

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 17 JANUARY 2012
 title: PLANNING APPLICATIONS
 submitted by: DIRECTOR OF COMMUNITY SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION NO: 3/2012/0937/P (GRID REF: SD 368891 432063)
 APPLICATION FOR THE RENEWAL OF PLANNING PERMISSION 3/2009/0664/P FOR THE
 ERECTION OF A FOUR BEDROOM DETACHED DWELLING ON THE FORMER TENNIS
 COURT ADJACENT TO THE COACH HOUSE, 26 WHALLEY ROAD, WILPSHIRE

PARISH COUNCIL: No representations have been received.

ENVIRONMENT
 DIRECTORATE
 (COUNTY SURVEYOR): No objections to the renewal of the existing permission.

ADDITIONAL
 REPRESENTATIONS: Letters have been received from the owners/occupiers of three dwellings on the west side of Beaver Close. These residents assume that the access track at the rear of their dwellings will be used to provide access to the proposed dwelling. They object to this for the following reasons:

1. Noise nuisance/disturbance.
2. Pollution by exhaust fumes.
3. Nuisance caused by car headlights.
4. Detriment to privacy.
5. Health and safety risk especially for children.
6. General detriment to the amenities of the residents of Beaver Close contrary to Local Plan Policy G1.
7. The build up of traffic at the junction of the lane with Hollowhead Lane which is always problematic at busy times.
8. This right of way was originally created by the owners of Hollowhead Farm for transporting cattle and farm equipment along a track rather than on main thoroughfares. The right of way therefore was intended only as an alternative access to the farm.

9. There was originally one property at the site (The Knolle) there are now two (The Knoll and the Coach House) and approval of this application would increase the number of large detached properties to three.
10. Previous applications have been refused and appeals dismissed due to effects on the amenities of the residents of Beaver Close.
11. The applicant has failed to either renounce his claim to a right of way over the lane or put a permanent barrier at the boundary of his site to make access from the lane impossible.

Proposal

Permission was granted by Planning and Development Committee on 5 November 2009 for the erection of a four bed detached dwelling on the former tennis court adjacent to The Coach House at The Knolle, Whalley Road, Wilpshire (3/2009/0664/P). The approved dwelling comprises a basement, a ground floor and a first floor within the roofspace, the top floor rooms being illuminated by dormer windows. From the front (west) the building therefore has two full floors plus the roof/dormer level, and from the rear (east) it has the appearance of a dormer bungalow.

The main part of the building has external dimensions of 17m x 11m and there is an added conservatory which measures 6m x 5m. At the front elevation, the building is 5.5m to eaves and 10.4m to ridge whilst at the rear it is 2.8m to eaves and 7.7m to ridge.

The external materials comprise natural stone to the front elevation with render to the other three elevations. There will be stone quoins at all corners and stone heads and cills to the windows in all four elevations. The roof, including the dormer cheeks, would be natural blue slate.

Vehicular access to the property would be from the existing driveway onto Whalley Road that presently serves The Knoll and The Coach House. The proposal would involve the felling of three trees.

No works have been carried out on the implementation of the permission that would therefore have lapsed on 5 November 2012 had this renewal application not been submitted before that date on 16 October 2012.

Site Location

The Knolle is a large detached dwelling within a large curtilage on the western side of Whalley Road, Wilpshire. To the east of the main dwelling is a building known as the Coach House for which planning permission has been granted for conversion into a dwelling. That permission has been implemented and the dwelling is now occupied. To the south east of The Coach House, and within its curtilage, is the former tennis court and garden area to which this renewal application relates.

The site of the proposed building is therefore adjoined to the west by The Knolle; to the north by The Coach House and a dwelling off the end of Beaver Close; to the east by a detached dwelling off Hollowhead Avenue; and to the south by undeveloped open land.

With renewal applications of this type, it is not necessary to resubmit the plans, elevational drawings etc that was submitted with the original application. The application site, however, as defined in red on the original application, also includes the driveway onto Whalley Road. The Coach House and the remainder of its curtilage were shown in blue as land/property also in the applicants ownership.

Relevant History

3/1984/0447/P – Conversion of The Coach House into flats. Refused. Appeal dismissed.

3/1986/0143/P – Conversion of Coach House to private dwelling. Refused.

3/1986/0657/P – Change of use of The Knolle from dwelling to day school, training school and staff accommodation. Refused.

3/2002/0284/P – Extension and alterations to The Coach House to form a dwelling. Refused.

3/2002/0632/P – Change of use of The Coach House to dwelling. Refused. Appeal dismissed.

3/2003/0731/P – Change of use of The Coach House to dwelling, together with new access to Whalley Road. Refused.

3/2004/0235/P – New access and driveway onto Whalley Road and closure of existing access. Approved.

3/2008/0805/P – Change of use of The Coach House into a dwelling. Approved.

3/2009/0664/P – Erection of detached dwelling adjacent to The Coach House. Approved with conditions on 5 November 2009.

Relevant Policies

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control.

Policy G2 - Settlement Strategy.

Policy ENV13 - Landscape Protection.

Core Strategy 2008/2028 – A Local Plan for Ribble Valley Regulation 22 Submission Draft

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DME2 – Landscape and Townscape Protection.

National Planning Policy Framework.

Environmental, AONB, Human Rights and Other Issues

As previously stated, the original application 3/2009/0664/P was considered by Planning and Development Committee on 5 November 2009. The matters considered in the determination of that application were compliance or otherwise with the then applicable housing policies, and the

effects of the proposed dwelling on the amenities of nearby residents, visual amenity (including effects on existing trees) and highway safety.

With regards to the first of those considerations, the saved settlement hierarchy of the Local Plan was applicable at that time. The site is within the settlement boundary of Wilpshire, G2 settlement. Policy G2 states that within the plan area development will be mainly directed towards land within the main settlement boundaries, and for Wilpshire, the development of sites within the settlement boundary and outside the green belt would be appropriate. This proposal for one dwelling within the settlement boundary was therefore considered to be acceptable in principle.

The original application was also considered to be acceptable, as there were not considered to be any seriously detrimental effects upon the amenities of nearby residents.

With regards to highway safety, the application details showed that the proposed dwelling (along with The Knolle and The Coach House) would be served by the access onto Whalley Road that was formed following a planning permission in 2004 as a replacement for the original access which was considered to be unsatisfactory and which had been closed before 2009. The County Surveyor considered the application to be acceptable from the highway safety point of view.

In relation to all relevant considerations, the original application was therefore found to be acceptable.

In the report for that original application, reference was made to a "Further Issue". This concerned the fact that the majority of (thirteen) objection letters were based on a fear that the applicants would use the track at the rear of Beaver Close as the access to the proposed dwelling. It was explained in the report that the application, however, did not seek permission for the use of that particular access route, and that the track was not included within the application site. It was pointed out that the application (indeed any planning application) could only be determined on the basis of what had been applied for, and that any fears about what may or may not happen in the future could not be a reason for refusal of a planning application. It was commented that the previous refusals and appeal decisions referred to by many of the objectors were made legitimately as, in those cases, the development did propose the track as the sole means of access, and its intensified use for that purpose would have been detrimental to the amenities of adjoining residents. That was not, however, the case in the original application for which renewal is now sought. On the basis of the access being onto Whalley Road as applied for in the original application, the proposal would have no effects on the amenities of the residents of Beaver Close. It was therefore stated in the original Committee report that there was no legitimate reason for refusal of the application that in any way relates to the track at the rear of Beaver Close.

Having considered the relevant issues and explained why the matter raised by residents of Beaver Close was not relevant to the consideration of the application, it was concluded in the report that the application was considered to be acceptable subject to appropriate conditions. Committee resolved in accordance with the recommendation to grant permission subject to conditions.

This current application seeks to renew that existing permission. Central Government advice to Local Planning Authorities is clear that where no material change in planning circumstances has occurred, a refusal to renew planning permission would be unreasonable.

In this particular case, the matters relating to residential amenity, visual amenity/tree considerations, highway safety and the "Further Issue" are unchanged since the original permission was granted. With regards to those matters, there are therefore no reasons to refuse this renewal application.

The only relevant change since the original permission relates to the need to pay regard to the currently applicable planning policies and guidance. As a development of a single dwelling within the settlement boundary of Wilpshire, it is considered that the proposal represents sustainable development in accordance with the overriding requirement of the National Planning Policy Framework. Although the saved settlement hierarchy of the Local Plan, including Policy G2, are now considered to be out of date, the equivalent policy in the Core Strategy Submission Draft, Policy DMG2, states that development should be in accordance with the Core Strategy development strategy and should support the spatial vision; and that development proposals in defined settlements should consolidate, expand or round off developments so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in-keeping with, the existing settlement. I consider that the proposal satisfies the requirements of Policy DMG2.

Therefore, in my opinion, the proposed development remains acceptable both in principle and in relation to all relevant detailed considerations. There are therefore no reasons why permission should not be granted in respect of this renewal application.

SUMMARY OF REASONS FOR APPROVAL

There have been no material changes to policies or circumstances since the original permission was granted and the proposed dwelling would have no 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 be implemented in accordance with the proposal as amended by letter and plan received on 6 October 2009 in relation to the original application 3/2009/0664/P.

REASON: For the avoidance of doubt since the original application was the subject of agreed amendments that enable the retention and protection of existing trees and shrubs in the interests of the amenities of a neighbouring property, and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008 – 2028 – A Local Plan for Ribble Valley Regulation 22 Submission Draft.

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 and Policy DMG1 of the Core Strategy 2008-2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

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

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

REASON: In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008-2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

5. Prior to commencement of any development works including delivery of building materials and excavations for foundations or services, trees identified as T12 and T13 shall be protected with a root protection area of 8.5m. (measured from the centre of the main stem) in accordance with the BS5837 [Trees in Relation to Construction] the details of which shall include a tree protection monitoring schedule that shall be agreed in writing, implemented and inspected by the Local Planning Authority before any site works are begun.

The root protection zone shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble. During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone. 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 the trees within the site that are to be retained are afforded maximum physical protection from the adverse affects of development in order to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008-2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

6. Prior to the commencement of construction works, the precise siting of the dwelling and its approved finished floor slab level shall be marked out/indicated on site to be viewed and agreed in writing by the Local Planning Authority.

REASON: To ensure compliance with the submitted plans and in the interests of visual amenity and the amenities of nearby residents, and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy 2008-2028 A Local Plan for Ribble Valley Regulation 22 Submission Draft.

APPLICATION NO: 3/2012/0962/P & 3/2012/0963/P (GRID REF: SD 362283 443328)
PLANNING CONSENT AND LISTED BUILDING CONSENT FOR REFURBISHMENT AND EXTENSION TO EXISTING HOTEL TO CREATE 9 EN SUITE BEDROOMS, FUNCTION SUITE, BISTRO RESTAURANT, BAR AREA WITH ANCILLARY HOTEL, KITCHEN AND STAFF FACILITIES; CHANGE OF USE OF EXISTING BARN TO FORM 11 EN SUITE BEDROOMS ANCILLARY TO THE MAIN HOTEL ACCOMMODATION, EXTENSION AND REFURBISHMENT OF EXISTING CAR PARK FACILITIES TO CREATE 46 PARKING SPACES AS WELL AS THE REPAIR AND REFURBISHMENT OF EXISTING COBBLED FORECOURT AT TALBOT HOTEL, TALBOT STREET, CHIPPING

PARISH COUNCIL: Strongly support this application. Welcome prospect of regeneration and restoration of an important building. A point of concern is the amount of car parking.

LANCASHIRE COUNTY COUNCIL (HIGHWAYS): No further related observations to make and refer to consultation response relating to application 3/2011/0822 in which it raised no objection and was satisfied that the level of parking provision proposed for the development. Previously raised some concerns about how coaches would be dealt with at the development but having studied the Transport Assessment submitted with the application and mindful of the likely increase in traffic concluded no objection to the proposal.

ENVIRONMENT AGENCY: Object and recommend refusal. The main concerns relate to the impact on the biodiversity and wildlife of the watercourse. Also the works would impeded on the lawful right of access to Chipping Brook which is a nearby main watercourse.

UNITED UTILITIES: Site must be drained on a separate system with only foul drainage connected into the sewer. Make reference to a public sewer crossing the site and that no building will be permitted over it. No objection subject to technical conditions.

ENGLISH HERITAGE: Welcomed the involvement at pre application and are now satisfied regarding the impact on the Listed Building and the setting of the adjacent Grade 2* church. Accept the implications of the noise modelling report in relation to alternative locations of the function room and the implications on the listed building fabric. Conclude that the adverse impact can be outweighed by the public benefits of bringing the building back into active use.

OTHER AMENITY
AGENCIES:

No observations received.

ADDITIONAL
REPRESENTATIONS:

At the time preparing this report there has been three letters of support for the proposal. Considers that this type of development is needed to attract visitors and tourists to the area which would help support the existing facilities. Also the current building is in a considerable poor state and approval would allow the building to be enhanced. Recognise that this development may also provide additional employment to local people.

10 letters of objection have been received which raise the following issues:

- Highway issues and congestion to the local highway network. Often made worse due to the narrow roads.
- Inadequate parking within the site.
- Light pollution resulting from the development.
- Extensions and project is too ambitious and overlarge and unsympathetic and harms the Conservation Area. Does not reflect the character of original building.
- Concern over treatment of trees and impact.
- Consider to make the scheme viable would lead to significant events on a regular basis that impact residential amenity and highway safety.
- Noise implications to the immediate locality caused by functions as well as plant equipment such as generators.
- Harm to listed building caused by various alterations such as rooflights, windows and the extension.
- Privacy issues caused by overlooking from both open areas and the building itself.

Proposal

This application seeks listed building consent and planning permission for the extension and refurbishment of the Talbot Hotel and the conversion of the adjacent barn known as the Stables to the southwest of the Talbot Hotel for en suite bedroom accommodation. The scheme is a resubmission of one previously refused on the grounds of harm to the character of the listed building and the setting. This proposal seeks to address some of the issues in relation to the previous scheme. In essence the main changes relate to more linear and single storey nature of the development and the retention of the rear the main elevations of the public house. Also Additional information has been submitted which includes an acoustic report in relation to the scheme and the implication of a function room as well as evidence to indicate why it is not practical to use the adjoining stables building as a function room.

The proposed refurbishment and extension to existing hotel would create 9 en suite bedrooms with the adjoining stables and barn to southwest of the Talbot Hotel to create a further 11 bedrooms.

It is also includes a limited amount of demolition works and external alterations including removal of render and various internal works to the main public house as well as create 46 parking spaces to the rear of the main building and a landscaped area to the rear and adjacent to the brook.

The proposed works to the historic fabric of the hotel include at ground floor the refurbishment of the passage way, new opening from the bar to lounge area, removal of existing staircase from dining area and new staircase and office area to existing Snug room. At first floor the timber staircase is removed with the floor made good, erection of internal partitions to form bedrooms as well as the blocking up and creation of new door openings. The second floor alterations include making good the existing staircase and the insertion of partition walls and other minor alterations. As a result it has not been necessary to introduce many new openings in the external envelope with the exception of some rooflights and two new doors and two new windows at the rear . The proposal also involves minor demolition of an existing toilet block and conservatory extension.

The adjoining barn which is to have 11 bedrooms has no longer any first floor which is carried out without formal consent. As a result the proposal is to create new internal partitions to create the additional accommodation. The external changes are kept to a minimum and all rooms use existing windows and door openings. The main change of the barn is the introduction of new roof lights to light the upper floor and these are to be conservation type fittings.

It is proposed to extend the hotel utilising a single storey structure with a courtyard effect on the western elevation with glazing being the predominant material on the elevation facing towards the brook. There is a single storey link building of approximately 7.5m x 5m which forms part of a dining area and this was attached to the existing pub and the new function rooms which extend further out to approximately 39m. The height of the single storey buildings would be a maximum of 5.7m. The buildings are designed with a sloping roof and the internal elevation facing the car parking area would in essence be a stone wall of a height approximately 3.7m. This would form the main entrance to the function room and there would be a single opening within that stone wall. The extensions are designed with overhanging eaves towards the brook and protecting stone spine walls to break up the bulk of the linear extension. There is also a glazed building which in effect links the function rooms with the proposed bar and reception area. Following discussions the proposal has been amended to be sure that the only opening on the elevation facing towards the brook is in the bar reception area which would then access the landscaped area adjoining the brook.

Site Location

The stable and barn southwest of The Talbot Hotel and The Talbot Hotel is predominantly sited as Grade II listed buildings situated with a prominent area of the Chipping Conservation Area and also is situated in an Area of Outstanding Natural Beauty. The site borders both the brook and the church yard of St Bartholomew's which is a Grade 2* listed building.

Relevant History

3/2010/0131/P – Demolition of bulging gable wall of barn. Granted.

3/2011/0822/P and 3/2011/0821/P – Planning permission and listed building consent for extensions and alterations at the Talbot Hotel. Refused.

Relevant Policies

Planning and Listed Building Conservation Area Act 1990

Policy ENV19 - Listed Buildings.

Policy ENV20 - Proposals Involving Partial Demolition of Listed Buildings.

Policy ENV13 - Landscape Protection.

Policy ENV7 - Species Protection.

Policy ENV16 - Development Within Conservation Areas.

Policy EMP7 - Extensions/Expansions of Existing Firms.

Policy EMP8 - Extensions/Expansions of Existing Firms.

Policy EMP9 - Conversions for Employment Uses.

Policy RT1 - General Recreation and Tourism Policy.

Policy RT3 - Conversion of Buildings to Tourism Related Uses.

Policy ENV1 - Area of Outstanding Natural Beauty.

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

National Planning Policy Framework (NPPF).

Supplementary Planning Guidance Note – Retention of Public Houses in Rural Area.

Core Strategy Regulation 22 Submission Draft

DS1 – Development Strategy.

EN5 – Heritage Assets.

DM12 – Transport Considerations.

DMG1 – General Considerations.

DMG3 – Transport and Mobility.

DME2 – Landscape and Townscape Protection.

DME4 – Protection Heritage Assets.

North West of England Regional Spatial Strategy 2021.

Policy L1 – Health, Sport, Recreation, Cultural and Education Services.

Environmental, AONB, Human Rights and Other Issues

The main considerations in the determination of the listed building application is a duty of Section 6(2) of the Planning and Listed Buildings in Conservation Area Act to have special regard to desirability of preserving the listed buildings and settings and any features of special historic interest.

The main considerations in determination of the planning application relate to the impact upon the listed buildings and their setting, its impact on the Chipping Conservation Area, residential amenity, the potential public community benefits of the scheme, visual impact, species as well as highway considerations and landscape considerations.

In relation to the listed building application I am fully aware of the previous concerns of the Council's Conservation Officer and that from English Heritage but I am of the opinion that this scheme has now addressed many of the issues in relation to the harmful damage to the listed building. I am satisfied that the extensions itself are more subservient given the reduction in height and design and have a limited effect on the listed building. The revised scheme has been altered to reduce the loss of historic fabric. Evidence has been put forward in relation to justification for the stables which has been the subject of unauthorised work to be not suitable as a function room, both from an acoustic implication and the effect it would have on adjacent residential amenity. It is clear that there is still some loss of historic fabric including multi-paned windows, cupboards and walling but I consider that it should be recognised that some change

will be inevitable to comply with both the regeneration objective and other legislation. The Council's Conservation Officer still considers the scheme inappropriate and harmful and recommends that the scheme should be resisted for reasons similar to that given last time. I note his comments as well as other objectors but in assessing the proposal and recognising the issue in relation to the harm to the listed building I am also mindful of advice contained in the National Planning Policy Framework which states that there are three dimensions to sustainable development which are economic, social and environmental and that all these need to be considered when determining planning applications. I consider that in this instance the regeneration and possible employment benefits of the site allow detailed consideration to be given when assessing the harm caused to any alterations on the listed building. This view would seem to be shared by English Heritage but they do recognise that regard should be given to the Council's own expertise. I am satisfied that the scheme has been redesigned since its initial refusal to not only reduce the impact on the listed building itself but offer a positive contribution to the setting of the Chipping Conservation Area as well as give rise to possible employment and regeneration benefits.

The site is situated within the Chipping Conservation Area and is a focal point in the locality and therefore it is essential that any scheme positively contributes to this setting. I consider that subject to the use of appropriate materials that this proposal would enhance the location and allow the building to be reused to a positive effect.

In relation to highway issues it is inevitable that the successful regeneration of this site would lead to additional vehicular movements but it is clear that the transport assessment submitted indicates that this would not adversely affect the highway network. I note the concerns of the objectors in relation to highway issues but it is evident that the County Surveyor raises no objection to this proposal on highway safety.

The issue regarding the landscape and trees has been the subject of pre-application discussion and the Council's Countryside Officer is satisfied that there is adequate root protection on the main tree within the site and that subject conditions safeguarding the tree as well as species protection, raises no objection to the scheme.

It is also important in determining the application to have regard to adjacent residential amenity. It is clear that the function rooms and the facility of the bar area which adjoin the landscaped area towards the brook could have an impact on the residential amenity of the adjacent dwellings.

In considering this proposal it should be noted that the public house itself could be reopened and some of the area could be used in a similar manner without any degree of planning control. To safeguard residential amenity I consider it appropriate to impose conditions in relation to the use of the external area and hours of use. It would also be important to limit the opening mechanism on the glazed areas and where appropriate put fixed glazing. The Council's Environmental Health Officers have commented in relation to noise and although recognise there will be some impact. I am satisfied that the effect could be minimised and adequately controlled with suitable conditions. I am satisfied that the effect could be minimised and adequately controlled with suitable conditions but it is clear that as submitted the scheme presents concerns that could be overcome further but in this instance the applicant considers this may reduce the viability of the scheme. I recognise the concern of the immediate and adjoining residents and a development of this scale may give rise to some issues that affect residential amenity due to late night activities. The scheme as submitted has predominantly glass walling and it is only the barn reception area where there is an opening onto the land at

the rear and this is the most northerly point away from the properties on Talbot Road and a reasonable distance away from the bungalow which is on the opposite side of the brook. There is also open access to a grassed area near the brook that would be close to the rear area of the properties attached I recognise there will be concern but having regard to all other issues, consider a recommendation of approval is appropriate.

An amended plan has been submitted which gives more detail in relation to the use of a yard area to the rear of No 7 Talbot Street and the landscape area adjacent to the brook. These details provide more safeguards in relation to residential amenity. In order to safeguard amenity issues and consistent with some of the advice of the Environmental Health Officer, I consider that conditions should be imposed in relation to amplified music and the hours of use of the outside area facing the brook.

SUMMARY OF REASONS FOR APPROVAL

3/2012/0962/P – The proposal will not create any significant harm to the effects of the visual amenity, setting of the Conservation Area or the listed building or residential amenity or highway safety.

3/2012/0963/P – The proposal will not lead to any significant harm to the listed building and will result in positive benefits to enable the regeneration of the listed building.

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

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

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

2. This permission shall relate to the development as shown on plans reference: 1723.E001, E002a,E003a,E004a,E005a,E006a,E007,E008,E009,E010,E011,E012,E013,E014,E015 and 1723.P1000,P101,P102,P103,P104.P105,P106, P107,P108 and P110. In relation to landscape details on areas facing towards the brook and the yard area at the rear of 7 Talbot Street the approval relates to the amended plans submitted on the 13/12/12 plan references...

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

3. Precise specifications or samples of walling and roofing materials including roof lights 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 and DMG1 of Regulation 22 Draft Submission Core Strategy.

4. The development hereby permitted shall be in accordance with the landscaping scheme and arboricultural report dated September 2011 submitted with the application.

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

REASON: In the interests of the amenity of the area and to comply with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of Regulation 22 Draft Submission Core Strategy.

5. Drainage condition to be dictated

REASON: To ensure a satisfactory form of development and in the interests of land drainage in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

6. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors
- (ii) loading and unloading of plant and materials
- (iii) storage of plant and materials used in constructing the development
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (v) wheel washing facilities
- (vi) measures to control the emission of dust and dirt during construction
- (vii) a scheme for recycling/disposing of waste resulting from construction works

REASON: To ensure that the development complies with approved details in the interests of the protection of controlled waters in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees identified in the Arboricultural Survey, shall be protected in accordance with the BS5837 2012 [Trees in Relation to Design, Demolition & Construction] the details of which shall be agreed in writing and implemented in full under the supervision of a qualified arboriculturalist and in liaison with the Countryside/Tree Officer.

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/exclusion zone shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the

protection/exclusion 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 is 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 a Tree Preservation Order/ Conservation area/considered to be of visual, historic or botanical value are afforded maximum physical protection from the potential adverse affects of development.

In order to comply with planning policies G1, ENV13 of the District Wide Local Plan and Policies DMG1 and DMG3 of Regulation 22 Submission Draft of the Core Strategy.

In order to ensure that trees of visual amenity/botanical/historical value are protected against adverse affects of the development.

8. There shall be no storage of equipment shown on plan reference 1723.P.00D received on 19 December 2012 adjacent to number 7 Talbot House, other than in the area hatched and any equipment or materials shall not exceed a height of 1.5m above existing ground level.

REASON: In order to comply with Policy G1 and protect adjacent residential amenity.

9. There shall be no live music or amplified music after the hours of 0100 hours and any music shall be limited to the function rooms and bar area as detailed on the submitted plans. Prior to commencement of development details of acoustic filters to mechanical extractors shall be submitted and agreed by the Local Planning Authority and thereafter implemented.

REASON: In order to comply with Policy G1 and protect adjacent residential amenity.

10. Before any works to implement this permission are commenced, details of any external alterations to the building, including any flues and extractor units to dispose of fumes from the cooking process shall be submitted to and approved by the local planning authority.

REASON: In order that the Local Planning Authority can be satisfied that the details are not injurious to the visual amenity and in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and to safeguard, where appropriate, neighbouring residential amenity.

RECOMMENDATION 2: that Listed Building Consent be granted subject to the following conditions:

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

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

2. This permission shall relate to the development as shown on plans reference: 1723.E001, E002a,E003a,E004a,E005a,E006a,E007,E008,E009,E010,E011,E012,E013,E014,E015

and 1723.P1000,P101,P102,P103,P104.P105,P106, P107,P108 and P110. In relation to landscape details on areas facing towards the brook and the yard area at the rear of 7 Talbot Street the approval relates to the amended plans submitted on the 13/12/12 plan references...

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

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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and DMG1 of Regulation 22 Draft Submission Core Strategy.

4. The development hereby permitted shall be in accordance with the landscaping scheme and arboricultural report dated September 2011 submitted with the application.

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

REASON: In the interests of the amenity of the area and to comply with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of Regulation 22 Draft Submission Core Strategy.

5. Notwithstanding any indication on the plans no development approved by this permission shall commence until the scheme for the disposal of foul and surface waters have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt surface water must drain separate from foul and no surface water would be permitted to discharge directly or indirectly in to foul or combined sewage systems. The development shall be completed and maintained and managed in accordance with the approved details.

REASON: In order to secure proper drainage and the risk of flooding and be complaint with Policy G1 of the Districtwide Local Plan.

6. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the parking of vehicles of site operatives and visitors
- (ii) loading and unloading of plant and materials
- (iii) storage of plant and materials used in constructing the development
- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (v) wheel washing facilities
- (vi) measures to control the emission of dust and dirt during construction

(vii) a scheme for recycling/disposing of waste resulting from construction works

REASON: To ensure that the development complies with approved details in the interests of the protection of controlled waters in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees identified in the Arboricultural Survey, shall be protected in accordance with the BS5837 2012 [Trees in Relation to Design, Demolition & Construction] the details of which shall be agreed in writing and implemented in full under the supervision of a qualified arboriculturalist and in liaison with the Countryside/Tree Officer.

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/exclusion zone shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection/exclusion 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 is 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 a Tree Preservation Order/ Conservation area/considered to be of visual, historic or botanical value are afforded maximum physical protection from the potential adverse affects of development.

In order to comply with planning policies G1, ENV13 of the District Wide Local Plan and Policies DMG1 and DMG3 of Regulation 22 Submission Draft of the Core Strategy.

In order to ensure that trees of visual amenity/botanical/historical value are protected against adverse affects of the development.

8. There shall be no storage of equipment shown on plan reference 1723.P.100D received on 19 December 2012 adjacent to number 7 Talbot House other than in the area hatched and this shall be limited to the use of small crates and not stored at a height above 1.5m.

REASON: In order to comply with Policy G1 and protect adjacent residential amenity.

9. There shall be no entertainment or music after the hours of 0100 hours and any live or amplified music shall be limited to the function room and bar area as shown on the submitted plans.

REASON: In order to protect adjacent residential amenity and to comply with Policy G1 of the Districtwide Local Plan and DMG1 of the Draft Core Strategy.

10. Before any works to implement this permission are commenced, details of any external alterations to the building, including any flues and extractor units to dispose of fumes from the cooking process shall be submitted to and approved by the local planning authority.

REASON: In order that the Local Planning Authority can be satisfied that the details are not injurious to the visual amenity and in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and to safeguard, where appropriate, neighbouring residential amenity.

Since preparation of this report and in the light of the recommendation put forward by the Environment Agency I consider that if these objections are not resolved by the time of this meeting that the application should be Deferred and Delegated to the Director of Commercial Services to refuse the application unless mitigation measures are put in place to overcome the concerns of the Environment Agency within 1 month of this meeting. The reason for refusal would relate to an inadequate buffer zone to the detriment of the local watercourse and as such be contrary to flood protection policies including biodiversity and wildlife issues and flood protection.

APPLICATION NO: 3/2012/1011/P (GRID REF: SD 362116 443430)
PROPOSED ERECTION OF 7 NO. HOUSES COMPRISING 6 NO. SEMI-DETACHED HOUSES FOR SOCIAL RENT AND ONE DETACHED PRIVATE HOUSE (RE-SUBMISSION OF 3/2011/1003/P). LAND NEXT TO 14 CHURCH RAIKE, CHIPPING, LANCASHIRE, PR3 2QL.

CHIPPING PARISH COUNCIL: No comments have been received from the Parish Council at the time of this reports submission.

LCC ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): I have examined amended Drawing 09-1441-P05 Revision A and am happy with the revised arrangements for visibility at the site access. I therefore have no objection to the proposals, subject to conditions.

ENVIRONMENT AGENCY: No comments have been received from the Environment Agency at the time of this reports submission.

UNITED UTILITIES: No objection to the proposed development providing that restrictions within the document, UUNW Guideline Reference No. 90048 Issue 1.2 Oct 2007 Distribution Manual 'Standard Conditions for Works Adj to Pipelines', are adhered to.

ADDITIONAL
REPRESENTATIONS:

Two 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. Loss of light,
2. Three storey houses on this site are too high,
3. Appearance of the scheme is out of keeping,
4. Impact on highway safety,
5. Increase in parking,
6. Impact on bus turning area,
7. Surely the Berry's site is more suitable?
8. Impact on the character of this beautiful village,
9. Do we need 'Social Housing' in Chipping?
10. Are there not 31,000 empty houses in Lancashire? Do we need more?
11. More housing development will overcrowd Chipping,
12. Loss of view, and
13. Noise impacts.

Proposal

This application is a re-submission of a previously withdrawn application and has been subject to pre-submission discussions. This application seeks planning permission for the erection of seven houses on land adjacent to 14 Church Raiké, Chipping. Six of these properties will be available for social rent with the remaining property for sale on the private market. A Heads of Terms Agreement has been submitted that highlights how these properties will be let, who too and for how much. The layout plan submitted shows the six, two-storey, three bedroom, semi-detached 'Affordable' properties sited facing no's 4 – 10 Kirk Cottages, with the single, three-storey, four bedroom, detached property sited adjacent to no. 14 Church Raiké. The site slopes away from Church Raiké towards the northeast, and as such engineering works will be required to make the site level. A communal parking area for the six 'Affordable' dwellings is positioned opposite no's 1 – 4 Kirk Cottages, accessed directly off Church Raiké, and will provide 12 parking spaces (2 per property). In order to provide suitable visibility when leaving this car parking area and a new pedestrian footway, the existing hedgerow frontage to the site is to be removed and set back from the highway 1.8m. This is in the interests of highway safety, as it will provide a sufficient visibility splay in both directions as well as a new pedestrian footway from the development site towards Chipping. The properties will be built in stone and will have slate roofs, and the plans indicate they will have dark/grey uPVC window frames and timber doors. The applicants will be constructing these properties to Code for Sustainable Homes Level 3 and will follow a fabric first approach. This enhanced specification and holistic approach to sustainable design is instead of using renewable energy design solutions for energy saving.

The site is comprised predominantly of species poor improved grassland vegetation surrounded by an overgrown hawthorn hedge. There are a number of trees located on and around the site (of differing standards) and Himalayan Balsam has been recorded in small amounts on site. The Ecological Survey provided with the application highlights that there are no internationally or national designated wildlife species on this site, and there will be no such internationally or national designated sites affected by the proposed development. The habitats on site are common to this area, however there are no overriding ecological factors that would preclude development of this site. There are no structures on site.

Site Location

The site is positioned adjacent to the northern edge of village settlement boundary of Chipping, previously defined by the Ribble Valley Districtwide Local Plan. It sits in-between the southern boundary of the Kirk Mills Industrial Site, opposite Kirk Cottages, and adjacent to no. 14 Church Raiké. The site lies some 45m north of the Chipping Conservation Area and 90m south of the newly designated Kirk Mills Conservation Area, however there are no Listed Buildings affected by the proposal. The site lies within the Forest of Bowland Area of Outstanding Natural Beauty.

Relevant History

3/2011/1003/P - Eight houses comprising six 3 bedroom five person houses for social rent and two 4 bedroom houses for private sale – Withdrawn.

3/2002/0409/P – Proposed redevelopment of Sunny Bank Bungalow site to provide four-bedroom house and garage – Refused.

3/1998/0174/P - 3 No. Terraced Cottages with garage and car parking – Refused.

Relevant Policies

National Planning Policy Framework.

Policy G1 - Development Control.

Policy H2 – Dwellings in the Open Countryside.

Policy H20 – Affordable Housing – Villages and Countryside.

Policy H21 – Affordable Housing – Information Needed.

Policy ENV1 – Area of Outstanding Natural Beauty.

Policy ENV3 – Development in the Open Countryside.

Policy ENV7 – Species Protection.

Policy ENV13 – Landscape Protection.

Policy ENV16 – Development within Conservation Areas.

Policy T1 – Development Proposals – Transport Implications.

Policy T7 – Parking Provision.

SPG – “Extensions and Alterations to Dwellings”.

Core Strategy 2008/2028 - A Local Plan for Ribble Valley Regulation 22 Submission Draft

Policy DMG1 – General Considerations.

Policy DMG3 – Transport and Mobility.

Policy DME2 – Landscape and Townscape Protection.

Policy DME3 – Site and Species Protection.

Policy DMH1 – Affordable Housing Criteria.

Policy DMH3 - Dwellings in the Open Countryside and AONB.

Key Statement EN2 – Landscape.

Key Statement EN3 – Sustainable Development and Climate Change.

Key Statement EN4 – Biodiversity and Geodiversity.

Key Statement H1 – Housing Provision.

Key Statement H3 – Affordable Housing.

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

Policy L5 Affordable Housing – RSS.

Wildlife & Countryside Act 1981 as amended.

The Conservation [Natural Habitats & c.] Regulations 1994.

Addressing Housing Need in Ribble Valley.

Environmental, AONB, Human Rights and Other Issues

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, impacts on the AONB, any potential impacts on local ecology or habitats, any potential impacts on Heritage Assets and the potential impact on the amenities of nearby residents. There are no objections from a Highway Safety point of view.

PRINCIPLE OF THE DEVELOPMENT

The policy basis against which this scheme should be appraised is set out in the context of national, regional and local development plan policies. At a national level the National Planning Policy Framework (NPPF) came into force on 27 March 2012 and states that *at the heart of the NPPF is a presumption in favour of sustainable development* which means that for decision making purposes that:

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.*

The NPPF requires LPAs to consider housing applications 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 LPA cannot demonstrate a five-year supply of deliverable sites. As at 1 October 2012, Ribble Valley can demonstrate a 6 year supply of housing, including a 10% allowance for slippage and 20% buffer for previous years under delivery but no detailed site adjustments for deliverability of the sites identified when measures against the previously adopted Regional Strategy figure. In terms of the five-year supply based on the emerging Core Strategy requirement, this is 5 years.

The issue of a five year supply is a somewhat complex one as we move forward with the preferred development option in the Core Strategy at a time when government advice has highlighted that the Regional Strategy (RS) is soon to be abolished and that it will fall upon LPAs to determine what the housing requirement should be for their own borough. The most relevant policies of the RS are those that relate to housing requirements (Policy L4) and affordable housing (Policy L5). The Council has established that it will continue to determine planning applications against the existing RS figure of 161 dwellings per year (in line with Government guidance) and as Members will recall, this is a minimum requirement not a maximum. Even though the Council is undertaking a review of its housing requirements as part of the plan making process, the requirement going forward is most appropriately addressed within the Core Strategy examination and statutory plan making process. Therefore, whilst mindful of the figure of 200 dwellings per year, agreed by a special meeting of Planning and Development Committee on 2 February 2012 as the annual housing requirement (following work undertaken by Nathaniel Litchfield & Partners) it is the 161 per year requirement, which remains the relevant consideration for decision-making purposes on planning applications at this time. As stated, the current figure would appear to demonstrate a 6-year supply against that requirement, but this is without any detailed site adjustments for deliverability. Members must also bear in mind that irrespective of the 5 year supply issue, some of the policies of the

DWLP are considered out of date (in particular the settlement strategy) and thus the statement in NPPF cited above which advocates a presumption in favour of sustainable development unless any adverse impacts of doing so would *significantly* and *demonstrably* outweigh the benefits is at this time the over riding consideration. There are no provisions within the NPPF to advocate resisting development 'in principle' once a 5 year supply of deliverable sites is achieved. In assessing this application therefore it is important to look at the component parts in turn having regard to the above considerations as follows.

Therefore in establishing whether the development of this parcel of land for residential purposes would in principle be acceptable, it is the requirements of NPPF that take precedence over the dated policies of the DWLP in respect of this site, i.e. a presumption in favour of sustainable development as outlined above and granting planning permission unless any adverse impacts of doing so would *significantly* and *demonstrably* outweigh the benefits. The NPPF outlines that there are three dimensions to sustainable development – economic, social and environmental and these give rise to the need for the planning system to perform a number of roles. In terms of an economic role NPPF comments that LPA's should ensure that sufficient land of the right type is available in the right places and at the right time and also identify and co-ordinate development requirements including the provision of infrastructure. A social role is ensured by providing the supply of housing required to meet the needs of present and future generations and an environmental role by contributing to protecting and enhancing the natural, built and historic environment. Having carefully assessed the proposal against these it is considered that the development would accord with the requirements of the NPPF, including that within paragraph 54 of the NPPF that provides more specific guidance on 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 located within the AONB on the edge of the settlement boundary of Chipping, as defined previously in the Districtwide Local Plan. The site is within easy walking distance from the village centre of Chipping, as well as being within walking distance of the nearest bus stop that provides a two hourly bus service to Longridge, Clitheroe and Blackburn. Therefore having examined the potential development as submitted under this application it is considered that being of a scale that is not inappropriate to the locality, subject to supporting infrastructure, it is concluded that the development of this site for residential purposes as a principle would be consistent with the National Policy Framework, extant Regional Strategy and at the scale proposed the principles of the emerging Core Strategy together with relevant material consideration that the Council must currently take into account. Members are reminded that the Core Strategy is at a Regulation 22 Submission Draft Stage, thus the weight to be attached to that document is greater now than at previous Committee Meetings.

VISUAL ASSESSMENT/IMPACT ON AMENITY

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 Local Plan 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 must reflect the character and nature of the area. Visually any development of this site will affect the street scene due to its present rural and green nature, 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, and the need for 'Affordable' properties within the Chipping area.

With regards to the layout proposed, the scheme is essentially aimed at being low key, low impact and low density, which is why the layout proposes the parking for the housing being accessed off a single access point, the replacement of the hedgerow to the front of the site with one behind the new pedestrian footway and the use of the changes in the land levels on site to soften the impact of the built form. With regards to the scale of the properties, the overall ridge height of the proposed two storey properties (1-6) is at approximately 8.5m above ground level, and whilst taller than the properties known as Kirk Cottages (at approximately 7.5m to ridge), the ridgelines of these new properties will sit over 0.5m below those opposite. The single, three storey property sits on its own, separated from the 'Affordable' units and no. 14 Church Raikie by distances of 27.8m and 11.8m respectively, and does not sit directly opposite another residential property. This property is by far the tallest dwelling proposed at 10.15m to the ridge, and at 1.66m taller than the six affordable units proposed and approximately 2.65m than no. 14 Church Raikie, will be more noticeable within this vicinity. However in order to refuse this scheme the significant visual harm of the proposal must be demonstrated and be sufficient enough to outweigh the requirement for new homes within the borough, and the need for 'Affordable' properties within the Chipping area. In this instance, having visited and assessed the site a number of times, due to the sympathetic design, the position of the dwelling on site (set back from the front elevation of no. 14), the difference in land levels between this property and the other six (the ridge levels line up due to the land sloping upwards from this property) and the large spacing gaps between this property and those adjacent, the visual impact on the streetscene is considered to be acceptable.

Having visited this location and assessed the scale and size of nearby properties and their garden areas, I am satisfied that the dwellings proposed would allow a development of a suitable height and massing on the site without being to the visual detriment of the area or the detriment of the amenity of the occupiers of the dwellings opposite. The minimisation of the visual impact of the development of this site is further supported by the use of the change in land levels and the replacement screen planting to the street frontage, and on this basis I consider that the development of the site will have an acceptable visual impact at this particular location.

With regards to spacing distances on site between existing adjacent housing developments and that proposed, one of the 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. 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. The shortest distance between the front elevations of the proposed dwellings shown on plots 1-6 to the front elevations of properties on Kirk Cottages is 19.27m (between Plot 1), with the greatest distance being 19.967m (from Plot 6). Whilst being marginally less than that suggested within the SPG, consideration must also be had to the difference between the land levels and the relationship between the two housing developments. The first floor windows of the properties known as Kirk Cottages sit just above the eaves height of the proposed new dwellings so any views towards them will be at and over their roofs. This impact is mitigated by the replacement hedgerow and planting along this front boundary.

In order to consider the impact of the scheme on the character, quality or visual amenities of this sites location within the AONB, Policy ENV1 of the Local Plan must also be considered. ENV1 states that 'The landscape character of the AONB will be protected, conserved and enhanced, and development will need to contribute to the conservation of the natural beauty of the area. The environmental effects of a proposal will be a major consideration with the design, materials,

scale, massing and landscaping important factors. The protection, conservation and enhancement of the natural environment will be the most important consideration in the assessment of a proposal.' Paragraph 115 of the NPPF also advises that 'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.' In addition, due to the sites close proximity to the Chipping Conservation Area, Local Plan Policy ENV16 must also be considered. It states that 'the desirability of preserving or enhancing the character and /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 into or views out of the area'. The NPPF also offers the following relevant advice within paragraph 134 noting 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.'

Despite the site being positioned outside the Chipping village boundary and within the AONB, the site is well positioned within existing built development. It sits opposite and adjacent to residential development and to the south of two large industrial buildings that belong to the Kirk Mills site. It is accepted that visually any development of this site will affect the streetscene and views through the site, however in order to refuse a development the significant harm of a proposal must be demonstrated. Therefore in considering the scale and design of the dwellings proposed (a mixture of contemporary and traditional), the location, position and orientation of the properties on the site, the surrounding house types, the existing and proposed boundary screening afforded to the site and the siting of the development in relation to existing built development; it is considered that the proposal will have an acceptable visual impact upon the setting and character of the AON and will have no significant visual impact upon the setting or character of the nearby Chipping Conservation Area.

On this basis, the development proposed is considered to be in line with the requirements of the NPPF, and that any visual harm caused to the locality or impacts to the amenity of the occupiers of adjacent dwellings by virtue of approving the development would not significantly or demonstrably outweigh the benefits of granting this permission.

AFFORDABLE HOUSING PROVISION ON SITE

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 Chipping, 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 six of these would be 'Affordable' rental properties and this is outlined within the draft Heads of Terms Agreement.

The Agreement states that the 6 Dwellings shall be for rental and shall not be Occupied otherwise than for Occupation by tenants for Rental at Affordable rent unless otherwise agreed in writing between the Council and the Association that on completion of the Dwellings that they shall be allocated to tenants by 100% nomination arrangements to Approved Persons nominated by the Council in accordance with the Council's allocations policy. The Council's Housing Officer has discussed the Heads of Terms with the Applicant and is happy with this proposed provision for Local Needs Housing on this site.

This application has been submitted with a Heads of Terms 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 stipulates the following:

1. The total number of Affordable Housing Units shall comprise of six of the seven dwellings which may be constructed on the land pursuant to the Planning Permission,
2. The rents to be charged on the 6 Dwellings will be in accordance with the Governments Guidance on Affordable Rents, as issued by the Homes and Communities Agency or such other successor to the Homes and Communities Agency, which governs the rents to be charged by all social landlords or Registered Housing Providers, whether they be Registered Social Landlords or Local Authorities,
3. The first priority for the approved Persons section is for those who live in Chipping, and the second Priority is for the neighbouring parishes of Bowland Forest High, Thornley-with-Wheatley and Leagram, and
4. The Dwellings shall be allocated to tenants by 100% nomination arrangements to Approved Persons nominated by the Council in accordance with the Council's allocations policy.

Members will be aware that it has been agreed that where possible, conditions should be imposed in lieu of legal agreements and I consider that this is appropriate in this instance.

IMPACT ON LOCAL ECOLOGY/HABITATS

The site is comprised predominantly of species poor improved grassland vegetation surrounded by an overgrown hawthorn hedge. There are a number of trees located on and around the site (of differing standards) and Himalayan Balsam has been recorded in small amounts on site. The Ecological Survey provided with the application highlights that there are no internationally or national designated wildlife species on this site, and there will be no such internationally or national designated sites affected by the proposed development. The habitats on site are common to this area; however there are no overriding ecological factors that would preclude development of this site and the Council's Countryside Officer is satisfied that suitable planning conditions will suffice in controlling the future development of this site.

ACCESS

With regards to the access to the site, the Country Surveyor is happy with the revised arrangements for visibility at the site access, and in addition he has raised no concerns regarding the level of parking proposed on site.

Therefore, bearing in mind the above comments and whilst I am mindful of the points of objection from nearby neighbours, I am satisfied that any adverse impacts of granting this

proposal will not significantly or demonstrably outweigh the benefits, and as such I recommend the scheme accordingly.

SUMMARY OF REASONS FOR APPROVAL

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

RECOMMENDATION: That the application be Approved subject to the imposition of 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 number's 09-1441-P01, 09-1441-P02, 09-1441-P03, 09-1441-P05 Rev. A, 09-1441-P06 Rev. A, 09-1441-P07 Rev. A, 09-1441-P09, 09-1441-L01, 09-1441-S04 Rev. A and 26192-5K02-P1.

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 7th December 2012.

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

4. Save for clearance & site remediation, the development shall not begin until a scheme to secure the affordable housing has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme, unless otherwise agreed in writing with the local planning authority, and shall meet the definition of affordable housing in Annex 2 of the NPPF or any future guidance that replaces it. The scheme shall include:

- i. the tenure of the affordable housing provision to be made;
- ii. the arrangements for the transfer of the affordable housing to an affordable housing provider;
- iii. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- iv. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

REASON: For the avoidance of doubt as the permission is subject to an agreement in relation to the affordable housing approved. In accordance with Local Plan Policies G1, H2, H20 and H21, Policies DMG1, DMH1 and DMH3 of Regulation 22 Submission Draft Ribble Valley Core Strategy and Key Statement H3, the document 'Addressing Housing Need in Ribble Valley' and guidance within the NPPF.

5. Precise specifications and samples of walling and roofing materials, details of any window and door surrounds and fenestrations details (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, Policies DMG1 and DME2 of Regulation 22 Submission Draft Ribble Valley Core Strategy and Key Statement EN2, and guidance within the NPPF.

6. No part of the development shall be commenced until a non-native species removal and disposal method statement has been submitted and agreed in writing the local planning authority. The details of which shall include details of the eradication and removal from the site all Himalayan Balsam.

REASON: To ensure that there is no risk of further spread of a non-native plant species and to ensure that there are no residue non-native plant species parts remaining. In accordance with Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan, Policy DMG1 of Regulation 22 Submission Draft Ribble Valley Core Strategy and Key Statement EN2, and guidance within the NPPF.

7. As advised within the submitted Phase I Survey, no part of the development shall be commenced until a preliminary Phase II intrusive site investigation is carried out to determine the status of contamination on site and to determine the geo-technical properties of the ground for foundation design. A remediation statement detailing the recommendations in remedial measures to be implemented within the site shall be submitted to the Local Planning Authority and the developer prior to the occupation of the site shall implement such remedial works. On completion of the remedial works the developer shall submit written confirmation in the form of a site completion report to the Local Planning Authority that all works were completed in accordance with the agreed remediation statement.

REASON: To prevent pollution of the environment in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan, Policy DMG1 of Regulation 22 Submission Draft Ribble Valley Core Strategy and guidance within the NPPF.

8. The development hereby permitted shall not be commenced until details of the landscaping of the site has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall indicate, as appropriate, the types and numbers of trees and shrubs that maximises native species and wildlife friendly species. The agreed landscaping scheme shall include a Lancashire hedgerow mix consisting of appropriate species mix and tree/shrub types.

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 that is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: To compensate for the loss of native traditional hedgerow and to enhance biodiversity and to assist in offsetting the loss of existing habitats. In accordance with Policies G1, ENV7 and ENV13 of the Ribble Valley Districtwide Local Plan, Policies DMG1 and DME3 of Regulation 22 Submission Draft Ribble Valley Core Strategy and Key Statements EN2 and EN4, and guidance within the NPPF.

9. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services, all trees identified in the arboricultural/tree survey [T1 – T4 & G1 – G8 inclusive] shall be protected in accordance with the BS5837 2012 [Trees in Relation to Design, demolition & Construction]. These details shall be agreed in writing and implemented in full under the supervision of a qualified arboriculturalist and in liaison with the Countryside/Tree Officer. 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/exclusion zone shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection/exclusion 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 is in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development and considered to be of visual, historic or botanical value is afforded maximum physical protection from the potential adverse affects of development. In order to comply with planning policies G1 and ENV13 of the District Wide Local Plan, Policy DMG1 of Regulation 22 Submission Draft Ribble Valley Core Strategy and Key Statement EN2, and guidance within the NPPF. To ensure that trees of visual amenity value are protected against adverse affects of the development.

10. Prior to the commencement of any phase of development, details for how foul and surface water shall be drained on separate systems shall be submitted to the local planning authority and approved in writing for that phase. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To ensure that the site is drained on separate systems for foul and surface water to ensure a satisfactory means of drainage in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan, Policy DMG1 of Regulation 22 Submission Draft Ribble Valley Core Strategy and guidance within the NPPF.

11. If any tree felling or hedgerow removal is carried out during the bird -breeding season [March - August inclusive] 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.

12. No development shall take place until details of the provisions to be made for building dependent species of conservation concern artificial bird nesting boxes and artificial bat roosting sites have been submitted, and approved by the local planning authority. The details shall be submitted on a building dependent bird/bat species development site plan and include details of plot numbers and the numbers of per individual building/dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated -north/north east elevations for birds & elevations with a minimum of 5 hours morning sun for bats. The artificial bird/bat boxes shall be incorporated into those dwellings/buildings during the actual construction of those individual identified on the submitted plan before the development is first brought into use, unless otherwise agreed in writing by the local planning authority.

REASON: To protect the bird/bat population from damaging activities and reduce or remove the impact of development, to ensure that there are no adverse effects on the favourable conservation status of a bird/bat population before and during the proposed development and to ensure that bird and bat 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 District Wide Local Plan.

13. Access to the car parking areas shall remain ungated in perpetuity.

REASON: To permit vehicles to pull clear of the carriageway of Church Raike when entering the site in the interests of highway safety. In accordance with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan, Policies DMG1 and DMG3 of Regulation 22 Submission Draft Ribble Valley Core Strategy, and guidance within the NPPF.

14. The parking and manoeuvring areas shall be laid out in accordance with Drawing 09-1441-P05 Revision A and shall be available for use before the development is brought into use.

REASON: To provide adequate car parking facilities for the development in the interests of highway safety. In accordance with Policies G1 and T7 of the Ribble Valley Districtwide Local Plan, Policies DMG1 and DMG3 of Regulation 22 Submission Draft Ribble Valley Core Strategy, and guidance within the NPPF.

15. Before the two access points are used for vehicular purposes, the proposed access and car parking areas detailed on Drawing 09-1441-P05 Revision A shall be appropriately paved in tarmacadam, 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. In accordance with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan, Policies DMG1 and DMG3 of Regulation 22 Submission Draft Ribble Valley Core Strategy, and guidance within the NPPF.

16. The existing hedge on the highway frontage of the site to Church Raike shall be removed and may be replanted not less than 2 metres back from the edge of the carriageway of Church Raike.

REASON: To ensure adequate visibility for the drivers of vehicles entering and leaving the site. In accordance with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan, Policies DMG1 and DMG3 of Regulation 22 Submission Draft Ribble Valley Core Strategy, and guidance within the NPPF.

17. A 2 metre wide footway shall be provided along the entire frontage of the site to Church Raike.

REASON: To provide adequate facilities for pedestrians and to ensure adequate visibility at the site access points. In accordance with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan, Policies DMG1 and DMG3 of Regulation 22 Submission Draft Ribble Valley Core Strategy, and guidance within the NPPF.

18. No part of the development shall commence until a scheme for the relocation or replacement of the three existing lighting columns that are presently situated on the site frontage has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

REASON: To ensure that street lighting levels are maintained in the interests of highway safety. In accordance with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan, Policies DMG1 and DMG3 of Regulation 22 Submission Draft Ribble Valley Core Strategy, and guidance within the NPPF.

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.

Restrictions within the document United Utilities North West Guideline Reference No. 90048 Issue 1.2 October 2007 Distribution Manual 'Standard Conditions for Works Adjacent to Pipelines' shall be adhered to during the development.

Should this planning application be approved, the applicant should contact our Service Enquiries on 08457462200 regarding connection to the water mains/public sewers.

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.

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

There shall be no burning of materials on site.

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.

C APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL

APPLICATION NO: 3/2012/0729/P (GRID REF: SD 387147 450852)
PROPOSED CHANGE OF USE FROM PUBLIC HOUSE, BIKE HIRE AND DWELLING TO HOTEL, BIKE HIRE AND DWELLING AT DOG AND PARTRIDGE, TOSSIDE, LANCASHIRE, BD23 4SQ.

BOLTON-BY-BOWLAND,
GISBURN FOREST &
SAWLEY PARISH COUNCIL:

The PC object to this application and express the following significant concerns about this scheme:

1. A Public House is often the central focal point for the village community as well as being an attraction for tourists as a place to eat and drink whilst on holiday. There is a growing population of tourists, bikers and walkers in the Tosside area with the development of the cycle and walking trails in Gisburn Forest in addition to the increase in camping and holiday cottages available.
2. If the village has no Public House that is a significant disincentive for those people to want to come and may therefore detract from the area for tourism.
3. Due to the drink drive laws it is important that a Pub is within a safe and reasonable walking distance for tourists, the obvious place being within the village.
4. The Community Hall has its uses for large functions but it is not intended to be a replacement for the Pub.
5. Crowtrees Inn is much further out of the village and its sole purpose is to serve its own static caravan site.
6. Nothing is lost to the owners if it remains as a Pub, however if it is no longer a Pub, the village will have lost something they may never get back.

LCC TRAFFIC AND
DEVELOPMENT ENGINEER:

No objections.

UNITED UTILITIES:

No observations.

ADDITIONAL
REPRESENTATIONS:

Thirty one letters of objection have been received along with a petition containing 45 signatures and comments. The following points of objection have been summarised where possible:

1. The Community Hall is not a village pub and cannot, and will not, replace the Dog & Partridge,
2. The Community Hall actually replaced the Tosside Institute which provided similar facilities to now,
3. The Community Hall and Crowtrees were both running before the applicants purchased the pub,
4. Tosside Community Link have been careful not to set up in direct competition,
5. D&P is deliberately run to deter local/visiting trade through

- limited opening and turning away bookings,
6. D&P is closed every Christmas and New Year, and the owners do not celebrate events (Olympics/Jubilee etc.),
 7. They have made no effort to run the village pub as a local focal point,
 8. Pool and darts teams (now disbanded) were already running before the applicants took over so the claim THEY set them up to help business is false,
 9. The pub quiz HAS moved to the Community Hall through necessity due to the D&P being closed,
 10. The proposal is clear that they wish to make the property into housing,
 11. What was once a thriving pub is now a part time café/bike shop,
 12. There are no hours of opening proposed?
 13. There are already facilities to run the establishment as a hotel and this planning application seems to be a way of removing the pub area and closing it for good,
 14. Someone else should be given the chance to rebuild the D&P if they do not wish to try,
 15. Applicants have abused previous consents at the site so should not be granted further consent,
 16. The café is no longer there, as the bike shop has been extended into it, contrary to permission 3/2008/0196/P as the bike shop was not to exceed 20sq.m.
 17. An isolated village like Tosside needs a public house accessible to all,
 18. We have lost the school, our post office, our garage and if the pub goes I fear our village will die,
 19. The application appears full of flaws in terms of the plans being incorrect as well as the number of staff employed,
 20. D&P IS needed as the Community Hall can only be booked in advance, meaning that locals cannot just pop in for a drink, like they can at a pub,
 21. I know there is a recession but the village is flooded with mountain bikers and visitors so surely this establishment COULD work?
 22. When people staying at our Caravan site (10 minutes walk away) ask where the nearest pub is, due to inconsistent opening times we do not recommend the D&P,
 23. The D&P was once one of the most popular pubs in the area and with the right management could be again, how can a business in this prime tourist location not be profitable?
 24. If approved this would be detrimental to the village.

Proposal

The application is for full planning permission to change the use of the building from a public house with bike hire and dwelling to a hotel, bike hire and dwelling. The proposals do not involve/propose any alterations to the building. The existing internal floor space for the

business/commercial uses on site measures at 334.2 sq.m. The proposed new business/commercial floor space measures at 235.9 sq.m. a reduction of 81.5sq.m. (25%). The main changes on site include the café/bike area being changed to a guest lounge/dining room, the beer cellar and bottle store being changed to bike store and hire area and the change in the ground floor area of the public house into residential accommodation. There is no increase in the number of letting rooms on site (three). The car parking area to the rear also remains as it is at present.

Site Location

The Dog and Partridge Public House is sited centrally within the village of Tosside, on the northern side of the B6478 within the AONB. It sits adjacent to the Church of St Bartholemew, and opposite the Tosside Community Hall. The property itself is a Grade II Listed building. The site lies off an access track to, and within 200m of, the edge of Gisburn Forest, a significant tourist attraction within this location of the AONB. The public house also sits within a 5km drive of a recently approved visitor centre at Stephen Park, within the heart of Gisburn Forest, that is due to be completed at opening early 2013. The nearest other Public House is the Crowtrees Inn, a Public House and Restaurant that is part of the Crowtrees Park Holiday Complex. This lies within the Holiday Complex approximately 1 mile away from this site.

Relevant History

3/2008/0196/P - Change of part of existing ground floor to mountain bike storage and service area – Granted Conditionally.

3/2005/0282/P - Single storey porch on south elevation – Granted Conditionally.

3/2004/0611/P - Removal of part external stone skin on front and rebuilding, first floor extension with pitched roof, new lean-to extension to provide bottle store and other minor alterations (LBC) – Granted Conditionally.

3/2004/0323/P – Demolition and re-building of restaurant together with first floor accommodation over, alterations to lean-to toilets and construction of bottle store – Granted Conditionally.

3/1999/0110/P – Change of Use from a Pub to a single dwelling including altering car parks to form gardens – Refused.

3/1998/0595/P – Change of Use to form guesthouse with cafe/bar – Refused.

3/1998/0216/P – Change of Use from a Public House to a Private Dwelling – Refused.

3/1997/0689/P – Change of Use of a function room to living accommodation (LBC) – Granted.

3/1997/0688/P - Change of Use of a function room to living accommodation – Granted.

3/1991/0645/P – Use of land for the stationing of residential staff caravan – Refused.

3/1990/0335/P – Demolition of modern porch to main entrance to reveal original entrance (LBC) – Granted.

Relevant Policies

National Planning Policy Framework.

Policy G1 - Development Control.

Policy G4 – Settlement Strategy.

Policy ENV1 – Forest of Bowland Area of Outstanding Natural Beauty.

Policy ENV19 – Listed Buildings.

Policy H15 – Building Conversions - Location.

Policy RT1 – General Recreation and Tourism Policy.

Policy S6 – Loss of Shopping Facilities in Villages.

SPG – Retention of Public Houses in Rural Areas.
Core Strategy 2008/2028 - A Local Plan for Ribble Valley Regulation 22 Submission Draft
Policy DMG1 – General Considerations.
Policy DMG2 – Strategic Considerations.
Policy DME2 – Landscape and Townscape Protection.
Policy DMH3 - Dwellings in the Open Countryside and AONB.
Policy DMH4 – The Conversion of Barns and other Buildings to Dwellings.
Policy DMB3 – Recreation and Tourism Development
Key Statement DS1 – Development Strategy.
Key Statement EN2 – Landscape.
Key Statement EN5 – Heritage Assets.
Key Statement EC3 – Visitor Economy.

Environmental, AONB, Human Rights and Other Issues

The main consideration with regards to this application is the loss of the remaining Public House within Tosside, whether there has been sufficient justification provided in support of this and whether the benefits of the proposed new use outweigh this loss. The scheme proposes no alterations to the property, a Grade II Listed building, as part of this application, and there are no issues in relation to the proposals impact upon the amenity of the occupiers of adjacent dwellings or its impact upon highway safety at this location.

The policy basis against which this scheme should be appraised is set out in the context of national, regional and local development plan policies. At a national level the National Planning Policy Framework (NPPF) came into force on 27 March 2012 and states that at the heart of the NPPF is a presumption in favour of sustainable development which means that for decision making purposes that:

- *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 28 of the NPPF advises that 'Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

The compliance with this element of the NPPF will be discussed in due course.

From a Local Planning Policy view, saved Policy S6 advises that 'The change of use of ground floor commercial premises to residential accommodation within the village boundaries will be approved providing it has been demonstrated that the change of use will not lead to adverse effects on the local rural economy.' This is due to the fact that the loss of retail uses or other community related commercial premises to residential use in villages could have a serious detrimental effect on the economic and social well being of the local rural areas served. Policy H15 also considers the conversion of buildings to dwellings stating that planning permission will be granted where there would be no detrimental effect on the rural economy.

The Council also have a saved SPG that specifically covers applications of this nature, and is called the 'Retention of Public Houses in Rural Areas'. This particular SPG deals with the issues associated with the change of use of public houses to other, non community based uses, such as residential and it is intended that the guidance is applied mainly in the rural areas of the borough, since this is where the impact of loss is most significant.

Pubs perform important social and economic functions in maintaining the viability of rural areas, and they also have important links to leisure and tourism, and contribute to the distinctiveness of rural landscapes and villages. The village pub (sic) provides an important community benefit to rural areas in that it offers a meeting place for the villagers to come together and mix informally or formally for meetings of clubs and societies, as well as having a significant impact upon the economic vitality of the village and the rural areas beyond by providing a source of employment, supplying many full time and part time jobs to villagers themselves, often in areas where jobs suitable for locals are at a premium. They can also play a vital tourism role providing an important service, offering accommodation, food etc to tourists and can provide a visitor attraction in their own right, especially in such a location as this one where it also plays an important role in the visual appearance of the village. This is particularly true where the pub is located within the AONB, as it provides a vitality and attractiveness to the village and also affords a visible social focus, which marks the centre of the village. The rural public house can also provide important environmental benefits as it cuts down the need for extra travel, as people are not forced to visit other public houses in nearby villages. The retention of public houses also accords with the general intentions of national strategic and local policies for the promotion of access to the countryside, and provisions for recreation and tourism.

It is clear that pubs play important social, economic, visual and environmental roles in rural areas, and it is therefore important that the Borough Council should seek to try and retain them. However, even with such a policy the Borough Council cannot prevent an owner or occupier from closing a public house, although it does have control over any subsequent reuse of the premises. Equally, the Borough Council cannot influence market forces or the trading ability of a business. On this basis, any submission of a planning application for a change of use of a pub to a non-community use will generally have to be accompanied with evidence to show that adequate attempts have been made to market the business as a going concern. This has not been carried out in this instance due to the applicant seeking to continue a similar 'business' from the site. The applicants have stated that they have sought to explore other avenues/uses in conjunction with the public house, namely the bike hire and café element with letting rooms above, within the extension to the rear of the main building. These elements have supported the main business, however the applicants now highlight that all elements of the current business uses on site are now failing, hence the reason and justification for the proposed application. The Applicant highlights that the Tosside Community Hall (built in 2009) now provides such a meeting place for social clubs and societies, with the Crowtrees Inn on Crowtrees Park providing the public house function for the village. They site both of these

businesses as having an impact upon their trade. Whilst these two businesses do provide a level of service for the wider local area, the following points are considered important:

1. The Crowtrees Inn lies within a Holiday Park and could, at any point, prevent visitors from off-site from using the facilities, and
2. Whilst the Tosside Community Hall provides a bookable facility for groups and societies, this is not considered to provide the same level of publically available services that a public house would.

The proposal here is to effectively extend the residential area of the property into what is the Public House at ground floor, and then subsequently concentrate on the marketing and letting of the existing B&B/guest rooms within the extension to the rear of the main building. The scheme does include the creation of a dining/lounge area below these rooms, where the bike shop was previously, and the applicant has suggested that this element will be open during the day/evenings/weekends for people not staying at the B&B/Hotel, therefore still providing elements the existing business that are doing well. However, as this proposal is not for the expansion of a tourism/visitor facility and more of a decrease in a service provided (given the significant reduction in the floor area of the commercial element on the premises), the applicant must provide sufficient and reasoned justification for this proposed change. Details have been provided that indicate that the business has been running at a loss since 2007, however a number of letters from the general public suggest that there is a demand to retain the premises in commercial use as a Public House, but that the applicant's have sought to orchestrate the demise of the business in order to then apply for the change of use now presented. The applicant's refute this suggestion, however having met with them on site and assessed the current commercial aspects of the business, I do have concerns that some elements of the commercial uses on site have not been run as a going concern for a while. This is highlighted by the lack of a cycle shop or café in the ground floor area of the rear extension and the fact that the public house itself is only open between noon and 8pm on Saturdays and Sundays. The only exception is that the rooms to let have been kept to a high standard and are being let out to holiday makers, and I do not doubt that the applicants would make every effort to run this element of the business, and which would provide a suitable income for the applicants, however if approved this business element in relation to the overall floor space on site would clearly be ancillary to its main use, namely as a residential property. Indeed there is considered to be little weight to the suggestion that it is also an employment-generating proposal as there would be significant difference in the staff required for this business compared to a pub. As a final consideration, the property has not been offered for sale on the open market as a going concern, as suggested within the SPG.

The scheme has also been discussed with the Council's Regeneration & Economic Development Officer, Craig Matthews, who advises the following. 'It is accepted that the pub sector is probably going through one of its toughest times ever, hitting those in particular located in remote and rural locations such as this where the sector is regarded as being in transition and change. Despite this it's disappointing that that this proposal has come forward on the basis of a declining or non-sustainable business. The implications of this application for change of use of the Dog and Partridge pub in particular, as well as representing loss of a functioning business and employment facility should not equally be undervalued in its role to act as an important tourism and community asset for the wider area as a whole. Whilst the public house and associated facilities currently as they stand might not be operating to the expectations of both the current owners and others, that should not be a reason to undermine their future potential. Its site and location in particular seem to suggest that the potential remains untapped, the fact it is adjacent to Gisburn Forest which has seen a dramatic surge in visitor numbers from 10,000 to

around 50,000 visitors a year and still increasing since the opening of the award-winning Gisburn Forest Mountain Bike Trail in 2009 and new investments, facilities and trails coming on stream next spring. There are also a number of areas where they seem to be missing out on marketing opportunities, as they don't appear to have a functioning website themselves or a presence on any of the main sites linked with Gisburn MTB / walking etc. However despite all this, the business should at least be marketed as a going concern if the current operators are not able to make it viable.'

In considering the proposal put forward, despite the assurances of the applicant that the business is not considered to be economically viable, the information presented is not considered sufficient to fully justify this statement. Without this, it is considered likely that the closure of the pub will have a visual impact upon the attractiveness of the village, the social and economic vitality of the village. This is therefore not considered to comply with the main thrust of the relevant local and national policies in that the more important element of this current community facility will be lost from this village. The proposal is therefore recommended accordingly.

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

1. The proposed development is contrary to Policies G1, G4 (c), ENV1, H15 (iv) and RT1 (i) of the Districtwide Local Plan, the Council's adopted Supplementary Planning Guidance Note Retention of Public Houses in Rural Areas, Policies DMG1, DMG2, DMH3, DMH4 and DMB3 and Key Statements EN2 and EC3 of the Core Strategy 2008/2028 Regulation 22 Submission Draft, and guidance within paragraph 28 of the NPPF. If approved, the development would lead to the loss of a valuable community facility, without sufficient justification, which would be to the detriment of the rural economy and vitality of the area, and would impact on the provision of suitable tourist facilities within this particular area of the Forest of Bowland AONB.

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

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2012/0157/P	Multi-purpose agricultural building and access track constructed of compacted hardcore to be grassed over at land adjacent	Hothersall Lane Hothersall
3/2012/0425/P	Covered midden for farmyard manure	Burholme Farm, Whitewell Clitheroe
3/2012/0692/P	Application to discharge condition 27 (provision of pedestrian/cycle link) of planning permission 3/2010/0719/P	land off Henthorn Road Clitheroe
3/2012/0715/P	Demolition of the existing building and replacement with a new dwelling and adjoining annex, with a change of use of agricultural land to form extended curtilage	Elswick Farm Mellor Brow Mellor
3/2012/0761/P	Construct a ramp for access for people with mobility problems	Salem Congregational Chapel, Martin Top Rimington
3/2012/0768/P	Application to discharge condition No 3 (materials) of planning permission 3/2012/0280/P	Moss Hall Farm Chipping
3/2012/0821/P	Erection of stable block on land adjacent	Nook House Farm Clayton-le-Dale
3/2012/0828/P	External redecoration. New signage scheme. Internal alterations including replacement lobby; removal of asbestos containing artex to the existing lounge bar area ceiling and re-skimmed and painted, with new timber beam applied; new T&G wall panelling, to all walls within the proposed dining and snug area; fixed seating to the proposed dining and snug area. New areas of flooring which include timber, stone, rugs and ceramic tiles. General redecoration throughout	Bayley Arms Hotel Avenue Road Hurst Green
3/2012/0874/P	Proposed erection of a dwelling on land adjacent	St Leonards Vicarage 11 Whalley Road Billington
3/2012/0878/P	Proposed lean-to extension to the side of West Bradford Village Hall to facilitate extended Lounge Bar and Kitchen	West Bradford Village Hall Grindleton Road West Bradford

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2012/0886/P	New goat housing for young stock, phase 2 of a two-phase plan	Pasture House Farm West Marton
3/2012/0887/P	Proposed removal of chimney stack to rear 'outshut' roof	50 King Street Clitheroe
3/2012/0892/P	Retrospective application to take down the original garage and erect new garage	Croft Cottage (rear of Ribblesdale House) Main Street, Gisburn
3/2012/0893/P	Phase 1 of a two-phase new covered muck store	Yew Tree Farm Chipping Road, Chaigley
3/2012/0894/P	Phase 2 of a two-phase new covered muck store	Yew Tree Farm Chipping Road, Chaigley
3/2012/0896/P	Proposed single storey rear and side extension replacing existing conservatory	1 Hollowhead Close Wilpshire
3/2012/0903/P	Application for the discharge of condition 1 (Time Condition), condition 2 (Gable Windows) and condition 3 (Slab Levels) of planning permission 3/2012/0392/P	Montgomerie Gardens land off Woone Lane Clitheroe
3/2012/0905/P	Proposed erection of a detached garage and installation of permeable hardstanding	41 Whalley Road Langho
3/2012/0908/P	Proposed rear and side extension. Proposed roof lift (1.2m) to provide room in the roof space (Re-submission)	3 Arley Rise Mellor
3/2012/0911/P	Proposed two-storey extension to rear of existing house and detached single garage to rear garden area (Re-submission)	Houghton Farm Cottage Osbaldeston Lane Osbaldeston
3/2012/0912/P	Application to remove condition no. 2 of planning permission 3/2004/1184/P, to allow the annex to be used as an independent dwelling	Green End Sawley Road Grindleton
3/2012/0915/P	Proposed change of use of restaurant from Class A3 (Restaurants and Cafes) to Class C3 (Dwelling Houses)	Cottage Restaurant Main Street, Gisburn
3/2012/0918/P	Proposed single storey side extension as a garden room and one and a half storey oak frame extension at rear to provide covered parking and work from home office. Replacement of all existing uPVC windows and doors with painted timber. Work to form part of scheme to reinstate property following severe flood damage	Cross House Broad Lane Whalley
3/2012/0919/P	Change of use of land to storage of caravans with maintenance and servicing of caravans	The Garden Village Ltd Hawkshaw Farm Longsight Road Clayton-le-Dale
3/2012/0922/P	Application to remove condition 3 (occupancy period) of planning permission 3/2008/0410/P to allow the holiday accommodation to be used as a permanent residential dwelling	The Saddle Room Cross Lane Waddington

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2012/0928/P	Proposed detached garage	3 Laneside Sabden
3/2012/0929/P	Raise height of part of the existing roof, new dormer window to front elevation and new porch	Broad Lea Ribchester Road Clayton-le-Dale
3/2012/0931/P	Replacement garage	17 Humber Street Longridge
3/2012/0932/P	Replacement detached garage to rear of property	27 Limefield Avenue Whalley
3/2012/0934/P	10KWp Solar Photocvoltaic free-standing installation	Ribblesdale Hall Annexe Sawley Road, Chatburn
3/2012/0939/P	New chimney stack	29 Redwood Drive Longridge
3/2012/0949/P	Single storey rear extension to existing restaurant and new staff access door	The Manse, Church Street Longridge
3/2012/0950/P	Replacement sign and installation of uplighters on both faces. Sign will be affixed to the ground on a black monopole and stand 2.4m high	The Manse Church Street Longridge
3/2012/0955/P	Formation of two bed flat over Tony's Chippy including erection of external rear staircase and insertion of 1 no. rooflight to front and 1 no. rooflight to rear	Tony's Chippy 23 Market Place Longridge
3/2012/0960/P	Conversion of barn/shippon to form extension to existing farmhouse	Lower Warble Hey Farm Barker Lane, Mellor
3/2012/0965/P	Two storey extension and internal alterations. Resubmission of application 3/2012/0063/P	74 Salthill Road Clitheroe
3/2012/0968/P	Extension of existing agricultural storage barn	Winckley Piggeries Stonyhurst, Clitheroe
3/2012/0969/P	Proposed demolition of existing stables and the erection of stone clad garden tools and implements store/garage	Hodgson Barn Slaidburn Road, Waddington
3/2012/0971/P	Part-retrospective application for pitched roof first floor rear extension	45 Whalley Road Sabden
3/2012/0973/P & 3/2012/0974/P	Strip out tenant fixtures and fittings. General repairs to fabric. Cutting back defective render to front elevation and re-render including shop front stall riser to wood float finish decoration. Replace shop front vestibule tiles to match existing. Remove third party signage. Renew electrical installation. Form new softwood painted plasters to shop front. Make good hardwood plaster heads. Upgrade fire protection to ground floor walls and ceiling	4 Castle Street Clitheroe
3/2012/0975/P	Proposed loft conversion with front and rear dormer, single storey rear extension	69 Preston Road Longridge

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2012/0985/P (Retrospective application: LBC)	Removal of two redundant extract flues together with their supporting steelwork and cable stays	HJ Berry & Sons Kirkmill Chipping
3/2012/0997/P	Proposed construction of single storey side extension to provide improved living and bedroom space	Slimrow House Newton
3/2012/0998/P	Proposed conversion of the garage/games room into dwelling	Ashgrove Barn 1 Shawbridge Street Clitheroe
3/2012/0999/P	Proposed conversion of the garage/games room into dwelling	Ashgrove Barn 1 Shawbridge Street Clitheroe
3/2012/1006/P	Replacement sectional concrete garage	6 Fort Avenue Ribchester
3/2012/1009/P	Proposed two storey side extension over existing garage and utility room	1 Hazel Grove Longridge
3/2012/1017/P	Sub-division of the existing two storey flat to form 2 no single self contained flats	The Manse Church Street, Longridge
3/2012/1054/P	Application for a non material amendment to planning permission 3/2010/0929/P to (1) resite the house on plot 1, (2) realign the road at the entrance to the site to avoid moving an existing gas box, (3) provide access to the rear of 40 and 42 Henthorn Road, and (4) provide access to the rear of 32 Siddows Avenue	land accessed between 36/38 Henthorn Road Clitheroe
3/2012/1063/P	Application for discharge of condition 6 (bat survey) and condition 7 (bird survey) of planning permission 3/2011/1064/P at land to the rear	59 to 97 Woone Lane Clitheroe

APPLICATIONS REFUSED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2012/0704/P	Internal and external alterations to form additional accommodation in the roof	Unit 4, The Shippon, Elswick Farm, Mellor Brow, Mellor	Policies G1, H17, DMG1 and DMH4 – An excessive number of rooflights to the detriment of the appearance and character of the building
3/2012/0873/P Cont/	A retrospective application for a concrete base and a new application for the	Alston Lane RC Primary School Preston Road	Policies G1, ENV3, DMG1 and DME2 – Incongruous and

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
Cont...	installation of a paper recycle skip adjacent to an unadopted road/lane to the rear of Alston Lane RC Primary School	Longridge	over prominent feature to the detriment of visual amenity.
3/2012/0875/P	Application for one internally illuminated plastic fascia sign	Chatburn Post Office 1-3 Bridge Road Chatburn	G1 & ENV16 of DWLP, DMG1 & DME4 of Reg.22 Draft CS & NPPF – unsympathetic and incongruous feature harmful to visual amenity and the character, appearance and significance of Chatburn Conservation Area.
3/2012/0899/P	Dismantle and remove the existing timber workshop. Redevelopment of the site with a two-bedroom bungalow	6 Stoneygate Lane Knowle Green	G1, G5, ENV3, H2, H20 and H21 of DWLP, DMG1, DME2, DME3 and DMH1 of the Regulation 22 Submission Draft Core Strategy, and Paragraph 55 of the NPPF isolated home without meeting any of the special circumstance criteria listed. Also divorced from existing built form to the detriment of visual amenity.
3/2012/0901/P	Two storey extension	Tenement Farm Thornley	G1, ENV1, H10, SPG (DWLP)/DMG1, DME2, DME3 and DMH5 (Reg 22 Submission Draft C.S.) and Section 11 of DWLP – incongruous

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2012/0914/P (PA) & 3/2012/0927/P (LBC)	Erection of reception classroom	St Mary's RC Primary School Longsight Road Osbaldeston	Harmful impact upon the settings and significance of the listed school and church. ENV19, G1(a) and G6.
3/2012/0947/P	Two storey extension to the rear	23 Pendle Street West Sabden	Contrary to policies; G1 and H10 of DWLP and policy DMG1 of the Draft Core Strategy.
3/2012/0959/P	Wooden shed and polytunnel	land off Higher Trapp Lane Simonstone	G1, G5, ENV3, DMG1, DMG2 and DME2 – Building not justified on agricultural grounds, therefore unnecessarily detrimental to the visual amenities of the locality.
3/2012/0970/P	Proposed insertion of two new windows in the gable end wall where no windows currently exist	4 Park Mews Gisburn	The proposed works are considered contrary to Policies G1, ENV16, DMG1 and DME4.
3/2012/0972/P	Proposed replacement of agricultural building with 4 no. holiday cottages and new package treatment plant	Shays Farm Tosside Skipton	Contrary to Policies G1, G5, RT1 and ENV1 of the Local Plan, Reg 22 Submission Core Strategy Policies DMG1, DMG2, DME2, DMH3 and DMB3 and Key Statements EN2 and EC3; and guidance within the NPPF. Unsustainable development, tantamount to the creation of four new dwellings within open countryside without

Cont/

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
Cont...			sufficient justification, and the intensification of the development; and its scale, siting, material and design, would be to the visual detriment of the character and appearance of the AONB.
3/2012/0995/P	Advertisement consent application for three illuminated hanging banner signs advertising Carter Leisure Club and the Cricket Bowling and Tennis Club	Clitheroe Cricket Club/ Carter Leisure Chatburn Road Clitheroe	Policy G1 – (Development Control) of the Local Plan. Policy DMG1 – (General Considerations) of the Core Strategy Regulation 22 Submission Draft.

CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2012/0115/P	Application for a Lawful Development Certificate for an existing use in breach of an agricultural occupancy condition (condition no 3 of planning permission 3/1982/0046/P)	Dewhurst Farm Longsight Road Langho
3/2012/0902/P	Application for a Lawful Development Certificate for a proposed new roof dormer to the rear of the property with a roof light to the front elevation	8 Salthill Road Clitheroe
3/2012/0904/P	Application for a Lawful Development Certificate for a proposed loft conversion with 2no. conservation type roof lights to the rear elevation	67 Church Street Ribchester
3/2012/0935/P	Application for Lawful Development Certificate in respect of the proposed erection of timber stables	New Chapel House Farm Commons Lane
3/2012/0948/P	Application for Lawful Development Certificate in respect of a proposed extension	5 Main Street Bolton by Bowland
3/2012/0956/P	Application for Lawful Development Certificate in respect of a proposed extension	67 Park Avenue Clitheroe

REFUSAL OF CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2012/0994/P	Application for a Lawful Development Certificate for proposed internal alterations and provision of 2no. dormers to the existing roof. Proposed change to door and window positions and addition of small porch frontage	Valle Vista Barker Lane Mellor

APPLICATIONS WITHDRAWN

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0835/P	Remedial works to gable wall coping stones	English Martyr's Presbytery The Sands Whalley
3/2012/0593/P	Demolition of external garage and store and construction of two residents at properties	54 Whalley Road Sabden
3/2012/0906/P	Single storey side extension	4 Commons Lane Balderstone
3/2012/1016/P	Proposed sub division of existing two storey flat to form 2 nd single storey self contained flats (LBC)	The Manse Church Street Longridge

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2010/0078	Old Manchester Offices Whalley New Road Billington	20/5/10	18	With agent and applicants solicitor
3/2012/0065	Land off Dale View Billington	24/5/12	12	With applicants solicitor
3/2012/0014	Land adj Greenfield Avenue Low Moor Clitheroe	19/7/12	30	With applicants solicitor
3/2012/0379	Primrose Mill Woone Lane Clitheroe	16/8/12	14	Deed of Variation With applicants agent
3/2012/0497	Strawberry Fields Main Street Gisburn	11/10/12	21	With Legal
3/2012/0420	Land North & West of Littlemoor Clitheroe	8/11/12	49	With Planning
3/2012/0617	Land off Clitheroe Road Barrow	8/11/12	7	With applicants solicitor

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2012/0623	Land at 23-25 Old Row Barrow	8/11/12	23	With applicants solicitor
3/2012/0179	Land at Accrington Road Whalley	6/12/12	77	With Planning
3/2012/0738	Dale View Billington	6/12/12	10	With Planning
3/2012/0785	Clitheroe Hospital Chatburn Road Clitheroe	6/12/12	57	With Planning

Non Housing

3/2011/0649	Calder Vale Park Simonstone	15/3/12		Subject to departure procedures Lancashire County Council to draft Section 106
3/2012/0455	Shireburn Caravan Park Edisford Road Waddington	7/8/12		Deed of Variation With applicants solicitors

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>
3/2011/0300 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	-	New hearing date to be agreed	
3/2011/0025 O	25.6.12	J-J Homes LLP Outline planning application for residential development (ten dwellings) Land off Chatburn Old Road Chatburn	-	Procedure has now been changed – appeal will be dealt with via a Public Inquiry, date 12.03.13	

<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>
3/2012/0158 C	6.7.12	LPA Receiver for Papillion Properties Ltd Outline application for the erection of 73 open market detached dwellings and 31 social housing properties Site 2 Barrow Brook Business Village Barrow	-		APPEAL ALLOWED
3/2012/0390 O	28.8.12	Mr Julian Hindle, Haydock Developments Ltd Proposed erection of a dwelling Land between 52 & 54 Knowsley Road Wilpshire	WR	-	AWAITING DECISION
3/2011/0892 O	6.9.12	The Huntroyde Estate Proposed residential development Land off Milton Avenue Clitheroe	-		AWAITING DECISION
3/2012/0259 D	25.9.12	Mr A Ball Proposed new vehicle/pedestrian access to site Seven Acre Cottage Forty Acre Lane Longridge	WR	-	Awaiting site visit
3/2012/0584 D	28.9.12	Mr Peter Kenrick Proposed rear extensions and alterations to existing dwelling 2 Blackburn Road Ribchester	Householder appeal	-	APPEAL ALLOWED
3/2012/0401 Non-determination	12.10.12	Phillips Property Limited Outline application for the proposed re-development of the site for residential purposes 51-53 Knowsley Road Wilpshire	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>
3/2012/0499 D	2.11.12	Miss Jilly Farthing Single storey side extension to dwelling The Granary at Bulcocks Farm Pendleton	Householder appeal	–	Notification letter sent 6.11.12 Questionnaire sent 9.11.12
3/2012/0096 D	14.11.12	Mr & Mrs D Hancox Proposed dwelling with garages, garden and landscaping Kemple Barn Whalley Road Clitheroe	WR	–	Notification letter and questionnaire sent 23.11.12 Statement to be sent by 25.12.12
3/2011/1032 D	19.11.12	Mr Peter Street Proposed 'Log Cabin' style holiday lodges Whins Lodge Whalley Old Road Langho	WR	–	Notification letter sent by 27.11.12 Questionnaire sent 28.11.12 Statement to be sent by 28.12.12
3/2011/0991 C	06/12/12	Sunderland Peacock & Associates, land rear of Hazelmere, Pimlico Road, Clitheroe	WR	-	Notification letter and questionnaire sent 11.12.12 Statement due 6.2.12
3/2012/0477 D	06/12/12	Heywood Butchers The Abattoir, Clerk Hill Road, Whalley	WR	-	Notification letter sent 10.12.12 Questionnaire sent 13.12.12 Statement due 17.1.12
3/2012/0831 D	13/12/12	Mr J Harding and Ms C Britcliffe 29 Moor Lane, Clitheroe	WR	-	Notification letter and questionnaire sent 17.12.12 Statement due 14.2.12
3/2012/0637 Undetermined		Mr Andrew Taylor, David Wilson Homes, land to the south of Mitton Road, Whalley	Inquiry		Awaiting confirmation of receipt from PI
3/2012/0842 D		Paddy Power plc, Whiteside Bakery, 10 Market Place, Clitheroe			Awaiting confirmation of receipt from PI

LEGEND

D – Delegated decision C – Committee decision O – Overturn