

# RIBBLE VALLEY BOROUGH COUNCIL

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Dear Councillor

The next meeting of the **PLANNING AND DEVELOPMENT COMMITTEE** is at **6.30pm** on **THURSDAY, 12 APRIL 2012** at the **TOWN HALL, CHURCH STREET, CLITHEROE.**

I do hope you can be there.

Yours sincerely

CHIEF EXECUTIVE

To: Committee Members (copy for information to all other members of the Council)  
Directors  
Press  
Parish Councils (copy for information)

## AGENDA

### Part I – items of business to be discussed in public

1. Apologies for absence.
2. To approve the minutes of the last meeting held on 15 March 2012 – copy enclosed.
3. Declarations of Interest (if any).
4. Public Participation (if any).

### DECISION ITEMS

5. References from Overview and Scrutiny Committee (if any).
- ✓ 6. Planning Applications – report of Director of Community Services – copy enclosed.
- ✓ 7. Proposed Consultation on Extension to Longridge Area at Stonebrige Mill – report of Director of Community Services – copy enclosed.

- ✓ 8. Extension to Longridge Conservation Area – report of Director of Community Services – copy enclosed.
- ✓ 9. Former Ridings Depot and Land North and South of Whittingham Lane, Longridge – Consultation From Neighbouring Authority – report of Director of Community Services – copy enclosed.

#### INFORMATION ITEMS

10. Appeals:

- (a) 3/2011/0557/P – Development of land without complying with a condition subject to which a previous planning permission was granted at Burons Laithe, Horton – appeal allowed.
- (b) 3/2011/0641/P – Equine storage building at Carr Meadow Barn, Carr Lane, Balderstone – appeal dismissed.
- (c) 3/2011/0937/P – Installation of 4kw black edged solar pv system to the rear south facing roof of the property Kezmin House, Hothersall Lane, Hothersall – appeal dismissed.
- (d) 3/2011/0481/P – Demolition of stone building and piggeries at Dean Farm, Sabden – appeal allowed.
- (e) 3/2011/0582/P – Erection of two detached dwellings with detached garages at 46 Higher Road, Longridge – appeal dismissed.
- (f) 3/2010/0719/P - 270 residential dwellings, a doctor's surgery, landscape, open space, highways and associated works at land off Henthorn Road, Clitheroe – appeal allowed with conditions.

11. Report of Representatives on Outside Bodies (if any).

#### Part II - items of business **not** to be discussed in public

None.

**INDEX OF APPLICATIONS BEING CONSIDERED  
MEETING DATE 12 APRIL 2012**

	<u>Application No:</u>	<u>Page:</u>	<u>Officer:</u>	<u>Recommendation:</u>	<u>Site:</u>
<b>A</b>	<b>APPLICATIONS REFERRED BACK TO COMMITTEE FOR APPROPRIATE CONDITIONS:</b>				
				NONE	
<b>B</b>	<b>APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR APPROVAL:</b>				
	3/2010/0246/P	1	CS	AC	Petre Garage, Whalley Road Langho
	3/2011/0562/P	3	CB	AC	Ellenthorpe, Gisburn Road Gisburn
	3/2011/0824/P	10	CS	AC	Hawkshaw Farm, Longsight Road Clayton-le-Dale
	3/2011/0909/P	12	CS	AC	22 Waddow Grove Waddington
	3/2011/0918/P	17	CS	AC	Lancashire Scala Clayton-le-Dale
	3/2011/0919/P	20	CS	AC	Laythams Farm Back Lane, Slaidburn
	3/2011/0928/P	26	CS	AC	Lloyds TSB, 4 Berry Lane Longridge
	3/2011/0976/P & 3/2011/0977/P	28	CS	AC	Weavers Arms Market Place, Longridge
	3/2011/0981/P	34	CB	AC	24 Chatburn Road Clitheroe
	3/2011/1040/P	37	JM	AC	Church of St Lawrence with St Paul's, Church Street, Longridge
	3/2011/1050/P	39	GT	AC	Land at Waverley Road Ramsgreave
	3/2012/0002/P	44	GT	AC	Pepper Hill Wiswell
	3/2012/0019/P	48	GT	AC	5 Church Street Clitheroe
	3/2012/0032/P	53	GT	AC	5 Church Street Clitheroe
	3/2012/0061/P	57	GT	AC	Prospect Cottage Longridge
	3/2012/0098/P	64	RH	AC	Hillock House, Northcote Road Langho
	3/2012/0184/P	66	CB	AC	90 Berry Lane Longridge
<b>C</b>	<b>APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL:</b>				
	3/2011/1033/P	71	RH	R	6 Lincoln Park Industrial Estate Clitheroe
<b>D</b>	<b>APPLICATIONS UPON WHICH COMMITTEE DEFER THEIR APPROVAL SUBJECT TO WORK DELEGATED TO DIRECTOR OF COMMUNITY SERVICES BEING SATISFACTORILY COMPLETED:</b>				
	3/2011/0776/P	75	GT	DEFER	Land off Whiteacre Lane Barrow
	3/2011/0784/P	86	GT	DEFER	Old Whalley Nurseries Whalley
<b>E</b>	<b>APPLICATIONS IN 'OTHER' CATEGORIES:</b>				
				NONE	

**LEGEND**

<b>A</b>	Approved	<b>JM</b>	John Macholc	<b>GT</b>	Graeme Thorpe
<b>AC</b>	Approved Conditionally	<b>SW</b>	Sarah Westwood	<b>RH</b>	Rachel Horton
<b>R</b>	Refused	<b>CS</b>	Colin Sharpe	<b>CB</b>	Claire Booth
<b>M/A</b>	Minded to Approve	<b>AD</b>	Adrian Dowd		



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

Agenda Item No

meeting date: THURSDAY, 12 APRIL 2012  
 title: PLANNING APPLICATIONS  
 submitted by: DIRECTOR OF COMMUNITY SERVICES

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

APPLICATION NO: 3/2010/0246/P (GRID REF: SD 370997 434852)  
 RETROSPECTIVE APPLICATION FOR THE ERECTION OF A SINGLE STOREY VALETING BAY WITH A SINGLE STOREY WC EXTENSION TO THE REAR AT PETRE GARAGE LTD, WHALLEY ROAD, LANGHO

PARISH COUNCIL: The Parish Council objected to the application as it is not in-keeping with the area. In addition, some large blue hoardings have been erected on the site, that are possibly going to be used for advertising purposes. No planning permission has been granted for this.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): Expressed objections to the application as originally submitted which involved three valeting bays plus a fourth bay that had a side wall but no rear wall. This fourth bay was to be used as the access on to Longsight Road. The County Surveyor considered that this proposed access/exit was not clearly identified and was too close to the other valeting bays such that it would be detrimental to highway safety and to the safety of persons using the valeting bays.

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

1. The structure was detrimental to visual amenity especially due to the (originally proposed) blue painted walls.
2. Applicants should not carry out development without local residents being informed and then expect retrospective permission to be granted.

### **Proposal**

The application seeks retrospective permission for the retention of a single storey car valeting bay with WC extension at the rear. At the time of submission of the application, the structure had blue painted walls and included one bay without a rear wall that was intended for use as an access/egress to Longsight Road. In that form, the structure was considered to be detrimental to visual amenity and highway safety.

The agent was requested on numerous occasions to submit amended plans showing improved access arrangements, and was informed that the blue paint was inappropriate. The blue paint

was changed to a more appropriate brown on the rear elevation, whilst the blue paint has remained at the front. This, however, matches the blue on the forecourt canopy etc and is considered to be acceptable.

The requested amended plans, however, have still not been received. However, all four bays now have a rear wall and the access/egress on to Longsight Road has clear visibility.

The application therefore falls to be considered on the basis that retrospective permission is sought for the retention of the business as it is presently being operated.

### **Site Location**

A petrol filling station close to Petre Roundabout and sited between Whalley Road and Longsight Road (the road leading to the, now closed, household waste recycling depot and the residential development on Petre Crescent).

### **Relevant History**

Although there have been numerous planning applications relating to this petrol filling station, none are considered to be of any particular relevance to the consideration of this application.

### **Relevant Policies**

Policy G1 - Development Control.

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

The objections to this application from the Parish Council, the County Surveyor and two nearby residents all related to the structure as it existed and the business as it was operated, at the time of submission of the application.

With the building in its existing form, however, and the manner in which the business is presently being operated, there are, in my opinion, no objections to the business that are sufficient to justify refusal of the application.

One aspect of the business, however, that is not particularly attractive, is the use of plastic water containers placed on wooden pallets. As these are not structures or buildings that are in any way fixed to the ground, however, they do not represent development that requires planning permission. Attempts are being made, however, through discussions and negotiations with the business operator to either secure their removal and replacement by a more appropriate and visually less obtrusive means of operating the car wash; or providing some form of screening/enclosure for the pallets and containers.

These attempts to improve the development from a visual amenity point of view will continue. However, notwithstanding that the requested amended plans have not been submitted, the continued operation of this business is considered to be acceptable in principle. A condition can be imposed to make it clear the permission relates to the building as it presently exists.

The Parish Council also expressed concerns about the 'hoardings' erected on the frontage of the site. This structure is actually in the form of a fence that does not exceed 1m in height and



LCC RURAL ESTATES

The buildings at Ellenthorpe already include a number of stables for approximately 10 horses which were previously used to stable horses associated with the former Pendle Forest and Craven Hunt. These stables would be suitable for accommodating horses associated with the livery.

It is proposed to use a single field extending to 5 acres (2 hectares) for grazing purposes. However, please note that this field is subject to an agricultural tenancy and vacant possession of this land may not be easily obtained. Taking this into account, together with the fact that there are already a number of stables at Ellenthorpe, I do not consider that additional stabling could be sustained. Members should note that there is very limited land associated with the stables, thus, a condition limiting the number of horses that can be kept on site is considered to be appropriate.

Representations have been submitted on behalf of the tenant of the field raising concerns regarding the effect on the farming business should the land parcel and field barn no longer be available. The area of land that would be lost would only form approximately 2.5% of the farmer's total land holding and the field barn is in a poor condition and of little operational value. Taking this into account, the loss of the land and building from the farming enterprise would not significantly impact on the farming operations.

UNITED UTILITIES:

No objections to the application.

ADDITIONAL REPRESENTATIONS:

One letter has been received from a planning consultant representing the tenant farmer of the land, who is also the closest resident. The following issues are raised:

- The granting of planning permission will allow the termination of the Tenant Farmer's use of the land - this consent is not sought because of the requirement for equestrian facilities but to provide a mechanism for the termination of the tenant farmers agricultural enterprise;
- The Field Barn is described as modern. It is in fact a timber shed which was built prior to the Second World War and is owned by the Tenant. The applicant can not convert this building which is a Tenant's fixture;



- Policy ENV6 – It has not been shown that the need for this development overrides agricultural considerations. There are ample stables provided locally including the Panama Stables owned by Mr Hindley as well as the livery yard operated at Cloughs Farm, Carters Lane;
- The development would have an adverse impact upon wildlife species as horses graze land to a bare base, leaving only plants which are unpalatable, such as Ragwort. This will leave the land void of any wild flowers and consequently of wild creatures, contrary to Policy ENV7;
- Whilst the application does not say the land will be used for equestrian purposes, that likelihood is inherent to the application. Such areas require jumps (coloured timbers, metal barrels, old car tyres), fences and lighting. Such usage will be contrary to Policy ENV1 as the site lies within the Forest of Bowland Area of Outstanding Natural Beauty;
- The application does not state how many horses are to follow the change of use;
- Questioning where will the horse manure be disposed;
- Questioning where all the horse owners that attend the livery yard will park and points out that the two employees will use two spaces of any which are created;
- There is a dangerous access to the site and the increase in usage causes concern. The incidence of horse and rider will also increase on this dangerous stretch of road;
- The land would be used for riding and training lessons, and may be used for Club events. Traffic flows will be increased on this dangerous road;
- Floodlights will be required to light training and exercise areas;

### **Proposal**

The application seeks full planning permission for the use of a stables building to provide 10 livery stables within the existing building at the former Pendle Forest and Craven Hunt yard. Permission is also sought to change the use of a 5 acre agricultural field on the opposite side of Gisburn Road to be used in association with the livery yard. The livery yard would be open between 07:30 to 20:00 hours seven days a week. Two full time employees would assist with the running of the livery.

The application initially sought permission for the conversion of a timber barn within the five acre field to form two stables, creating twelve stables in total. However, in light of the Land Agents concerns that the location of these stables is isolated and there is insufficient grazing for additional horses, this aspect has been deleted from the application.

## **Site Location**

The site is located at the former Pendle Forest and Craven Hunt Kennels, situated on Gisburn Road at its junction with Carters Lane. The existing stable block and associated yard area is located on the north side of the road and the field is located on the south side of Gisburn Road directly opposite the junction with Carters Lane. The field extends eastwards up to the access track leading to Gisburn's wastewater treatment works.

## **Relevant History**

3/2010/0477P - Proposed change of use of field from agricultural use to equestrian use including paddocks, shelter and jumps. Withdrawn.

## **Relevant Policies**

Policy G1 – Development Control  
Policy G5 – Settlement Strategy  
Policy ENV1 – Area of Outstanding Natural Beauty  
Policy ENV6 – Agricultural Land  
Policy ENV19 – Listed Buildings  
Policy RT1 - General Recreation and Tourism Policy

Policy RT3 – Conversion of Rural Buildings

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

The main issues for consideration are the principle of development, impact on the highway network, effect on the residential amenities of the occupiers of nearby properties and impact on the character and appearance of the area.

### **PRINCIPLE OF DEVELOPMENT**

Local Plan Policy G5 states that development for small scale recreational development will be permitted outside of development limits provided that unacceptable harm to the character and appearance of the rural area is avoided subject to Policy RT1. Policy RT1 has a similar approach and requires proposals to be physically well related to an existing group of buildings and to not create an unacceptable highway problem. Also relevant is Policy RT3 which states that the change of use of existing buildings in the countryside will be permitted provided that the proposal does not harm the visual, architectural or historic character of the building or its surroundings, the structure is sound and capable of adaptation without significant rebuilding or extension and the proposed use would not be intrusive in the countryside nor create unacceptable traffic, amenity or disturbance problems.

The proposal involve no external changes to the building and thus there will be no change to the visual, architectural or historic character of the building which forms part of the setting of the former Huntsman's house, a grade II listed building. Furthermore, the re-use of an existing partially vacant rural building, containing ten existing stables, complies with Policy RT3 of the Local Plan.

For approximately forty years Ellenthorpe was the home of the Pendle Forest and Craven Hunt, however this use ceased about three years ago. Although the Land Agent has raised concerns

that the 5 acre field could not sustain the twelve horses/ stables originally submitted, given that the additional stables within the field shelter have now been removed from the application, and the remaining stables all exist and were used as stables historically, I see it as unreasonable to resist the proposal to use the existing stables for livery purposes.

In relation to the field in question, Policy ENV6 (Agricultural Land) advises that proposals involving the loss of agricultural land of Grades 3b, 4 and 5 will be assessed on the value of the land on the rural economy and the management of individual farms and the severance and fragmentation of viable farm holdings will be avoided wherever possible. The agricultural field in question is designated Grade 4 – poor quality agricultural land.

As a result of the tenant farmers objections, and the claim that the loss of the field and the field shelter would have a significant impact on the profitability and management of Ellenthorpe Farm, the LCC Land Agents have been consulted to assess the effect on the farming business should the land parcel and field barn no longer be available in relation to Policy ENV6. The area of land that would be lost would form approximately 2.5% of the farmer's total land holding. Furthermore, the field barn is in a poor condition and, in the Land Agent's opinion, of little operational value. Whilst the concerns raised are acknowledged and appreciated, the Land Agent considers that the loss of the land and building from the farming enterprise would not significantly impact on the farming operations of Ellenthorpe Farm. Accordingly, the change of use of the field to equestrian purposes accords with Policy ENV6.

In considering all of the above policies, the application is acceptable in principle.

#### IMPACT ON HIGHWAY SAFETY

The use of ten stables for DIY livery must be considered as should the use of the 5 acre field opposite for the grazing and use of horses, or horses and riders, as the proposed commercial use of the site is highly likely to increase the number of visitors to the site.

Following consultation with Lancashire County Council Highways department, concerns were raised about horses being walked up the main road to and from the field. To address these concerns a plan has been received which shows the route through the site that the horses will use when travelling to and from the field. This will entail walking through the yard to a field gate at the border with Carters Lane. This gate is located opposite an entrance to the field. On this basis, the Highway Engineer is satisfied that the proposed livery use can operate safely using this route.

#### AFFECT ON THE RESIDENTIAL AMENITIES OF NEIGHBOURING PROPERTIES

The proposal includes using the existing internal stables used by the former Pendle Forest and Craven Hunt. Given the accommodation is enclosed, screened from the neighbouring property due to other buildings and the adjacent dwelling is located 40 metres away, the use of the building for horses is little different to its use historically. The use as a livery yard would result in additional people using the site, however, it would not unreasonably detract from the residential amenities currently enjoyed by the occupants of the neighbouring dwelling.

Concern has been raised as to the disposal of manure, it was evident from my site visit that there is an existing muck heap located on the south-east side of the entrance to the yard. The present occupiers advised me that this muck heap will be emptied by a local contractor when

full. I consider this historical arrangement for the storage of horse manure to be acceptable and a sufficient distance away from the nearest property so not to adversely affect their amenities.

#### IMPACT ON THE CHARACTER AND APPEARANCE OF THE AONB

The main building to be used is of traditional construction with a slate roof, which is in a good state of repair. No external alterations are proposed to this building which forms part of the setting to the Grade II listed former Huntsman's House. The maintenance of these building will ensure the setting of this listed building is retained, thus the character and appearance of the area will be retained.

Equestrian uses of fields are commonly associated with the open countryside and Area of Outstanding Natural Beauty. One area of concern visually is the potential separation of the field in to a number of pony paddocks and the use of the field for exercising horses. This would substantially change the appearance of this open agricultural field to the detriment of visual amenity and potentially lead to highway safety issues. Details have been provided on how the field will be separated for grazing purposes and this will be done by using electric fencing which can easily be moved dependant on ground conditions. Considering the temporary and moveable nature of this type of fencing, which does not require planning permission, I am satisfied that the field will still be viewed as one area of land and could be reverted back to agricultural use with little effort, thereby retaining the visual amenities of this rural landscape in the long term. On this basis the proposal, subject to conditions, is considered to comply with policy ENV1 of the Ribble Valley Districtwide Local Plan.

Overall, subject to appropriate conditions, I consider this scheme of diversification from a hunt kennels and stables to a commercial livery yard, and the change of use of an agricultural field to be used in connection with the stables to be acceptable and in accordance with the relevant policies of the Local Plan.

#### SUMMARY OF REASONS FOR APPROVAL

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

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

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

**REASON:** Required to be imposed in pursuance to Section 914 of the Town and Country Planning Act 1990.

2. The permission shall relate to the development as shown on Drawing Number(s):

HIN/15 Dwg 01B – Proposed Site Plan (illustrating the route horses will take), received 28 March 2012.

Ellenthorpe 01 – Existing and Proposed Uses.

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

3. The route to be taken by horses between the stable block to the northern side of the site and the field to the southern side of the site, where the highway intervenes shall at all times be the route shown by the hashed line on drawing number: 15 Dwg 01B.

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

4. The equestrian use of the site shall relate to the conversion of an existing building into 10 stables for livery use and not for any other purposes. In particular, the site shall not be used for the holding of any equestrian events or shows unless a further planning permission has first been granted in respect thereof.

REASON: For the avoidance of doubt, and in the interests of highway safety as such events/shows would result in an unacceptable increase in the use of the narrow country roads in the vicinity of the application site and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

5. No permanent fences shall be formed or erected within the field without a further planning application in respect thereof.

REASON: In the interests of the visual amenities of the locality and to comply with Policies G1, ENV1 and RT1 of the Ribble Valley Districtwide Local Plan

6. No more than ten horses can occupy the site at any one time, which includes any horses kept by the proprietor of Ellenthorpe Livery, and no stables shall be created in the field shelter or elsewhere on site, unless a further planning permission has first been granted in respect thereof.

REASON: For the avoidance of doubt and in the interests of highway safety as an increase in the number of horses stabled, would result in an unacceptable increase in the use of the narrow country roads in the vicinity of the application site, and the amount of land currently available cannot sustain any further increase in use, to comply with Policy G1 and ENV6 of the Ribble Valley Districtwide Local Plan.

7. No sand paddock or similar facility for the exercising of horses shall be formed, nor shall any fences or lighting associated with such a facility be erected without a further planning permission in respect thereof.

REASON: In the interests of the visual amenities of the locality and to comply with Policies G1, ENV1 and RT1 of the Ribble Valley Districtwide Local Plan.

8. Access to the site/ stable yard shall not be altered without a further planning application having first been approved by the Local Planning Authority.

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

APPLICATION NO: 3/2011/0824/P

(GRID REF: SD 365341 432076)

PROPOSED EARTH WALL COVERED SLURRY STORE TO BE BUILT ON A FORMER COMPOSITING SITE AT HAWKSHAW FARM, LONGSIGHT ROAD, CLAYTON-LE-DALE

- PARISH COUNCIL: No representations have been received.
- ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No objections to this proposal.
- UNITED UTILITIES: Have no objections to this proposal.
- ENVIRONMENT AGENCY: Has no objection in principle to the proposed development but makes a number of comments regarding the need to comply with the Environment Agency requirements relating to construction specification and capacity issues
- ADDITIONAL REPRESENTATIONS: Two letters have been received from nearby residents who both express concerns about possible pollution of nearby watercourses. One of the neighbours also makes the following specific points:
- Has any sort of geological survey been made of the area where the proposed store is to be located. If there is to be no concrete flooring or walling what guarantees are there that seepage into the subsoil and subsequent transfer to other areas will not occur?
  - What provisions or precautions have been considered such a breach in the containment wall occur? Even small amounts of slurry escaping could have serious consequences for wildlife in the locality.
  - Escaping slurry could also cause a health hazard to nearby residents.
  - These concerns affect not only the immediate neighbourhood but also the Ribble Valley as a tourist venue.

### **Proposal**

Permission is sought for the formation of a 30m x 60m earth walled covered slurry store. It would be 3m deep on average of which 1.5m, would be below ground level and 1.5m above ground level in the form of an earth bank. It is proposed that the finished lagoon would be covered with a floating plastic/rubber cover that will keep rainwater out thus reducing the overall store size needed. It will therefore result in less vehicle movements when emptying the store and the further benefit of a cover of this type is that it reduces smells from the store.

It is not proposed that the earth banks are to be planted with anything other than grass, as tree roots could compromise the earth walls of the store.

Access to the site and to the farm would remain unchanged as a result of this development. Slurry will be pumped in, emptying will be as it is at present, but during the summer months rather than in the winter months.

### **Site Location**

Hawkshaw Farm is located within the open countryside on the south side of the A59 in Clayton-le-Dale.

The proposed slurry store will be formed to the west of the existing farm buildings complex and will be approximately 100m away from the A59. There is an existing earth mound between the A59 and the proposed position of the slurry store.

There are no residential properties in the immediate vicinity of the proposed slurry store.

### **Relevant History**

Although there have been numerous previous planning applications relating to this farm, none are considered to be of any particular relevance with the consideration of this application.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

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

In supporting documentation submitted with the application, the applicant explains that the purpose of the development is to create a slurry store that is capable of holding 7 months slurry production from his herd of dairy cows and young stock. He states that they presently only have about 3 months storage capacity. The applicant says further that this increased slurry storage will reduced the need for winter spreading. The applicant explains that the store will be in accordance with DEFRA guidance and that the development will be carried out with the full involvement of the Environment Agency and will comply with all Environment Agency requirements.

It is evident from the response of the Environment Agency that, through their involvement as appropriate, this proposal will not result in any problems of pollution to local watercourses. Indeed, it would appear that the likelihood of pollution will be reduced from the existing situation by removing the need for winter slurry spreading.

The proposal would have minimal effects upon the appearance of the locality. It is also sufficiently far away from any residential properties that it should not have any seriously detrimental effects upon the amenities of any nearby residents. There are no highway safety implications to this proposal.

Overall, I can therefore see no sustainable objections to this application subject to a condition to ensure complete compliance with the requirements of the Environment Agency.

A note will also be required on the permission to the effect that the permission does not entitle a developer to obstruct a right of way and that any proposed stopping up or diversion of a right of way must be the subject of an Order under the appropriate Act. This is necessary because public footpath no's 2 and 12 pass close to the western edge of the proposed location of the slurry store.

#### SUMMARY OF REASONS FOR APPROVAL

The proposed development would not have any detrimental effects upon the natural environment, visual amenity or 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. This permission shall relate to the proposal as shown on drawing no's CS/11/0824/1, 2 and 3 (and in accordance with any other details that might be requested by the Environment Agency).

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

3. The development should be carried out in accordance with all the advice and requirements contained in the letter dated 26 March 2012 from the Environment Agency to the Local Planning Authority (and copied to the applicant).

REASON: To ensure protection of the natural environment in accordance with the requirements of Policy G1 of the Ribble Valley Districtwide Local Plan.

#### NOTE(S):

The granting of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpath no's 2 and 12 in the parish of Clayton-le-Dale abut the site.

APPLICATION NO: 3/2011/0909/P (GRID REF: SD 373048 443805)  
PROPOSED THREE BEDROOM DETACHED DWELLINGHOUSE TO BE BUILT IN THE GARDEN ON THE CORNER PLOT OF 22 WADDOW GROVE ADJACENT TO THE EXISTING BUNGALOW AT 22 WADDOW GROVE, WADDINGTON

PARISH COUNCIL: Objects to the application on the following grounds:



- The proposed development to the house would not be in-keeping with the design of the surrounding houses.
- There are concerns that the house proposed seems too big for the plot.
- There are concerns that the sewerage system on the estate is not designed to cope with extra properties.
- There would be increased traffic in the vicinity particularly in the nearby turning circle.

ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR):

Has no objections to the application on highway safety grounds and comments that 'the design of the access to the proposed development retains the unimpeded operation of the existing turning head while securing suitable off street parking provision for the property'. The County Surveyor adds that, as the proposal requires the provision of an additional dropped kerb, two appropriate conditions are required.

UNITED UTILITIES:

No objections to the proposed development.

ADDITIONAL  
REPRESENTATIONS:

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

- Overshadowing as the proposed dwelling is only 20m away from a neighbouring property.
- Access, highway safety and traffic generation as the proposal will result in more traffic in the cul de sac and especially at the turning circle. It will also increase on street parking.
- Layout and massing as the dwelling will be out of line with and will be higher than neighbouring properties.
- Overlooking and privacy especially to the dwelling opposite the site at the end of the cul de sac.
- Loss of views across open fields from a number of existing dwellings.
- The overbearing nature of the proposal as the dwelling has a much greater mass than neighbouring dwellings due to the use of dormers in order to increase the usable area of the first floor.
- Loss of trees and ecological habitat.
- The design and appearance of the dwelling is not in-keeping with the other dwellings in the cul de sac.
- Adverse effect on the value of nearby dwellings.
- The proposal to plant 2m high trees/hedges is not in-keeping with the open plan nature of The Grove.

### **Proposal**

Permission is sought for the erection of a detached dormer bungalow with external floor plan dimensions of 11m x 7.5m (excluding a 2.2m x 1.45m porch on the elevation that faces The

Grove). The eaves height will be 2.7m and the ridge height 5.95m. It would have two dormer windows in its western elevation facing The Grove and three dormer windows in its eastern elevation facing open fields. There would be ground floor windows but no first floor windows in the north and south gable end elevations.

The proposed external materials comprise stone slips up to ground floor window sill height, with render above this height (including the cheeks of the dormers) and the roof will be natural blue slate.

Two proposed parking spaces will obtain access from a proposed new access off the turning head.

### **Site Location**

The application site comprises the side garden of 22 Waddow Grove which is the northern end property on the eastern side of the road close to the head of the cul de sac. The proposed dwelling would be adjoined to the south by No 22, to the north west by the end property on the other side of the cul de sac head and to the east by open fields.

The site is just inside the settlement boundary of Waddington but it is not within the Conservation Area.

### **Relevant History**

3/2008/0251/P - Single storey extension to existing bungalow. Approved.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G4 - Settlement Strategy.

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

The site is within the settlement boundary of Waddington. For this reason, added to the fact that the Council is presently unable to demonstrate an up to date five year supply of deliverable housing sites, the proposal is considered to be acceptable in principle.

The relevant detailed considerations relate to the effects of the proposed dwelling on visual amenity, the amenities of nearby residents and highway safety.

#### **Visual amenity**

As previously stated, the application site is not within the Waddington Conservation Area. It is on the edge of a relatively modern development of detached dwellings. The application was the subject of a pre-application enquiry in which a larger dwelling was originally proposed. The size and design of the dwelling that is the subject of this planning application has taken account of the pre-application advice given to the applicant.

The property will cover a relatively large proportion of the application site. I consider, however, that due to its design (including the use of appropriately sized pitched roof dormers) and its

position/orientation on the plot, it would not form an over prominent or incongruous feature. The proposed external materials are also in-keeping with the existing properties on the cul de sac.

I therefore consider the proposal to be acceptable with regards to its effects upon the visual amenities of the locality.

### The Amenities of Nearby Residents

The northern end elevation of the proposed dwelling is approximately 20m away from the front elevation of the end property on the other side of the cul de sac. However, in that northern elevation, there are only ground floor windows (to the kitchen, a bedroom and their shower/wc) with no windows at first floor level. It is not considered that those ground floor windows would have an unduly detrimental effect upon the privacy of that adjoining property. The guideline (not a policy) of 21m referred to in one of the objection letters, relates to the distance between directly facing habitable room windows. Due to the orientation of the building, the distance between the dormer windows in the main western facing elevation and the dwellings on the opposite side of the road is a minimum of approximately 33m.

Any potential effects upon the privacy of the applicant's own property, No 22, and the rear garden of the adjoining property, No 21, have been addressed by the lack of any first floor windows in the southern end elevation.

Overall, I consider the proposed dwelling to be acceptable with regards to its effects upon the privacy of all neighbouring dwellings.

With a separation distance of 20m I do not consider that the proposed dwelling would have any seriously overbearing or overshadowing effects on the closest property on the opposite side of the cul de sac head.

### Highway Safety

The driveway and garage to the existing property, No 22, are not affected by the proposal, and the County Surveyor has no objections to the access and parking provision proposed for the new dwelling. There are therefore no highway safety objections to this application.

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

### SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. This permission shall relate to the proposal as shown on drawing number 006/A/01/002/REVP02.

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

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

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 (or any Order revoking or re-enacting that Order), any future extensions, external alterations to the building, including any development within the curtilage as defined in the Schedule to the Order, Part 1, Classes A to H shall not be carried out unless a further planning permission has first been granted in respect thereof. Specifically, no additional door or window openings shall be formed in either the north or south end elevations without a further planning permission having first been granted.

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

5. Prior to the first occupation of the dwelling hereby permitted, the access on to The Grove and two vehicle parking spaces shall have been formed in accordance with the submitted plans. Thereafter, these facilities shall be retained permanently clear of any obstruction to their designated use.

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

6. The kerbing at the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads, concurrent with the formation of the improved access.

REASON: To ensure the provision of the necessary access and to maintain the proper construction of the highway in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. This permission requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184, the County Council as Highway Authority, must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any works are commenced, the applicant must contact the County Council Environmental Directorate for further information.

REASON: To ensure a satisfactory standard of construction in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2011/0918/P (GRID REF: SD 366225 433017)  
PROPOSED ALTERATIONS TO EXISTING RESTAURANT WHICH INCLUDE  
CONSTRUCTION OF RAISED TERRACE AREA TO THE SIDE OF THE BUILDING,  
CREATION OF ILLUMINATED VERTICAL GARDENS (TO BOTH SIDES), REMOVAL AND  
REPLACEMENT OF EXISTING TIMBER, REPAINTING OF WALLS, REFORMING RAMP AND  
STEPS AND REPLACING WINDOWS AT LA SCALA RESTAURANT, LONGSIGHT ROAD,  
CLAYTON-LE-DALE

PARISH COUNCIL: No representations have been received.

ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR): No objections to this proposal on highway safety grounds.

ADDITIONAL  
REPRESENTATIONS: Two letters have been received from nearby residents (one of  
which is signed by persons from five properties). The  
objections raised in the letters are as follows:

1. Whilst the business has in the past been unobtrusive with quiet clientele, there are concerns that this will change under the new ownership.
2. The raised outside decking area will add to noise nuisance.
3. Any increased lighting (including the illuminated vertical gardens) will represent a nuisance to the nearest adjoining dwellings, and the nearby bed and breakfast establishment.
4. The vertical gardens would be a distraction to drivers to the detriment of highway safety.
5. The proposed opening hours of 7am to 1am are excessive. The increased traffic throughout these hours, and the increased noise late at night when customers and staff leave the premises, will be detrimental to the amenities of local residents and also to guests at the nearby bed and breakfast establishment. The permitted hours should be such that all patrons should have left the premises by midnight.

### **Proposal**

The application seeks permission for a number of alterations to this existing restaurant (former public house) as follows:

1. The formation of a raised ceramic tiled terraced area measuring approximately 9m x 9m that would infill a corner at the rear/side of the building. The terrace is raised above existing

external ground level by only approximately 0.5m in order to provide a level access from the rear doors of the building.

2. The formation of an illuminated vertical garden measuring 3m x 2m on the southern side elevation facing the car park; and a similar illuminated vertical garden but measuring 4m x 2m on the northern side elevation facing the access road to Acorn Lodge Stables and other properties.
3. Removal and replacement of existing timber screen fences at the rear of the building.
4. Reforming of existing ramp and steps at the rear of the building.
5. Replacement of existing window frames within their existing openings, with new hard wood framed double glazed units.
6. Repainting the exterior of the building involving the three colours of the yellow/creams, grey and terracotta.

### **Site Location**

The application relates to an existing restaurant (formerly the Royal Oak Public House) on the north side of Longsight Road, (A59) in Clayton-le-Dale. The building is situated immediately adjoining the pavement edge of the A59 at its junction with Showley Road. An access road to Acorn Lodge Stables and a number of other properties passes down the eastern side of the building. The Shajan restaurant is on the eastern side of this access road. The restaurant's car park adjoins the western side of the building. There are residential properties to the west of the car park and also residential properties and a bed and breakfast establishment on the opposite side of the A59 to the south.

The site is within the open countryside outside any settlement boundary.

### **Relevant History**

Although there have been numerous previous planning applications relating to this property, none are considered to be of any relevance to the consideration of this application.

### **Relevant Policies**

Policy G1 - Development Control.

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

The application relates to a scheme of external alterations and improvements to this established restaurant business. It does not include any proposed extensions to the building; does not involve any change of use; and there are no proposed alterations to the existing car park or its access on to the A59.

The relevant considerations relate to the effects of the proposed alterations on visual amenity, the amenities of nearby residents and highway safety.

I consider all of the proposed alterations to represent visual improvements on the existing appearance of the building.

Nearby residents have expressed concerns about increased noise nuisance, particularly having regard to the statement on the application forms that the intended closing time for the premises is 1am on all days. As the application, however, relates only to cosmetic changes to an existing authorised restaurant property, it would be considered unreasonable to impose any hours of use conditions on any planning permission.

However, running concurrently with this planning application, is an application for a premises licence. At the time of writing this report, I am aware that due to objections from nearby residents, a Hearing concerning the premises licence application is due to be held on 3 April 2012. Amongst other things, this Hearing will consider the proposed hours of opening. (Members will be advised orally at the Committee meeting of the outcome of the Hearing).

A specific potential cause of possible noise nuisance relates to the proposed raised patio area. This, however, only needs permission because of the operational development involved. It does not represent a change of use, and the area where it is to be formed could be used as an outdoor eating and drinking area without any further planning permission being necessary. This area is not particularly close to any residential property, but this element of the proposal could not, in any event, be refused because of any potential effects upon residential amenity. (The matter of outdoor eating and drinking will also, however, be discussed at the Hearing into the Premises Licence Application).

Therefore, the improvements and alterations to which this application specifically relates do not, in my opinion, have any detrimental effects upon the amenities of nearby residents in respect of potential noise nuisance. Also, I do not consider that any proposed additional lighting at the premises would be close enough to any of the adjoining residential properties to cause any nuisance sufficient to represent a sustainable reason for refusal of this application.

A concern has also been expressed by a nearby resident that the proposed vertical gardens, especially that on the eastern elevation would be a distraction to drivers to the detriment of highway safety. The County Surveyor, has expressed no objections to this or to any other aspect of the proposal on highway safety grounds.

Overall, I can therefore see no sustainable reasons for refusal of this application. as previously stated, however, the concerns of nearby residents relating to hours of use and possible noise nuisance will be properly and appropriately considered through the premises licence procedures.

#### SUMMARY OF REASONS FOR APPROVAL

The proposed development does 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 11/143/02b, 04, 05b and 06a.

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

APPLICATION NO: 3/2011/0919/P (GRID REF: SD 369025 452709)  
PROPOSED ESTABLISHMENT OF NEW SHEEP MILKING DAIRY AND ASSOCIATED  
CHEESE PROCESSING FACILITY AT LAYTHAMS FARM, BACK LANE, SLAIDBURN

PARISH COUNCIL:

The Parish Council puts forward the following points:

1. Has the pollution risk been fully assessed?
2. Should the planning application be successful, how many personnel are they planning to employ?
3. Is there a stipulation for the pressing plant to be stone-clad on all sides? If not, then the Parish Council wishes to make this recommendation.

ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR):

No objections to this proposal.

ENVIRONMENT  
DIRECTORATE  
(COUNTY  
ARCHAEOLOGIST):

Comments as follows:

“The 1<sup>st</sup> Edition OS1:10560 (Yorkshire Sheet 164) surveyed 1847 clearly shows the line of the Roman road from Ribchester to Tebay annotated as two parallel dotted lines to cross the proposal site. The outfall from the proposed septic tank will also cut across the line of the road.

Consequently there is a potential for the current proposals to encounter the below ground remains of the road. The County Archaeology Service therefore recommends that should the Local Planning Authority be minded to grant planning permission to this or any other scheme, an archaeological watching brief be undertaken during any ground works, and that such work be secured by means of an appropriate condition”.

LANCASHIRE COUNTY  
COUNCIL LAND AGENT:

Within a comprehensive consultation response, the County Council Land Agent makes the following comments:



- The proposed development is to erect two buildings to accommodate the applicant's new business venture which is that of a dairy flock of approximately 300 Friesland milking sheep along with a collecting yard, milking parlour, dairy and cheese processing/storage unit.
- It is my opinion that the proposal to milk sheep and process cheese at Lathams Farm could be successfully undertaken and therefore, I believe that the two buildings are needed for the purposes of agriculture upon the unit.
- The first of the two buildings will accommodate the livestock, dairy, parlour and collecting yard. This accommodation building is of a standard design with the materials suitable for the proposed use and therefore it is, in my opinion, appropriate for its intended use.
- With regards to the design of the cheese processing and storage unit, the building, in my opinion, appears appropriate for its intended use with the size being proportionate to the size of the flock, the volume of milk produced and the requirements for the storage of the produce.
- In respect of the siting of the building, I am of the opinion that the site is appropriate from an operational point of view given its proximity to the sheep handling facilities and existing agricultural building, therefore keeping the applicant's operations together. The proposed siting also benefits from good access, being adjacent to Back Lane.

LANCASHIRE LANDSCAPE  
ARCHITECT:

Within a comprehensive consultation response the County Landscape Architect makes the following comments:

“The scale and amount of proposed development, clustering of the proposed and existing buildings close to Back Lane and location within the visual envelope of Latham's Farm are appropriate for the area's Moorland Fringe landscape character. However, the elevations of the proposed main sheep housing/milking parlour building, which would be constructed extensively from concrete block, are far from ideal given that the local building vernacular is primarily gritstone. As a consequence, this relatively large building would have a 'utilitarian' appearance that detracted from the area's landscape character; a far from satisfactory outcome for a site in a nationally important landscape. In addition, economies

have been made with regard to the facing of the proposed cheese dairy which would only have stone cladding on the southern elevation. With these detail design issues in mind, I recommend that the applicant modify the proposed building elevations so that they include more stone cladding to reflect the area's gritstone building vernacular.

I recommend that the hardstanding area to the main buildings, particularly where it is visible from and connects to Back Lane, is surfaced with more attractive materials than the utilitarian concrete surface as proposed e.g. local gritstone or an exposed aggregate finish to the concrete.

The proposed mitigation planting is acceptable although I recommend that additional planting be located along the whole of the western boundary to further reduce impacts of the proposals on views from Back Lane.

Should these 'detail design' issues be addressed I consider that the likely landscape and visual impacts of the proposals would be deemed acceptable and the purposes of the ENVIRONMENT AGENCY designation would not be compromised."

UNITED UTILITIES: Has no objections to this proposed development.

ENVIRONMENT AGENCY: No observations received at the time of report preparation.

ADDITIONAL REPRESENTATIONS: None received.

### **Proposal**

The application relates to an agricultural diversification scheme involving the establishment of a new sheep milking dairy and associated cheese processing facility. The proposed development is to erect two buildings to accommodate a proposed dairy flock of approximately 300 milking sheep along with a collecting yard, milking parlour, dairy and cheese processing/storage unit.

The larger of the two buildings would contain the sheep pens, collecting yard, milking parlour and milk dairy. This building would have dimensions of approximately 36.5m x 24.5m with an eaves height of 4m and a ridge height of 7.7m. The walls up to approximately 1m (approximately 3m for part of the southern elevation) would be concrete block, with Yorkshire boarding to the walls above this height. The roof would be profiled fibre cement sheets.

The smaller building would house the cheese dairy. The main part of this building would measure approximately 14m x 8m, but a section measuring approximately 6m x 3m would project from the centre of its rear (north) elevation. This building would have an eaves height of 3m and a ridge height of 5.3m. The front (south) elevation of this building would be stone cladding and the other three elevations would be rough cast render. The roof would be profiled fibre cement sheets. The south facing roof slope would be almost entirely covered by an array of solar panels.

The buildings would be sited adjoining an existing sheep housing building and would utilise the vehicular access off Back Lane that presently serves that existing building. Six proposed car parking spaces are shown on the hard standing area between Back Lane and the proposed new sheep housing building.

The application also includes details of a proposed septic tank and a landscaping/screen planting scheme.

### **Site Location**

Laythams Farm is located 1.5km north west of Slaidburn village within the Forest of Bowland Area of Outstanding Natural Beauty. The farmhouse is on the east side of Back Lane whilst the existing sheep shed is on the west side approximately 170m to the south. The site is relatively open although there are a number of existing hedges and trees that would partially screen the development. The surrounding area has a number of large farm holdings with extensive agricultural buildings. There are no immediate neighbours to the site of the proposed buildings other than Laythams Farm itself. The nearest residential properties are at Burn House approximately 1km to the north west.

### **Relevant History**

Although there are a number of previous planning applications relating to this farm, none are considered to be of any relevance to the consideration of this application that relates to an agricultural diversification scheme.

### **Relevant Policies**

Policy G1 - Development Control.  
Policy G5 - Settlement Strategy.  
Policy ENV1 - Area of Outstanding Natural Beauty.  
Policy ENV7 - Species Protection.  
Policy ENV13 - Landscape Protection.  
Policy EMP12 - Agricultural Diversification.

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

Policy EMP12 of the Local Plan states that 'proposals for agricultural diversifications will be approved, subject to other policies within the Local Plan and provided they are appropriate in both scale and character to the rural areas of Ribble Valley and do not compromise its natural beauty'.

This proposal represents an extension/diversification of the applicant's existing sheep farming business; and a business plan submitted with the application demonstrates its economic viability. The County Land Agent considers that the proposal to milk sheep and process cheese could be successfully undertaken at this farm.

Policy G5 of the Local Plan specifies the types of development that are acceptable in open countryside locations including small scale developments that are:

1. essential to the local economy or the social wellbeing of the area.
2. needed for the purposes of agriculture or forestry.

As previously stated, this is an agricultural diversion scheme that, in my opinion, can be described as a small-scale development. The main sheep building is for agricultural use with the cheese processing building being an added value farm diversification. As a result of the proposal, there would be 2.5 new posts created for local people.

The proposal, in my opinion, complies with Policies G5 of the Local Plan.

The main issue in the consideration of this application therefore relates to its effects upon the appearance and character of the Forest of Bowland Area of Outstanding Natural Beauty.

The County Landscape Architect considers the scale and amount of the development, and the proposed location adjoining the existing building close to Back Lane to be appropriate for the area's Moorland Fringe landscape character. He considers, however, that the buildings should include more stone cladding than shown on the proposed plans. He also expresses concerns about the proposed concrete surface for the hardstanding areas, and suggests that additional planting is required.

In response to these points, the applicant's agent comments as follows:

- The project is for a sheep shed and associated dairy and costs are a major factor. They have already proposed to clad the roadside elevation of the dairy building as this is the main view, but to require the entire building to be clad in stone would significantly increase costs and possibly make the whole project uneconomic.
- This is a working farm where sheep, muck and feed will be tracked around the buildings. A concrete surface is a requirement in order that areas can be kept clean, and dirty water surface run-off can be captured and safely disposed of. A chip surface would not allow this.
- They would be happy to plant additional trees on the western side of the site although these would need to be planted to the west of the farm track so as not to impact upon access to the existing sheep shed.

As the proposal involves the retention/planting of a hedge on the site frontage and also extensive landscape planting along the northern boundary of the site, I consider that the concrete surface would have minimal impact upon the appearance of the locality. As such, and in view of the operational/pollution prevention reasons for this particular surface, I consider this element of the proposal to be acceptable.

With regards to the County Landscape Architect's requirement for more stone cladding, I consider it appropriate to require the south elevation of the sheep housing building and the south and east elevations of the cheese dairy building to be given this external finish. This will be covered by a condition.

The requirement for additional planting can also be covered by an appropriate condition.

Subject to agreement on these matters through the discharge of conditions, I do not consider that the proposal would have any seriously detrimental effects upon the appearance of the AONB.

There are no nearby residents to be in any way adversely affected by the proposal and no highway safety issues. Subject to appropriate conditions, I therefore consider this proposed agricultural diversification scheme to be acceptable.

## SUMMARY OF REASONS FOR APPROVAL

The proposed development represents an agricultural diversion scheme that would not have any seriously detrimental effects upon the appearance and character of the Forest of Bowland Area of Outstanding Natural Beauty, the amenities of any nearby residents or highway safety.

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

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

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

2. This permission shall relate to the proposal as shown on drawing numbers LSD/ELEV/ELEV2 and SP (as amended by condition 3 of this planning permission).

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

3. Notwithstanding the details shown on the submitted plans, the south and east elevations of the cheese dairy building and the lower walls of the south elevation of the sheep housing building, shall have an external finish of stone cladding.

REASON: In order to protect the appearance and character of the Forest of Bowland Area of Outstanding Natural Beauty in accordance with the requirements of Policy ENV1 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 to protect the appearance and character of the Forest of Bowland Area of Outstanding Natural Beauty in accordance with the requirements of Policy ENV1 of the Ribble Valley Districtwide Local Plan.

5. Whilst the landscaping and hedgerow planting details shown on drawing number LSD/SP are acceptable, no development shall commence until further details/plans have been submitted to and approved in writing by the Local Planning Authority as follows:

- A plan showing additional screen planting on or close to the western boundary of the site.
- A schedule showing the numbers of each species to be planted, their spacings, and their size when planted.

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 order to protect the appearance and character of the Forest of Bowland Area of Outstanding Natural Beauty in accordance with the requirements of Policy ENV1 of the Ribble Valley Districtwide Local Plan.

6. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigations, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site and to comply with Policy ENV14 of the Ribble Valley Districtwide Local Plan.

7. Prior to the first use of the dairy building hereby permitted, a scheme for the disposal of foul and surface waters shall have been installed in accordance with precise details that have first been submitted to and approved in writing by the Local Planning Authority.

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

8. Prior to their installation on the building, precise details of the colour of the solar panels, including their surrounds shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the panels and their surrounds do not form an incongruous feature that would be detrimental to the appearance of the AONB and to comply with Policy ENV1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2011/0928/P (GRID REF: SD 360572 437307)  
ADVERTISEMENT CONSENT APPLICATION FOR THE INSTALLATION OF 3NO LTSB  
ILLUMINATED A1 MARKETING UNITS FITTED INTERNALLY TO THE FRONT AND SIDE  
ELEVATIONS AND THE INSTALLATION OF AN ILLUMINATED ATM TABLET ABOVE THE  
EXISTING CASH MACHINE AT LLOYDS TSB, 4 BERRY LANE, LONGRIDGE

TOWN COUNCIL: No objections to the proposed internally fitted illuminated marketing units, but objects to the externally fitted illuminated ATM tablet above the cash machine on the grounds that it is not compatible with the Conservation Area status of the property's location.

ADDITIONAL REPRESENTATIONS: None received.

**Proposal**

The application seeks advertisement consent for the following:

1. Three A1 size illuminated marketing units fitted internally approximately 150mm back from the external glazing. Two are behind windows in the side elevation facing Hodder Street with the third in the front elevation facing Berry Lane.
2. An internally illuminated 0.9m x 0.35m ATM tablet fitted above the cash machine on the front elevation facing Berry Lane. This will contain the words 'Lloyds TSB Cash Point Free Cash Withdrawal' in white letters on a green background.

### **Site Location**

The application relates to the existing Lloyds TSB branch on the north side of Berry Lane with a side elevation to Hodder Street.

The site is within Longridge Conservation Area.

### **Relevant History**

None.

### **Relevant Policies**

Policy G1 - Development Control.

Policy ENV16 - Development Within Conservation Areas.

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

The only consideration in the determination of this application relates to the effects of the proposed signs on the appearance of the building itself and the Conservation Area in general.

As this is a modern building that is of no particular historic or architectural interest, I do not consider that any of the signs will have a detrimental effect on the appearance of the building itself.

The three marketing units due to their position inside the windows, do not, in my opinion, have any material effects upon visual amenity. I note the objection of the Town Council to the proposed illuminated tablet to be fitted above the cash machine. The cash machine, however, is fitted into a recess in the front elevation of the building, and the proposed tablet is relatively small and at a relatively low height. As such, I do not consider that it would have any seriously detrimental effects upon the appearance or character of the Conservation Area. I would also comment that it is typical of similar signs found above ATMs on banks, including others within Conservation Areas. I therefore consider all the signs that are the subject of this application to be acceptable.

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

The proposed signs would not have any seriously detrimental effects upon the appearance or character of the Conservation Area.

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

1. This consent shall relate to the proposed advertisement signs as shown on drawing numbers D9543-401/A and D9543-004/A.

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

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 and S14 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 1992.

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 1992.

5. 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: 3/2011/0976/P AND 3/2011/0977/P (GRID REF: SD 360624 437184)  
FULL PLANNING APPLICATION FOR CONVERSION OF FORMER PUBLIC HOUSE INTO TWO DWELLINGS AND DEMOLITION OF THE REAR TOILET BLOCK TO CREATE A TERRACE, AND CONVERSION OF DETACHED STRUCTURE INTO A GARAGE (3/2011/0976/P) AND CONSERVATION AREA CONSENT APPLICATION FOR THE DEMOLITION OF REAR TOILET BLOCK TO CREATE A TERRACE AND THE CONVERSION OF DETACHED STRUCTURE INTO A GARAGE (3/2011/0977/P) AT THE WEAVERS ARMS PUBLIC HOUSE, MARKET PLACE, LONGRIDGE



TOWN COUNCIL:

In relation to application 3/2011/0976/P the Town Council resolved that it has **no objection** to this application on the basis that the development is sensitive to its location within the Conservation Area, and there is full consultation with neighbours. The Town Council highlights that this location is frequently under pressure from on-street parking, and while the development includes the provision of a garage, if possible, it should be a condition that it is utilised for vehicles and not exclusively for storage.

In relation to application 3/2011/0977/P, the Town Council resolved that it has **no objection** on the basis that the development is sensitive to its location within the Conservation Area, and there is full consultation with neighbours.

ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR):

Has no objections to this proposal on the basis that a residential conversion is likely to generate less traffic and parking activity than the previous use of the building as a public house.

UNITED UTILITIES:

Has no objections to the proposed development.

ADDITIONAL  
REPRESENTATIONS:

A letter has been received from the owner/occupier of a dwelling in Fleming Square at the rear of the site who expresses concerns that the proposed terrace would directly overlook the front of her property with the potential to invade her privacy.

Letters have been received from both the owner of an immediately adjoining property and the proprietor of the fish and chip shop business that presently operates from that property. The following concerns and objections are raised in the letters:

1. The submitted plans appear to show the retention of an existing fire escape staircase. They objected to that staircase when it was originally proposed, and they claim that it encroaches onto their property. This staircase now appears to be redundant but, if any rear access to the dwellings are required, it should be from within their own boundary and the fire escape staircase should be removed.
2. The existing fish and chip shop business relies heavily on passing trade. The provision of insufficient parking for the two dwellings will therefore result in more on-street parking in an already congested area. This will restrict even further any parking for customers of (not only this business) but also other businesses on Market Place.

## **Proposal**

3/2011/0976/P seeks planning permission for the conversion of a presently vacant and “boarded-up” public house into two dwellings. The proposal is to divide the property internally by using the original party wall prior to the original conversion of the property into a public house. This results in the provision of a larger unit including a cellar, the usual living accommodation on the ground floor and three bedrooms at first floor level; and a smaller unit comprising the usual living accommodation on the ground floor, a bedroom and bathroom on the first floor, and two small bedrooms and a shower room at second floor level.

As part of the conversion scheme, the existing public house toilet accommodation at the rear of the building would be demolished. This is part of the ground floor of the public house, but, due to changes in external ground level, it is raised up above the level of Fleming Square at the rear of the site. The lower part of the structure is proposed to be retained in order to provide a rear terrace for the larger of the two proposed units.

On the opposite side of Fleming Square from the rear elevation of the former public house, there is a piece of land that is also in the same ownership. On the front part of this land there is a now partially demolished building that, in the past, has been used for storage purposes in association with the public house. Planning permission is sought for the rebuilding of this building to form a detached garage.

Application 23/2011/0977/P seeks conservation area consent for the demolition of the toilet accommodation and for the rebuilding/conversion of the detached structure.

## **Site Location**

The (now closed) public house is on the east side of Market Place, Longridge, within an area comprising a mixture of commercial and residential properties. To the rear of the public house is Fleming Square, a small residential cul-de-sac. There is an area of land and a partially demolished building belonging to the public house on the east side of Fleming Square.

The site is within the Longridge Conservation Area.

## **Relevant History**

3/1997/0214/P – Demolition of existing store and formation of beer garden to rear of existing public house. Refused.

3/2007/0804/P – Proposed external fire escape. Approved subject to conditions.

3/2007/1051/P – Proposed external rear access, stair and doorway. Approved.

## **Relevant Policies**

Policy G1 - Development Control.

Policy ENV16 - Development Within Conservation Areas.

Policy EMP11 - Loss of Employment Land.

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

The matters for consideration in the determination of these applications relate to the principle of the proposed change of use and the effects of both the change of use and the physical developments upon visual amenity, the amenities of nearby residents and highway safety.

### **The Principle of the Proposed change of Use**

The site of this proposed conversion scheme to provide two dwellings is within the settlement boundary of Longridge 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 complies with the Council's Settlement Strategy Policy G2. As the application relates to the provision of just two dwellings on a site within the settlement boundary of Clitheroe, the Council's housing policy as defined in the document 'Addressing Housing Needs in Ribble Valley' does not require either of the proposed dwellings to be affordable.

In relation to these policies, the proposal is therefore acceptable in principle. Policy EMP11 of the Local Plan, however, also needs to be considered.

Policy EMP11 states that proposals for the conversion or redevelopment of industrial or employment generating sites will be assessed with regard to the following criteria:

1. The provisions of Policy G1.
2. The compatibility of the proposal with other policies of this plan.
3. The environmental benefit to be gained by the community.
4. The potential economic and social damage caused by the loss of jobs in the community.
5. Any attempts that have been made to secure alternative employment generating use of the site.

In response to those criteria, the proposed conversion of this former public house into two dwellings, in my opinion, does satisfy the general development control requirements of Policy G1. As stated above, the proposal is in accordance with the advice contained in PPS3: Housing and the requirements of saved policy G2 of the Local Plan.

This former public house is in very close proximity to residential properties. In recent years, in attempts to remain a viable business, events such as live music were held in the public house. This caused problems with noise nuisance to nearby residents, especially those in Fleming Square at the rear of the site, resulting in numerous complaints to the Council by neighbours. The business, however, was still not viable and the premises are presently closed, boarded up and deteriorating in appearance and condition. No existing jobs would therefore be lost if permission was granted in respect of these applications. There would also be environmental benefits to nearby residents, and to the locality in general as the building would again be used and properly maintained. For these reasons, it is considered that the proposal does not contravene the general intentions of Policy EMP11.

Overall, I consider the proposed development to be acceptable in principle.

### Visual Amenity

The front elevation of the property is of coarsed stone and contains a door and three windows at ground floor level and three windows at first floor level, all within stone surrounds. The only alteration to the front elevation involves the conversion of one of the ground floor windows into a door to serve one of the residential units, with the existing door serving the other unit. The stone surrounds would be retained. I do not consider that this alteration would have any detrimental effects upon the appearance or character of the Conservation Area.

At the rear of the site, Fleming Square comprises modern terraced houses and the rear elevations of the properties in Market Place are of a variety of materials and contain relatively modern extensions and features such as fire escape staircases and steel extraction flues. This is not one of the most attractive parts of the Conservation Area.

The toilet accommodation that would be demolished has a rendered finish and is of no particular architectural merit. As part of the proposal to create a rear terrace, the existing stainless steel external staircase would also be removed. I do not consider that this element of the application would have any detrimental effects upon the appearance of the Conservation Area.

The former outbuilding presently comprises the majority of its stone walls but with no roof or doors. The proposal involves completing the walls in matching stone, constructing a natural slate roof and fitting hardwood timber doors to the front elevation. Again, I consider that this element of the proposal would not be detrimental to the appearance or character of the Conservation Area.

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

### Amenities of Nearby Residents

Firstly, the replacement of the existing public house with two dwellings would, of course, take away the potential nuisance to neighbours in the form of noise and general activity, especially late at night. In my opinion, this would represent a significant improvement in the amenities of nearby residents, especially those in Fleming Square.

The proposed rear terrace does look towards the properties in Fleming Square but it does not directly face any windows in any of the dwellings. When considered against the benefits of removing the nuisances associated with the public house, I consider this element of the proposal to be acceptable with regards to its effects upon the privacy and general residential amenities of nearby residents.

### Highway Safety

The County Surveyor has expressed no objections on highway safety grounds on the basis that the conversion is likely to generate less traffic and parking activity than the previous use of the building as a public house. The only means of providing any off-street parking is to provide a garage as proposed on the site of the former storage building. In line with the suggestion of the Town Council, I consider it appropriate to impose a condition requiring this garage to be kept permanently available for the garaging of cars rather than for any other uses such as domestic storage. Overall, I consider that the parking requirements of the proposed development will be less than that generated by a fully operational public house. I do not therefore consider there to

be any sustainable reason for refusal of the proposal that relates to highway safety or parking issues.

Overall I can see no sustainable objections to either of these applications.

#### SUMMARY OF REASONS FOR APPROVAL (3/2011/0976/P)

The proposed conversion of the former public house into two dwellings is acceptable in principle and would not have any seriously detrimental effects upon visual amenity, including the appearance and character of the Conservation Area, the amenities of nearby residents or highway safety.

#### SUMMARY OF REASONS FOR APPROVAL (3/2011/0977/P)

The proposed demolition of the toilet block and the conversion of the existing storage building into a garage would have no detrimental effects upon the appearance and character of the Longridge Conservation Area.

RECOMMENDATION 1 (3/2011/0976/P): 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 no's 11-025/1100REVA and 1101REVA.

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

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

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

4. Prior to the first occupation of either of the two dwellings hereby permitted, the existing outbuildings shall have been converted into a garage in accordance with the submitted plans. Thereafter, this garage shall be retained permanently available for the garaging of cars in association with one of the dwellings; and shall not be used for any other purposes, such as domestic storage, that would preclude its use for the garaging of cars.

REASON: In order to limit the amount of on-street parking in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 (or any Order revoking or re-enacting that Order, any future extensions, external alterations to the building, including any

development within the curtilage as defined in the Schedule to the Order, Part 1, Classes A to H shall not be carried out unless a further planning permission has first been granted in respect thereof.

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

6. Prior to the first occupation of either of the dwellings hereby permitted, the existing external steel staircase shall be demolished and removed from the site.

REASON: To comply with the terms of the application and in the interests of visual amenity in accordance with the requirements of Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan.

RECOMMENDATION 2 (3/2011/0977/P): That conservation area consent be GRANTED subject to the following condition(s):

1. This Consent shall relate to the demolition works and conversion of the existing building as shown on drawing no's 11-025/1100REVA and 1101REVA.

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

2. Prior to demolition works the applicant shall submit a programme of working in relation to the proposed demolition which shall include details of the maintenance of the site following the demolition.

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

APPLICATION NO: 3/2011/0981/P (GRID REF: SD 374711, 442245)  
PROPOSED SINGLE STOREY REAR EXTENSION TO INCREASE RECEPTION AREAS AT  
KENDAL HOUSE CLINIC, 24 CHATBURN ROAD, CLITHEROE

TOWN COUNCIL: No objections.

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

UNITED UTILITIES: No objections.

ADDITIONAL  
REPRESENTATIONS: One letter has been received from the adjoining neighbour, who raises the following points of concern:

- Overlooking issues.
- Lack of parking will cause further congestion.
- Questions its capability for disabled access.
- Questions whether the extension could accommodate wheelchairs, pushchairs and patients files due to the limited size.

Please note; due to an address point not being available on the Council's mapping system, a neighbouring property, not initially identified, has been consulted at a later date. Any representations received from this property will thus be reported verbally at the meeting.

### **Proposal**

The application is for a single storey lean-to extension at the rear of the property to increase reception areas at the clinic. The proposal is 3.2m long by 2.3m wide and will be 2.2m high to the eaves and 3.4m at the highest point. Materials will consist of stone walls and a glass roof.

In March 2006 Members approved an identical extension, planning application 3/2006/0101/P, which has expired.

### **Site Location**

The site is an end terrace commercial property, used as an Osteopath clinic, stone built with a slate roof, which is situated on Chatburn Road at the corner of Kendal Street. The area is primarily residential, although another business operates at the rear of the property.

### **Relevant History**

3/2006/0101 – Proposed single storey rear extension to increase reception areas. Approved with Conditions.

3/1993/0686 – Display of two non-illuminated fascia signs. Approved with Conditions.

3/1993/0144 – Change of use of part of house to osteopath clinic. Approved with Conditions.

### **Relevant Policies**

Policy G1 – Development Control

Policy EMP7 Extensions and Expansions to Existing Firms

Policy H10 – Residential Extensions (in part)

Policy SPG – “Extensions and Alterations to Dwellings” (in part)

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

The main matters for consideration include visual amenity, residential amenity, and highway safety.

Visually, the extension would appear as a subservient addition to the main property due to its scale, design and materials and is thus acceptable.

With regards neighbouring amenity, I accept that some loss of light would occur, however, the proposal complies with the BRE guidelines contained within the SPG on extensions and alterations to dwellings and thus the proposal is acceptable in this regard. In relation to overlooking, there are to be no windows in the side elevation nearest to the neighbour and thus direct overlooking would not occur. Whilst a glass roof is proposed, given the glazing is higher than the average person, I am satisfied that no overlooking would occur. I recognise that the extension would be built up to the shared boundary filling a current open space overlooked by the neighbours and that the extension would be used as a secondary entrance, however, I do not consider that the impact on the neighbours to be so detrimental as to recommend refusal of the application.

With regards the issue of highway safety, the proposal would not specifically lead to more staff working at the clinic or more clients, as a result the Highway Engineer from Lancashire County Council has no objections to the proposed extension.

With regards the issue of whether the extension could be used by customers in wheelchairs, this would be dealt with under separate Building Control legislation, and is not a planning consideration.

Overall, it is considered that the development would be of no significant detriment to the neighbours and would not harm the visual amenities of the locality. Furthermore, the proposal would support the continued operation of an established business, therefore complying with Policy EMP7 of the Plan.

#### 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 conditions:

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

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

2. The permission shall relate to the development as shown on the amended plans, received on the 28 March 2012, drawing numbers 1A and 2A.

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

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



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

APPLICATION NO: 3/2011/1040/P (GRID REF: SD 360604 437396)  
PROPOSED INSTALLATION OF THREE VODAFONE DUAL BAND ANTENNAS SET WITHIN EXISTING CHURCH TOWER BEHIND REPLACEMENT REPLICA GRP LOUVRES AND ASSOCIATED EQUIPMENT CABINET AND ANCILLARY WORKS AT CHURCH OF ST LAWRENCE WITH ST PAUL, CHURCH STREET, LONGRIDGE

TOWN COUNCIL: Object to the development on grounds that there appears to be no basis for change from the views expressed in a previous response to an application in 2004. The Council believed then and continue to believe now that potential harm to health to such installations is not properly understood particularly with regard to the close proximity of church users, primary school and local residents.

ADDITIONAL REPRESENTATIONS: 11 letters of objection have been received as well as petition with 114 signatures. The petition expresses concern that the mast is unacceptable due to its close proximity to schools, pre-schools and childcare centres, a library and toddler groups and as such they strongly object. The issues raised in the letters of objection concern the following:

- Health issues as a result of the proposed mast which is significantly important due to its close proximity to schools and the church in which many children use the facilities.
- Possibility of damage to wildlife, in particular roosting birds and any nesting birds that use the tower.
- The visual impact on the listed building, in particular with the use of plastic louvres.
- Possible noise impact caused by the development.
- There are enough masts in the vicinity and suggest that more appropriate to share existing facilities.
- The question has also been raised regarding whether or not the applicant has fully complied with the code of practice in relation to consultation procedures.

### **Proposal**

This proposal is detailed consent for three dual band antennas set within the existing church tower which will also involve the replacement of the existing louvres with GRP louvres. It is also a proposal for cabinets and ancillary works which will be located within the tower. Originally the proposal was also for one external dual band antenna but this has now been deleted from the scheme.

### **Site Location**

The church is a grade II listed building within the Longridge Conservation Area at the end of Church Street. The western church tower attains a height of 21m with the antennas located at approximately 18m. The locality is predominantly residential and retail and has various commercial properties.

### **Relevant History**

3/20041159 – installation of six panels within the church tower and two equipments located internally within the church tower. Approved with conditions.

### **Relevant Policies**

Policy G1 - Development Control.  
Policy ENV16 - Development Within Conservation Areas.  
Policy ENV19 - Listed Buildings.  
Policy ENV23 - Telecommunications.  
NPPF.

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

The main issues to be considered within the determination of this application relate to the visual impact of the proposal and its impact on the listed building. In relation to consideration of other sites, this has not been explored on the basis that a previous approval in 2004 indicated acceptance of such a scheme. In relation to the impact on the listed building, the Design and Conservation Officer is satisfied that this is a minimum impact and that the replacement louvres have limited visual impact due to the fact they are sited at a considerable height. The external mast has been deleted from the scheme which now makes the scheme acceptable.

It is evident from the concerns of the residents that two issues which have been expressed relate to the visual impact and the effect the proposal would have on the listed building and possible wildlife issues relating to nesting birds and health issues. Concern is also expressed regarding health issues.

In relation to the listed building issues, I am satisfied that on the basis of the amended plan, that there is only a limited impact on the listed building. Paragraph 129 of NPPF advises that any proposal should assess the impact it would have on heritage assets and seek to minimise the conflict. I am satisfied that given the limited impact, this is the case in this instance. In relation to nesting bird issues, a detailed survey has now been completed which is a bat and bird inspection survey reported January 2012. The Council's Countryside Officer is satisfied that the report is comprehensive and that subject to the imposition of a planning condition, would have no objection to the scheme. Finally, in relation to health issues, the applicant has submitted the relevant declaration stating that the proposal complies with the requirement of the range of frequency public exposure guidelines. I am fully aware of the ongoing concerns but on the basis that it complies with the relevant legislation and guidelines, it would be difficult to resist the application on health grounds. Some Members may recall this issue being discussed in the previous application in 2004 when Committee accepted this stance and accord with the previous application was approved. I see little difference to justify any different decision.

## SUMMARY OF REASONS FOR APPROVAL

The proposal represents an appropriate form of development given its design, size and location and would result in the visual detriment to the surrounding area or listed building, nor would it have an adverse impact on residential amenity.

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 consent shall relate to amended plans received on 16 February 2012, reference 200/7, 300/7, 601/7, 600/7 and 603/7.

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

3. Any works shall be carried out taking into account the bird breeding season – February to end of August, any birds found to be nesting within or on the outside of the church tower during any stage of the work shall not be disturbed, removed or harmed. If any nesting bird is so disturbed during the development, work shall cease until further advice has been sought from a licensed ecologist/RSPB/Swift Conservation representative.

REASON: To protect the bird population from damaging activities and reduce or remove the impact of development.

To ensure there are no adverse effects on the favourable status of a bird population before and during the proposed development.

APPLICATION NO: 3/2011/1050/P (GRID REF: SD 368356 431564)  
RESERVED MATTERS APPLICATION FOR THE DESIGN AND EXTERNAL APPEARANCE OF BUILDING, LANDSCAPE, BOUNDARY AND PARKING, FOLLOWING OUTLINE CONSENT FOR THE ERECTION OF TWO DETACHED DWELLINGS (3/2011/0406/P) ON LAND AT WAVERLEY ROAD, RAMSGREAVE

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

LCC ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No objection to this application on highway safety grounds, subject to a condition being added regarding the parking areas and access track being appropriately paved.

**ADDITIONAL  
REPRESENTATIONS:**

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

1. Concerns regarding any additional parking issues that may arise if this is granted, specifically through people parking on the road outside the houses when visiting.
2. As holders of Blue Badge parking cards, we need to park near to our house, and if more cars are parked on the road, this could potentially be an issue.
3. Waverley Road could become blocked by additional vehicles parking and trying to turn around, more so when construction vehicles are there during the erection of the houses, if they are approved.
4. Additional traffic may cause safety implications for children that live and play on Waverley Road.
5. There are issues regarding the ground being unstable.
6. The outline application was granted on the proviso that the dwelling would be 1.5 storeys, the dwellings shown are two storey properties (albeit with the height restriction adhered to).
7. Additional parking on Waverley Road may hinder access down the access track which must be kept free at all times.
8. The access to the properties on the rear of Ramsgrave Road should not be prejudiced and shall allow access unconditional at all times for safety purposes.

**Proposal**

This is a reserved matters application for the erection of two detached dwellings on land off Waverley Road, Ramsgrave. The reserved matters for which approval is sought are 'Appearance', 'Landscaping' and 'Layout'. The details of 'Access' and 'Scale' were approved via Outline Application number 3/2011/0406/P. The existing right of way across the application site that provides vehicular access to the rear of properties on Ramsgrave Road is still maintained, with the access being utilised to provide vehicular access to the parking areas of the two properties proposed.

**Site Location**

The site is on the east side of Waverley Road, and is partly occupied by lock-up garages but is otherwise vacant. The northern boundary of the site adjoins a vehicular access that separates the site from no. 5 Waverley Road. The western boundary is Waverley Road, whilst the southern boundary adjoins the rear of 20 and 22 Ramsgrave Road. The eastern boundary adjoins the garden of no. 20 Ramsgrave Road and the neighbouring garage site.

**Relevant History**

3/2011/0406/P – Outline Application for the erection of two detached dwellings – Granted Conditionally.

3/1982/0311/P – Renewal of outline planning permission for the erection of one detached dwelling on plot 2 on land at the rear of 22 Ramsgreave Road, Ramsgreave – Granted.

3/1982/0310/P - Renewal of outline planning permission for the erection of one detached dwelling on plot 1 on land at the rear of 22 Ramsgreave Road, Ramsgreave – Granted.

3/1979/0890/P – Erect one dwelling on Plot 2 – Granted.

3/1979/0889/P – Erect one dwelling on Plot 1 – Granted.

3/1978/1006/P – Two detached bungalows – Refused.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G2 – Settlement Strategy.

Policy T7 – Parking Provision.

SPG – “Extensions and Alterations to Dwellings”.

Policy L4 of the Regional Spatial Strategy (RSS).

Addressing Housing Need in Ribble Valley.

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

This is a reserved matters application for the erection of two detached dwellings on land off Waverley Road, Ramsgreave. The reserved matters for which approval is sought are ‘Appearance’, ‘Landscaping’ and ‘Layout’. The details of ‘Access’ and ‘Scale’ were approved via Outline Application number 3/2011/0406/P.

The principle of developing this site for two dwellings is acceptable in principle, and as such the matters for consideration in the determination of this application therefore involve an assessment of the visual appearance of the development, the landscaping details proposed and whether the proposed layout will have any potential impacts on either the amenities of nearby residents or on parking arrangements. 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.

#### **VISUAL IMPACT/APPEARANCE/LAYOUT**

The layout of the two sites will be as per the plans originally submitted with the outline application with the existing vehicular access/right of way through the site retained and parking/access for the two properties available off it. There will be space for two cars per dwelling. The dwellings themselves will be sited to face onto Waverley Road, and will have distances of 20.5m and 22.5m between them and the properties opposite. The layout proposed is therefore considered acceptable.

With regards to the appearance of the properties, the properties will have slate roofs and will be rendered walls with stone quoins above a natural stone plinth. The vast majority of properties nearby are rendered, and as such I have no objection to the materials proposed. The rear garden areas will be portioned off via the use of a close-boarded timber fence, with the area to the front of the buildings being utilised for the parking areas. The overall height of the two properties is slightly lower than the maximum ridge height proposed under the outline application (6.9m), one being 6.5m and the other being 6.4m in height. Following discussions

with the Agent, the design of the dwellings have been altered by virtue of the lowering of the eaves height and the introduction of dormer style windows in the front elevation, creating the appearance of 1.5 storey properties as opposed to the 2 storey properties originally submitted. This design better reflects the properties surrounding the development site and enables the scheme to sit more comfortably within the streetscene.

#### IMPACT ON RESIDENTIAL AMENITY

Neither of the properties contain windows that overlook the gardens of neighbouring properties, and as such given the spacing distances already discussed within this report, and that the Agent has expressed the view that there will be no habitable room windows in the north or south elevations of the new properties, I do not consider that the development will be likely to cause a loss of privacy to the occupiers of adjacent properties.

#### ACCESS

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 two new dwellings are considered satisfactory to accommodate the anticipated movements and level of vehicular activity associated with two three-bedroom properties. There is still concern relating to the accessibility of the right of way between the two dwellings, however this will remain a legal matter between the Applicant and those interested parties, and are not something that the planning department can legally control.

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 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 Reference No's 4187-1B, 4187-2A and 4187-3A.

**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 15 February 2012.

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

4. Precise specifications and samples of walling and roofing materials, details of any window and door surrounds, including materials to be used for the windows and doors, 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. The parking area for each of the two dwellings and the existing access track between the parking areas shall be appropriately paved in tarmacadam, concrete, block pavements, or other appropriate materials, prior to the occupation of the two properties. Details of the material to be used shall be submitted and approved in writing by the Local Planning Authority prior to its use.

REASON: To prevent loose surface material from being carried onto the public highway thus causing a potential source of danger to other road users in accordance 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 revoking, amending or re-enacting that Order) any future extensions and/or alterations to the dwellings, any development within the curtilage or the erection of any fences/walls/gates as defined in Schedule 2 Part 1 Classes A to H, and Part II Class A, shall not be carried out without the formal written consent of the Local Planning Authority.

REASON: In order that the Local Planning Authority shall retain effective control over the development in accordance with Policies G1 of the Ribble Valley Districtwide Local Plan and in the interests of safeguarding any adjacent residential amenity or visual amenity.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking, amending or re-enacting that Order) the dwellings 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 of the Ribble Valley Districtwide Local Plan.

8. Prior to the commencement of the building development, full details of the proposed fencing to be used shall be submitted to and agreed in writing with the Local Planning Authority prior to its erection.

REASON: In the interests of visual amenity.

## 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. 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: 3/2012/0002/P (GRID REF: SD 375184 438076)  
 PROPOSED REPLACEMENT DWELLING AT PEPPER HILL, WISWELL, LANCASHIRE, BB7 9BZ.

WISWELL PARISH  
 COUNCIL:

The following points were noted by the Council:

1. The Councillors welcome the one and a half storey design which is in keeping with the adjacent properties of The Eaves and Kemple View, but object to the gables on the north elevation (plan 4206-04) facing Pendleton Road which are an obstructive feature and will have a detrimental impact on the street scene.
2. In addition, the Councillors request that the exact level of the finished ground floor is clarified before the application is determined and a condition is included to the level is linked to the spot height and contour shown on the north elevation (plan 4206-04).
3. The Councillors also wish to point out the inaccuracy of the elevations on the plans with regards to true north.

LCC ENVIRONMENT  
 DIRECTORATE  
 (COUNTY SURVEYOR):

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

UNITED UTILITIES:

No objections to the proposed development.

ADDITIONAL  
 REPRESENTATIONS:

One letter has been received from the occupiers of a neighbouring property, and the following points of objection have been raised with regards to the submitted scheme:

1. The site is elevated above road level so any increase in height of the building will be emphasised.
2. The dwelling is the only one on the North side of Pendleton Rd, with all those on the South side no more than single storey.



3. Despite the D&A stating the majority of the new dwelling will be on the footprint of the existing dwelling, the gable will extend some 3m to the south, a 25% increase in the footprint.
4. The proposed increase in height is 1.5m above the existing ridge, a fact exacerbated by this southern extension to the rear of the building.
5. Despite the above comments, the objector does consider that the appearance of the building (in stone) will be a visual improvement.

### **Proposal**

This application seeks permission for the demolition of the existing dwelling known as Pepper Hill, Wiswell, and the erection of a replacement dwelling. The existing dwelling is a single storey bungalow finished with render with a slate roof. The scheme does not include alterations to the existing vehicular access.

### **Site Location**

The site is located approximately 90m northeast of the village settlement boundary of Wiswell, and lies just within the Forest of Bowland AONB boundary. The boundary line for the AONB is Pendleton Road. This property sits opposite the Wiswell Kennels and Cattery site on Pendleton Road.

### **Relevant History**

3/1998/0329/P – Retain stables, store, ménage and lighting column for personal use (Retrospective Application) – Granted Conditionally.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G5 – Settlement Strategy.

Policy ENV1 – Area of Outstanding Natural Beauty.

Policy H14 – Rebuilding/Replacement Dwellings – Outside Settlements.

SPG – “Extensions and Alterations to Dwellings”.

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

The matters for consideration in the determination of this application involve an assessment of the application in relation to the currently applicable planning policies, and the potential effects on visual and residential amenity.

#### **PRINCIPLE OF THE DEVELOPMENT**

The principle of a replacement dwelling is in accordance with Policy H14 of the Districtwide Local Plan, subject to the proviso that careful consideration is given to the design and use of materials. It also advises that significant additional increases in the size of the property will not be permitted. Given the location of the site within the Forest of Bowland AONB, it is also important to have regard to the provisions of Local Policy ENV1, which notes that ‘Design,

materials, scale, massing and landscaping will be important factors in deciding planning applications.'

The existing dwelling on site has an approximate footprint of 19m x 8.8m, with a number of single storey additions to the rear. The ridge height is approximately 5m from immediate ground level, however this depends on where you take the measurement from as the site sits well above the road level. Plan number 4206-06 gives a clearer indication of the changes in height from the existing dwelling to the proposed in relation to the adjacent highway. The proposed dwelling has a footprint of approximately 18.4m x 9m; with a two-storey extension off the rear elevation of the property that projects approximately 5.4m. The overall ridge height of the new dwelling will be 1.7m higher than the existing dwelling.

If reading the supporting text for the current Planning Policy H14 to the letter, the general allowable increase in size would be an increase in volume by 50 cubic metres or 10% (whichever is greater). However the Policy itself states that 'the impact on the landscape, as well as the design, materials will be an important consideration, with an excessive increase in size not being permitted'. In considering what is 'excessive', there must also be consideration given to the current extension allowances available under Permitted Development as, if you were to take them to the maximum size permitted without requiring formal planning permission, you could quite easily add extensions to the existing dwelling that would add a significant additional volume to the dwelling without requiring formal permission.

On this basis and in this instance, the proposed increase in the size of the property is considered to be acceptable, subject to the visual impact of the proposal having an acceptable visual impact on the streetscene and the AONB.

#### VISUAL IMPACT OF THE DEVELOPMENT

Visually, any development of this site will affect the streetscene and views through the site, however in order to refuse a development the harm of a proposal must be demonstrated. As the site falls within the AONB, Policy ENV1 must be considered. This Local Plan policy notes that 'the landscape and character of the AONB will be protected, conserved and enhanced, and development will need to contribute to the conservation and natural beauty of the area. Design, materials, scale, massing and landscaping will be important factors in deciding planning applications.'

With regards to the proposed materials and design of the replacement building, this scheme proposes to utilise materials traditionally used within the Ribble Valley such as stone, slate and timber windows and doors. The design of the dwelling is a modern and contemporary take on the more traditional dwellings within the borough, but retains sufficient traditional detailing within the most visible elevations to ensure it is not seen as an incongruous development within the protected countryside.

The increase in the overall massing and scale of the building on this site, creating effectively a one and a half storey dwelling, will undoubtedly alter the views of this site from the streetscene, however the consideration is whether or not this increased mass will have a significant and detrimental visual impact on this particular location. In terms of the overall height of the building, given the distance from the adjacent highway the increased ridge height is not considered to have such a significant impact on the streetscene, nor on the surrounding area, with the sectional plan drawing number 4206-06 indicating just how minimal the difference will be when viewed from the public highway. It is for this reason that the increase in volume above what is

normal considered appropriate is acceptable in this instance, as the design of the property, the utilisation of the sloping site to create a basement area and the use of materials, effectively mitigate the visual impact on the landscape and the local vernacular, without detrimentally impacting on views from the road or neighbouring properties. Indeed, the replacement of this tired dwelling with an up-to-date and modern house type that complements neighbouring dwellings, represents an improvement to the area. I am therefore satisfied that the materials proposed, and the principle elevations, size and massing of the dwelling are acceptable in this particular area of the streetscene, and will enhance the built environment within this location within the AONB.

#### IMPACT ON RESIDENTIAL AMENITY

Given there is a gap of over 32m between the front elevation of the new property and the boundary of The Eaves (opposite the site) and despite the difference in land levels between the two properties, I do not consider that the scheme will have a significant detrimental impact on the amenity of the occupiers of the adjacent dwelling or significantly detract from the enjoyment of the dwellings garden space.

In conclusion the erection of a replacement dwelling in this location is considered an acceptable exception to the general presumption against larger replacement dwellings within the AONB, without significantly and detrimentally impacting upon the local vernacular or landscape. Therefore bearing in mind the above comments and whilst I am mindful of the points of objection from the Parish Council and the nearby neighbour, the scheme proposed will provide a high quality dwelling that will enhance the quality of the built environment in this location, and is therefore recommended accordingly.

#### SUMMARY OF REASONS FOR APPROVAL

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

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

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

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

2. The permission shall relate to the development as shown on Plan Drawing No's TRI-0791-01A, TI-0791-02, 4206-01, 4206-02, 4206-03, 4206-04A, 4206-05, 4206-06 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 Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan.

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

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

5. The actions, methods & timings included in the mitigation notes attached to the protected species survey dated the 20<sup>th</sup> and 26<sup>th</sup> of July 2011 shall be adhered to and 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.

REASON: To protect the bat population from damaging activities and reduce or remove the impact of development. To ensure that there are no adverse effects on the favourable status of a bat population before and during the development.

#### INFORMATIVES

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

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

APPLICATION NO: 3/2012/0019/P (GRID REF: SD 374397 441949)  
LISTED BUILDING CONSENT TO CONVERT THE ROOMS ON THE GROUND, FIRST AND SECOND FLOORS INTO A RECEPTION AREA WITH OFFICES ON EACH OF THE FLOORS, INCLUDING ALTERATIONS TO THE SHOP FRONT AND SIGNAGE (LBC). 5 CHURCH STREET, CLITHEROE, LANCASHIRE, BB7 2DD

CLITHEROE TOWN COUNCIL: Clitheroe Town Council raises no objections to this application.

AMENITIES SOCIETIES: No observations or comments have been received from the five consultees within the statutory 21-day consultation period.

**ADDITIONAL REPRESENTATIONS:**

One letter has been received in relation to this application from the Clitheroe Civic Society. Initially, they raised the following concerns in relation to the submitted application.

1. Where will the waste from the new toilets and kitchen go? There is no indication of the new outlet points on the plan,
2. The scheme proposes to level ground floor level as you enter the building, with no reasons given. Are these historic floor levels in this Listed Building? Previous occupants have not needed to alter them,
3. Are there indications of local industry within the cellar as have been found in other houses on Church Street?
4. We are also unsure whether the building to be demolished is a new or historic building,
5. The front door is shown to open outwards, is there a reason for this?
6. There is no vertical drawing of the building, and
7. The signage is considered acceptable.

Following further details they have confirmed that they have no formal objections.

**Proposal**

This application seeks Listed Building Consent for various internal alterations required as part of the conversion of 5 Church Street, Clitheroe into an Estate Agents office at ground floor, with office space on the first and second floor. The scheme also includes works to the shop front and signage.

**Site Location**

5 Church Street is situated within the town centre of Clitheroe, and within the Clitheroe Conservation Area. The property is a Grade II Listed.

**Relevant History**

3/2012/0044/P - Proposed replacement Fascia sign and replacement Projecting sign, neither to be illuminated – Granted Conditionally.

3/2012/0032/P - Proposed change of use from a ground floor Pharmacy (use class A1) and office space on the first and second floor (use class B1) to an estate agency on the ground floor (use class A2) and office space on the first and second floor (use class B1) with the attic and basement to be used for storage of archive files and general storage. Partial demolition to the rear of the building. – Awaiting decision.

3/2009/0617/P – One set of non-illuminated individual letters and logo on locators. One of externally illuminated traditional hanging sign (LBC) – Withdrawn.

3/2009/0616/P – One non-illuminated fascia sign and one externally illuminated hanging sign – Withdrawn.

3/1993/0433/P – Installation of replacement fascia letters and projecting sign panel (LBC) – Granted.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G2 – Settlement Strategy.

Policy ENV19 – Listed Buildings.

Policy ENV20 – Proposals involving Partial Demolition of Listed Buildings.

Historic Environment Planning Practice Guide.

Clithore Conservation Area Appraisal (adopted April 2007).

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

'Setting of Heritage Assets: English Heritage Guidance' (EH, October 2011).

National Planning Policy Framework.

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

Permission is sought via application number 3/2012/0032/P to allow the change of use of the ground floor of these premises from A1 to an A2 Estate Agents, with the first and second floors being used as ancillary office accommodation. This application seeks Listed Building Consent for the various works required to enable this change of use including,

1. Unblocking the rear windows in the property to allow natural daylight into the rear rooms. They are currently breeze blocked up and covered in steel bars.
2. Alterations to the signage replacing the Lloyds sign with a new Smith's Gore sign.
3. Painting the front elevation, windows and the shop front.
4. The modern wooden extension to the rear of the property to be removed.
5. The removal of some modern partition walls to create a more useable modern space.
6. Levelling the modern replacement flooring at ground floor level (noted within a letter from the Agent dated 9<sup>th</sup> of March 2012).
7. The toilets and kitchen at first floor will be relocated as part of the internal modelling.
8. The second floor and attic will be cleaned, with the attic used for storage space.
9. The ground floor of the premises will have the modern additions removed and this floor shall be returned to its original proportions.
10. Replacing the existing signage by painting the timber fascia green then adding individual lettering to the sign, and by swapping the existing hanging sign with a new one.

There will be no significant removal of historic fabric throughout the process.

Having considered the justification provided by the Applicant, the scheme must be considered in line with the following Local and National Policies.

Paragraph 129 of the National Planning Policy Framework (NPPF) notes that 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the

proposal.' Paragraph 131 then advises that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

The supporting text within the Local Plan in relation to proposals relating to Listed Buildings notes that the condition and state of repair are important considerations when assessing proposals with Policy ENV19 stating that 'In assessing the harm caused by any proposal, factors such as 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, the contribution the Listed Building makes to the townscape and the extent to which the proposed works would bring substantial benefits would all be taken into account'. Policy ENV20 also notes that proposals for the alteration or repair of Listed Buildings should be sympathetic to their character and appearance'.

Having assessed the proposal, it is considered that the scheme will improve the visual appearance of the property by virtue of the works to the rear elevation windows and the re-painting of the front elevation, and it will also improve the internal layout of the building by removing existing partition walls so that it can be used as a modern office space without significantly affecting the original fabric of the building. The signage proposed is sympathetic and will not have an adverse visual impact on the Listed Building. Having considered the proposal in line with these above policies, given the proposed scheme does not involve the significant loss of historic fabric within the building and that the works involved are relatively minor, I do not consider that the proposal will detrimental affect the character or setting of the Listed Building.

Therefore bearing in mind the above, and whilst I am mindful of the comments from the Civic Society, it is considered that the proposed application complies with the relevant policies and, and is therefore recommended accordingly.

#### SUMMARY OF REASONS FOR APPROVAL

The proposal, subject to further approval of details by condition, has an acceptable impact upon the character and significance of the Listed Building, in accordance with Policies G1, ENV19 and ENV20 of the Ribble Valley Districtwide Local Plan.

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

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

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

2. This permission shall relate to the development as shown on plan drawing no's 2840/100, 2840/101 and 2840/200 (Proposed Attic/Basement and Ground/First/Second floor plans).

**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 13 February 2012.

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

4. Details of the paint to be used to repaint the front and rear elevations of the building and to repaint the door and window frames, including make and colour, shall have first been submitted to and approved by the Local Planning Authority before their use in the proposed works.

REASON: In order to safeguard the character and significance of the Listed Building in accordance with Local Plan Policies G1, ENV19 and ENV20.

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

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and PPS5 to ensure a satisfactory standard of appearance in the interests of visual amenity.

6. The precise design, style, type and specifications of the proposed new external windows frames, glazing and doors to the rear elevation of the building (as indicated on drawing no. 2840/101), including materials to be used, shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works. The new windows and doors shall be painted within one month of their installation and in accordance with details submitted with Condition 3.

REASON: In order to safeguard the character and significance of the Listed Building in accordance with Local Plan Policies G1, ENV19 and ENV20.

7. The permission does not granted approval for the replacement of any existing windows or doors within the front elevation of the building.

REASON: For the avoidance of doubt as the scheme did not include any further external alterations other than those indicated to the rear of the building.

8. A full working method statement relating to the works involved with the unblocking of the windows to the rear elevation, the removal of the wooden sheds to the rear, the levelling of the ground floor in the front entrance, the insertion of the new kitchen and toilet facilities at first floor and the careful removal of the partition walls, shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site.

REASON: For the avoidance of doubt and in order to ensure that the works involve no loss or damage of historic fabric within the building and in order to safeguard the character and significance of the Listed Building. In accordance with Local Plan Policies G1, ENV19 and ENV20.



APPLICATION NO: 3/2012/0032/P

(GRID REF: SD 374397 441949)

PROPOSED CHANGE OF USE FROM A GROUND FLOOR PHARMACY (USE CLASS A1) AND OFFICE SPACE ON THE FIRST AND SECOND FLOOR (USE CLASS B1) TO AN ESTATE AGENCY ON THE GROUND FLOOR (USE CLASS A2) AND OFFICE SPACE ON THE FIRST AND SECOND FLOOR (USE CLASS B1) WITH THE ATTIC AND BASEMENT TO BE USED FOR STORAGE OF ARCHIVE FILES AND GENERAL STORAGE. PARTIAL DEMOLITION TO THE REAR OF THE BUILDING. 5 CHURCH STREET, CLITHEROE, LANCASHIRE, BB7 2DD.

CLITHEROE TOWN  
COUNCIL:

Clitheroe Town Council raise no objections to this application.

LCC ENVIRONMENT  
DIRECTORATE (COUNTY  
SURVEYOR):

No objections.

ADDITIONAL  
REPRESENTATIONS:

Two letters have been received in relation to this application, one from the Civic Society and one from Clitheroe Chamber of Trade. They raised the following concerns in relation to the submitted application.

1. Loss of a retail site on a Clitheroe High Street will set a precedent for other similar ventures,
2. Where will the waste from the new toilets and kitchen go? There is no indication of the new outlet points on the plan,
3. The scheme proposes to level ground floor level as you enter the building, with no reasons given. Are these historic floor levels in this Listed Building? Previous occupants have not needed to alter them,
4. Are there indications of local industry within the cellar as have been found in other houses on Church Street?
5. We are also unsure whether the building to be demolished is a new or historic building,
6. The front door is shown to open outwards, is there a reason for this?
7. There is no vertical drawing of the building, and
8. The signage is considered acceptable.

Following further details, the Civic society has confirmed they have no formal objections.

### **Proposal**

This application seeks Proposed change of use from a ground floor Pharmacy (use class A1) and office space on the first and second floor (use class B1) to an estate agency on the ground floor (use class A2) and office space on the first and second floor (use class B1) with the attic and basement to be used for storage of archive files and general storage. The scheme also includes the demolition of a wooden structure to the rear of the building.

## **Site Location**

5 Church Street is situated within the town centre of Clitheroe, and within the Clitheroe Conservation Area. The building is not positioned within the principal shopping frontage of Clitheroe, as indicated on Sheet 2, Inset Map no. 5, of the Proposals Maps associated with the Local Plan. The property is Grade II Listed.

## **Relevant History**

3/2012/0044/P - Proposed replacement Fascia sign and replacement Projecting sign, neither to be illuminated – Granted Conditionally.

3/2012/0019/P - Listed Building consent to convert the rooms on the ground, first and second floors into a reception area with offices on each of the floors. Including alterations to the shop front and signage (LBC) - Awaiting decision.

3/2009/0617/P – One set of non-illuminated individual letters and logo on locators. One of externally illuminated traditional hanging sign (LBC) – Withdrawn.

3/2009/0616/P – One non-illuminated fascia sign and one externally illuminated hanging sign – Withdrawn.

3/1993/0433/P – Installation of replacement fascia letters and projecting sign panel (LBC) – Granted.

## **Relevant Policies**

Policy G1 - Development Control.

Policy G2 – Settlement Strategy.

Policy ENV19 – Listed Buildings.

Policy ENV20 – Proposals involving Partial Demolition of Listed Buildings.

Policy S1 – Shopping Policies – Clitheroe Centre.

Clitheroe Conservation Area Appraisal (adopted April 2007).

National Planning Policy Framework.

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

The building subject to this application was previously home to Lloyds Pharmacy who has recently from these premises to King Street, Clitheroe. Permission is sought to allow the change of use of the ground floor of these premises from A1 to an A2 Estate Agents, with the first and second floors being used as ancillary office accommodation. There is also a Listed Building Consent application for various internal alterations required as part of this conversion including works to the shop front and signage.

This applications seeks permission for,

1. The change of use of the ground floor to an A2 use (Estate Agents).
2. Unblocking the rear windows in the property to allow natural daylight into the rear rooms. They are currently breeze blocked up and covered in steel bars.
3. Painting the front elevation, windows and the shop front.
4. The modern wooden extension to the rear of the property being removed.
5. Various internal remodelling works to create office space on all levels.

In terms of the principle of the proposed development, Local Plan Policy S1 notes that 'special regard will be had to the likely contribution of proposals on the vitality and viability of the centre and their effect on the character and appearance of the area.' Given this sites location within the town centre of Clitheroe but not on the principal shopping frontage, and the similar businesses located within nearby properties, it is considered that this properties use as an A2 Estate Agents would not have a significant or detrimental impact on the vitality or viability of units within the nearby vicinity. Therefore despite the loss of an A1 use within this property, it is considered that such uses would be better focused on the principal shopping frontages within Clitheroe and that this should not preclude a proposal to significantly improve a tired looking building within the centre of the Clitheroe Conservation Area.

Paragraph 129 of the National Planning Policy Framework (NPPF) notes that 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.' Paragraph 131 then advises that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

The supporting text within the Local Plan in relation to proposals relating to Listed Buildings notes that the condition and state of repair are important considerations when assessing proposals with Policy ENV19 stating that 'In assessing the harm caused by any proposal, factors such as 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, the contribution the Listed Building makes to the townscape an the extent to which the proposed works would bring substantial benefits would all be taken into account'. Policy ENV20 also notes that proposals for the alteration or repair of Listed Buildings should be sympathetic to their character and appearance'.

In considering the scheme in relation to these Policies, given the sympathetic fenestration details proposed to replace the breezeblocks in the existing window openings to the rear, the removal of a tired, wooden extension to the rear (not part of the original fabric of the building) and the repainting of the building in a palate appropriate for this location, the scheme will significantly improve the visual appearance of the property by virtue of the works to the rear elevation windows and the re-painting of the front elevation. Therefore, having considered the proposal in line with these above policies, given the proposed scheme does not involve the significant loss of historic fabric within the building and that the works involved are relatively minor, I do not consider that the proposal will detrimental affect the character or setting of the Listed Building.

Therefore bearing in mind the above, and whilst I am mindful of the comments from the Clitheroe Chamber of Trade, it is considered that the proposed application complies with the relevant policies and, and is therefore recommended accordingly.

## SUMMARY OF REASONS FOR APPROVAL

The proposal, subject to further approval of details by condition, has no significant visual impact and has an acceptable impact upon the character and significance of the Listed Building, in accordance with Policies G1, S1, ENV19 and ENV20 of the Ribble Valley Districtwide Local Plan.

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

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

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

2. This permission shall relate to the development as shown on plan drawing no's 2840/100, 2840/101 and 2840/200 (Proposed Attic/Basement and Ground/First/Second floor plans).

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 13 February 2012.

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

4. Details of the paint to be used to repaint the front and rear elevations of the building and to repaint the door and window frames, including make and colour, shall have first been submitted to and approved by the Local Planning Authority before their use in the proposed works.

REASON: In order to safeguard the character and significance of the Listed Building in accordance with Local Plan Policies G1, ENV19 and ENV20.

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

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

6. The precise design, style, type and specifications of the proposed new external windows frames, glazing and doors to the rear elevation of the building, including materials to be used, shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works. The new windows and doors shall be painted within one month of their installation and in accordance with details submitted with Condition 3.

REASON: In order to safeguard the character and significance of the Listed Building in accordance with Local Plan Policies G1, ENV19 and ENV20.

7. The permission does not granted approval for the replacement of any existing windows or doors within the front elevation of the building.

REASON: For the avoidance of doubt as the scheme did not include any further external alterations other than those indicated to the rear of the building.

8. A full working method statement relating to the works involved with the unblocking of the windows to the rear elevation, the removal of the wooden sheds to the rear, the levelling of the ground floor in the front entrance, the insertion of the new kitchen and toilet facilities at first floor and the careful removal of the partition walls, shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site.

REASON: For the avoidance of doubt and in order to ensure that the works involve no loss or damage of historic fabric within the building and in order to safeguard the character and significance of the Listed Building. In accordance with Local Plan Policies G1, ENV19 and ENV20.

APPLICATION NO: 3/2012/0061/P (GRID REF: SD 360638 436829)  
PROPOSED ERECTION OF A NEW DWELLING AND DETACHED GARAGE, AND A REDUCTION OF EXISTING DOUBLE GARAGE TO A SINGLE GARAGE TO FORM ACCESS AT PROSPECT COTTAGE, LOWER LANE, LONGRIDGE, LANCASHIRE, PR3 3SL.

LONGRIDGE TOWN  
COUNCIL:

The Town Council have no objections to the proposed scheme, subject to any necessary restrictions being imposed by the Conservation Officer.

LCC ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR):

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

ADDITIONAL  
REPRESENTATIONS:

Six letters have been received from nearby neighbours, whose points of objection have been summarised as follows:

1. Dwelling will go way beyond the existing building line of properties along the south side of Lower Lane.
2. Dwelling will encroach on the rural area of the neighbourhood by being sited in the middle of what was always intended as a garden.
3. Dwelling will infringe on the privacy and residential amenity of existing properties.
4. Detrimental visual impact on Conservation Area and the impact on Prospect House which is a Building of Townscape Merit.

5. Although within the settlement boundary, it will extend the built form of development behind Lower Lane.
7. Proposal will cause even greater strain on the already overloaded sewerage system.
8. Our open views to the west of our property will be lost by virtue of this development.
9. This could open up the potential for other developments to the rear of Prospect Court.
10. Increase in noise due to the size of the dwelling.
11. Materials proposed are not in keeping with the surrounding area, should be stone not a render finish,
12. Dormer windows out of keeping.
13. The views of this site are not just from Lower Lane, with many key views from the Walton Fold community to the south of the site.
14. Further development would compound any existing traffic issues on Lower Lane.
15. Contrary to Local Plan Policies relating to the Conservation Area.
16. By developing so close to the boundary, the boundary trees of Prospect House could be affected.
17. Development will be overbearing on the adjacent neighbours garden and outdoor pool.

### **Proposal**

Planning permission is sought to erect a new dwelling in the garden area to the rear of Prospect Cottage, with an improved access created at the point of the existing access off Lower Lane. The proposed six-bedroom property will be over three storeys in height (9.2m to the ridge), with a detached double garage. The application site lies wholly within the current settlement boundary of Longridge, and is within the St Lawrence's Church Conservation Area as defined by the Ribble Valley Districtwide Local Plan. Prospect Cottage sits adjacent to Prospect House on Lower Lane, which is designated as a Building of Townscape Interest in the St Lawrence's Church Conservation Area Appraisal.

### **Site Location**

The application relates to a large detached dwelling within the settlement of Longridge, and within the St Lawrence's Church Conservation Area as defined by the Ribble Valley Districtwide Local Plan.

### **Relevant History**

Historically the land to the rear of Prospect Cottage, and subject to this application, was a field under separate ownership that was purchased by the owner in the early 60s. Permission was then granted for alterations to the access off Lower Lane and the erection of a number of buildings and glasshouses on the land, two of which still remain on the site. Over the course of time the land has merged within the curtilage of Prospect Cottage, with the single storey block work building at the end of the site being used for the storage of gardening equipment etc. Prospect Cottage has benefited from a number of minor household extensions since the early 1960s, however there is no recent history of application on the land.

## **Relevant Policies**

Policy G1 - Development Control.

Policy G2 – Settlement Strategy.

Policy ENV16 - Development Within Conservation Areas.

Policy ENV17 – Details Required with Proposals in Conservation Areas.

Policy T1 – Development Proposals – Transport Implications.

SPG ‘Extensions and Alterations to Dwellings’.

Historic Environment Planning Practice Guide.

Longridge Conservation Area Appraisal (adopted April 2007).

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

‘Setting of Heritage Assets: English Heritage Guidance’ (EH, October 2011).

National Planning Policy Framework.

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

The main issues to consider with this scheme are the principle of the development, the visual impact of the scheme on the character and setting of the St Lawrence Conservation Area, the visual impact on the streetscene and whether there is an impact on the residential amenity of the occupiers of the adjacent dwellings. There are no highway safety concerns.

### **PRINCIPLE OF DEVELOPMENT**

This is a scheme for one new residential unit within Longridge, which is covered by Policy G2 of the Local Plan that allows for development wholly within the built part of the settlement. The Local Plan Policy also must be seen in the context of the National Planning Policy Framework (NPPF).

Paragraph 14 of the NPPF notes that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which for decision making means approving development proposals that accord with the development plan without delay.

On this basis the principle of developing this site for residential development is considered to be acceptable in land use terms, providing the visual impact on the character and setting of the Conservation Area is acceptable, the design of the proposed new dwelling is suitable in relation to the Conservation Area and that the proposal will have no significant impact on the residential amenity of the occupiers of the adjacent dwellings.

### **IMPACT ON CONSERVATION AREA**

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places the duty on a Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area when considering development proposals.

National guidance contained within paragraph 129 of the NPPF considers that ‘Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the

proposal.' Paragraph 131 then advises when determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 134 then notes that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

In regards to the impact on the Conservation Area and on the adjacent Building of Townscape Merit, we must first assess the current setting of Prospect Cottage. The Conservation Area at this location is somewhat diminished by the modern development at Prospect Court, and in considering the location of the new property within the rear garden area of the site, the retention of a substantial garden area to the rear of Prospect Cottage enables the retention of both its and Prospect House's setting.

The views along Lower Lane will also not be altered, as the development will be reasonably well hidden from view, with the main views into the Conservation Area from Walton Fold to the south being the only ones affected by the proposed development. The position of the dwelling on the site makes good use of the lower land levels and when viewed from the south will be seen more in connection with the newer properties on Prospect Court, ensuring that Prospect House itself will remain the dominant property within this location of the Conservation Area. A number of objectors have questioned the dwelling projecting beyond the 'building line of properties on Lower Lane, however given that this scheme is similar to other approved proposal to erect properties to the rear of existing properties on Lower Lane, and that the site lies wholly within the built settlement, there are no concerns with respect to its position on site.

The design, style, scale and massing of the new property has borrowed its features from the many different house types surrounding the site, and again due to its position within the site will not appear as a dominant building within the views of the site from the south. Following discussions with the applicant, the dormer windows have been omitted from the scheme. There is a clear separation distance of over 36m between the new and existing dwellings on site, with a further 23m between the rear elevation of the property to the site boundary providing more than adequate spacing distances around the site. On this basis, whilst mindful of the points of objection raised by nearby neighbours, the scheme is considered to have an acceptable visual impact on the character, setting and appearance of St Lawrence's Church Conservation Area and the adjacent Building of Townscape Merit, Prospect House, in compliance with the current national and local plan policies.

#### IMPACT ON RESIDENTIAL AMENITY

The front elevation of the property proposed sits some 15m from the rear elevation of no. 4 Prospect Court. Given the oblique angle between the two properties and the fact that there are no habitable room windows facing the rear garden area, I do not envisage the development will have an impact on the amenity of the occupiers of this dwelling. The new dwelling sits over 34m from the rear elevation of Prospect House, and given the existing boundary screening within the garden of Prospect House and the fact that there are no habitable room windows facing the rear garden area, again I do not envisage the development will have an impact on the amenity of the occupiers of this dwelling. Given the intervening boundary treatments between the proposed dwelling and other curtilage areas of properties nearby and the significant difference in land



levels, I am also satisfied that the proposal will not impact upon the occupiers of the adjacent dwellings enjoyment of the use of their gardens.

#### OTHER ISSUES

Concern has been raised by the owner of Prospect House in relation to the development impacting on the trees along the boundary. Finally, with regards to the impact on highway safety, whilst the County Surveyor has raised no objections to the scheme, however there were some concerns with regards to the improved site access by virtue of the possible loss of the existing wall to the frontage of the site, and indeed the traditional stone pillars at the site entrance, that add to the setting and character of the streetscene within the Conservation Area. Following discussions with the Agent, further plans have now been submitted showing clearer details of the site entrance (including the retention of the existing stone pillars and wall albeit in a slightly different layout), and as such it is considered the entrance to the site will have an acceptable impact on the character or appearance of the Conservation Area.

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

#### SUMMARY OF REASONS FOR APPROVAL

The proposal represents an appropriate form of development and given its design, size and location would not result in visual detriment to the surrounding area, an adverse impact on the setting of the Conservation Area, a significant detrimental impact on nearby residential amenity, nor would its use have an adverse impact on highway safety.

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

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

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

2. The permission shall relate to the development as shown on Plan Drawing No's GL19/23B, GL19/22D and GL19/15C.

**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 15 March 2012.

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

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 Policies G1 and ENV16 of the Ribble Valley Districtwide Local Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order 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 Policies G1 and ENV16 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) 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”.

7. The dwelling hereby approved shall be constructed with the first floor windows in the west and east facing elevations obscure glazed, details of which shall be submitted to and agreed in writing by the Local Planning Authority before development commences; and also fitted with restrictors limiting the degree of opening of each opening light to not more than 45°. Thereafter, it shall be maintained in that condition in perpetuity to the satisfaction of the Local Planning Authority.

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

8. Prior to the occupation of the new dwelling, the existing garage at Prospect Cottage shall be reduced in width as per the details shown on plan drawing GL19/23B.

REASON: In order to provide a satisfactory access to the site.

9. The widened driveway shall remain un-gated where it meets the highway boundary.

REASON: To permit vehicles to pull clear of the highway when entering the site and to assist visibility.

10. That part of the access extending from the highway boundary for a minimum distance of 5 metres into the site shall be appropriately paved in tarmac, concrete, block pavements, or other approved materials.

REASON: To prevent loose surface material from being carried onto the public highway thus causing a potential source of danger to other road users.

11. The actions, methods and timings included in the mitigation notes attached to the protected species survey dated the 2<sup>nd</sup> of September 2011 shall be adhered to and in the event that

any bats are found disturbed during any part of the development, work shall cease until further advice has been sought from a licensed ecologist.

REASON: To protect the bat population from damaging activities and reduce or remove the impact of development. To ensure that there are no adverse effects on the favourable status of a bat population before and during the development.

12. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees identified in the Arboricultural Implications/Tree Constraints [T033/334/335/0337/0338/0339/0340/0341 & G1/2/3 inclusive] shall be protected in accordance with the BS5837 [Trees in Relation to Construction] the details of which shall be submitted and agreed in writing, implemented in full, a tree protection monitoring schedule shall also be submitted and agreed in writing. The local planning authority shall inspect all tree protection measures before any site works are begun.

The root protection zone shall be in accordance with the Root Protection Zones identified in the Tree Constraints report 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 Conservation Area 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, to ensure that trees of visual amenity/botanical/historical value are protected against adverse affects of the development

## INFORMATIVES

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

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

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

APPLICATION NO: 3/2012/0098/P (GRID REF: SD 370344 435743)  
PROPOSED INTERNAL AND EXTERNAL ALTERATIONS TO EXISTING PRIVATE DWELLING HOUSE TO FORM SELF-CONTAINED GROUND FLOOR ONE-BEDROOM PRIVATE FLAT AT HILLOCK HOUSE, NORTHCOTE ROAD, LANGHO.

PARISH COUNCIL: No objection.

ENVIRONMENT DIRECTORATE  
(COUNTY SURVEYOR): No objection

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

- Impact upon the character of the area.

### **Proposal**

Permission is sought to carry out a number of external alterations to the property that include the blocking up of an existing window and door to the north-western side elevation of the existing lean-to to the rear, and the opening of an existing blocked doorway to the south-western rear elevation of the existing lean-to. These works are to be carried out in order to create a self-contained, one-bedroomed flat to the ground floor of the property.

### **Site Location**

Hillock House is a former barn that was granted permission for conversion into residential use and is attached to the western elevation of the main farmhouse in connection with the former farmstead of Hillock Farm. The property is the most central of a group of three residential properties to the southern side of Northcote Road between the Brockhall Village Housing Estate and the A59, on land designated as Open Countryside.

### **Relevant History**

None

### **Relevant Policies**

Policy G1 – Development Control  
Policy G5 – Settlement Strategy  
Policy ENV3 – Development in Open Countryside  
Policy H2 – Dwellings in the Open Countryside  
Policy H17 Building Conversions – Design Matters  
NPPF – National Planning Policy Framework

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

Matters for consideration in the determination of this application are the visual impact of the proposal upon the appearance of this converted barn, the potential impact on neighbouring residential amenity, and any impacts upon highway safety.

With regards to the latter, there is an established gravelled parking area to the north of the property across Northcote Road that can adequately accommodate the number of vehicles that would be required for use of the main property and the proposed one-bedroomed flat. In addition, there is ample space to the rear of the property to provide off-road parking spaces if required and the County Surveyor has confirmed that he has no objection to the application on highway safety grounds.

With regards to visual impact the NPPF makes reference to the importance of good design and states that it should 'respond to local character and history, and reflect the identity of local surroundings and materials'. The building is located within an area of designated Open Countryside in which Policy ENV3 of the Ribble Valley Districtwide Local Plan states that 'development will be required to be in-keeping with the character of the landscape area and should reflect local vernacular, scale, style, features and building materials'.

This property is considered to be a heritage asset and therefore as set out in the NPPF development should make a positive contribution to local character and distinctiveness. Policy H17 of the Districtwide Local Plan relates to design matters of barn conversion schemes and notes that the design of the conversion should be of a high standard and in keeping with local tradition, particularly in terms of materials, geometric form and window and door openings. The basic principle is that traditional farm buildings should remain largely unaltered and remain looking like farm buildings after conversion.

Apart from the blocking of an existing window and doorway, as well as the opening up of an existing blocked doorway to the rear of the property, no other extensions or alterations are proposed to the exterior appearance of this converted barn. Also the alterations are not visible from the highway due to a stone boundary wall to the front of the property, therefore it is considered that any impact of the proposal upon the significance and visual amenity of this traditional barn conversion and the designated Open Countryside will be minimal.

With regards to the principle of forming a self-contained flat within the main property Policy H2 of the Local Plan states that 'outside the settlement boundaries, residential development will be limited to the appropriate conversion of buildings to dwellings, provided they are suitably located and their form, bulk and general design are in keeping with their surroundings'. Policy G5 also states as one of the criteria for development outside the main settlement boundaries as 'other small-scale uses appropriate to a rural area which conform to the policies of the plan'.

The buildings that surround Hillock House are residential in nature, and as the works involved in creating the self-contained flat are minor in nature and its use would not be so significant as to result in any significant harm to the amenity of neighbouring residents I consider that the proposal conforms to the above policies.

I note the concern from a neighbouring resident with regards to the impact of the development upon the character of the area and in particular the creation and letting, or selling off, numerous sub-units from a house lying as it does between two otherwise conventional rural dwellings. As highlighted above, the scheme involves minor work to an existing building that has established residential use, no additional windows or doors are to be created to the exterior of the building and there is ample parking provision.

Therefore, in consideration of the above I do not consider this application would cause a significant detrimental impact upon the significance or appearance of the property as viewed

within the wider locality and would have minimal impact upon the residential amenity of the occupiers of the surrounding properties. As such, the application is recommended accordingly.

#### SUMMARY OF REASONS FOR APPROVAL

The proposal represents an appropriate form of development and would not result in visual detriment to the significance or appearance of the property, the visual appearance of the surrounding countryside, nor would it have an adverse impact upon neighbouring residential amenity 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 Nos. RH/320120098/01 in relation to the site location plan, 1004-04 in relation to the existing north-west elevation, 1004-09 in relation to the proposed north-west elevation, 1004-05 in relation to the existing south-west elevation, 1004-10 in relation to the proposed south-west elevation, 1004-01 in relation to the existing ground floor plan, 1004-06 in relation to the proposed ground floor plan, 1004-02 in relation to the existing first floor plan, 1004-07 in relation to the proposed first floor plan, 1004-03 in relation to the existing second floor plan and 1004-08 in relation to the proposed second floor plan.

**REASON:** For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans in compliance with Policies G1, ENV3 and H17 of the Ribble Valley Districtwide Local Plan.

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

**REASON:** In the interests of the amenity of the area in accordance with Policies G1, ENV3 and H17 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2012/0184/P

GRID REF: SD 360232 437647

PROPOSED FORMATION OF INDUSTRIAL LINK FROM UNIT 3 TO UNIT 4 AT LAND TO THE REAR OF 90 BERRY LANE, LONGRIDGE, PR3 3WH

TOWN COUNCIL: No objections.

ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR):

No objections to the application on highway safety grounds.

ADDITIONAL  
REPRESENTATIONS:

Two letters of representation have been received which raise the following points of concern:

- The proposed building should be subject to the same conditions as Units 4, 5, 6 and 7, approved by the Planning Inspectorate in January 2010 (Appeal Ref: APP/T2350/A/09/2112552).
- Area used for car parking – where will these park?
- Increase noise and smell levels impacting on enjoyment of the garden.
- The building is too close to the boundary and a fire exit opens on to a fence.
- Assumes the reasons for refusing planning application 3/2011/0904/P must still be valid considering the plans do not appear to have been changed.

### **Proposal**

Permission is sought for a new 'link' building connecting the gable end of Unit 3 with the front elevation of Unit 4. The building would have approximate dimensions of 9.9m x 8.0m x 2.7m to the lowest eaves level and 3.4m to the highest point. The building would have a sloping roof, with the lowest point being adjacent to the boundary with no. 19 Thornfield Avenue. Materials would comprise of a mixture of brickwork and profiled metal cladding and the building would have a metal profile sheet roof to match the existing buildings.

The Inspectors decision in 2009 relating to Units 4, 5, 6 and 7, made reference to the retention of substantial open views across the site from the rear garden area of 19 Thornfield Avenue and the rear dormer and garden area of 10 Crumpax Avenue, which would be retained, as a reason for allowing these units. Due to the previous application being refused in line with the Inspector's decision, the height of the building has been reduced both at the boundary with 19 Thornfield Avenue (lower eaves level) and overall. This has been altered in order to reduce the massing of the building in relation to the nearest property.

### **Site Location**

The site in question is located on the edge of Longridge town centre, to the rear of Berry Lane. The site also lies on the edge of Longridge Conservation Area. The site currently contains a number of close-knit units of various sizes and designs in commercial/ industrial use. There are neighbouring dwellings surrounding the site, with the nearest properties being within 7m of the location of the proposed building.

### **Relevant History**

There have been many applications for other locations on this site, with the more recent proposals including;

3/2011/0904/P - Formation of industrial link from unit 3 to 4. Refused.

3/2010/0828/P - Application for the discharge of condition no.2 (materials) and part discharge of condition no.3 (road alterations) of planning consent 3/2009/0321P. Approved.

3/2009/0321/P – Erection of new industrial unit (Class B2 use) at the rear of the existing industrial unit. Refused. Allowed on appeal (APP/T2350/A/09/2112552).

3/2009/0089/P - Replace existing roof (flat felt) with low profile hipped roof using steel profiled cladding – Approved.

### **Relevant Policies**

Policy G1 - Development Control

Policy G2 - Settlement Strategy

Policy EMP7 - Extensions/Expansions of Existing Firms

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

The main issues to consider with regards to this proposed development are the principle of the development, the potential impact on residential and visual amenity, and the impact of the scheme on highway safety.

#### **PRINCIPLE OF DEVELOPMENT**

The site lies on the edge of the town centre of Longridge, and has an existing industrial/commercial mix of uses on the other sections of the site. Policy EMP7 states that “the expansion of existing firms within the main settlement will be allowed on land within or adjacent to their existing sites, provided no significant environmental problems are caused and the extension conforms to the other policies of this plan”. The proposed development would allow the expansion of an existing firm, and is thus acceptable in principle.

#### **RESIDENTIAL AND VISUAL AMENITY**

In 2009, the Planning Inspector considered the retention of open views through the site to be a material factor in allowing Units 4, 5, 6 and 7. This application seeks to address the previous reason for refusal where concern was raised that the building would have a seriously overbearing and oppressive effect on neighbouring dwellings due to the loss of this important open gap.

In order to address the previous reasons for refusal, the building has been altered so that the rear eaves level of the building closest to the boundary with 19 Thornfield Avenue has been reduced, as has the overall height. Due to this reduction in height and due to the roof extending away from the boundary; the massing of the building has now been reduced. However, the fact remains that this building would infill a gap where currently there is an open view through the site. In considering this, the proposal would not affect any habitable windows at 19 Thornfield Avenue and the building would also be located at the furthest point away from 10 Crumpax Avenue. Furthermore, the massing of the building has been reduced. There are also no issues with regards to overlooking or loss of privacy in relation to the nearest properties to the front and rear of the building, as no windows are proposed in either the front or rear elevations. Whilst, I acknowledge that the loss of the gap will have some impact on the amenity of the nearest occupier when using their rear garden area due to the loss of openness, I do not consider this to be so detrimental as to warrant refusal of the application on this ground alone.



In respect of noise concerns, the Council's Environmental Health Officer raises no objections to the proposed use of the building, however he recommends that the conditions on the 2009 approval relating to noise attenuation and a restriction on hours of operation should be used in this instance. Therefore, in considering the above, the nearby residential properties would not, in my view, be adversely affected and the building will have no adverse visual impact on the site and its surrounding area.

#### IMPACT ON HIGHWAY SAFETY

The LCC Traffic and Development Engineer raises no objections in principle to this application on highway safety grounds. The most recent application retains the three car parking spaces detailed in the granted application 3/2009/0321/P under Condition 9, as the location of these spaces was subsequently amended with application 3/2011/0904/P, where they were repositioned to the north of the turning head. As three spaces for general use continue to be retained as part of 3/2012/0184, the Highway Engineer is satisfied that they will be sufficient for the needs of the proposed link unit and the existing units.

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

#### SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity, nor would it have an adverse visual impact 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 Drawing Number(s):

0341/93/05C – Proposed Site Plan  
0341/93/20 E – Proposed Elevations  
0341/93/10F – Proposed Floor Plans

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

3. No raw materials, finished or unfinished products or parts, crates materials, waste, refuse, or any other item shall be stacked or stored outside the industrial unit hereby permitted without the prior approval in writing of the Local Planning Authority.

REASON: To comply with Policy G1 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.

4. No work, display or storage activities shall take place outside the building on the site.

REASON: To comply with Policy G1 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.

5. Before the industrial use hereby permitted is first occupied or brought into use, the building shall be insulated in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan in the interests of safeguarding neighbouring residential amenities.

6. Any fixed plant and machinery installed and used in connection with the industrial unit hereby permitted shall be installed and acoustically insulated in compliance with BS4142.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan in the interests of the safeguarding neighbouring residential amenities.

7. The industrial unit/ link building hereby permitted shall not be used outside the hours of 0800 to 1800 Monday to Friday, 0830 to 1230 on Saturdays, nor at any time on Sundays, Bank or Public Holidays.

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

**C. APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL**

APPLICATION NO: 3/2011/1033/P (GRID REF: SD 375234 442231)  
PROPOSED CHANGE OF USE FROM A WAREHOUSE TO ALLOW A SMALL GYMNASIUM  
AT 6 LINCOLN PARK INDUSTRIAL ESTATE, LINCOLN WAY, CLITHEROE

PARISH COUNCIL: No objection.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): Initially raised an objection based on the insufficient parking at the site and concerns regarding the suitability of an alternative parking area. Following a discussion with the applicant the County Surveyor is now confident that an agreement can be reached between the applicant and the landowner concerning agreed access and subject to suitable written evidence raises no objection to the proposal.

ENVIRONMENT AGENCY: The application is considered low risk therefore no objection.

ADDITIONAL REPRESENTATIONS: Six letters of representation have been received which raise the following objections:

- Noise disturbance
- Lack of parking

**Proposal**

Permission is sought to change the use of a vacant B1/B8 Unit formally occupied by a plumbers merchants on the Lincoln Park Industrial Estate within the main settlement of Clitheroe to D2 use as a gymnasium open to the public, with no physical changes to be made to the exterior of the building.

**Site Location**

Unit 6 is the most southern of a group of units centrally located within the main Lincoln Park Industrial Estate, and just north of residential properties on Up Brooks within the main settlement of Clitheroe.

**Relevant History**

None.

**Relevant Policies**

Policy G1 – Development Control.  
Policy EMP11 – Loss of Employment Land.  
Policy T7 – Parking Provision.  
NPPF – National Planning Policy Framework.

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

The main issues to consider in the determination of this application are potential impact upon the amenity of neighbouring residents, highway safety and the principle of development of this nature within the existing industrial estate.

With regards to the latter, the unit and those that surround it currently comprise part of the employment land (uses B1/B8) resource of the Borough and the Council's current evidence base indicates that the Borough will need to allocate additional land for future B1 to B8 uses. Therefore the proposal will result in the loss of a relatively scarce resource. Policy EMP11 of the Ribble Valley Districtwide Local Plan states that proposals for the conversion or redevelopment of industrial or employment generating sites in the Plan area will be assessed with regard to a number of criteria which include as well as others compliance with policy G1 of the plan, the compatibility of the proposal with other policies of this plan and attempts to secure an alternative employment generating use for the site. In relation to this application a balance needs to be struck between the loss of a part of the Borough's B1 to B8 employment land and also the need, given local and national economic circumstances and the government's expressed preferences, to encourage economic growth in order to create business and job creation which is supported in the adopted National Planning Policy Framework (NPPF). The applicant has provided written evidence to demonstrate that he has looked at alternative sites for the gym in Clitheroe town centre for around twelve months and until now has found no other building that fits his requirements. The consultation response from the Regeneration and Housing Team is that whilst being aware of the above they support the view that 'apart from a new build option, there are limited options to locate such a development in existing buildings in more sequentially appropriate locations. Also to be borne in mind is the reuse of a currently empty building for employment purposes within an area of broadly employment use and the generation of new employment opportunities'. Therefore it is considered that the proposal is acceptable in principle and conforms to the above local and national policies.

Hours of opening are expected to be 0700 to 2100 Monday to Friday, 0800 to 1600 Saturday and 1000 to 1400 Sunday and Bank Holidays, and I note the concerns from neighbouring residents with regards to potential noise disturbance at these hours. A review of the planning history of the site confirms that no hours of use restriction was applied when permission was granted for the erection of Unit 6 and the surrounding units. In addition, whilst I acknowledge that the hours of use for the operation of the gym are longer than those generally required for normal 9 to 5 trading hours of a commercial business, I consider that any noise disturbance will not be so significant as to warrant refusal of the application. The main contribution will primarily relate to the coming and going of vehicles which is a common occurrence as part of the operation of an Industrial Estate and there is significant distance between the Unit and neighbouring residential properties to the south which are buffered by an existing earth bund planted with semi-mature trees.

The Environmental Health Section have been consulted and confirmed that they have no objection to the application subject to compliance with the Health and Safety at Work Etc Act 1974 and The Workplace (Health Safety and Welfare) Regulations 1992.

With regards to parking provision and subsequent highway safety policy T7 of the Ribble Valley Districtwide Local Plan states that 'all development proposals will be required to provide adequate car parking and servicing space'. In addition, the NPPF states that authorities should ensure that 'safe and suitable access to the site can be achieved for all people'. The application form states that there are 20 existing on-site parking spaces adjacent to the unit with

no expected increase to this number and the applicant has confirmed in writing that the gym will be capable of accommodating 40 customers at any one time. He has also confirmed that he expects the busiest times to be Monday to Friday from 1730 to 1930 with around 20 customers, and on Saturday and Sunday he expects to have a steady flow of individuals using the gym with an average of 5-10 customers at any one time. Due to the level of objection regarding parking provision the applicant has reassessed the parking facilities and discussed with the owner of the site the potential of using the enclosed compound to the east of the unit which is now identified as part of the application site. The applicant has confirmed that he estimates the compound will provide in excess of 30 customer parking spaces.

The Council were in receipt of the County Surveyors formal response to the application as submitted on the 17 February, which highlighted the suitability of the adjacent compound for parking. Whilst the County Surveyor stated that he had no doubt that the space within the site could accommodate the number of cars proposed he advised that the area 'is not presently marked out as a parking area and there are a number of items stored here that would have to be relocated. Bays will need to be marked out and storage items removed or managed in a safe manner'. His main concern was that the compound is secure with CCTV cameras in operation, has locked gates and no general access. Therefore he questioned the security of the compound given that this will no longer be the case if used by the gym. Therefore a recommendation of refusal was given 'as the existing parking within the immediate frontage of the unit is insufficient for the level of anticipated use and there remain a number of questions concerning the suitability of the alternative parking area'.

Following this response the applicant contacted the County Surveyor directly to discuss the arrangement for parking in more detail and on the 19 March an e-mail was received from the applicant confirming that the gates to the compound will be unlocked and open when the gym is operating and that all the equipment/vehicles will be removed or repositioned to allow full use for customers to park. Also he has discussed this arrangement with the owner on several occasions and he too confirms he is happy about this arrangement. Following a discussion with the applicant and having now fully understood the layout of the compound the County Surveyor agrees that there would be sufficient parking and now has no objections. On the 23 March the Council were in receipt of an amended response from the County Surveyor which stated that he has discussed his initial concerns with the applicant 'who is confident that an agreement can be reached with the landowner concerning an agreed access to the proposed parking compound and that if the applicant can provide suitable written evidence that an agreement is in place with the landowner that allows the necessary car parking to be available throughout the working day of the development in perpetuity, I would have no objection to the proposal'.

I am aware of the issues relating to parking spaces but I consider that as it is important to consider whether or not the parking arrangements can be realistically achieved with appropriate conditions.

The compound is in third party ownership there is no guarantee that it would be available in perpetuity for use with the gym and the landowner may wish to develop the site or use it for another purpose at any time in the future. In fact when reviewing the planning history of the site I note that an application was submitted and subsequently approved in 2000 (3/2000/0807) and 2002 (3/2002/0300) for the erection of an industrial unit on the site of the existing compound therefore the principle of erecting a building is acceptable, and with this in mind, the owner may wish to submit an application for a similar proposal in the future.

Therefore, in consideration of the above and the fact that The County Surveyor has confirmed that he considers that the parking provision to the frontage of the unit is insufficient resulting in the reliance upon the availability of the main compound, which I consider the provision and permanence of it difficult to enforce and that suitable conditions may make the proposal difficult to operate. I recommend that the application be refused on the basis of conditions leading to increased parking to adjacent highways to the detriment of highway safety.

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

1. The proposal has insufficient parking arrangements and as such would be likely to lead to increased parking to adjacent highways to the detriment of highway safety contrary to Policy G1 and T7 of the Ribble Valley Districtwide Local Plan and the adopted National Planning Policy Framework.

**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: 3/2011/0776/P (GRID REF: SD 374078 437853)  
OUTLINE PROPOSAL FOR RESIDENTIAL DEVELOPMENT OF LAND OFF WHITEACRE LANE, BARROW, LANCASHIRE, BB7 9BJ.

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

1. To approve this scheme before the development framework is finalised will set a precedent to allow further uncoordinated developments in the village,
2. The design of the application would be in keeping with the properties nearby, but another developer could apply for permission with more housing on the site,
3. There is no need for further new houses in Barrow,
4. Barrow has almost tripled in size and Councillors believe the village have had its share of new growth,
5. If approved would this not set precedent for the development of land to the rear of the site and land on the other side of the A59 moving towards Wiswell?
6. The site is not included within the settlement boundary of Barrow, and the proposal does nothing to 'marry up' the various developments spread around the area,
7. The position of the development entrance off a narrow single track country land opposite the entrance to The Acres, would cause a severe traffic hazard,
8. The site is well away from the public transport system and other facilities in Barrow, and would increase the already congested traffic through Barrow,
9. The site is not sustainable,
10. Barrow primary school is oversubscribed. If permission is allowed, it is unlikely that extra primary school places would be available, meaning young children would need to travel outside the area to go to school,
11. There are few community facilities within Barrow, and the research carried out within the planning application is totally out of date,
12. The Co-operative store and McDonalds are only accessible by car, thereby adding to the carbon footprint and congestion on the roads,
13. The hedgerow fronting Whiteacre Lane, estimated to be some 100 years old, must be protected as it supports various wildlife types and their habitats would be lost if the hedgerow is removed.

LCC ENVIRONMENT  
DIRECTORATE (COUNTY  
SURVEYOR):

No objections in principle to this proposal on highway safety grounds, as following the submission of amended plans previous points of concern have been resolved.

LCC PLANNING OFFICER  
(CONTRIBUTIONS):

With regard to the proposed development, based upon the Policy Paper 'Planning Obligations in Lancashire', Lancashire County Council Services outlines the Planning Contribution request for Waste.

Based upon the Policy Paper methodology for Waste Management, there is a request for £3360 towards waste management from LCC.

ENVIRONMENT AGENCY:

Following confirmation from United Utilities that foul drainage for the development can be connected to the public sewer; we have no objection in principle to the proposed development.

UNITED UTILITIES:

After completing a flow and load assessment of the site, United Utilities will have no objections to this development.

ADDITIONAL  
REPRESENTATIONS:

Fifty one (51) letters of objection have been received from the occupiers of properties close to the site. The points of objection raised have been summarised as follows;

1. Impact on highway safety at this location due to the close proximity of the new access to 'The Acres',
2. Risk to pedestrian safety on a quiet country lane due to the increase in traffic and no footway provision,
3. Developing the site would significantly and detrimentally affect the rural nature of the area,
4. Unsustainable location for new development,
5. Impact on protected species,
6. Further increase in an already overdeveloped Barrow will destroy the small village nature of area,
7. Barrow School is already oversubscribed and more building will only put pressure on school places,
8. The village has limited retail and other amenities within walking distance so people will have to travel via car,
9. Removal of the hedgerows will have a detrimental effect on bio-diversity at this location,
10. The development site does not have the ease of access to primary access routes (A59/A671/A680),
11. The executive homes proposed do not constitute 'affordable homes' and will be beyond the financial reach of people from this local area,
12. Policies state that development should reflect the housing in the area, however over 50% of properties nearby are bungalows?



13. As the scheme is an 'Outline' application, there is concern that the scheme could significantly change when subsequent plans are submitted,
14. Road infrastructure is not suitable for additional development (no lighting, no footpath),
15. Increase in traffic will make the location even more dangerous than it is, it is often used as a 'Rat Run',
16. Development will promote the over reliance on car usage due to its location,
17. Impact on ramblers walking along Whiteacre Lane,
18. New access will have unsuitable visibility,
19. Development is contrary to the Wildlife and Countryside Act 1981,
20. Scheme is of no benefit to residents local to the site,
21. Is the nearby bridge over the A59 able to cope with a likely increase in the volume of vehicles,
22. Is the development not inappropriate ribbon development?
23. Loss of more agricultural land in the Ribble Valley,
24. Entrance to the site should be moved further east,
25. Proposed housing design is not compatible with existing houses in the immediate area,
26. Barrow has surely now had more than its fair share of housing development,
27. Surely this excessive development will just see all the towns eventually merge into each other, spoiling the rural countryside of the Ribble Valley?
28. Clearly contrary to National and Local Plan Policies,
29. Whiteacre Lane is narrow and two cars struggle to pass each other at times,
30. By using Greenfield sites instead of Brownfield, we are eroding our countryside,
31. It is imperative that Planning Committee consider the future development of fields to the south,
32. The application detail is misleading, disingenuous, patronising and an insult to local residents,
33. The hedgerow should be properly investigated and surveyed before this application is approved,
34. Impact on general infrastructure of the area,
35. Loss of privacy,
36. Should the scheme not be offering 100% affordable?
37. In the current situation where the Core Strategy and LDF are not finalised, we should not be determining applications for housing,
38. There are a shortage of jobs in Barrow, so this will inevitably be for commuters,
39. Removal of the hedge would be visually detrimental,
40. The biggest need in Barrow is for sheltered housing, where is this within the proposal? and
41. Surrounding roads are in disrepair and with further traffic on the roads could get much worse.

## **Proposal**

This is an outline application for residential development on land off Whiteacre Lane, Barrow. 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 7 dwellings on the site, as well as scale parameters, indicative 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 Whiteacre Lane.

## **Site Location**

The site lies on the edge of the village settlement boundary of Barrow, as defined by the Ribble Valley Districtwide Local Plan. The site is an agricultural field on the southern side of Whiteacre Lane and sits in-between the bridge over the A59 and Green Park Court, with agricultural fields to the southern boundary. Fronting the site is relatively mature hedgerow, which continues along the western and southern borders of the site, interested with a small number of trees. To the eastern boundary is the existing agricultural access to the site that will be retained to allow continued access to the fields beyond for continued agricultural use.

## **Relevant History**

None.

## **Relevant Policies**

Policy G1 - Development Control.  
Policy G4 – Settlement Strategy.  
Policy H20 – Affordable Housing – Villages and Countryside.  
Policy ENV7 – Species Protection.  
Policy ENV13 – Landscape Protection.  
Policy T7 – Parking Provision.  
SPG – “Extensions and Alterations to Dwellings”.  
Policy EM18 Renewable Energy – RSS.  
Addressing Housing Need in Ribble Valley.  
National Planning Policy Framework.

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

This is an outline application for residential development on land off Whiteacre Lane, Barrow. 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 7 dwellings on the site, as well as scale parameters, indicative 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 Whiteacre Lane.

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

Looking at the Inset Plans within the adopted Districtwide Local Plan, the site falls just outside of the village settlement boundary of Barrow and is designated as Open Countryside within the local plan.

At this present time when assessing proposals for housing development the overriding consideration is that of the National Planning Policy Framework (NPPF). Paragraph 14 of the NPPF notes 'At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development.' For decision-taking this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

Paragraph 49 of the NPPF considers housing applications noting that they should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 54 of the NPPF considers housing in rural areas noting that local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate.

The site is an acceptable distance from the local service centre, local amenities and services, and on this basis is considered to be a suitable site in relation to the above criteria.

In relation to the level of affordable housing required on the site, a percentage of housing on the site would have to meet an identified housing need. The document 'Addressing Housing Need in Ribble Valley', which is a material planning consideration, is intended to be both complementary with and supplemental to the relevant policies contained within the Districtwide Local Plan with the later clearly placing the site within open countryside where Policy G5 would normally require development to be 100% affordable. However as the site is considered to be closely related to the settlement boundary, in such an instance having regard to the current 5 year housing land supply situation and requirements of the NPPF, the Council would adopt the approach outlined in paragraph 3.1 of the document, i.e. *In all other locations in the borough [not Clitheroe or Longridge] on developments of 5 or more dwellings (or sites of 0.1 hectares or more irrespective of the number of dwellings) the council will seek 30% affordable units on the site.* This approach is taken because of the particular location of the site in relation to the identified settlement boundary and not because it is a qualifying development under the saved settlement strategy of the Districtwide Local Plan. Within the supporting documentation the Applicant proposes an indicative layout of seven dwellings, noting that two of these would be 'Affordable'. This would meet the requirement of the above document. However as this proposal is at outline stage only, within paragraph 1.1 of the draft S106/Legal Agreement it states that 'the total number of AHUs shall comprise not more than 30% of the total number of dwellings to

be constructed on the Property pursuant to the Planning Permission and any subsequent reserved matters approvals', thereby covering the potential for a change in the number of dwellings on this site at reserved matters stage.

As part of the principle of the development of this site, it is also 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, and that 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. 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.

Visually any development of this site will affect the streetscene and views through the site. However in order to refuse a development the significant visual harm of the proposal must be demonstrated and be sufficient enough to outweigh the requirement for new homes within the borough. With regards to the indicative layout proposed, the access point into the site requires the grubbing up and removing of a 60m stretch of hedgerow to provide the required sight lines. Behind this sight line the developer will re-plant a new hedgerow to rejoin to the remaining hedgerow to the east of the access point. Having discussed this matter with the Council's Countryside Officer, he has raised no objections to this element subject to the developer complying with quite restrictive conditions relating to tree/hedgerow protection measures and the protection of species found within this hedgerow. In maintaining the green frontage to the site the visual impact of the scheme is suitably mitigated, and the development of the site will ultimately have less of an impact on this particular location within the streetscene.

With regards to the indicative layout proposed the Applicant notes that the scheme is essentially aimed at being low key and low impact. This is why the indicative layout proposes a single line of housing accessed off a single access point with family housing in relatively large plots. Having visited this location and looked at the size of nearby properties and their garden areas, I am satisfied that the scale parameters indicated within the design and access statement would allow a development of a suitable height and massing on the site without being to the visual detriment of the area. However given the concern raised by a number of neighbours surrounding the site in relation to the housing not reflecting that within the surrounding area, it is recommended that on any subsequent reserved matters applications properties on this site be no more than a maximum of 8.2m in height, and not 9m as proposed.

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 the properties all sit well over 21m away from the dwellings nearby, however full layout, appearance and scale details will of course be fully assessed through a reserved matters application.

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 will be considered as part of a Reserved Matters Application.

#### AFFORDABLE HOUSING PROVISION ON SITE

The Section 106 Agreement states 'the affordable units will comprise 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 given to residents of Wiswell or Barrow Parish, then the neighbouring parishes of Little Mitton, Pendleton, Whalley, Sabden or Read and finally for a Ribble Valley connection. The phasing of the affordable units delivery in the agreement is at the time of completion of all the open market housing units on the Property, all the AHUs will be available for occupation. The Council's Housing Officer is happy with this.

#### ACCESS

With regards to the proposed access to the site, following the submission of an amended plan and further information the LCC County Surveyor raises no objection in principle to this application on highway safety grounds.

He notes that a total of nineteen car parking spaces are indicated for the proposed parking provisions for the seven dwellings, five for market sale and two affordable units, consistent with five 3-bed and two 2-bed units and represents a satisfactory level of provision. The access to the site has been revised in order to provide a 2.4 metre x 60-metre visibility splay in both directions, consistent with Manual for Streets 2. The design of the access road has also been improved by increasing the width of the carriageway to 5.5m for a minimum of 5m into the site. This will allow an emerging vehicle to be stationary at the junction, while another vehicle can manoeuvre into the site. The Applicant has located the proposed new access towards the north west corner of the site and directly opposite the entrance to The Acres. While this has maximised the easterly sightline, it has resulted in the westerly visibility splay extending across land not shown to be within an area directly under the Applicant's control. Following the submission of additional information, it is clear that the land falls under the ownership of the Local Highways Authority and as such is available for inclusion in the required visibility splay. The Applicant has clearly identified that where it is proposed to alter the line of existing hedgerows these will be replaced to the back of the revised visibility splays.

The revised plan does not make any provision for a new footway to the west of the site. The most recent email correspondence received by the County Surveyor confirms that there is no prospect of the applicant achieving any control over land to the west of the site, such that additional footway provision could be achieved. He is grateful for the efforts made in this regard and does not consider that the outcome of these investigations should have a negative impact on the progress of the application.

#### 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 Housing Units shall comprise of 30% of the total dwellings which may be constructed on the Property pursuant to the Planning Permission,
2. The Affordable Housing Units shall comprise semi-detached dwellings, or other mix and/or sizes of units as shall be agreed by 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,
3. The Affordable Housing Units shall comprise of Discount Sale Units (available to purchase at a 40% discount of its open market value), the precise numbers to be agreed with the Council in writing prior to commencement of development pursuant to the Planning Permission,
4. At the time of completion of all the open market housing units on the property, all the Affordable Housing units will be available for occupation,
5. The strategic housing working group are satisfied with regards to the terms of nomination rights and approved person's criteria,
6. On occupation of 50% of the dwellings to be constructed on the property, the owner shall contribute £3360 (three thousand three hundred and sixty pounds) to Lancashire County Council in respect of a waste contribution, and
7. 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 1200m to the nearest services/amenities in Barrow (in this instance the Co-operative store). The location of the site has been considered earlier in this report, as it is situated adjacent to the settlement boundary of Barrow. In addition, with the site less than 500m from an existing Bus Stop on Whalley Road, where approximately 20 buses stop heading in either direction, in principle the site is considered to comply with the criteria referred to in the NPPF. Therefore, I do not consider this is sufficient a concern that would warrant the refusal of this proposal.

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 affordable housing, 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.

The permission shall relate to the development as shown on Plan Reference No's

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

- 2. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 18 November 2011.

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

- 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 contributions toward wheeled bins and waste.

- 4. Detailed plans indicating,

- a. the layout of the site,
- b. the external appearance and scale of the dwellings,
- c. the landscaping and boundary treatments,
- d. parking and manoeuvring arrangements of vehicles, including a contoured site plan showing existing features, and
- e. 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 Policies G1 and ENV3 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. With reference to any future reserved matters application, and notwithstanding the details submitted with the application, the preferable maximum height of the proposed dwellings on site shall be at 8.2m only.

REASON: In the interests of visual amenity and the potential impact upon the amenity of the occupiers of the adjacent neighbouring properties, in accordance with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan.

- 6. 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 Whiteacre Lane to points measured 60 metres in each direction along the nearer edge of the carriageway, 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.

7. The proposed access road from the site to Whiteacre Lane shall be constructed to a width of 5.5 metres and this width shall be maintained for a minimum distance of 5 metres measured back from the nearside edge of the carriageway, as per drawing number BS.11-028/02 Rev. C.

REASON: To enable vehicles to enter and leave the site in a safe manner without causing a hazard to other road users.

8. The recommendations included in the Phase 1 Habitat Survey Report [July 2011] Page 4 [4.1 – 4.7] survey shall be adhered to and in the event that any protected species are found or disturbed during any part of the development, work shall cease until further advice has been sought from a licensed ecologist. Mitigation refers to practices adopted to reduce or remove the risk of disturbance, injury or death of a protected species.

REASON: To protect the bat population and other protected species from damaging activities and reduce or remove the impact of development, and to ensure that there are no adverse effects on the favourable status of a bat population before and during the proposed development in accordance with Policy ENV7 of the Local Plan.

9. The development hereby permitted shall not be commenced until details of the landscaping of the site, including details of tree/shrub type and species, have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall recognise the landscape character of the area and include native tree/shrub mix and indicate their distribution on site.

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.

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 dated the 29<sup>th</sup> of June 2011 [T1 Ash/T2 – Alder/T3 – Ash/G1 – Ash/G3 – Hazel/Holly/G3 – Ash/G4 – Poplar/H1 – Hawthorn/Elder inclusive] shall be protected in accordance with the BS5837 [Trees in Relation to Construction] the details of which shall be agreed in writing and implemented prior to commencement of any part of the development. 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 all trees and hedgerows identified to be retained and considered to be of visual, historic or botanical value is afforded maximum physical protection from the adverse affects of development in order to comply with Policies G1 and ENV13 of the District Wide Local Plan.

11. If any tree felling or hedgerow removal is carried out during the bird -breeding season it shall be preceded by a pre-clearance nesting bird survey by an experienced ecologist/ornithologist. If nesting birds are found an exclusion zone shall be maintained around any occupied nest and these areas shall not be cleared until declared free of nesting birds by an ecologist/ornithologist.

REASON: To ensure that bird species are protected and their habitat enhanced in accordance with the Wildlife & Countryside Act 1981 as amended, the conservation [Natural Habitats & c.] Regulations 1994 and the District Wide Local Plan. To protect species protected in law/of conservation concern against harmful activities of development, as trees and hedgerows are important for bird species as identified on the RSPB register of birds of conservation concern/East Lancashire Ornithological database.

## 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. 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 conversion. Details of current charges are available from the RVBC Contact Centre on 01200 425111.
3. 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.

4. Surface water run-off can be managed through the use of sustainable drainage systems (SUDS), and the EA advocate their use. SUDS are a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands that attenuate the rate and quantity of surface water run-off from a site, and contribute to a reduced risk of flooding. SUDS offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal that encourages a SUDS approach. Further information on SUDS can be found in the following documents:
- Planning Policy Statement 25: Development & Flood Risk (DCLG)
  - C522: Sustainable Urban Drainage Systems - Design Manual for England and Wales (CIRIA)
  - Interim Code of Practice for Sustainable Drainage Systems (SUDS Working Group)

The EA also recommend that the developer consider the following, as part of the scheme:

- Water management in the development, including, dealing with grey waters,
  - Use of sustainable forms of construction including recycling of materials, and
  - Energy efficient buildings
5. A separate metered supply to each unit will be required at the applicants expense and all internal pipe work must comply with current Water Supply (Water Fittings) Regulations 1999.

APPLICATION NO: 3/2011/0784/P (GRID REF: SD 373573 437504)  
 OUTLINE APPLICATION FOR SIX DWELLINGS, FOUR 4/5 BEDROOM HOUSES AND TWO 1 BEDROOM BUNGALOWS FOR OVER 55'S. LAND AT OLD WHALLEY NURSERIES, LAMB ROW, CLITHEROE ROAD, WHALLEY, LANCASHIRE.

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

1. Proposal is in conflict with Local Plan Policies,
2. Dwellings proposed should be 100% affordable needs housing on the site,
3. There is no need for the family houses proposed within the scheme,
4. Site is Brownfield land used for employment/business. Given the loss of such land within the Ribble Valley, should this not be retained?
5. Parish Council identified this land within the Core Strategy consultation as being a possible location for a school to serve expanding local communities, and
6. This site could be better used for a social use or other such similar function, but this would need the borough and county authorities to engage with the landowners.

LCC ENVIRONMENT  
DIRECTORATE (COUNTY  
SURVEYOR):

No objections in principle to this proposal on highway safety grounds, as following the submission of amended plans previous points of concern have been resolved.

ENVIRONMENT AGENCY:

Following the recent confirmation from United Utilities that foul drainage for the development can be connected to the public sewer, and that this is the intended method to be used by the developer, EA withdrew their initial objection to the proposed development.

UNITED UTILITIES:

After completing a flow and load assessment of the site, United Utilities will have no objections to this development.

ADDITIONAL  
REPRESENTATIONS:

Three letters of objection have been received from the occupiers of properties close to the site. The points of objection raised have been summarised as follows;

1. When the Core Strategy and Local Framework are not completed yet, why are you considering this site?
2. This proposed new development does not provide any local people with affordable housing options,
3. Impact on highway safety,
4. Increase in traffic will exacerbate existing problems,
5. Unacceptable 'ribbon development' which is detrimental to the village size and a threat to the character of the neighbourhood,
6. Increase the pressure on infrastructure in the village (schools, sewers, traffic),
7. Impact on ecology on site,
8. The land is of vital importance to us as a community,
9. As the scheme is at outline, there are fears more changes could be sought at a later date,
10. It seems the applicant is trying to get the thin wedge by applying for six homes, so he can apply for the much larger field he owns,
11. This land should stay as commercial land,
12. The use of local supermarkets and out of town shopping centres as examples that have destroyed the applicants business cannot surely be used as justification? Other local businesses have flourished (notes Shackletons/Hansons/Carr Hall),
13. The applicant states that the land has been for sale for the last two years however we believe this is not the case,
14. The statement that the applicant has run a market garden from the site is a vast exaggeration. It is rarely open and is in fact simply a field with a greenhouse,
15. The only reasons for approval would be to clean up an otherwise unsightly area, however this hardly seems a reasonable justification to approve!
16. This not a vacant site as the applicant took delivery of Christmas trees in December.

## **Proposal**

This is an outline application for residential development on land off Lamb Row, Clitheroe Road, Whalley for which all matters are reserved, and as such the Applicant seeks a view to establishing the principle of developing the site for residential use. The Applicant has provided an indicative layout plan showing provision for 6 dwellings on the site, as well as scale parameters, indicative 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 access point noted on the plan is not being considered as part of the application (would be dealt with as part of the reserved matters), however it has been assessed by the LCC County Surveyor to establish whether a suitable access point can be achieved at the site.

## **Site Location**

The site lies outside the village settlement boundary of Barrow, as defined by the Ribble Valley Districtwide Local Plan. The site sits opposite The Eagle at Barrow and adjacent to Pendle Garage, and is currently home to Old Whalley Nurseries, a business operated by the applicants for over 25 years. The site contains a large greenhouse and associated smaller buildings, and is bounded by a large agricultural field to the eastern and southern boundaries heading towards the A59. The site is partially screened along its boundaries by existing mature hedgerows and trees, all of which will be retained. The scheme retains an existing agricultural access track on the southern boundary of the site that will maintain continued access to the fields beyond for the applicant.

## **Relevant History**

3/1991/0551/P – Garden Centre – Granted Conditionally.

## **Relevant Policies**

Policy G1 - Development Control.  
Policy G5 – Settlement Strategy.  
Policy H20 – Affordable Housing – Villages and Countryside.  
Policy ENV7 – Species Protection.  
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.  
Addressing Housing Need in Ribble Valley.  
National Planning Policy Framework.

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

This is an outline application for residential development on land off Lamb Row, Clitheroe Road, Whalley for which all matters are reserved, and as such the Applicant seeks a view to establishing the principle of developing the site for residential use. The Applicant has provided an indicative layout plan showing provision for 6 dwellings on the site, as well as scale parameters, indicative 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 access point noted on the plan is not being considered as part of the application (would be dealt with as part of the

reserved matters), however it has been assessed by the LCC County Surveyor to establish whether a suitable access point can be achieved at the site.

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 access details are not formally part of this application, the LCC County Surveyors view of the access will still be discussed.

#### PRINCIPLE OF THE DEVELOPMENT

The site falls outside of the village settlement boundary of Barrow and is designated as Open Countryside within the local plan. At this present time when assessing proposals for housing development the overriding consideration is that of the National Planning Policy Framework (NPPF). Paragraph 14 of the NPPF notes 'At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development.' For decision-taking this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

Paragraph 49 of the NPPF considers housing applications noting that they should be considered in the context of the presumption in favour of sustainable development, and that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Paragraph 54 of the NPPF considers housing in rural areas noting that local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate. The site is an acceptable distance from the local service centre, local amenities and services, and on this basis is considered to be a suitable site in relation to the above criteria.

In relation to the level of affordable housing required on the site, a percentage of housing on the site would have to meet an identified housing need. The document 'Addressing Housing Need in Ribble Valley', which is a material planning consideration, is intended to be both complementary with and supplemental to the relevant policies contained within the Districtwide Local Plan with the later clearly placing the site within open countryside where Policy G5 would normally require development to be 100% affordable. However as the site is considered to be closely related to the settlement of Barrow, in such an instance having regard to the current 5 year housing land supply situation and requirements of the NPPF, the Council would adopt the approach outlined in paragraph 3.1 of the document, i.e. *In all other locations in the borough [not Clitheroe or Longridge] on developments of 5 or more dwellings (or sites of 0.1 hectares or more irrespective of the number of dwellings) the council will seek 30% affordable units on the site.* This approach is taken because of the particular location of the site in relation to the identified settlement boundary and not because it is a qualifying development under the saved settlement strategy of the Districtwide Local Plan. Within the supporting documentation the Applicant proposes an indicative layout of six dwellings, noting that two of these would be 'Affordable', and this is outlined within the draft S106/Legal Agreement.

As part of the principle of the development of this site, it is also 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, and that 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. 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.

Visually any development of this site will partially affect the streetscene and views from the A59, however in order to refuse a development the significant visual harm of the proposal must be demonstrated and be sufficient enough to outweigh the requirement for new homes within the borough. Given the sites current use, and that the scheme will the green boundaries surrounding the site, the visual impact of the scheme will be suitably mitigated, and the development of the site will have an acceptable impact at this particular location.

With regards to the indicative layout proposed the Applicant notes that the scheme is essentially aimed at being low key and low impact. This is why the indicative layout proposes housing accessed off a single access point with family housing in relatively large plots. Having visited this location and looked at the size of nearby properties and their garden areas, I am satisfied that the scale parameters indicated within the design and access statement would allow a development of a suitable height and massing on the site without being to the visual detriment of the area. However given the more traditional scale of two storey properties within the surrounding area, it is recommended that on any subsequent reserved matters applications these properties be no taller than a maximum of 8.2m, and not 9.14m as proposed.

On this basis, and bearing in mind the above details, the principle of developing this site for housing 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 with all details reserved, these elements will be considered as part of a Reserved Matters Application.

#### AFFORDABLE HOUSING PROVISION ON SITE

The Section 106 Agreement states 'that two of the six houses to be built shall not be sold by the owners other than to an Approved Person as defined at Clause 5, and the sale price shall be at a discount to the Open Market Value'. Clause 5 consists of buyers who are over 55 years of age. The local connection requirements and order of preference are as requested in that priority is give to residents of Whalley, then Read, Sabden, Wiswell, Little Mitton, Billington and Langho, 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. The Council's Housing Officer has discussed the S106 with the Applicant and is happy with this.

#### LOSS OF EMPLOYMENT LAND

Given the proposal requires the loss of an existing employment generating use, the application submitted must be considered against 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. The borough currently has an under supply of housing and is governed by National guidance within the draft NPPF which states that there should be a presumption in favour of sustainable development, and that planning permission should be granted where relevant policies are out of date, for example where a local authority cannot demonstrate an up-to-date five-year supply of deliverable housing sites. On this basis, and given the sites close proximity to the settlement boundary of Barrow, 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 applicant has submitted a statement justifying the loss of potential employment land, noting that it has been a family run business for over 25 years but due to larger chains opening nearby their trade has dropped significantly. The applicants are currently at retirement age, and they operate the business themselves. On this basis, I do not envisage the loss of the business to cause any economic or social damage through loss of employment, and as such the application is considered to satisfy point (iv) of Policy EMP11. The sales particulars for the site have been with Atherton's Estate Agents in Whalley for the past two or three years, and having discussed this with John Atherton, the efforts to sell the land have been unsuccessful. Alternative uses for the site have also been investigated, with the offers mainly coming from housing developers. 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.

#### ACCESS

With regards to the access to the site, despite the submitted details not being part of the formal application, the Council must still be satisfied that an access can be achieved. Following the submission of an amended plan and further information the LCC County Surveyor raises no objection in principle to this application on highway safety grounds.

The dimensions of the existing access, as agreed in 1991 for the previous garden centre use, provide an acceptable basis for the access to the proposed site. A more detailed site plan has been submitted to confirm that sightlines of 2.4m by 90m in both directions will be achieved and secured from this access, with all planting and construction in the areas shown within the relevant visibility splays to be controlled at below 900mm. The plan also includes the addition of

footways to either side of the access, minimum width 2.0m, with drop kerb links to the existing footway opposite.

#### 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 Housing Units shall comprise of two of the six dwellings which may be constructed on the land pursuant to the Planning Permission,
- 2. The Affordable Housing Units shall comprise two, one bedroom bungalows,**
3. The Affordable Housing Units shall comprise of Discount Sale Units (available to purchase at a 40% discount of its open market value),
4. No more than 50% of the open market units shall be occupied until 100% of the affordable units are available for occupation,
5. The strategic housing working group are satisfied with regards to the terms of nomination rights and approved person's criteria, 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 to the nearest services/amenities in Barrow (in this instance the Co-operative store). The location of the site has been considered earlier in this report, and with the site less than 50m from an existing Bus Stop on Whalley Road, where approximately 20 buses stop heading in either direction, in principle the site is considered to comply with the principles of sustainability.

There has also been concern raised by the loss of more employment land, however I am satisfied that sufficient has been made to market and sell the land and given the struggles larger land owners have had selling employment land in a recession, this should not stifle the development of a housing site at this location.

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 location would not result in visual detriment to the surrounding countryside, nor would it 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 affordable housing, 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 ‘Additional Details to Entrance’ and ‘Site 239 Garden Centre – Existing and Proposed’.

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 contributions toward wheeled bins.

4. Detailed plans indicating,

- f. the access onto the site including sight lines,
- g. the layout of the site,
- h. the external appearance and scale of the dwellings,
- i. the landscaping and boundary treatments,
- j. parking and manoeuvring arrangements of vehicles, including a contoured site plan showing existing features, and
- k. 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 Policies G1 and ENV3 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. With reference to any future reserved matters application, and notwithstanding the details submitted with the application, the preferable maximum height of the proposed two storey dwellings on site shall be at 8.2m only.

REASON: In the interests of visual amenity and the potential impact upon the amenity of the occupiers of the adjacent neighbouring properties, in accordance with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan.

6. Any access point on the site shall provide a suitable visibility splay. 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 Whalley Road to points measured 90 metres in each direction along the nearer edge of the carriageway, 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.

7. If any tree felling or hedgerow removal is carried out during the bird -breeding season it shall be preceded by a pre-clearance nesting bird survey by an experienced ecologist/ornithologist. If nesting birds are found an exclusion zone shall be maintained around any occupied nest and these areas shall not be cleared until declared free of nesting birds by an ecologist/ornithologist.

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## 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 conversion. Details of current charges are available from the RVBC Contact Centre on 01200 425111.

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.

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

The EA also recommend that the developer consider the following, as part of the scheme:

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

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

ITEMS DELEGATED TO DIRECTOR OF COMMUNITY SERVICES UNDER SCHEME OF DELEGATED POWERS

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

APPLICATIONS APPROVED

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2009/0279/P	Application to discharge condition No 3 (relating to storage and materials), condition No 4 (relating to the siting of the building) and condition No 5 (relating to landscaping of the site) of planning permission 3/2008/0700/P on land	Monks Contractors Ltd Myerscough Smithy Lane Mellor Brook
3/2010/0129/P	Application for discharge of condition No 2 (ecology, mitigation and enhancement), condition No 4 (details of walls, fences, gates), condition No 6 (sight lines and landscaping) and condition No 9 (materials) of planning permission 3/2009/0786/P	Pump House Dene Wood Trapp Lane Simonstone
3/2011/0894/P	Proposed 50KWp solar photovoltaic installation on two west facing roof slopes of the production building	Fort Vale Engineering Calder Park Simonstone Lane Simonstone
3/2011/0910/P	Replacement of ground floor windows to the front and side elevations	Lloyds TSB, 4 Berry Lane Longridge
3/2011/0913/P	Application for discharge of condition 2 (plan drawings), condition 5 (Section 106 Agreement), condition 7 (gable windows, block 1 and 2), condition 8 (access arrangements) and condition 11 (new road construction) of planning consent 3/2010/0054/P at rear	Primrose Mill Woone Lane Clitheroe
3/2011/0932/P	Application to vary condition no. 7 (occupancy period) of planning consent 3/2001/0197P, to allow the property to be let on a six-monthly basis	Crossfold House 1 Crossfold Grindleton
3/2011/0934/P (LBC)	Essential repairs and refurbishment of the historic libraries known as Bay Library, Square Library and Arundel Library	Stonyhurst College Hurst Green
3/2011/0935/P	Proposed installation of 1 no. Ecovo 10 KW wind turbine on 15m tower	Haggs Hall Farm Haggs Hall Fields Ramsgreave
3/2011/0939/P	Change of use of existing annexed barn to form self-contained holiday accommodation with internal and external alterations	Otter House 9 Mitton Road Whalley

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2011/0963/P	Change of use of agricultural land to create a winter turn-out area/sand paddock for equine use	Lower Fold Stables Northcote Road, Langho
3/2011/1018/P & 3/2011/1019/P	Change of use of barn to café and visitor centre. New internal door, alterations to boundary wall; provision of cycle stand and creation of new footpath	Stephen Park, Dale Head Slaidburn
3/2011/1029/P	Replacement building to provide undercover storage for domestic equipment and secure storage	Gill House Moss Side Lane Thornley
3/2011/1038/P	Single storey rear extension and new garage	12 Meadow View, Clitheroe
3/2011/1048/P	Proposed pumping station for new water supply	The Skaithe Slaidburn
3/2011/1076/P 3/2012/0003/P	Proposed two storey side/ rear extension Proposed demolition and re-build of the old doctors surgery to create a two bed, self-contained holiday cottage with disabled access. Former Doctors Surgery	11 Clough Lane, Simonstone Root Farm Dunsop Bridge
3/2012/0018/P	Proposed change of use from B1 offices to A1 – Artist's Studio, Exhibition Space and proposed Gallery	1 Swan Mews off Castle Street, Clitheroe
3/2012/0026/P	Proposed new wooden building to provide meeting room and undercover facilities for Stonyhurst Shoot on land adjacent	Foxfields Farm Stonyhurst
3/2012/0029/P	Roof over existing silage clamp phase 2 of a 2 phase application	Gregsons Farm Settle Road, Newsholme
3/2012/0030/P	Roof over existing silage clamp – phase 1 of a phase 2 application	Gregsons Farm Settle Road, Newsholme
3/2012/0031/P	Single storey sunroom and porch extension	Dove Cottage Whalley Road, Sabden
3/2012/0034/P	Proposed dormer windows to the front roofslope and single storey side extension	26 Whalley Road Langho
3/2012/0035/P	Application for the discharge of condition no. 3 (walls and roof details) and condition no. 4 (landscaping details) of planning consent 3/2011/0651/P	Meadowside York Lane Langho
3/2012/0036/P	Proposed agricultural livestock building	Lyme House Farm Thornley-with-Wheatley
3/2012/0037/P	Proposed agricultural livestock building	Lyme House Farm Thornley-with-Wheatley
3/2012/0038/P	Proposed agricultural livestock building	Lyme House Farm Thornley-with-Wheatley
3/2012/0039/P	Proposed agricultural livestock building	Lyme House Farm Thornley-with-Wheatley
3/2012/0045/P	Proposed extension to existing car park over the site of the redundant toilet block	42 King Street, Whalley

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2012/0046/P	Proposed conversion of barn to dwelling, creation of garden and siting of new sewage treatment plant	Lower Gills Wytha Lane Rimington
3/2012/0048/P	Proposed conversion of barn to dwelling, new garage and parking area, creation of garden and installation of sewage treatment plant	Barn at Bay Gate Farm Bolton-by-Bowland
3/2012/0050/P	Proposed single storey extension to the side of the property	18 Moorland Avenue Clitheroe
3/2012/0051/P	Construction of single storey conservatory to South face of existing two-storey dwelling (re-submission of application 3/2011/0656/P)	41 Dilworth Lane Longridge
3/2012/0054/P	Proposed extension of existing flat roofed first floor bedroom. Replacement of flat roof with new pitched roof. Removal of rear single storey porch and construction of external chimney breast and stack and addition of first floor balcony to rear elevation	Pear Tree Cottage Blackburn Road Ribchester
3/2012/0064/P	Temporary hard standing site compound and access track. Temporary fence and gate	Coat Rakes Slaidburn
3/2012/0068/P	Proposed loft conversion and installation of two Velux rooflight balconies and one Velux rooflight to southern roofslope	Ingleby Lower Lane Longridge
3/2012/0072/P	Amended re-submission of application 3/2011/0766 for proposed two-storey side extension with single storey extension to side and rear	47 Standen Road Clitheroe
3/2012/0085/P	Proposed entrance porch to front door of the property	9 Hereford Drive, Clitheroe
3/2011/0088/P	Proposed extensions and alterations to side and front of existing dwelling, including attached garage, proposed dormers and demolition of existing garage/store	Brooklyn Back Lane Grindleton
3/2012/0102/P	Installation in ground of a domestic sewage treatment plant (a Klargestar BioDisc BB) to replace an existing septic tank	Rooks Barn, Tinklers Lane Slaidburn
3/2012/0105/P	Proposed conversion of existing garage and proposed link extension to form annex to existing dwelling	Tree Tops Whalley New Road Billington, Clitheroe
3/2012/0107/P	Proposed rear extension	24 Vicarage Lane Wilpshire, Blackburn
3/2012/0108/P	Proposed rear extension	22 Vicarage Lane Wilpshire, Blackburn
3/2012/0109/P	Repositioning and replacement of existing roof lights to rear roofslope	The Barn, Dean Top Whalley Road, Simonstone

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2012/0110/P	Application for the discharge of condition no.3 (plan for vehicles to enter and leave in a forward gear), of planning consent 3/2009/0065P	Ivy Cottage, Burnley Road Gisburn
3/2012/0124/P	Application for the discharge of condition 4 (surface water regulation) and condition 5 (surface water drainage) of lp consent 3/2011/0662/P	Fort Vale Engineering Ltd Caldervale Park Simonstone Lane Simonstone
3/2012/0129/P	To remove glazing from two ground floor window frames and install two steel cowls painted to match the building	Whalley Telephone Exchange, Station Road Whalley
3/2012/0170/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 (Amended re-submission of planning permission 3/2011/0786/P)	Oak Farm Barn Longsight Road Clayton-le-Dale
3/2012/0171/P	Application for a non-material amendment to planning permission 3/2011/0917P, for the omission of windows on the South elevation of the garden room extension and an increase in the overall dimensions of the porch	16 Church Close Waddington
3/2012/0188/P	Application for the discharge of condition no's 7 (velux rooflights), 9 (materials) and 13 (foul drainage treatment) of planning consent 3/2011/0792/P	Old Joinery King Henry Mews Bolton-by-Bowland

#### APPLICATIONS REFUSED

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>	<b><u>Reasons for Refusal</u></b>
3/2009/0697/P	To modify/discharge the following condition 'to utilise a minimum of 60% of the floor space of the converted building, the subject of the development for business purposes'	Fell View, formerly barn at Baygate Bolton-by-Bowland	Policies G1, G5, ENV1, H15 and PPS3: Housing – a permission would be tantamount to granting permission for the formation of a dwelling (without justification of an associated business use) in an unsuitable and unsustainable location contrary to advice in paragraph 69 of PPS3: Housing and the requirements of saved policies G5,

Cont/

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
Cont...			H2 and H15 of the Local Plan.
3/2011/0789/P & 3/2011/0788/P	Conversion of barn to former residential dwelling	South Barn, Bashall Hall Twitter Lane Bashall Eaves	The proposal would be unduly harmful to the character (including setting) of the listed barn and the setting of other listed buildings at Bashall Hall because of the insertion of conspicuous, incongruous and visually intrusive rooflights, the loss of important historic fabric (including original walling), the unsympathetic form and treatment of openings and the unsympathetic treatment of the large and open interior. This would be contrary to Policies ENV20, ENV19, H17 and G1(a) of the Ribble Valley Districtwide Local Plan.
3/2011/0849/P	New detached garage, boundary wall, gates and hard landscaping	Great Mitton Hall Mitton Road Mitton	The proposal would be unduly harmful to the setting of the listed buildings (characterised by the close and harmonic juxtaposition of the church, hall and aisled barn) and the character of the area immediately adjacent to the Forest of Bowland Area of Outstanding Natural Beauty because the
Cont/			

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
Cont...			roadside walling and garage would be conspicuous, incongruous (including the form of construction of the boundary wall) and visually intrusive. This would be contrary to Policies ENV19, G1 and ENV2 of the Ribble Valley Districtwide Local Plan.
3/2011/0874/P (LBC) & 3/2011/0873/P (PA)	Demolition of two outbuildings to be replaced with a link building and conversion of workshop to habitable accommodation	Black Hall Garstang Road Chipping	The proposal has an unduly harmful impact upon the character (including setting) and significance of the listed building because the extension would be incongruous, visually intrusive, dominating of the historic build in materials and siting and suburban in form and will result in the loss of important historic fabric. This is contrary to Policies ENV20, ENV19 and G1(a) of the Ribble Valley Districtwide Local Plan.
3/2011/0979/P Cont/	Replacement of the existing centre window at the rear elevation with one the same size as the original window,	Higher Parkhead Cottage Accrington Road Whalley	The proposal would be unduly harmful to the character (including setting)



<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>	<b><u>Reasons for Refusal</u></b>
Cont...	including re-positioning of the stone around the edges of the window and to replacement of the damaged header (like for like) with locally sourced stone		and significance of the listed building because no information as to the provenance or detail of the window opening shown in the 1970s photograph has been submitted and this previous form would appear detrimental to the appearance of the prominent north-west elevation of the building.
3/2011/0998/P	New build storage building for animal feed, hay and implements including Solar PV panels on South facing roofslope	Wallbanks Farm Chipping Road Chaigley	Policies G1, G5 and ENV1 of the Districtwide Local Plan and the Council's adopted Supplementary Planning Guidance on new agricultural buildings and roads – unjustified for agricultural purposes and appear as a domestic outbuilding which by its very nature would have a harmful effect on the landscape qualities of the area.
3/2011/1015/P	Proposed single storey link extension between existing house and outbuilding to create home office and art studio with alterations to the existing house	Hodder House Chipping Road Chaigley	G1, ENV1 & H17 – Detrimental visual impact upon the appearance of this traditional barn conversion and outbuilding to the visual detriment of the Forest of Bowland Area of Outstanding Natural Beauty.

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>	<b><u>Reasons for Refusal</u></b>
3/2011/1079/P	Two-storey side extension, flat-roofed dormer to rear elevation and two piked dormers to front elevation and single storey rear extension at	3 Redwood Drive Longridge	G1, H10, SPG – Dominant extensions to the visual detriment of the property and street scene and harmful to the amenity of neighbouring residents as a result of loss of privacy and overlooking.
3/2012/0012/P	Proposed demolition of a single storey extension to be replaced with a two-storey extension at	11 Manor Avenue Ribchester	G1, H10, SPG – Dominant extension to the visual detriment of the property and harmful to the amenity of neighbouring residents as a result of the overbearing nature of the development and resultant loss of light.
3/2012/0013	Proposed demolition of the existing single storey extension to be replaced with a two-storey extension	12 Manor Avenue Ribchester	G1, H10, SPG – Dominant extension to the visual detriment of the property and harmful to the amenity of neighbouring residents as a result of the overbearing nature of the development and resultant loss of light.
3/2012/0040/P (LBC) & 3/2012/0041/P	Demolition of existing dilapidated modern extension and replacement with a similar size store and glazed orangery with modest internal alteration to the kitchen	Browsholme Cotes Clitheroe Road Cow Ark	The proposal would be unduly harmful to the character (including setting) of Browsholme Cotes, the setting of Browsholme Hall and the significance of the historic designed landscape heritage

Cont/

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
Cont...			asset because of its prominence, size, dominant form, obscuring of architectural detail and loss of important historic fabric. This would be contrary to Policies ENV20, ENV19 and G1 of the Ribble Valley Districtwide Local Plan and Supplementary Planning Guidance 'Extensions and Alterations to Dwellings'.
3/2012/0056/P	Proposed single storey garden/dining room extension. Erection of open porch canopy	Pendle Cottage Whins Avenue Sabden	G1, ENV1, ENV16, H10 and Councils SPG "Extensions and Alterations to Dwellings" – Inappropriate size, design and siting resulting in a visually dominant extension to the detriment of the character and significance of the main property, the appearance of the Conservation Area and the Area of Outstanding Natural Beauty.
3/2012/0097/P	Extension to gable	Lower Greenbank Barn Whalley Road Sabden	Policies G1, ENV1, and H17 of the Districtwide Local Plan by virtue of a design that is unsympathetic to the original form and character of the building. Approval would thus be
Cont/			

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
Cont...			detrimental to the building's historic fabric and the visual amenities of the Area of Outstanding Natural Beauty.

#### SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2010/0078P	Old Manchester Offices Whalley New Road Billington	20/5/10	18	Ongoing negotiations in relation to contribution issues
3/2010/0929P	Land between 36 & 38 Henthorn Road Clitheroe	14/7/11	8	Not Signed yet With applicants solicitor
3/2011/0247P	Land off Chapel Close Low Moor Clitheroe	13/10/11 9/2/12	54	Ongoing negotiations with LCC and applicant
3/2011/0316P	Land off Preston Road Longridge	10/11/11	60	Not Signed yet With applicants solicitor
3/2011/0541P	Dilworth Lane/Lower Lane Longridge	10/11/11	49	Not Signed yet With applicants solicitor
3/2011/0482P	Brown Leaves Hotel Longsight Road Copster Green	8/12/11	18	About to be signed
3/2011/0837P	Land off Pendle Drive Calderstones Park Whalley	9/2/12	46	Not Signed yet With applicants solicitors
3/2009/1011P	Land adj Petre House Farm Whalley Road Langho	4/2/10	24	Decision 12/3/12
3/2011/0129P	Victoria Mill Watt Street Sabden	14/7/11 8/12/11	70	Decision 15/3/12
<b>Non Housing</b>				
3/2011/0649P	Calder Vale Park Simonstone	15/3/12		Subject to departure procedures so no progress on Section 106

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>
3/2010/0719 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	–		APPEAL ALLOWED 26.3.12
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	–	Site visit 2.4.12 AWAITING DECISION
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	–	APPEAL DISMISSED 13.3.12
3/2011/0641 D	14.12.11	Mr & Mrs Mark & Victoria Haston Carr Meadow Barn Carr Lane Balderstone	WR	–	APPEAL DISMISSED 2.3.12

<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>
3/2011/0245 D	14.12.11	Mr & Mrs A O'Neill Proposed conversion of existing offices above a shop into 2no. flats. (Change of use from class A2 to class C3) 18-20 Berry Lane Longridge	WR	—	APPEAL DISMISSED 26.3.12 (in relation to uPVC windows and door) APPEAL ALLOWED 26.3.12 (in relation to conversion of existing offices, removal of chimneystack and installation of new roof light to rear)
3/2011/0508 D	14.12.11	Mr & Mrs A O'Neill Proposed change of use of the existing offices above a shop from class A2 to form two flats (class C3). Re-submission of planning application 3/2011/0245P 18-20 Berry Lane Longridge	WR	—	APPEAL DISMISSED 26.3.12 (in relation to uPVC windows) APPEAL ALLOWED 26.3.12 (in relation to conversion of existing offices, installation of timber entrance door and new roof light in rear)
3/2011/0481 D	19.12.11	Huntroyde Estate Demolition of the stone building and piggeries Dean Farm Sabden	WR	—	APPEAL ALLOWED 12.3.12

<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>
3/2011/0578 D	11.1.12	Mr M Vaughan Proposed erection of a single storey side extension on the existing patio to form a new study Austin House Malt Kiln Lane Chipping	Householder appeal	—	AWAITING DECISION
3/2011/0820 D	12.1.12	Mr S Davenport Application for the removal of condition no.15 (length of occupancy), of planning consent 3/2006/0836P to allow the house to be used as permanent residential accommodation Butchers Laithe Knotts Lane Tosside	WR	—	Awaiting site visit
3/2011/0300 O	17.1.12	Mr & Mrs Myerscough Outline application for the erection of a country house hotel and spa Land adjacent to Dudland Croft Gisburn Road Sawley	WR	—	Awaiting site visit
3/2011/0937 D	1.2.12	Mr R McDonald Proposed installation of a 4Kw black edged solar PV system to the rear-facing South roof slope of the dwelling Kezmin House Hothersall Lane Hothersall	Householder appeal	—	APPEAL DISMISSED 13.3.12
3/2011/0103 D	13.2.12	Mr Robert Townson Proposed erection of a wind turbine on a 43m tower for the farm use and as a farm diversification project. The output is 330Kw Westby Hall Farm Burnley Road Gisburn	WR	—	Awaiting site visit

<u>Application No:</u>	<u>Date Received:</u>	<u>Applicant/Proposal/Site:</u>	<u>Type of Appeal:</u>	<u>Date of Inquiry/Hearing:</u>	<u>Progress:</u>
3/2011/0982 D	15.2.12	Mr David Huyton Proposed construction of a two-storey side extension to existing house to provide living room, utility/W.C. to ground floor and master bedroom suite to first floor (Resubmission of 3/2011/0295P) 33 Victoria Court Chatburn	Householder appeal	—	AWAITING DECISION
3/2011/0624 D	17.2.12	Mr Ken Dobson Fit secondary glazing (Listed Building Consent) Vicarage House Vicarage Fold Wiswell	WR	—	Awaiting site visit
3/2011/0498 O	21.2.12	Mr & Mrs Allison Demolition of all buildings on site (existing house, kennels and various outbuildings) and erection of a new dwelling incorporating a bed and breakfast business The Eaves Pendleton Road Wiswell	WR	—	APPEAL WITHDRAWN 22.3.12
3/2011/0620 D	21.2.12	Mr Simon Waller 18 PV panels on the South facing roof above the existing roof, inverter and wiring on the inside of the building Root Hill Estate Yard Whitewell Road Cow Ark	WR	—	Awaiting site visit
3/2011/0488 D	12.3.12	Mr G Garnett Proposed erection of a single garage within the curtilage of an existing building/dwelling house The Hey Barn Back Lane Newton	Householder appeal	—	Notification letter sent 15.3.12 Questionnaire sent 19.3.12 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>
3/2011/0653 D	13.3.12	E Smith Proposed erection of a detached two-storey timber building within garden area to create studio at ground floor and storage at first floor 10 Longridge Road Hurst Green	Householder appeal	—	Notification letter sent 15.3.12 Questionnaire sent 19.3.12 AWAITING DECISION
3/2011/0567 D	16.3.12	Mr D Ashton Proposed erection of a holiday cottage (Re-submission) Pinfold Cottage Tosside	WR	—	Notification letter sent 23.3.12 Questionnaire sent 29.3.12 Statement to be sent by 26.4.12
3/2011/0851 D	27.3.12	Mrs Sarah Roundell Proposed rear second floor extension and detached single garage to the rear Houghton Farm Cottage Osbaldeston Lane Osbaldeston	Householder appeal	—	Notification letter sent 30.3.12 Questionnaire sent 3.4.12 AWAITING DECISION

#### LEGEND

D – Delegated decision  
C – Committee decision  
O – Overturn

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 12 APRIL 2012  
title: PROPOSED CONSULTATION ON EXTENSION TO LONGRIDGE  
CONSERVATION AREA AT STONEBRIDGE MILL  
submitted by: DIRECTOR OF COMMUNITY SERVICES  
principal author: ADRIAN DOWD – PRINCIPAL PLANNING OFFICER (DESIGN AND  
CONSERVATION)

## 1 PURPOSE

1.1 To seek Member agreement to a limited public consultation on a proposed extension to Longridge Conservation Area at Stonebridge Mill.

1.2 Relevance to the Council's ambitions and priorities:

- Council Ambitions – To protect and enhance the existing environmental quality of our area.
- Community Objectives – The Ribble Valley Sustainable Community Strategy 2007-2013 has three relevant strategic objectives – maintain, protect and enhance all natural and built features that contribute to the quality of the environment. Ensure that the design of buildings respects local character and enhances local distinctiveness. Sustainably manage and protect industrial and historical sites.
- Corporate Priorities - Objective 3.3 of the Corporate Plan commits us to maintaining and improving the environmental quality of the Ribble Valley. Objective 3.8 of the corporate plan commits us to conserving and enhancing the local distinctiveness and character of our towns, villages and countryside when considering development proposals.
- Other Considerations – None.

## 2 BACKGROUND

2.1 The Planning (Listed Buildings and Conservation Areas) Act 1990, Section 69, states that every local planning authority shall from time to time determine which parts of their area are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, and, shall designate these areas as conservation areas.

2.2 Section 69 of the Act also states that it is the duty of the local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas.

2.3 There is no statutory requirement to consult prior to conservation area designation or appraisal. However, English Heritage's Guidance on Conservation Area Appraisals (2006, paragraph 3.2) advises that:

*"Once a conservation area appraisal has been completed in draft form, it should be issued for public comment. Local consultation can help to bring valuable public*

*understanding and “ownership” to proposals for the area. Thought should be given to encouraging a wider public debate, drawing together local people, resident groups, amenity groups, businesses and other community organisations, in a discussion about issues facing the area and how these might be addressed. Ideally, consultation should be undertaken generally in line with the local authority’s statement of community involvement (SCI)”.*

English Heritage’s Understanding Place: Conservation Area Designation, Appraisal and Management (March 2011, paragraph 1.11) advises that:

*“Community involvement ... over the last few years local communities have become more proactively involved in identifying the general areas that merit conservation area status and defining the boundaries. The values held by the community are likely to add depth and a new perspective to the local authority view”.*

2.4 The idea of including Stonebridge Mill in Longridge Conservation Area was initiated by Longridge Town Council and Longridge Heritage Committee in their response to the Longridge Conservation Area appraisal and review (reported to Committee on 3 April 2007). Following extensive public consultation the present conservation area boundary (encompassing Stonebridge Mill) was designated by the Borough Council on 22 May 2008.

2.5 The report to Committee from 6 March 2008 states:

#### Stonebridge Mill

The opening of the railway stimulated the growth of new steam-powered mills at Longridge and between 1850 and 1874 four textile mills opened. Stonebridge was the first cotton factory and was built by George Whittle in 1850 on Silver Street (Till, 1993). A date stone (possibly relocated) confirms this build date. Aerial photographs suggest the mill’s largest building, the weaving shed, was demolished some time in the 1940s to 1960s. However, stone/brick building ranges survive in a ‘L’ shape around the perimeter of the former weaving shed site. The southern range also forms one side of a courtyard accessed off the Preston Road (formerly Silver Street) and still retains the mill clock. The surviving mill buildings have been constructed in a combination of sandstone and hand moulded brickwork – this juxtaposition and use of materials suggests a history of alteration and extension. It is likely that the surviving buildings would have been warehousing, offices, engine housing and preparation facilities for the weaving shed. The 1886 Ordnance Survey map shows two terraces of houses on the east side of Silver Street separated by the courtyard entrance. The terraces are constructed in the same hand moulded brickwork as the mill.

2.6 The Lancashire Textile Mills Rapid Assessment Survey (June 2008 – March 2012) was undertaken by Oxford Archaeology North for Lancashire County Council (in partnership with English Heritage which commissioned and funded the project). The survey has identified a total of 1661 textile-manufacturing sites in Lancashire. Of these, 619 survive, or are partially extant, which equates to a survival rate of 37.27%.

*The rapid assessment report states ‘the borough also contains several interesting examples of weaving mills built during the second half of the nineteenth century. In Longridge, Stonebridge Mill (LTM0761) was erected as a purpose-built weaving factory in 1850 and, amongst other buildings arranged around a central courtyard, the site retains two engine and boiler houses’.*

The rapid assessment survey was primarily a mapping exercise to quickly identify what was left of the county’s textile buildings. A second stage has recently begun with the aim to ‘create a typology of the various textile-manufacturing sites in the modern county, and

*produce a consistently thorough record and interpretation of a representative sample of each type'. Fifty sites identified in the county during the rapid assessment will be examined in detail including 'Stonebridge Mill Longridge (early weaving sheds)'. The completed survey will be used to put the rest of the county's mills (619) into context and to address concerns that 'there has been no systematic evaluation of the stock of the county's textile mills, meaning that the basic questions in respect of quality or rarity could not be answered when development proposals were being considered'. The second stage project proposals emphasise that the earlier survey of Greater Manchester (1992) 'was dominated by cotton-spinning mills, and no detailed surveys were carried out of textile-finishing sites or **weaving mills, which were focused largely within the boundary of the modern county of Lancashire**. The proposed Stage 2 Survey would complement this earlier study, enable imbalances to be redressed, and facilitate a more informed understanding of the textile manufacturing industry in historic Lancashire'.*

The author of the report also advised officers on 22 October 2009:

*'Longridge had a number of textile mills, although these do not appear to have fared well in more recent times. Stonebridge Mill, on Kestor Lane, is an exception. This weaving shed, dating to 1850, was the first steam-powered mill in the town, and seemingly **retains many important original features, including the boiler house and single beam engine house**. Elements of the site seem to be occupied, but it is probably one to keep an eye on, as I wonder about the buildings' maintenance regime'.*

- 2.7 Rothwell M, 'Industrial Heritage: A Guide to the Industrial Archaeology of the Ribble Valley' (1990) suggests the brick boiler house ('hidden' within the modern portal frame building) and adjacent brick engine house were the second set of such buildings on the site and were built in 1877 following the introduction of a 350hp cross-compound engine to replace the original 1850 single beam engine (the original engine and boiler houses survive in the same range further to the west). Rothwell suggests that the brick boiler house '*now extensively altered, appears to have been designed for three boilers*'. He also notes that '***along the south side of the mill yard are additional offices and storage buildings, a later weaving shed (c.1910) and a water tower topped with a cast iron tank...the drive for the second shed was carried overhead across the mill yard and the shaft bearing boxes (for oiling) survive along the external wall***'.
- 2.8 Munt M., "Listing our Industrial Heritage" in Context 112: November 2009 discusses the recent change in perceptions of the importance of industrial archaeology (with particular regard to English Heritage's 'Principles of Selection': Industrial Buildings Selection Guide" March 2007).

He suggests that

*"industrial heritage assets have evidential value of past activities and their siting can tell us much about the evolution of a settlement and local landforms. They contributed fundamentally to the local economy. They have **illustrative historical value, especially when machinery, internal spaces and external details survive**.*

*Their associations with local families or craftsmen have resonance. Their **aesthetic value** can range from the adaptation of vernacular building techniques, to polite architecture in brick, iron or glass. Architects were involved in some of the best examples. They can have **communal value**, having once provided social cohesion – a place of work with associated leisure, educational and housing facilities close by.*

***Frequently their size, scale and form add much to the diversity of the otherwise low-rise, modest townscapes in villages and smaller towns. They remind us that,***

until quite recently, people worked as well as lived in these places that are now dormitory settlements.

... the importance of industrial archaeology has not always been recognised... However, this has now been acknowledged in English Heritage's 'Principles of Selection' last revised in 2007, which sets out the approaches to designating buildings. The emphasis is on national significance. However, the guide for industrial buildings recognises regional factors. It aims to achieve a representative sample for each sector of an industry in each region. It also seeks the identification of regional specialisms, which will often have strong claims to note on a national level. This acknowledgement is welcome news. Prior to 2007, industrial buildings had been assessed largely on architectural merit rather than the other values mentioned above. Thematic surveys had highlighted the importance of particular building types. **But the aspects such as the technical processes carried out, structural innovations and the social contexts were not given as much weight as today.**

**The loss of historic industrial buildings can seriously impair the legibility of a place.** The principle of change to industrial buildings is now accepted in English Heritage's 'Principles of Selection' as not necessarily precluding them from listing, but as showing their state of almost continuous adaptation".

English Heritage's 'Industrial Structures: Designation Listing Selection Guide' (April 2011) states

*'An industrial building should normally reflect in its design (plan form and appearance) the specific function it was intended to fulfil...*

**the widespread introduction of powered looms in the second quarter of the century that created a novel type of building, the weaving shed with its distinctive saw-tooth roof with north-lights...**

**in areas that specialised in weaving, the weaving shed with its engine house and suite of warehouses and offices are self-contained.** Weaving sheds often cover huge areas and are by their nature highly repetitive...

Other components will be found on a textile factory site. **Engine houses (to house steam engines to power the line shafting or rope drive) and boiler houses were usually internal in the first generation of mills (late eighteenth/early nineteenth century). It is their larger windows that distinguish them: single, tall and round-headed to house the first single-cylinder beam engines (from the 1820s), paired when accommodating the wider double-beamed engines from the mid 1830s. By the 1850s external engine houses become common and after the 1870s, with the widespread adoption of the compound engine with horizontal cylinders, they can be large and architecturally embellished.** Some early twentieth-century textile factories were electrically powered and may contain generator towers in addition to substantial engine houses. Dye houses (usually tall undivided structures with long, louvred ventilators running the length of the roof) and drying houses (often very long buildings with small windows, sometimes built adjacent to or over the boilers) may be found on integrated sites but also occupied specialized sites of their own. Warehouses were often important elements on integrated sites. Administrative offices might form part of a warehouse or the mill building; later in the nineteenth century they were often detached and given elaborate architectural treatment, especially when associated with showrooms".

2.9 The Longridge Conservation Area Appraisal (The Conservation Studio consultants 2005; subject to public consultation) pre-dates the Stonebridge Mill extension but states:

- (i) *'The special interest that justifies the designation of the Longridge Conservation Area derives from the following features: Good example of a Lancashire industrial town; Former cotton mills and local stone quarries were important to the town's development in the C19; Long terraces of mill worker's housing of the mid to late C19'* (Summary of Special Interest);
- (ii) *'The map of 1892 shows how the cotton industry had taken over the town with several large cotton mills in the vicinity; Victoria Mill (1862) to the north off Green Lane; Cramp Oak Mill (1851) off Berry Lane; and Stone Bridge Mill (1850) and Queens Mill (1874) off Chatburn Road'* (Historic Development and Archaeology: Origins and Historic Development). I note that Stone Bridge Mill is the only survival;

2.10 The Pennine Lancashire Northlight Weaving Shed Study (2010) was commissioned by Design & Heritage Pennine Lancashire with the support of English Heritage, Heritage Trust for the North West, Lancashire County Council and the local authorities of Pennine Lancashire. It's objective is to provide a practical guide to all those involved in the conservation and development of the unique north light weaving sheds of the region and to generate enthusiasm for their retention and future use.

The study suggests:

*"The key characteristics and benefits of the north light weaving sheds were:*

- *Large single storey making it easier to house and supervise large numbers of power looms leading to greater production efficiency.*
- *The single storey, 'modular' nature of the structure enabled it to fit to irregular sites and for the buildings to be readily extended as businesses grew.*
- *The single storey sheds were structurally more secure as they avoided the problems of accumulative weight and vibration induced by power looms in multistorey mills by spreading the loads across the ground floor.*
- *The provision of high levels of north light uniformly distributed across the full extent of the floor area was imperative to the process of weaving as it increased worker's efficiency and removed shadows which could otherwise disguise faults in the quality of the cloth. The uniformity of the lighting enable looms to be distributed freely throughout the floor plan.*
- *The provision of top lighting freed the restrictions on size imposed by side lighting or floor spans in multi-storey building which enable very large deep plan buildings, often housing many hundreds of power looms, to be developed.*
- *Simple and relatively cheap construction using a 'standardised' structural system of cast iron columns and beams, timber rafters, slate roof coverings and glazed timber north lights enclosed within coursed stone outer walls. The cast iron structure offered improved fire resistance over the timber floors of multi-storey mills and the structure incorporated all the bracketry necessary to support the power line shafting and belt drives enabling new companies to set up and establish businesses relatively cheaply.*

*Today almost all manufactories' and mills in the region have closed. Many extant weaving sheds have been converted for other uses such as small workshops, light industrial, garage or storage functions. These sheds are often in poor condition and, where altered, the fabric has been modified in the most expedient way with little care for the preservation or repair of the original fabric and structure.*

*The number and scale of the weaving sheds has had a significant impact on the urban and semirural character of the Lancashire region. As a group of buildings they stand testament to the significance of the textile industry in the region and contribute greatly to our understanding and knowledge of the ways in which the industry transformed the urban and rural life of the area, influencing the development of towns and elevating small villages to important manufacturing centres. As a group the buildings themselves reflect changes in technology, from water to steam power, advances in manufacturing machinery and the consequential effect on the industrial economy.*

*Despite the survival rate to date, few mills are legally protected and the pressure to demolish and redevelop the large and potentially profitable sites they occupy intensifies.*

*It is often the case that buildings with unique and interesting historic fabric are perceived to be problematic for adaptive reuse, either through potential difficulties in obtaining consents, the physical difficulties in adapting the buildings for new uses or the expense of retaining or conserving the fabric of the buildings.*

*However, the problems associated with the reuse of multi-storey historic buildings are not present when considering the reuse of the north light weaving sheds. The historic interest of the sheds lies primarily in the quality of their 3 dimensional space and light, the unique industrial quality of their cast iron structures and the historic significance of the buildings as a group in relation to the development of the weaving industry. The buildings themselves are simple, robustly constructed with little or no ornamentation and their simple open plan single storey structures lend themselves well to numerous types of new use without the need for extensive modification of the core historic fabric.*

*More often than not the reuse of the weaving sheds will require the incorporation of new building fabric as opposed to the modification or removal of the existing fabric, and with care these new insertions can be designed to exploit rather than obscure the inherent qualities of the sheds.*

*Where it is deemed necessary to remove parts of the existing fabric or structure, for example to create an open courtyard within the deep plan form, the modular nature of the buildings construction makes this relatively straight forward and, if required, reversible at some future date. Furthermore, the uniformity of the structural system means that one part of the structure is no different to the other and therefore the removal of part of the structure does not risk the loss of 'precious' or unique fabric usually associated with other historic buildings".*

The study summary states:

*"The weaving sheds of the Pennine Lancashire are an integral part of its landscape and the fabric of its towns. The decline of the manufacturing economy in the region and changing requirements for industrial spaces has left a surplus of unused industrial buildings and many vacant and empty weaving sheds. The loss of these buildings will have a significant impact on the identity of this area and its cultural, social and community life and in the longer term its economic strength.*

*As a building type this study illustrates the wide range of uses to which weaving sheds can be put and the feasibility of their conversion. It also demonstrates that such development should be as viable as new build development for the same use.*

*There are already many good examples of how similar buildings have been effectively converted and reused in a viable and sustainable way and provide a demonstration of*

*how the constraints can be resolved. This precedent should be used to help local owners consider a wider range of development options.*

*With enthusiasm and commitment from those involved in the care of the historic environment, our economic development and our community life and the encouragement and support of their owners this study has concluded that there is no reason why the unique weaving sheds of the Pennines Lancashire should not have a bright and productive future”.*

2.11 The National Planning Policy Framework (March 2012) states:

*“When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest” (paragraph 127);*

*“Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole” (paragraph 138);*

### 3 PROPOSED CONSERVATION AREA EXTENSION

3.1 On 11 November 2010 the Borough Council's Principal Planning Officer (Design and Conservation) was invited by landowners to discuss the Longridge Conservation Area boundary at Stonebridge Mill which appeared to have excluded elements of interest. The Borough Council's subsequent correspondence is appended and states:

*“I would therefore agree that the Longridge Conservation Area boundary does appear to require reconsideration and possible extension at Stonebridge Mill and intend to report the matter to a forthcoming Planning and Development Committee meeting. However, mindful of the commercial considerations discussed at our meeting I would be grateful for your comment and opinion on the extent of any proposed conservation area extension before progression with this matter.*

*In my officer opinion and without prejudice to any decision of the Borough Council, the modern portal frame building has no interest. However, the brick boiler house, water tower and c.1910 weaving shed and adjoining stores/workshops has architectural and historic interest as part of the evolution, adaption and development of the textile mill site.*

I have recently been advised that this letter was not received.

3.2 On 1 February 2012 a further meeting was held at Stonebridge Mill to discuss the historic and architectural significance of the brick boiler house, water tower, c.1910 weaving shed and the adjoining stores/workshops and the implications of conservation area designation and policy. Reference was made to Policy ENV16 of the Local Plan and there already being some control on development outside of the conservation boundary in terms of setting and views.

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. Trees, important open spaces and natural features will also be protected as appropriate. The desirability of preserving or enhancing the character or appearance of a conservation area will also be a material consideration in deciding development proposals outside the designated area which would affect its setting or views into or out of the area”.*

- 3.3 The site meetings have enabled officers to consider the historic and architectural significance of the structures outside of the conservation area boundary. Whilst it is clear that some elements of structures are later additions (eg the brick built extension to the rear of the stone built c.1910 north – light weaving shed), it is considered appropriate to initially consult on a proposed conservation area boundary which includes all structures that appear to contribute to the special architectural and historic interest of the area.

#### 4 PROPOSED CONSULTATION

- 4.1 I would concur and welcome the landowners’ identification of the spurious form of the Longridge Conservation Area boundary at Stonebridge Mill and I am sensitive to their commercial considerations which necessitate an early resolution to this issue. I am also mindful of the recent national interest (eg Industrial Heritage was the theme for English Heritage’s Buildings at Risk campaign in 2011) in industrial sites and of the Lancashire Mills Survey’s identification of Stonebridge Mill as an important representative of the County’s weaving industry. I am also conscious that the existing truncated conservation area boundary may not reflect the original expectations of the Town Council of Longridge and Longridge Heritage Committee when they asked for Stonebridge Mill to be included within Longridge Conservation Area as the last of the town’s mills.

- 4.2 The consultation undertaken in 2008, on first proposal of a Stonebridge Mill extension to Longridge consultation area, included all residents and businesses within the proposed extension area. Only two representations (support) were received, from the Town Council of Longridge and Longridge Heritage Committee.

- 4.3 It is therefore considered that a short and targeted consultation be undertaken to ascertain opinions as to a more appropriate and long term boundary for the conservation area at this point. This will include the landowners, the Town Council, Longridge Heritage Committee and Lancashire County Council (Lancashire Mills Survey). The findings of the consultation will be reported to Committee at the earliest opportunity.

#### 5 CONCLUSIONS

- 5.1 In my opinion the omission of important Stonebridge Mill buildings and structures from Longridge Conservation Area undermines the significance, integrity and legibility of this important site and the character and appearance of the conservation area as a whole. The May 2008 boundary was drawn with principal regard to the appearance of Stonebridge Mill and ignored building elements to the rear of facades, and the end of range boiler house obscured by the modern portal frame building. However, a more thorough inspection of the site, informed by the Lancashire Mills Survey and a better understanding of the significance of individual elements of the weaving mill site, has enabled the full character of the site to be appreciated.

- 5.2 The reassessment of the Longridge Conservation Area boundary at Stonebridge Mill would appear consistent with the duty at Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to review the past exercise of conservation area designation and to determine whether any further parts of the Borough should be designated as conservation areas.

## 6 RISK ASSESSMENT

### 6.1 The approval of this report may have the following implications:

- Resources – Conservation area designation and extension may result in an increase in planning applications submitted as a result of “permitted development” thresholds being reduced. Whilst the Council currently receives less than 10 conservation area consent applications for the demolition of buildings within conservation areas each year, it should be noted that this type of application carries no submission fee. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires new conservation area designations to be publicised in the London Gazette and in at least one newspaper circulating in the area of the local planning authority.
- Technical, Environmental and Legal – The main consequences of conservation area designation are:
  1. the Borough Council has a statutory duty to keep conservation area designations under review.
  2. the Borough Council is under a general duty to ensure the preservation and enhancement of conservation areas, and a particular duty to prepare proposals to that end;
  3. notice must be given to the Borough Council before works are carried out to any tree in the area;
  4. conservation area consent is required for the demolition of most unlisted buildings in the area (enforcement action or criminal prosecution may result if consent is not obtained);
  5. the limits of what works may be carried out without planning permission are different;
  6. extra publicity is given to planning applications affecting conservation areas;
  7. the Borough Council is to take into account the desirability of preserving and enhancing the character and appearance of the area when determining applications;
  8. the making of Article 4 Directions, which limit permitted development rights, is more straight forward;
  9. the Borough Council or the Secretary of State may be able to take steps to ensure that a building in a conservation area is kept in good repair;
- Political – N/A.
- Reputation – N/A.

## 7 RECOMMENDED THAT COMMITTEE

- 7.1 Agree to the undertaking of a limited consultation exercise in regard to the proposed extension of Longridge Conservation Area at Stonebridge Mill.
- 7.2 Agree that the results of this consultation be reported to Planning and Development Committee for further consideration.

DIRECTOR OF COMMUNITY SERVICES

BACKGROUND PAPERS

1 Referred to in report.

For further information please ask for Adrian Dowd, extension 4513.

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 12 APRIL 2012  
title: SUGGESTED EXTENSION TO LONGRIDGE CONSERVATION AREA AT HIGHER ROAD  
submitted by: DIRECTOR OF COMMUNITY SERVICES  
principal author: ADRIAN DOWD – PRINCIPAL PLANNING OFFICER (DESIGN AND CONSERVATION)

## 1 PURPOSE

1.1 To seek Member agreement to not pursuing the extension of Longridge Conservation Area at Higher Road.

1.2 Relevance to the Council's ambitions and priorities:

- Council Ambitions – To protect and enhance the existing environmental quality of our area.
- Community Objectives – The Ribble Valley Sustainable Community Strategy 2007-2013 has three relevant strategic objectives – maintain, protect and enhance all natural and built features that contribute to the quality of the environment. Ensure that the design of buildings respects local character and enhances local distinctiveness. Sustainably manage and protect industrial and historical sites.
- Corporate Priorities - Objective 3.3 of the Corporate Plan commits us to maintaining and improving the environmental quality of the Ribble Valley. Objective 3.8 of the corporate plan commits us to conserving and enhancing the local distinctiveness and character of our towns, villages and countryside when considering development proposals.
- Other Considerations – None.

## 2 BACKGROUND

2.1 The Planning (Listed Buildings and Conservation Areas) Act 1990, Section 69, states that every local planning authority shall from time to time determine which parts of their area are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance, and, shall designate these areas as conservation areas.

2.2 Section 69 of the Act also states that it is the duty of the local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas.

2.3 Longridge Conservation Area was first designated on 20 December 1979.

2.4 At the Planning and Development Committee of 7 October 2003 Members authorised the designation of an extension to the Longridge Conservation Area to incorporate Derby

Road, a section of Inglewhite Road and the section of Berry Lane to the north west of the former Co-op building.

- 2.5 In 2005, the Borough Council commissioned The Conservation Studio consultants to appraise and provide management guidance for all of the Ribble Valley's existing 16 conservation areas, and to consider 5 areas for new conservation area designation. Following the completion of this exercise public consultation on the proposals was undertaken in December 2006/January 2007.

At the Planning and Development Committee of 3 April 2007 Members authorised the designation of five new conservation areas in accordance with the recommendations of the consultants. This provided new conservation areas for Newtown, Longridge and St Lawrence's Church, Longridge.

At the Planning and Development Committee of 6 March 2008 Members authorised the designation of five extensions to Longridge Conservation Area in accordance with the recommendations of the consultants.

- 2.6 At the Planning and Development Committee of 22 May 2008 Members authorised the designation of two extensions to Longridge Conservation Area at Stonebridge Mill and Crumpax Farm following a request for such consideration from the Town Council and Longridge Heritage Committee.

- 2.7 In November 2012 the Borough Council's Principal Planning Officer (Design & Conservation) received a request for consideration of the inclusion within Longridge Conservation Area of land adjacent to the conservation area at Higher Road. This land is also the area designated as 'Essential Open Space' under Policy G6 of the Local Plan. The officer's response is appended and concludes:

*"In my opinion, the part of the G6 site referred to above does not have special interest in itself. Furthermore, existing policies/duties relating to the setting and views into/out of the Conservation Area and the setting of the listed buildings would appear to ensure the appropriate consideration of the historic environment in any development proposals. Therefore, I do not believe it expedient to pursue conservation area designation for the G6 site".*

- 2.8 Policy ENV16 of the Ribble Valley Districtwide Local Plan (adopted June 1998) 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. Trees, important open spaces and natural features will also be protected as appropriate. The desirability of preserving or enhancing the character or appearance of a conservation area will also be **a material consideration in deciding development proposals outside the designated area which would affect its setting or views into or out of the area**".

Policy ENV19 of the Ribble Valley Districtwide Local Plan states:

*"Development proposals on sites within **the setting of buildings listed** as being of special architectural or historic interest, which cause visual harm to the setting of the building, will be resisted. In assessing harm caused by any proposal the following factors will be taken into account:*

- i. the desirability of preserving the setting of the building;*

- ii. *the effect of the proposed development on the character of the listed building;*
- iii. *any effect on the economic viability of the listed building;*
- iv. *the contribution which the listed building makes to the townscape or countryside;*
- v. *the extent to which the proposed works would bring substantial benefits to the community including economic benefits and enhancement of the environment’.*

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of planning functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

The now defunct Planning Policy Guidance Note 15 ‘Planning and the Historic Environment’ (September 1994) stated that *‘the desirability of preserving or enhancing the area should also, in the Secretary of State’s view, be a material consideration in the planning authority’s handling of development proposals which are outside the conservation area but would affect its setting, or views into or out of the area’* (paragraph 4.14).

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its **setting** or any features of special architectural or historic interest which it possesses.

The National Planning Policy Framework (March 2012) states:

*“When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest”* (paragraph 127).

The ‘Setting of Heritage Assets: English Heritage Guidance’ (EH, October 2011) states:

*‘entire towns also have a setting which, in a few cases, has been explicitly recognised in green belt designations. A conservation area that includes the settings of a number of listed buildings, for example, will also have its own setting, as will the town in which it is situated. The numbers and proximity of heritage assets in urban areas means that setting is intimately linked to considerations of townscape and urban design’* (2.2).

*‘The setting of some heritage assets may have remained relatively unaltered over a long period and closely resemble the setting in which the asset was constructed or first used. The likelihood of this original setting surviving unchanged tends to decline with age and, where this is the case, it is likely to make an important contribution to the heritage asset’s significance*

*.. the recognition of, and response to, the setting of heritage assets as an aspect of townscape character is an important aspect of the design process for new development, and will, at least in part, determine the quality of the final result*

*.. arguments about the sensitivity of a setting to change should not be based on the numbers of people visiting it. This will not adequately take account of qualitative issues, such as the importance of quiet and tranquillity as an attribute of setting; constraints on the public to routinely gain access to a setting because of remoteness or challenging terrain; or the importance of the setting to a local community who may be few in number’* (2.4).

*'the harmony of other townscape settings .. may be unified by a common alignment, scale or other attribute that it would be desirable for new development to adopt' (2.5).*

Seeing the History in the View: A Method for Assessing Heritage Significance within Views (EH, May 2011) also refers.

- 2.9 A recent appeal decision (APP/T2350/A/11/2163951; erection of two detached dwellings with detached garages; decision date 13 march 2012) concerning land at 46 Higher Road Longridge has some relevance. The Inspector dismissed the appeal but within his reasoning suggested that: (i) the setting of Club Row did not extend beyond its curtilage wall and (ii) if the Borough Council had thought land adjoining the conservation area to be important to its setting it would have included it within the conservation area.

### 3 CONSIDERATIONS

- 3.1 I am mindful of the Government's request at paragraph 127 of the National Planning Policy Framework that conservation areas justify their status so as not to devalue the policy.

- 3.2 The legal and policy requirements in section 2.8 above concerning conservation area and listed building setting and views into and out of conservation areas, has not changed with the issuing of the NPPF. Whilst I note the opinions of the Inspector in APP/T2350/A/11/2163951 I am mindful that these are site specific and should not necessarily be extrapolated to considerations for Club Row and all of the Higher Road section of Longridge Conservation Area.

- 3.3 Longridge Conservation Area has been subject to a number of reviews in recent years by officers and consultants in accordance with the duty at section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 3.4 A letter was received from Longridge Town Council before the above appeal decision which states:

*"Longridge Town Councillors, at their meeting on the 14<sup>th</sup> December 2011, considered combined representations by the Longridge History Society and the action group, 'Dilworth Community Voice', setting out the case for the extending the conservation area that incorporates Club Row on Higher Road. **It is planning applications for residential development on G6 status land in the immediate vicinity of Club Row that has prompted the call for additional protection by extension of the conservation area** (my emphasis)..."*

*Councillors agreed unanimously that the case presented by the representatives of the Dilworth Community Voice Action Group had been well made. It was resolved that the Town Council supports the case as set out by the Dilworth Community Voice Action Group for an extension of the Longridge conservation area by incorporation of the adjacent G6 designated land".*

- 3.5 Conservation area designation requires a considerable input of time and resource.

#### 4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – None.
- Technical, Environmental and Legal – N/A
- Political – N/A.
- Reputation – N/A.

#### 5 CONCLUSIONS

5.1 In my opinion and mindful of the Borough Council's duty at Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the suggested conservation area extension is not an area of special architectural and historic interest the character or appearance of which it is desirable to preserve or enhance.

5.2 Whilst I am conscious of the opinions of some local residents and the Town Council I am also mindful of paragraph 127 of the NPPF and do not consider it expedient to pursue this matter further.

#### 6 **RECOMMENDED THAT COMMITTEE**

6.1 Agree to not pursuing the extension of Longridge Conservation Area at Higher Road.

DIRECTOR OF COMMUNITY SERVICES

For further information please ask for Adrian Dowd, extension 4513.



# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

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Agenda Item No. 11

meeting date: 12 APRIL 2012  
title: FORMER RIDINGS DEPOT AND LAND NORTH AND SOUTH OF  
WHITTINGHAM LANE, LONGRIDGE – CONSULTATION FROM  
NEIGHBOURING AUTHORITY  
submitted by: DIRECTOR OF COMMUNITY SERVICES  
principal author: GRAEME THORPE

## 1 PURPOSE

1.1 To consider the Council's response to a proposed development in a neighbouring authority.

1.2 Relevance to the Council's ambitions and priorities

- Council Ambitions – the matters dealt with in this report relate to the ambition of helping to protect and enhance the local environment, it also has relevance to the Council's Local Development Framework.
- Community Objectives – the matters covered in this report relate to objectives of creating a sustainable local economy and ensuring that there is a suitable supply of sites for employment and housing.
- Corporate Priorities – the paper supports the performance of the Council as a well managed authority.
- Other Considerations – none.

## 2 BACKGROUND

2.1 The Council has been consulted by Preston City Council on a planning application for a significant mixed use development adjacent to the borough boundary at Longridge. Officers have advised Preston City Council that the matter is being considered as part of this agenda and that our formal response will be submitted after consideration by Members.

2.2 The application may be viewed on Preston City Council's website ([www.preston.gov.uk](http://www.preston.gov.uk)) using the planning application search facility and entering the application number 06/2012/0101.

Copies of the site plan and indicative layouts are attached as an appendix to this report.

2.3 Members are reminded that Committee previously considered the site on 16 June 2011 when a previous proposal was submitted at the site, planning application 6/2011/0344. The resolution south that Preston City Council be advised that the Council raises no policy objections to the proposal but that the matters set out in section 3 and 3 of the report were taken into consideration when determining the application.

2.4 There is little change between the two proposals so the same matters are again outlined within this report. It is anticipated that Preston City Council's Planning Committee will consider the planning application in 2012.

### 3 THE PROPOSAL AND KEY ISSUES

3.1 The proposal is for a mixed use scheme including up to 200 residential units, office space, leisure uses, residential apartments with care and open space. The scheme proposes to:

- contribute to the current shortfall in the 5 year housing land supply within the City of Preston;
- provide additional affordable housing (30% of the total number of new dwellings on site) in an area where a shortfall exists;
- new employment buildings that provide potential for the creation of 80 to 100 jobs;
- residential apartments with care to provide for elderly members of the community who are in need of care;
- new and enhanced bus stop provision;
- improved safety measures along pedestrian routes;
- new public open spaces available and accessible to all of the new and existing Longridge community;
- new recreational areas and children's play areas within the public open spaces;
- increased access to public footpath network; and
- wildlife and ecological enhancements.

3.2 The site lies adjacent to the Ribble Valley boundary to the west of Longridge on land that comprises areas of previously developed land with established employment uses and Greenfield land. The application sits in part to the south of Whittingham Lane but it is predominately on land to the north. It does not extend over the full extent of land put forward as part of the site allocations proposals published earlier.

3.3 The site will have impacts upon Longridge, which would be anticipated to provide the service facilities for residents. Capacity of infrastructure would need to be considered with the statutory providers and it should be borne in mind that Ribble Valley is currently in the process of establishing its Core Strategy and seeking to determine appropriate scales of development. This issue was raised in the Core Strategy Topic Paper 'Discussion on the approach to the Preferred Option' considered by Members at the 8 December 2011 Planning and Development committee meeting, acknowledging this site as part of this. It was agreed in principle that this site could contribute to the housing requirements within Longridge as part of the Core Strategy, and deliver an allowance of 200 dwellings on the site as part of the housing numbers for Longridge./ approval of the development would not lead to the situation where no further development would be required within Longridge. It would however, be a factor in judging scale.

3.4 It is considered important, given a current lack of readily available employment land in the Ribble Valley to serve Longridge to be satisfied that the proposed employment provision is adequate to mitigate against loss of the existing employment uses on the

site and the future opportunity to develop or redevelop these sites further, including the need to serve the Ribble Valley element of Longridge. A careful assessment of the employment opportunity should be undertaken.

- 3.5 It is a matter for Preston City to consider their position in regard to their need for housing land and their delivery of a five year housing land supply. Preston City are unable to demonstrate a five year supply. The consideration of this would need to take account of their wider planning strategies and proposals being pursued in the Central Lancashire Core Strategy. In general terms, the scale of this proposal is not in conflict with the general policies of that proposed strategy. It is understood that in terms of saved local plan policies, the site lies within a location that has no specific land designation and consequently any application would be considered on its merits.
- 3.6 Primarily, the application falls to be determined against National Planning Policy Framework. At the hearts of the National Planning Policy Framework, is a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.
- 3.7 Members should be aware that the application is in outline and that the indicative layout included with the scheme provides an illustration of how the overall form of development could take place. It is not intended to be a detailed representation of how any final scheme would actually turn out. However, it is worth considering a number of issues that have been raised by residents in response to pre-application consultation undertaken by the developer with regard to the relationship between open space areas and existing residential properties in Ribble Valley. As this application is not a matter of detail, it is difficult to offer other than general comments on these issues and to ask that the City Council have regard to residents' concerns about the relationship between existing houses and the design that could ultimately take shape on this site.

#### 4 CONCLUSION

- 4.1 There are a number of important issues to review with this proposal. Clearly, it has an impact upon Longridge given the site's relationship to the town centre, consequently any decision will be taken into account in this Council's development of its Core Strategy. However, whilst the decision will influence, the outcome of Ribble Valley's deliberations on its Core Strategy, there are no substantive prematurity grounds that could be raised as a reason for refusal in my view, the proposal supports this Council's emerging position with regard to the Core Strategy.
- 4.2 The impact of the scheme on infrastructure must be taken into account. Members have previously and consistently raised the need to ensure highway impacts upon both the local and wider networks in this location are mitigated. These issues must be adequately addressed as should the wider implications of infrastructure capacity. Where measures are proposed to mitigate impacts or create additional capacity, it is important to ensure they are deliverable and that any implementation programme is both clear and understood.

- 4.3 It is also important to have regard to the employment implications of developing the site as proposed. However, it must be recognised that this mixed use scheme makes provision to support and enhance employment opportunities as part of its proposals.
- 4.4 In overall policy terms there are no matters that warrant this Council raising an objection to the proposed development on policy grounds. Clearly, there are a number of important issues that Preston City, in determining the application, would need to address and it is suggested that they are mindful of the wider cumulative impacts of schemes within the area. It is important that the concerns regarding highway matters and infrastructure are addressed to the satisfaction of the relevant agencies, however that is part of the normal development management process. Whilst it may seem frustrating that development proposals are considered in parallel to the Local Development Framework process, that it is inevitable in the current planning system where there is a duty and responsibility to deal with applications on their merits.

## 5 RISK ASSESSMENT

5.1 The approval of this report may have the following implications

- Resources – none.
- Technical, Environmental and Legal – none.
- Political – it is important that the Council takes the opportunity to contribute to matters of local concern.
- Reputation – none.

## 6 RECOMMENDED THAT COMMITTEE

6.1 Agree that the Director of Community Services advises Preston City Council that this Council raises no policy objection to the proposal but that the matters set out in section 3 and 4 of this report are taken into consideration when determining the application.

DIRECTOR OF COMMUNITY SERVICES

## BACKGROUND PAPERS

1 Preston City Council Planning Application 06/2012/0101 – Neighbouring Authority consultation.

For further information please ask for Graeme Thorpe, extension 4520.