought are 'Access', and as such the Applicant seeks a view to establishing the principle of developing the site for residential use, with the access position fixed. The Applicant has provided an indicative layout plan showing provision for 18 dwellings on the site, as well as scale parameters, house mix types and sizes and a draft S106/Legal Agreement in order to provide the requisite 'Affordable Housing' as part of the development. The only access proposed in to, and out of, the site, will be from the A59.

Site Location

The site lies within the village settlement boundary of Copster Green, as defined by the Ribble Valley Districtwide Local Plan. The site is on the southern side of Longsight Road, and currently houses the Brown Leaves Country Hotel and its associated garden areas. The site is bounded on two sides by existing residential development, with agricultural fields to the southern and south-western boundaries. Longsight Road runs along the northern boundary of the site.

Relevant History

3/1990/0227/P – Externally illuminated sign – Granted.

3/1989/0315/P – 12 bed extension to create 12-bedroom guesthouse – Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.

Policy G4 – Settlement Strategy.

Policy H20 – Affordable Housing – Villages and Countryside.

Policy EMP11 – Loss of Employment Land.

Policy ENV13 – Landscape Protection.

Policy T7 – Parking Provision.

SPG – “Extensions and Alterations to Dwellings”.

Policy L4 Regional Housing Provision - Regional Spatial Strategy (RSS).

Policy L5 Affordable Housing – RSS.

Policy EM18 Renewable Energy – RSS.

PPS1 - Delivering Sustainable Development.

PPS3 - Housing.

PPS9 – Biodiversity and Geological Conservation.

PPS25 - Development and Flood Risk.

Affordable Housing Memorandum of Understanding (AHMU).

Environmental, AONB, Human Rights and Other Issues

This is an outline application for the demolition of the existing Brown Leaves Country Hotel off Longsight Road, Clayton-Le-Dale, and the sites subsequent redevelopment for residential use. The reserved matters for which approval is sought are ‘Access’, and as such the Applicant seeks a view to establishing the principle of developing the site for residential use, with the access position fixed. The Applicant has provided an indicative layout plan showing provision for 18 dwellings on the site, as well as scale parameters, house mix types and sizes and a draft S106/Legal Agreement in order to provide the requisite ‘Affordable Housing’ as part of the development. The only access proposed in to, and out of, the site, will be from the A59.

The matters for consideration in the determination of this application therefore involve an assessment of the application in relation to the currently applicable housing policy, the effects of the development on visual amenity given the likely scale of the development and the potential impact on the amenities of nearby residents. In addition, whilst the LCC County Surveyor has raised no objections from a highway safety point of view, the matter of the access will still be discussed.

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, lies within the boundary of the policy G4 settlement of Copster Green, as defined by the Districtwide Local Plan (DWLP). Policy G4 relates to development taking place within defined village boundaries and allows for “infill” development subject to other relevant policies. The definition of infill development in the DWLP is “the filling of small gaps within small groups of houses”. Although the development site is situated between houses along the roadside, the proposals would also involve the development of the parcel of land to the rear of the site, which would not, in the strictest terms, be defined as infill development. Any development not defined as infill development would need to contribute to the solution of a particular local housing need in accordance with Policy H20 of the DWLP. The Affordable Housing Memorandum of Understanding (AHMU), which is also a material planning consideration and supplemental to the policies in the Development Plan, states that in this location where there is the development of 5 or more dwellings the Council will seek 30% affordable units on the site. The scheme proposes 5 ‘Affordable’ housing units out of the 18 indicated on the site, which is considered to be in accordance with the requirements of this document. Further detail on this element will be discussed later in the report.

The overriding consideration, however, is that of PPS3, particularly Para. 71 which states that in the absence of a five year supply of deliverable sites, which is the current position within the Borough, planning applications for housing should be considered favourably having regard to the wider policies within the PPS and including criteria in PPS3 para 69. Paragraph 69 states that in deciding planning applications, Local Planning Authorities should have regard to:

- 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.

Bullet point 3 above relates to the need for Local Planning Authorities to have regard to the suitability of a site for housing, including its environmental sustainability. The site is situated within the main built up area of Copster Green and it is considered that (on the information received to date) in principle, the site meets paragraph 69, bullet point 3 of the PPS3 criteria.

It is therefore accepted that residential development on the site is acceptable in principle, providing of course that the housing proposed for this site reflect the character of the village in terms of scale, design and density and do not have any detrimental visual impact on the locality. As this is an Outline Application for with details of only the Access considered, these elements can be considered as part of a Reserved Matters Application.

LOSS OF EMPLOYMENT LAND

Given the proposal requires the loss of an existing employment generating use, the application submitted must also satisfy the provisions of Policy EMP11 of the Local Plan, which states ‘Proposals for the redevelopment of employment generating sites in the Plan Area will be assessed with regard to the following:

- i. The provisions of Policy G1,
- ii. The compatibility of the proposal with other policies of this plan,
- iii. The environmental benefits to be gained by the community,
- iv. The potential economic and social damage caused by loss of jobs in the community, and most importantly in this case,
- v. Any attempts that have been made to secure an alternative employment generating use for the site.

With regards to point's (i) and (ii), as this is an Outline Application these details can only be dealt with at Reserved Matters stage so they are not considered relevant at this time.

With regards to point (iii), the scheme proposes a mixture of residential units on site, including 'affordable' dwellings, in place of the existing commercial use on site, and whilst not the busiest Hotel in the Ribble Valley, the potential renovation of the site by a new hotelier who may seek to increase the size of the building, could not be overlooked, nor could the potential environmental issues that come hand in hand with such a larger business. On this basis, given the surrounding land uses, there are clear environmental benefits to the use of the land as residential, the application is considered to satisfy point (iii) of Policy EMP11.

In order to satisfy the requirements of points (iv) and (v) of this particular Policy, the Agent has submitted a detailed Statement justifying the Loss of Potential Employment Land, as well as detailed sales particulars dating back to June 2008 when the land/Hotel was first marketed for sale. The Hotel has been run successfully by the Applicant, who has owned this site for over 30 years, running the Brown Leaves Hotel for over 20, but it is inherently disadvantaged by its location and size. The existing business is family owned, with the Applicants currently at retirement age, and they operate the business predominantly themselves, employing one part-time member of staff from the Local Community. On this basis, I do not envisage the loss of the Hotel to cause significant economic or social damage through loss of employment, and as such the application is considered to satisfy point (iv) of Policy EMP11. To date the efforts to sell the property/land have been unsuccessful, and as such alternative uses for the site have also been investigated, which included industrial, office and even retail uses on site. The aforementioned marketing process, whilst focusing mainly on the hotel industry, has looked to invite offers from the broader employment market, however it has ultimately been fruitless. On this basis, the detail submitted with the application is considered to satisfy point (v) of Policy EMP11.

In conclusion, it is considered that the application successfully complies with the requirements of Policy EMP11, and it is considered that the best future use of the site is for residential development that will provide a range of homes for the locality, and be in keeping with the surrounding land uses.

VISUAL IMPACT/LAYOUT

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. With regards to the indicative layout proposed, I am satisfied that the number of dwellings would not overdevelop the sites, and that their positions could be suitably altered in order to ensure the appropriate distances from neighbouring properties and adjacent garden areas.

Given the position of the existing Hotel building and its associated outbuildings on the site, it is considered that approximately two thirds of the site already contains 'built' development, with the rest of the land to the south of the buildings containing the landscaped garden areas of the

Hotel. On this basis, and with consideration to the potential scale of the dwellings proposed, a mixture of single and two storey properties, given the surrounding land uses and that the site is well screened from the land to the east, south and west by virtue of the landscape planting along the boundaries, it is considered that the development of this site could be done in order to reflect the surrounding development, and as this application seeks matters of Scale, Appearance, Layout and Landscaping to be reserved, and that the principle of the development of the site is accepted, the visual harm caused to the locality by virtue of the development of this site is considered to be acceptable.

IMPACT ON RESIDENTIAL AMENITY

One of the other concerns raised by the occupiers of neighbouring dwellings in regards to the proposed development is the potential overlooking/loss of privacy caused by the development of this site. The guidance provided within the SPG – “Extensions and Alterations to Dwellings” discusses a distance of 21m between existing dwellings and the proposed first floor windows of habitable rooms in new developments, however as this is an Outline Application for with details of only the Access considered, these elements can be considered as part of a Reserved Matters Application. This aside, it is worth noting that only Plot 11 does not conform with these guidelines as there is only 18m between rear elevations, however full layout, appearance and scale details will of course be fully assessed through a reserved matters application.

AFFORDABLE HOUSING PROVISION ON SITE

The scheme proposes 5 ‘Affordable’ housing units out of the 18 indicated on the site, which is considered to be in accordance with the requirements of the Affordable Housing Memorandum of Understanding (AHMU), which is a material planning consideration and supplemental to the policies in the Development Plan. This states that in this location, where there is the development of 5 or more dwellings, the Council will seek 30% affordable units on the site. In accordance with Policy H21 of the Local Plan, the Agent has submitted an Affordable Housing Statement along with a draft Section 106, which make reference to housing needs survey for Salesbury undertaken in 2009. The survey established a clear affordable housing need, with evidence identifying a need for 12 affordable units over the next five years. The main house types required are for two bed properties and bungalows, and from the survey, the results show the need for three households requiring two bed properties and five households require bungalows. The survey also identified discount sale as the preferred tenure.

The Section 106 Agreement states ‘the affordable units will compromise of a mix of two bed units and bungalows or other such mix and/or sizes of units as shall be agreed with the Council, with the number, size and tenure of the units to be agreed with the Council in writing prior to commencement of this development’. The Council's Housing Officer has stated that the preference would be for three, two bed bungalows and two, two bed properties. The tenure offered in the agreement is for discount sale as is the preferred tenure identified within the survey.

The local connection requirements and order of preference are as requested in that priority is give to residents of Salesbury, then the neighbouring parishes of Dutton, Clayton-le-Dale, Wilpshire, Billington, Langho and Dinckley and finally for a Ribble Valley connection. The phasing of the affordable units delivery in the agreement is in accordance with the Council's request that not more than 50% of the open market units shall be occupied until 100% of the affordable units are available.

ACCESS

With regards to the proposed access to the site, the LCC Highways Officer has raised no objection in principle to this application on highway safety grounds noting that this proposal has been the subject of discussions between the applicant and his colleague, Mr Nugent, prior to the planning application being submitted. They have noted the comments made by local residents however providing certain planning conditions are imposed on any subsequent approval, the scheme is not considered to be detrimental to highway safety at this location, and therefore despite the concern raised by local residents, there are no objections to the access proposed into this site on highway safety grounds.

CONTENT OF LEGAL AGREEMENT

This application has been submitted with a draft Legal Agreement to cover matters of affordable housing. This report has outlined in detail these aspects and taken account of comments from respective consultees/officers of this Council who are responsible for those matters. To clarify for members, the Legal Agreement will stipulate the following:

1. The Owner of the Property covenants with the Council to pay the Contribution for Primary Education facilities in the local area as detailed above,
2. The total number of Affordable Housing Units shall comprise of 30% of the total dwellings which may be constructed on the Property pursuant to the Planning Permission,
3. The Affordable Housing Units shall comprise a mix two bedroom units and bungalows or such other mix and/or sizes of units as shall be agreed with the Council with the number size and tenure of units to be agreed with the Council in writing prior to commencement of development pursuant to the Planning Permission,
4. The Affordable Housing Units shall comprise of Discount Units with the precise numbers to be agreed with the Council in writing prior to commencement of development pursuant to the Planning Permission,
5. Not more than 50% of the Open Market Units shall be occupied until all the Affordable Housing Units are available for occupation, and
6. The S106 shall include 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.

OTHER ISSUES

Aside from other non-material planning considerations raised by nearby neighbours, there is concern that the site is in an unsustainable location given the distance of approximately 2000m (1.2 miles) to the nearest services/amenities in Wilpshire. The location of the site has been considered earlier in this report, as it is situated within the main built up area of Copster Green, adjacent to an existing Bus Stop. On this basis, in principle the site is considered to comply with the criteria referred to in paragraph 69, bullet point 3 of the PPS3. I would also refer to paragraphs 27 (iv) and (viii) of PPS1 which note that 'planning authorities should bring forward sufficient land of a suitable quality in appropriate locations to meet the expected needs for housing, whilst taking into account issues such as accessibility and sustainable transport needs', and 'actively bring vacant and underused previously developed land back into beneficial use to achieve targets the Government has set for development on previously developed land'. Therefore, I do not consider this is sufficient a concern that would warrant the refusal of this proposal.

Therefore, bearing in mind the above comments and whilst I am mindful of the points of objection from nearby neighbours, I recommended the scheme accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

RECOMMENDATION: That the application be Deferred and Delegated to the Director of Community Services for approval subject to satisfactory completion of a Section 106 Agreement within a period of six months to deal with the matters of education contributions, affordable housing and the financial contribution for wheeled bins and the imposition of the following conditions:

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates.
 - (a) The expiration of three years from the date of this permission; or
 - (b) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. The permission shall relate to the development as shown on Plan Reference No's P.598-01, P.598-02, BL-SK02 Rev. A and BL-JL01 Rev. A.

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

3. This permission shall be read in accordance with the Section 106 Agreement dated...

REASON: For the avoidance of doubt as the permission is subject to an agreement in relation to the low cost/affordable housing approved and the requested financial contribution towards wheeled bins.

4. Detailed plans indicating,
 - the layout of the site,
 - the external appearance and scale of the dwellings,
 - the landscape and boundary treatments,
 - parking and manoeuvring arrangements of vehicles, including a contoured site plan showing existing features, and
 - 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. There shall not at any time in connection with the development be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4 metres measured along the centreline of the proposed access road from the nearer edge of the carriageway of the A59 Longsight Road to points measured 90 metres in each direction along the nearer edge of the carriageway of the A59 Longsight Road, and shall be constructed and maintained at footway level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority.

REASON: To ensure adequate visibility at the site access.

6. The existing Clayton-le-Dale boundary sign adjacent to the proposed access road shall be removed and relocated to a suitable alternative position at the developer's expense, the details of which shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Highway Authority.

REASON: To ensure adequate visibility at the site access.

7. The proposed access road from the site to the A59 Longsight Road shall be constructed to a width of 5.5 metres and this width shall be maintained for a minimum distance of 10 metres measured back from the nearside edge of the carriageway of the A59 Longsight Road.

REASON: To enable vehicles to enter and leave the site in a safe manner without causing a hazard to other road users.

8. The new estate road/access between the site and the A59 Longsight Road 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 ensure that satisfactory access is provided to the site.

9. 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.

10. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees identified in the arboricultural Impact Assessment/tree survey [June 2011] [T1/T2/T4/T6/T7/T9/T10/T12/T15/G1/G2/G3/G8] shall

be protected in accordance with the BS5837 [Trees in Relation to Construction] the details of which shall be agreed in writing, implemented in full, 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 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 considered to be of visual, historic or botanical value are afforded maximum physical protection from the adverse affects of development. In order to comply with planning policies G1 and ENV13 of the District Wide Local Plan, and to ensure that trees of visual amenity value are protected against adverse affects of the development.

INFORMATIVES

1. Development on this site should be drained on separate foul and surface water systems. All foul drainage must be connected to the foul sewer and only uncontaminated surface water should be connected to the surface water system.

However, where there are established combined systems the possibility of deviation from this general policy may be discussed with the Council's Chief Technical Officer.

2. This consent requires the 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 Lancashire County Council for further information.

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>
3/2010/0963/P & 3/2010/0986/P	Renewal of planning permission 3/2007/1017 for change of use from existing shop and dwelling to shop with living accommodation and separate dwelling. Renewal of listed building consent 3/2007/1016 for alterations and repairs to the existing building (change to shop with living accommodation and a separate dwelling)	1 & 3 Windy Street Chipping
3/2011/0117/P & 3/2011/0260/P	New signage throughout, internal and external (LBC). 15 No advertisements (AC)	Abbey Gisburne Park Hospital, Gisburn Park Estate, Gisburn
3/2011/0365/P	Proposed new garage/car port block, lobby, store and toilets with office space above	Manor Farm, Hodder Bridge Chaigley
3/2011/0375/P	Erection of agricultural storage building for produce and machinery (Building 1)	land at Backridge Farm Twitter Lane, Bashall Eaves
3/2011/0405/P	Replacement detached garage	Little Elmridge Farm Height Lane, Chipping
3/2011/0477/P	Proposed new covered muck store	Plantation Farm Chipping Road, Chaigley
3/2011/0527/P	Demolition of the existing grounds store and bowling club room and erection of a new pavilion	Read Cricket Club Whalley Road Read
3/2011/0534/P	Proposed replacement shop front and erection of a rear single storey lean-to extension including minor elevational changes and change of window to French Doors at first floor level to access the existing balcony on the NE elevation	17-17A Accrington Road Whalley
3/2011/0564/P	Single storey rear extension with balcony over to replace the existing conservatory	Mill Pond House, Clitheroe Road, West Bradford
3/2011/0610/P	Proposed single storey rear extension and loft conversion	23 Mayfield Avenue Clitheroe
3/2011/0616/P	Proposed front porch and access ramp	4 Swinglehurst Cottages Swinglehurst Lane Chipping
3/2011/0630/P	Application for discharge of condition no. 5 (materials), condition no. 7 (details of sun pipes), condition no. 12 (building recording	Moorgate Farm Moorgate Lane Dinckley, Blackburn
Cont/		

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
Cont...	and analysis) and condition no. 13 (foul drainage) of planning consent 3/2011/0059/P	
3/2011/0659/P	Proposed side extension and dormers to front and rear roofslope	11 Knowsley Road Wilpshire
3/2011/0680/P	Alterations to elevations from previous planning approval – 3/2010/0721	91 Berry Lane, Longridge
3/2011/0696/P	Proposed covered midden for agricultural use	Fair Oak Farm Leagram, Chipping
3/2011/0700/P	Loft conversion with two roof lights	5 Brennand Street Clitheroe
3/2011/0701/P	New pitched/hipped roof construction spanning over the garage and ground floor rooms to create new bedroom, new dormer windows and alterations to the facades to create new and adapted windows and doors	Orchard House Copster Green
3/2011/0707/P	Application for the discharge condition no. 4 (materials) and condition no. 9 (site investigation and assessment [contamination]) of planning consent 3/2010/0426/P relating to land adjacent to	26 Severn Street Longridge
3/2011/0709/P	Proposed dormer extension to north-westerly elevation of property	24 Ribchester Road Wilpshire
3/2011/0715/P	Three non-illuminated sponsorship acknowledgement signs 500mm x 1200mm x 3mm	Junction of A59 Longsight Road with Whalley New Road A666
3/2011/0717/P	Proposed alterations to replace the flat roof on part of the house to a hipped roof to match existing	8 Chatburn Avenue Clitheroe
3/2011/0720/P	Installation of PV panels to south-eastern roofslope	Foxhill Barn, Great Todber Howgill Lane, Rimington
3/2011/0724/P	Proposed roof over the existing sheep handling facilities	Parsonage Farm Parsonage Lane, Chipping
3/2011/0728/P	Roofing of manure store and livestock gathering areas to enable separation of clean and dirty water and reduce potential run-off to the local river system	Rileys Farm Chapel Lane Langho
3/2011/0731/P	Construction of a detached garage	Wood End Cottage Birdy Brow, Chaigley
3/2011/0732/P	Proposed two storey rear extension and replacement single storey lean-to side extension with extended roof to form canopy	Red Barn Mill House Lane Longridge
3/2011/0735/P	Retrospective installation of ATM cash machine	KAMS Service Station Whalley Road, Simonstone
3/2011/0747/P	Application to discharge condition no.7 (landscaping) and condition no. 8 (tree protection) of planning consent 3/2011/0336/P	Plot 7 Weavers Loft Brockhall Village Old Langho

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0748/P	Proposed two-storey side extension	17 Mellor Lane Mellor
3/2011/0756/P	Installation of solar panels onto south facing pitch of garage roof (Listed Building Consent)	Parkhead Farm 5 Park Head, Whalley
3/2011/0758/P	Addition of solar PV panels to garage roof	North Barn Leagram
3/2011/0767/P	Proposed first floor and dormer extensions	Crosmere 108 Whalley New Road Wilpshire
3/2011/0769/P	Installation of 10Kw Solar PV panel system to the South facing roof slope of the existing poultry building	Low Farm, Ribchester Road Clayton-le-Dale
3/2011/0771/P	Single storey extension to the western elevation	Throstle Nest Edisford Road, Clitheroe
3/2011/0777/P	Mounted 4KW Solar PV installation on embankment	Michaelmass Cottage Clitheroe Old Road, Dutton
3/2011/0779/P	Application for the insertion of a window to gable front elevation at first floor of existing dwelling	Old Chapel Barn Preston Road, Alston
3/2011/0781/P	New building to provide sheep handling facilities	Daub Hall Farm Inglewhite Road, Chipping
3/2011/0783/P	Alterations and extensions to include link bridge, extend ancillary facilities to incorporate café and new shop front to the former Kwik Save	Kwik Save Station Road Clitheroe
3/2011/0786/P	Demolition of existing garage and relocation of garage, carport, home office/home hobby room and garden store in the North East corner of the site	Oak Farm Barn Longsight Road Clayton-le-Dale
3/2011/0792/P	Conversion of vacant barn to single residential dwelling, formation of vehicular permeable hardstanding and of formal garden area, erection of dry stone wall to part of curtilage to match existing	The Old Joinery King Henry Mews Bolton-by-Bowland
3/2011/0798/P & 3/2011/0799/P	Application for the renewal of planning consent 3/2008/0645/P and Listed Building Consent 3/2008/0646/P for the proposed conversion and extension of farm into barn including conversion of outbuildings	Higher Gazegill Farm Dancer Lane Rimington
3/2011/0800/P	Proposed erection of a steel framed agricultural building	Dairy Barn Farm Green Lane, Leagram Chipping
3/2011/0809/P	Proposed single storey rear extension	Brockhall Cottage Alston Lane, Longridge
3/2011/0828/P	Conversion of existing single storey flat roofed area to mono-pitch roof	St Marys RC Primary School Whalley Road, Langho

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0848/P	Application for non-material amendment to planning consent 3/2010/0417/P for layout changes to 1) create a softer layout so as to create less visual input, 2) to avoid encroaching on trees that are under a tree protection order, 3) to improve road layout for easier access, 4) to improve pathways so as to take pedestrian traffic away from the road and 5) to incorporate an LPG Gas system rather than gas	Land at Aspinall Farm Old Langho Road Blackburn
3/2011/0854/P	Erection of agricultural building for livestock housing (Building 2)	Land at Backridge Farm Twitter Lane, Bashall Eaves
3/2010/0855/P	Erection of agricultural building for livestock housing (Building 3)	land at Backridge Farm Twitter Lane, Bashall Eaves
3/2011/0856/P	Erection of agricultural building for livestock housing (Building 4)	Land at Backridge Farm Twitter Lane, Bashall Eaves
3/2011/0857/P	Erection of agricultural building for livestock housing (Building 5)	Land at Backridge Farm Twitter Lane, Bashall Eaves
3/2011/0858/P	Erection of agricultural building for livestock housing (Building 6)	Land at Backridge Farm Twitter Lane, Bashall Eaves

APPLICATIONS REFUSED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2011/0095/P	Re-submission of refused application 3/2010/0002/P for two affordable dwellings in garden area of existing house, demolition of outbuilding, re-aligning of vehicular access to Cherry Hall and removal of part of wall to site	Cherry Hall Grindleton	Contrary to Policies G1, ENV1, ENV13 and ENV16 of the Ribble Valley Districtwide Local Plan and PPS1 and PPS5. The proposed new dwellings by virtue of their design, scale, size, massing and location on site would be harmful to the character and appearance of both the Forest of Bowland A.O.N.B. and the Grindleton CA. Loss of trees detrimental to the visual amenity of the Conservation Area.

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2011/0242/P	Proposed change of use of land and the erection of 2 no. Affordable and 1 no. 'holiday let' two bedroom houses	3 Highcliffe Greaves Slaidburn Road Grindleton	Contrary to Local Plan Policies G1, G5, ENV1, ENV9, ENV13 and RT1, PPS1, PPS7 and PPS9 – Adverse visual impact on the character, setting and appearance of the area.
3/2011/0256/P	Erection of new live/work unit (warden's house) in conjunction with the existing caravan site on land adjacent to	Brick House Caravan Park Swinglehurst Lane Chipping	Policies G1, ENV1 and H2 – the proposed dwelling, for which there is no specific justification, would be outside the settlement boundary of Chipping and within the AONB to the detriment of the visual amenities of the locality.
3/2011/0503P	Two storey side extension with balcony to front elevation	43 St Mary's Drive Langho	The proposal by virtue of its scale, design and location is considered contrary to Policies G1 and H10 of the Districtwide Local Plan and the Council's adopted Supplementary Planning Guidance on alterations and extensions to dwellings. It would result in a disproportionate and prominent addition which would be detrimental to the amenity of neighbouring dwellings and the visual amenities of the street scene.

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2011/0578/P	Proposed erection of a single storey side extension on the existing patio to form a new study	Austin House Malt Kiln Lane Chipping	Contrary to PPS5 and Policies G1, ENV16 and ENV19 of the Local Plan. The proposal would be conspicuous, intrusive and cause undue harm to the character, appearance and significance of Kirk Mill Conservation Area and the setting and significance of the adjacent Listed Building.
3/2011/0627/P	Three new rooflights and replacement of two existing rooflights at the rear of the roof	The Barn, Dean Top Whalley Road Simonstone	Policy G1 and H17 – adversely affect the visual appearance, character and significance of this traditional rural building.
3/2011/0641/P	Proposed equine storage building (cart shed style)	Carr Meadow Barn Carr Lane Balderstone	Policies G1, ENV3, H12 and H17 – domestic building tantamount to an extension of curtilage affecting character, appearance and setting of the barn and open countryside.
3/2011/0653/P	Proposed erection of a detached two-storey timber building within garden area	10 Longridge Road Hurst Green	G1, ENV1, ENV16 and Councils SPG “Extensions and Alterations to Dwellings” – Inappropriate size, design and materials to the detriment of the character and setting of the main property, the appearance of the

Cont/

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
Cont...			Conservation Area and the Area of Outstanding Natural Beauty.
3/2011/0725/P	Proposed first floor bedroom over the existing ground floor extension	4 Branch Road Mellor Brook	Policy G1, ENV1, H10 and the Council's SPG on Extensions and Alterations to Dwellings – dominant and disproportionate addition to the detriment of visual amenities and the street scene.
3/2011/0745/P	Proposed garage, office and covered link	Lime Kiln Cottage Bedlam Road Thornley-with-Wheatley	G1, ENV1, H10, SPG – Detrimental impact upon the appearance of the property to the visual detriment of the Area of Outstanding Natural Beauty.
3/2011/0772/P	Proposed single storey conservatory extension to the gable end	Hill House Hesketh Lane Chipping	G1, ENV1, H10, SPG – Detrimental impact upon the appearance of the property to the visual detriment of the Area of Outstanding Natural Beauty.
3/2011/0774/P	Change of use of agricultural land to residential curtilage to accommodate double garage (new building will comprise of domestic double garage and agricultural workshop/garage)	New Hall Farm Blackburn Road Ribchester	Policies G1, G5, ENV3, H12 of the Local Plan - the proposed extension of the existing residential curtilage and the erection of the domestic garage/ agricultural workshop on the extended area would represent an urban encroachment into the open countryside to the detriment of the appearance and

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<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
Cont...			character of this rural area. Approval of such an application without sufficient agricultural justification would result in further development to the visual detriment of the open countryside.
3/2011/0780/P	En suite by means of an extension over the existing single storey larder to the rear of the property.	Rawsthorne House Main Street Grindleton	The proposal has an unduly harmful impact upon the character, appearance and significance of Grindleton Conservation Area because of the dominance and prominence of the extension, the loss of views of the important stair window and the compromise to the medieval street plan. This would be contrary to Policies ENV16 and G1 (a) of the Ribble Valley Districtwide Local Plan and Ribble Valley Borough Council supplementary planning guidance 'Extensions and Alterations to Dwellings' (adopted September 2000).
3/2011/0801/P	Insertion of four roof lights	Halsteads Farm Rimington Lane Rimington	The proposals would be unduly harmful to the character (including setting) and significance of the listed building because the roof lights are
Cont/			

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
Cont...			conspicuous, incongruous and visually intrusive in the otherwise unbroken and prominent roof slopes and further compromise agricultural character.

SECTION 106 APPLICATIONS

<u>Plan No:</u>	<u>Proposal/Location:</u>	<u>Progress:</u>
3/2009/0732/P	Demolition of existing single storey extension and construction of new attached bungalow to form dwelling	27 Cringle Way Clitheroe NOT SIGNED YET
3/2009/1011/P	Outline application to build ten two bedroomed semi detached bungalows, four semi detached and two detached three bedroom dormer bungalows and eight three bedroom semi detached houses and diversion of public footpath	Land adjacent Petre House Farm Whalley Road Langho NOT SIGNED YET
3/2010/0078/P	Demolition of existing commercial building, redevelopment of the cleared site and adjoining land for residential development of 18 dwellings, with garages and gardens. resubmission	Old Manchester Offices Whalley New Road Billington NOT SIGNED YET
3/2010/0929/P	Demolition of 60 lock-up garages and construction of 8 family houses	Land between 36 and 38 Henthorn Road Clitheroe NOT SIGNED YET
3/2010/0934/P	2 terraced dwellings fronting Blackburn Road and 5 two storey terraced cottages on existing car park. Resubmission	Black Bull Hotel Church Street Ribchester NOT SIGNED YET
3/2010/1014/P	Removal of industrial unit. Construction of 5 houses with association parking	11 Stubbins Lane Sabden NOT SIGNED YET
3/2011/0039/P	Replacement of two garages with five two bedroom houses with gardens	Land at Hambledon View Simonstone NOT SIGNED YET
3/2011/0129/P	Demolition of part of Victorian mill and conversion into 22 apartments, conversion of office in to 3 town houses, erection of 4 affordable elderly care bungalows, 23 other affordable dwellings, 18 dwellings and new pond	Victoria Mill Watt Street Sabden NOT SIGNED YET

<u>Plan No:</u>	<u>Proposal/Location:</u>	<u>Progress:</u>
3/2011/0247/P	Outline application for 38 market dwellings and 16 affordable dwellings	Land off Chapel Close Low Moor, Clitheroe NOT SIGNED YET
3/2011/0307/P	37 dwellings	Barrow Brook Business Village, Barrow NOT SIGNED YET
3/2010/0324/P	Retrospective change of use of two first floor rooms from residential accommodation to a licensed area	The Freemasons Arms 8 Vicarage Fold Wiswell NOT SIGNED YET
3/2011/0448/P	Conversion of existing barn and outbuildings into two dwellings including new detached double garage and new vehicular/pedestrian access	Hougher Fall Farm Old Clitheroe Road Ribchester
3/2011/0460/P	Outline application for 34 dwellings	Land at Whalley New Road Billington NOT SIGNED YET

APPLICATIONS WITHDRAWN

3/2011/0568/P	Demolition of existing barn and erection of new dwelling	Moornook Farm Clitheroe Road Knowle Green
3/2011/0596/P	Tennis court to be built on grassland	Denisfield House Rimington Lane Rimington

CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0721/P	Lawful Development Certificate to confirm commencement of works within three year time condition	The Barn Alston Lane Alston
3/2011/0785/P	Application for a Lawful Development Certificate for proposed alteration to turn the loft store into a bedroom, with one velux roof light and one sun pipe	77 Derby Road Longridge

REFUSAL OF CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0795/P	Application for a Lawful Development Certificate for a replacement outbuilding	Croft Cottage 2 Grindleton Road West Bradford
3/2011/0817/P	Application for a Lawful Development Certificate for proposed installation of 16 solar panels on fixed garage roof	Black Hall Farm Garstang Road, Chipping

APPEALS UPDATE

<u>Application No:</u>	<u>Date Received:</u>	<u>Applicant/Proposal/ Site:</u>	<u>Type of Appeal:</u>	<u>Date of Inquiry/Hearing:</u>	<u>Progress:</u>
3/2010/0751 O	20.7.11	Acland Bracewell Ltd Outline application for a residential development for 39no. dwellings Land off Whalley New Road Billington	WR	–	AWAITING DECISION
3/2010/0959 D	1.8.11	Mr Ian Smith Agricultural worker's dwelling – temporary for three years Stubs Wood Farm Rimington Lane Rimington	–		APPEAL ALLOWED 1.11.11
3/2009/0968 O	22.8.11	Mr A Patel Residential development comprising 9no. new dwellings Fell View Barnacre Road Longridge	WR	–	AWAITING DECISION
3/2010/0719 O	29.9.11	Gladman Developments Ltd Proposed development of up to 270 residential dwellings, doctors surgery, landscape, open space, highways and associated works Land off Henthorn Road Clitheroe	–	Inquiry – to held 24.1.12 (scheduled to last for three days)	
3/2010/0159ENF	7.10.11	Mr L P Dolman & Miss S Faragher Insertion of a first floor window in the roadside gable elevation of the property Old Chapel Barn Preston Road Alston	WR	–	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>
3/2011/0472 D	27.10.11	Mr Duncan Weisters Proposed extensions to create new living space and a double garage 1 The Walled Garden, Woodfold Park, Mellor	Householder appeal	–	Notification letter sent 1.11.11 Questionnaire sent 3.11.11 AWAITING DECISION
3/2011/0205 & 0206 D	25.10.11	Mr D Outhwaite-Bentley Retrospective application for extensions and alterations at the dwelling and rear patio and decking walkways Mellor Lodge Gatehouse Preston New Road Mellor	WR	–	Notification letter sent 2.11.11 Questionnaire sent 4.11.11 Statement to be sent by 5.12.11
3/2011/0582 Non-determination	9.11.11	Mr & Mrs A J & J P Miller Outline application for the erection of two detached dwellings with detached garages (Resubmission of 3/2010/1013P) 46 Higher Road Longridge	WR	–	Notification letter sent 15.11.11 Questionnaire sent 21.11.11 Statement to be sent by 19.12.11
3/2011/0557 D	17.11.11	Mr & Mrs R Lancaster Application for the removal of condition no.2 (occupancy period) of planning consent 3/2004/0523P, to allow the holiday let to be used as permanent residential accommodation Burons Laithe Horton	WR	–	Notification letter sent 22.11.11 Questionnaire sent 24.11.11 Statement to be sent by 29.12.11

LEGEND

D – Delegated decision

C – Committee decision

O – Overturn