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<b>E APPLICATIONS IN 'OTHER' CATEGORIES:</b>						
				NONE		

**LEGEND**

AC Approved Conditionally  
R Refused  
M/A Minded to Approve

AB Adam Birkett  
AD Adrian Dowd  
CB Claire Booth

CS Colin Sharpe  
JM John Macholc  
SK Stephen Kilmartin

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

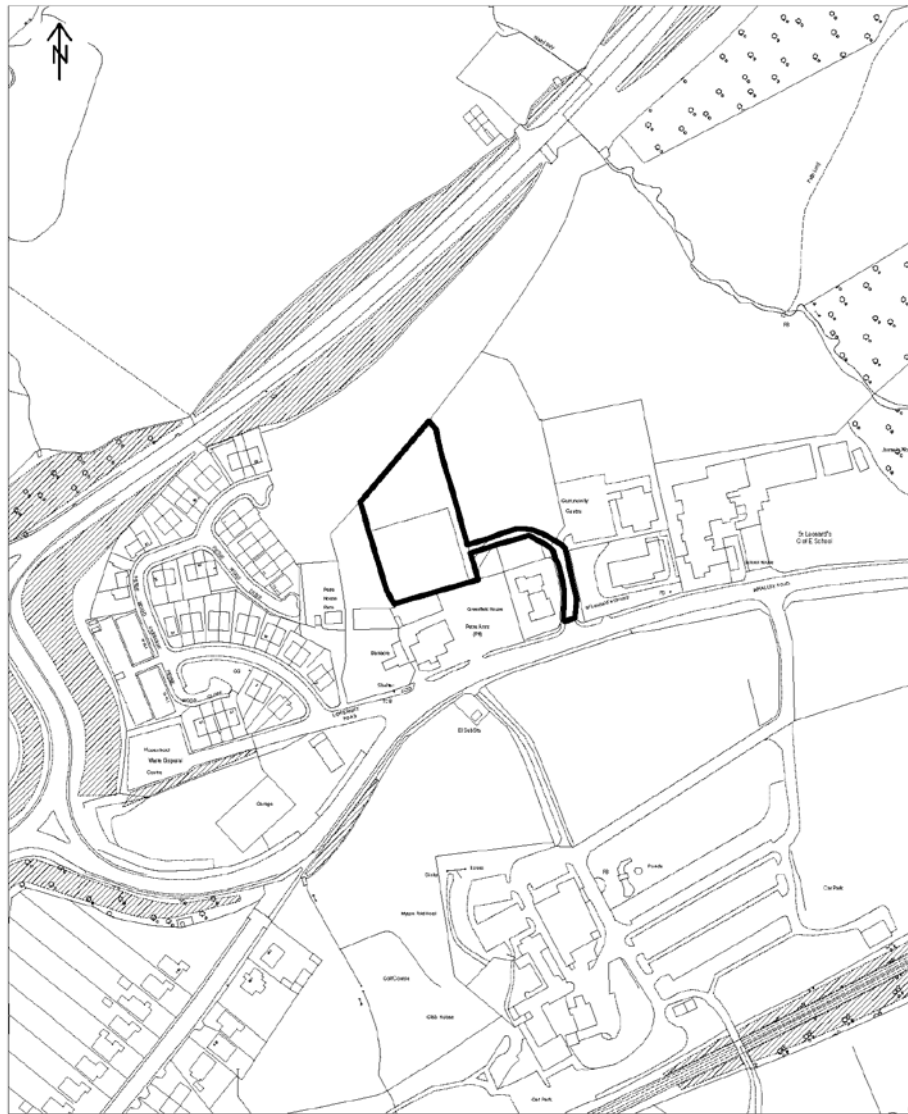
DECISION

Agenda Item No

meeting date: THURSDAY, 20 AUGUST 2015  
title: PLANNING APPLICATIONS  
submitted by: DIRECTOR OF COMMUNITY SERVICES

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

APPLICATION NO: 3/2015/0074/P (GRID REF: SD 371057 434916)  
CHANGE OF USE OF LAND TO CREATE A CARAVAN PARK FOR 21 TOURING  
CARAVANS/RECREATIONAL VEHICLES AND ERECTION OF A STORAGE BUILDING WITH  
LEAN-TO FACILITIES BLOCK ON LAND ADJOINING THE PETRE ARMS, LANGHO



3/2015/0074 Land adj Petre Arms, Langho.

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PARISH COUNCIL:

Objects to the application as the proposal would be contrary to the National Planning Policy Framework (Points 1 – 6 below) and contrary to Policies within the adopted Core Strategy (Points 7 – 9 below):

1. Paragraph 14 states that the Government is in favour of allowing sustainable development unless the adverse impacts of doing so would be very significant. This development would have adverse impacts due to the increase in volume of traffic that would be generated from the site and the detrimental impact on the visual amenity of the area.
2. Paragraph 17 states that applications have to have identified unmet needs. There are already several touring sites in this area.
3. Paragraph 17 also requires applications to contribute to conserving and enhancing the natural environment and reducing pollution. This application will not enhance the environment and will cause pollution rather than reducing it.
4. Paragraph 28 says that applications will be passed which support tourism and where it has been identified that needs are not met by existing facilities. Again, there are already several touring sites in the area.
5. Paragraph 32 requires there to be a safe and suitable access. The proposed access is off Whalley Road and is situated close to a bend. Cars towing caravans exiting the site and turning right onto Whalley Road would not have a clear view of traffic exiting the roundabout on the A59 and travelling down Whalley Road. The access is also only a single track road.
6. Paragraph 123 requires applications to ensure they avoid creating noise. This site is directly behind some houses that will suffer from increased noise.
7. Key Statement EN2 – Landscape – requires proposals to be in character with the existing landscape. The Parish Council considers that this proposal would have a detrimental impact on the landscape and would look out of place. In addition, access has to be safe and adequate which, as stated above, it is not. This therefore also contravenes Policy DMB3.
8. Policy DMG1 requires applications to not have a detrimental visual impact and to pay regard to public safety. As the proposal used the same access as the community centre which holds clubs for young people on several evenings a week, the Parish Council feels that their safety may be compromised.

9. Policy DMG2 requires development to be essential for the local economy. As previously stated there are existing sites in the area. The proposal would also be contrary to point number 4 that development should not generate additional traffic movements of a scale and type that is likely to cause undue problems or disturbance.
10. In addition, the Parish Council is concerned about the additional amount of waste going into the sewage system.

ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR):

Initially commented that the proposed access currently serves a community centre car park and that the access onto Whalley Road is satisfactory. He comments that, generally, with the exception of school collection time, the access road is clear of obstruction and access for a car and caravan combination would not be impeded and on this basis he would raise no objection to the proposal on highway grounds. He advised, however, that the access layout should be improved primarily to remove the blind spot between the site and the rear of Greenfield House and also when turning onto the access from Whalley Road. The County Surveyor also stated that he has noted previously that the access road can be congested at school finish times. Given the level of parking at these times there would be obstruction to a car and caravan combination. He therefore suggests that the advertising/booking literature should contain a suggestion that arrivals and departures should avoid the period between 2.45pm and 3.45pm during school term time.

Subject to the above mentioned concerns being addressed, the County Surveyor had no objections to the proposal on highway grounds.

In response to the initial comments by the County Surveyor amended plans have been submitted in which the bends in the access road have been straightened. The County Surveyor has confirmed that following the receipt of the amended plans, he has no objections to the application on highway grounds.

ADDITIONAL  
REPRESENTATIONS:

A total of 161 letters have been received, of which 144 are copies of the same letter. These letters, that are on file and available for inspection by Members, contain objections to the proposal that are summarised as follows:

1. Local residents claim to have evidence that the true nature of the application is not a recreational caravan site but a permanent/semi-permanent site for 'travellers'. As the proposed usage of the site could fall outside the terms of the application, local residents request the Committee to refuse the application.
2. The proposal would cause noise nuisance to nearby residents and to the nearby public house. As there appear to be no facilities on site (electricity, gas or water) generators would need to be used which would cause further noise pollution and also an odour problem.

3. The proposed storage building and facilities block is unnecessary as touring and recreational caravans have their own personal facilities. Could this building be converted in the future into a dwelling which would give rise to further implications.
4. The existing access road to the community centre was not designed to have a steady flow of traffic passing over it all day. The proposal would be detrimental to highway safety particularly as the community centre is used by numerous clubs and playgroups for local children.

The proposal would also increase traffic including slow moving vehicles towing caravans on the wider highway network of the A59, the A666 and Petre Roundabout.

5. The proposed 21 caravans could accommodate in excess of 50 people, many of whom would have cars and other vehicles. The car park at the entrance to the site is private and no parking would be available there. The parking would therefore have to take place within the site and this would result in a major environmental and health and safety issue.
6. This is an ill-conceived application that will only benefit the applicants whilst adding nothing to the local community.
7. Adverse effects upon existing Public Rights of Way.
8. Langho is a small village and not a tourist area so visitors would need to travel away from the proposed site to visit tourist areas.
9. A permission for 12 months will encourage people with caravans to use the site on a permanent basis.
10. As the applicant owns a large area of adjoining land, a permission in relation to this application could lead to further applications to develop adjoining land.
11. The proposed storage building appears to be unnecessarily large for the site and could indicate that the applicant is planning ahead to provide enough storage for a larger development.
12. Additional sewerage provision will need to be provided and no details of this are given in the application.
13. Site reception facilities are not included in the application.
14. The caravans would be visible from the A59 and the natural screening on the east boundary is too low to hide the caravans and the trees to the west are in a neighbouring garden and also do not thoroughly screen the proposed development.

15. A touring caravan site with no onsite manager could result in antisocial behaviour which is all the more serious due to the proximity of the site to a primary school.
16. A previous application for the erection of an agricultural storage building of exactly the same design and materials as the currently proposed storage building was refused on visual amenity grounds.
17. The proposal is not in keeping with the landscape and is therefore contrary to Key Statement EN2 of Policy DMG2 of the Core Strategy.
18. No evidence has been provided that the proposal will meet a local need and no details of any benefits have been demonstrated such that the proposal is contrary to Policy DMG2 of the Core Strategy.
19. The application does not address how public and private access to the site will be controlled. The lack of any evidence that a building or site office suggests that these activities, payments and queries etc will be carried out remotely from another location. As such, the proposal appears to be aimed at long-term residential use of the site by occupiers who would be responsible themselves for controlling access and the upkeep of the facilities and the site.
20. The economic benefits of the proposal to the local economic are limited.
21. The proposal would be detrimental to the setting of the nearby St Leonard's Church.

## **Proposal**

The application seeks full planning permission for a touring caravan site containing 21 pitches Each measuring 7m x 8.5m with a hardstanding area measuring 9m x 2m. The proposed layout involves 13 pitches around the edges of the site and 8 pitches in 2 rows in the centre of the site. An outdoor play area with a mown grass surface would be provided in the north-eastern corner of the site.

A building is proposed in the south-western corner of the site. This would provide storage accommodation for the applicant's maintenance equipment for the site and additional land that the applicant owns surrounding the application site. This building would also contain a facilities block comprising male and female WC's and showers. The overall dimensions of the building are 14m x 10.6m of which the facilities block would occupy an area of 14m x 3.3m.

The north elevation of the building (containing the facilities block) would have an eaves height of 2.6m whilst the southern elevation (containing the storage accommodation) would have an eaves height of 3.4m. The overall height of the proposed building is 4.4m. The north elevation of the building (which is the most visible elevation) would have a natural stone finish. The easterly end elevation (which is also visible) would have an elevation partly of natural stone and partly of green coloured box profiled sheets. The south and west elevations that are immediately adjoined by existing hedges would be concrete blocks to the lower walls with box

profiled sheets to the upper walls. The roof would be grey fibre cement roof sheets with translucent panels to the roof of the storage part of the building.

Access to the site would be from Whalley Road across land that is also in the applicant's ownership. The precise dimensions and root of the access into the site have been amended by the applicant's in accordance with the requirements of the County Surveyor.

### **Site Location**

The application site has an area of approximately 0.35 hectares and is situated to the north of the Petre Arms public house in Langho. The site is adjoined to the west by residential properties; to the north by an open field and to the east by another field that is also in the applicant's ownership. Further to the west is the relatively recent residential development at Petre Wood Drive; and further to the north is the A59. Further to the east of the site is the community centre and its car park (that gains access from the same access road as the application site) St Leonard's Church and St Leonard's Primary School.

In the former Districtwide Local Plan, the site is within the open countryside between the settlements of Langho and Billington.

### **Relevant History**

3/2007/0989/P – Proposed building for storage of machinery and equipment ancillary to agricultural land. Refused.

### **Relevant Policies**

#### **Ribble Valley Core Strategy (Adopted Version)**

Key Statement DS1 – Development Strategy.

Key Statement DS2 – Presumption in Favour of Sustainable Development.

Key Statement EN2 – Landscape.

Key Statement EC1 – Business and Employment Development.

Key Statement EC3 – Visitor Economy.

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DMG3 – Transport and Mobility.

Policy DME2 – Landscape and Townscape Protection.

Policy DMB1 – Supporting Business Growth and the Local Economy.

Policy DMB3 – Recreation and Tourism Development.

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

The matters to be considered in the determination of this application relate to the principle of the development in policy terms and the effects of the proposal upon ecology and trees (where relevant) the amenities of nearby residents and highway safety. These matters are considered below with reference to the relevant Key Statements and Policies of the adopted Core Strategy.

As a relatively small scale tourism related development, the proposal would not undermine the principal intentions of the Development Strategy (Key Statement DS1) to concentrate development on the Principal Settlements and the Strategic Site of Standen.

Key Statement DS2 relates to a presumption in favour of sustainable development. Purely in relation to the locational aspect of sustainable development, this proposal is considered to be highly sustainable. It is unlikely that land would be available for this type of development within the built up areas of the Principal Settlements or even the Tier 1 Villages. Caravan sites (whether static or touring sites) are, by their very nature, located in the open countryside often in

the more remote and isolated parts of the borough. This application site is within the open countryside (but not within the greenbelt) but is in close proximity to residential development, a community centre, church, primary school, petrol filling station and two hotels.

It is also very close to the A59, the principal highway in the borough that gives access to the wider motorway network. Cars touring caravans would therefore only have to travel a very short distance (approximately 340m) on the more minor Whalley Road from Petre roundabout (A59 to the access into the site). A problem often associated with touring caravan sites in rural areas is the necessity for car and caravan combinations to have to travel long distances on minor and often narrow country roads.

This site is also within walking distance of Langho railway station and is on a bus route linking Clitheroe, Whalley and Blackburn. The local hotels, public houses, restaurants and shops in Langho are all also within walking distance of the site. In my opinion, therefore, in the locational sense, this is a highly sustainable site for the proposed development.

Key Statement EC3 relates specifically to the visitor economy stating that proposals that contribute to and strengthen the visitor economy of Ribble Valley will be encouraged; and that significant new attractions will be supported in circumstances where they will deliver overall improvements to the environment and benefits to local communities and employment opportunities. Although this proposal is not a 'significant new attraction' it would create a new tourist accommodation that would benefit local businesses. The proposal does not therefore contravene the general intentions of this Key Statement.

Policy DMG2 states that development outside the defined settlement areas must meet at least one of six stated considerations, three of which are the following:

1. The development should be essential to the local economy or social wellbeing of the area.
4. The development is for small scale tourism or recreational developments appropriate to a rural area.
5. The development is for small scale uses appropriate to a rural area where the local need benefit can be demonstrated.

The Policy also states that 'within the open countryside development will be required to be in-keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, the landscaping and siting.

As stated, the Policy only requires the development to satisfy one of the six considerations. Although it could not be argued that the proposed development is essential to the local economy or social wellbeing of the area, it would benefit the local economy and therefore, to some extent, satisfies consideration number one. It is a matter of fact that this proposal is for a small scale tourism development and that it is a type of development that is appropriate to a rural area. As previously stated, the location of the site in the open countryside but close to existing development and close to the principal A59 highway is ideal for the type of development proposed. The proposal therefore, in my opinion, fully satisfies consideration number four.

As the development fully satisfies consideration number four, it is not necessary for a local need or benefit to be demonstrated as required by consideration number five.

With regards to the 'landscape' considerations of Policy DMG2, the site immediately adjoins built development and is not within any specially designated areas such as AONB. It will be screened by existing hedges on three sides but would be visible from the A59. There are, however, numerous larger touring and static caravan sites in the borough, many in more sensitive locations such as within the AONB where caravans are visible from the public



highway. They are accepted as part of the rural scene and it is not necessary that they are totally screened from public view. Subject to the retention and protection of existing hedges and trees, and some planting on the proposed play area, I consider the proposal to be acceptable in relation to the consideration of landscape and visual amenity.

Policy DMG3 relates to the matter of transport and mobility and states that, in the determination of applications, considerable weight will be given to the availability and adequacy of public transport and associated infrastructure to serve those moving to and from developments. For reasons already given in this report, the application site is ideally located in relation to all of the stated requirements of Policy DMG3.

In relation to the more detailed highways considerations, the County Surveyor has confirmed that, following the receipt of plans showing an amended design for the access into the site, he has no objections to the proposal with regards to the matters of parking provision and highway safety.

An ecological appraisal has been submitted with the application. This confirms that the majority of the site has a hard surface that is mostly unvegetated with small areas of ruderal vegetation and poor semi-improved grassland. There are Leylandii hedges on the south boundaries and one young Sycamore tree. The appraisal confirms that there is no evidence of specifically protected species regularly occurring on the site; and that vegetation to be cleared has low ecological value.

Subject to appropriate conditions, there are no objections to the application in relation to its effects upon trees or ecology of the site. The proposal does not therefore contravene the requirements of Policies DME2 or DME3 of the Core Strategy.

The remaining consideration relates to the effects of the proposal upon the amenities of nearby residents. In the immediate vicinity of the site, in addition to dwellings, there is a community centre, a public house, a church, a school and a petrol filling station. This is an area of mixed uses and the vehicular movements and general activity associated with the non-residential uses will impact upon the amenities of nearby residents. Those impacts, however, are generally not at unsociable times and are considered to be acceptable. I consider the same conclusion to apply to the proposed development. It obviously will involve the vehicular movements of the car and caravan combinations entering and leaving the site and the car journeys whilst the caravans remain on the site; and the activities of the caravan owners and children playing etc during the day. It is not considered that this would represent sufficient harm to the amenities of nearby residents to represent a sustainable reason for refusal of the application.

The application (as with all applications) must be determined on the basis of the basis of the development for which permission has been applied. Overall, when considered on that basis, it is considered, for the reasons explained in the report above, that the proposal represents an appropriate and sustainable development for the site that accords with the relevant policies of the Core Strategy and the relevant 'sustainability' guidance within the NPPF.

Concerns have been expressed by local residents, that there is an intention for the site to be used as a travellers site for permanent occupation. If this were to happen, then it would be appropriately addressed through planning enforcement powers. This would differ little from the enforcement action available to a Local Planning Authority in the event of a traveller site being established without any planning permission having first been sought or granted.

It is therefore considered that planning permission can be granted for the proposed development subject to the imposition of conditions to ensure that the site is properly managed and operated as a touring caravan site in accordance with the terms of the application.

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

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

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

2. This permission shall relate to the development as shown on drawing no's Low/688/1794/01 REVA and Low/668/1794/02.

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

3. This permission authorises the use of the site as a touring caravan site for holiday/recreational purposes only. No caravans shall remain on the site between 6 January and 7 March of any year; and no caravan at the site shall be occupied as any person's sole or main residence.

REASON: For the avoidance of doubt and to comply with the terms of the application as the creation of permanent residences in this location would cause harm to the Council's Development Strategy as defined by Key Statement DS1 and would be contrary to Policy DMH3 of the Ribble Valley Core Strategy (Adopted Version). Permanent residences in this location could also be detrimental to the amenities of nearby residents contrary to Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

4. Prior to the commencement of development, precise details of the proposed means of management and operation of the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the following:

- 1) The means by which entry to the site would be restricted only to persons who had previously booked to be at the site.
- 2) The times of the day when persons with bookings can arrive at the site. This should avoid the period 1445 hours to 1545 hours on Mondays to Fridays during school term time.
- 3) Details of the person or persons who would be responsible for assisting legitimate occupiers of the site with any queries/problems; and would also be responsible for ensuring that the behaviour of persons at the site is reasonable and not detrimental to the amenities of nearby residents.
- 4) Details of the times of the day (if at all) that there would be a representative of the site operators present at the site.
- 5) The addresses of the person or persons responsible for the operation of the site.
- 6) The site shall be operated at all times in complete accordance with the approved details.

REASON: To ensure the operation of the site for the authorised use in the interests of the amenities of nearby residents and highway safety and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

6. Prior to the first use of the site for the purpose hereby permitted details of additional landscaping of the site, and including the retention of existing trees and hedgerows, shall 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 any fencing or screening. Details of the means of protection during development works of all hedgerows and trees identified for retention shall also be submitted for the Council's written approval.

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

REASON: In the interests of visual amenity and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

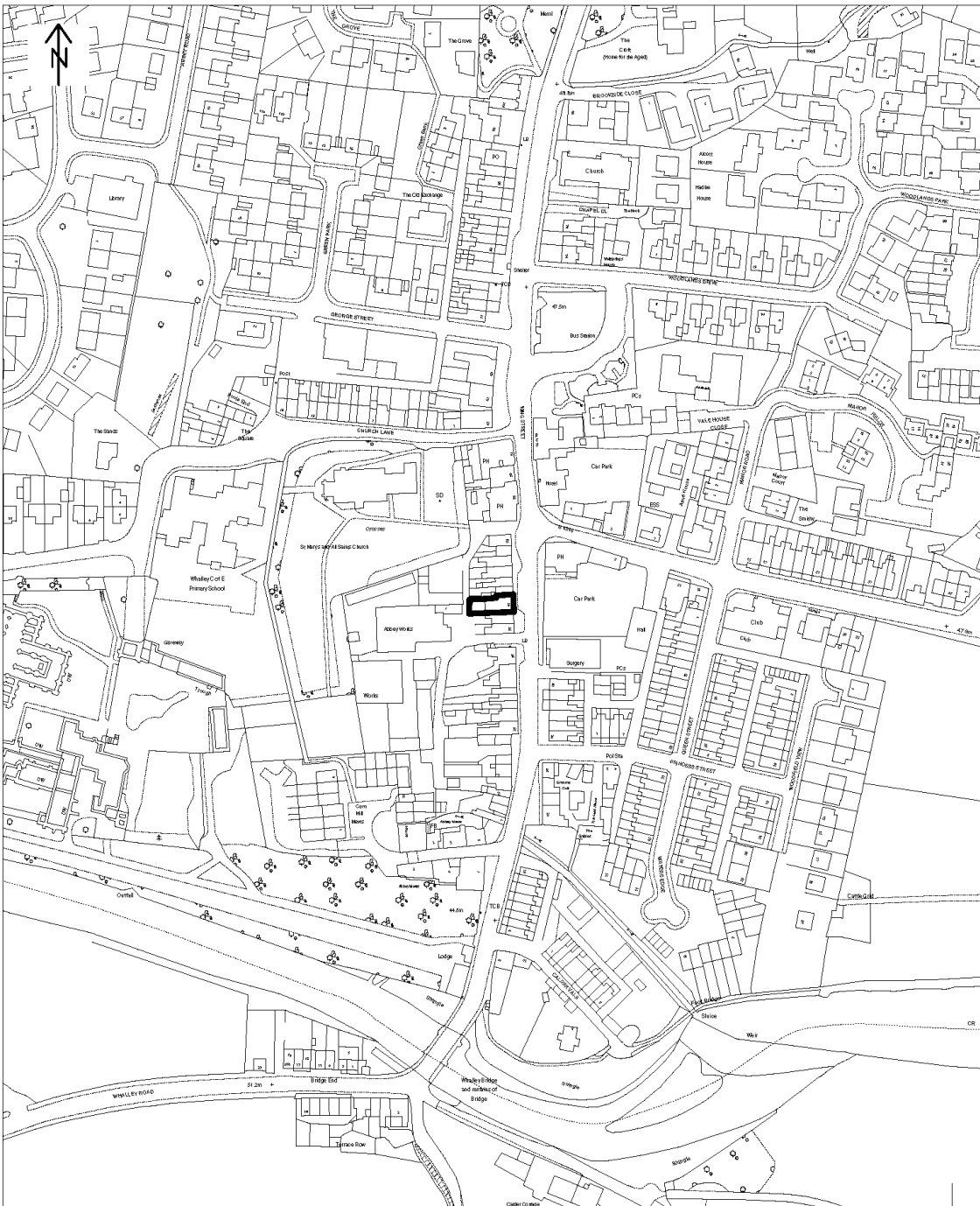
7. The development hereby permitted shall be carried out in complete compliance with the recommendations and mitigation measures in Section 6 of the Ecological Appraisal by Envirotech (report reference 2534 dated 6 January 2015) that was submitted with the application.

REASON: In the interests of the ecology of the site and to comply with Policy DME3 of the Ribble Valley Core Strategy (Adopted Version).

APPLICATION NO: 3/2015/0410/P

(GRID REF: SD 373319 436122)

REMOVAL OF CONDITION 5 OF 3/2015/0137 TO ALLOW USE OF THE EXTERNAL REAR TERRACE FOR SMOKING AND VARIATION OF CONDITION 3 OF 3/2015/0137 TO ALLOW OPENING UNTIL 1AM ON FRIDAYS, SATURDAYS AND BANK HOLIDAYS AT 41 KING STREET, WHALLEY



3/2015/0410 41 King Street, Whalley

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PARISH/TOWN COUNCIL:	The parish council supports the proposal for the smoking area to the rear of the premises however they do not support the increase in opening hours and would ask that the licensing Committee proceed with caution and consider carefully the negative impact this would have for nearby residents.
ENVIRONMENTAL HEALTH	No response received.
ADDITIONAL REPRESENTATIONS:	2 letters of representation have been received objecting on the following grounds: <ul style="list-style-type: none"> <li>• The rear smoking terrace will be of detriment to the safety of adjacent premises should cigarette butts be thrown on to the roof of neighbouring buildings.</li> <li>• The raised smoking area to the rear of the property will be of detriment to the residential amenities of neighbouring residents by virtue of noise in the late hours.</li> <li>• The proposal will exacerbate existing problems in relation to noise and disturbance.</li> </ul>

### **Proposal**

Consent is sought for the removal of condition 5 attached to planning consent 3/2015/0137 which reads as follows:

*Notwithstanding the submitted details, the area indicated as 'external smoking area' (Drawing ref: 2015/86/P2) shall solely be used for the purposes of means of escape and/or servicing.*

Consent is further sought for the variation of condition 03 which reads as follows:

*The use hereby approved shall only be operated between the hours of 10:00am to 00.00am Monday to Sunday. There shall be no business operated from the site outside the stated operating hours.*

The applicant seeks to vary the aforementioned condition to extend opening until 1am on Fridays, Saturday and Bank Holidays.

### **Site Location**

The application relates to a mid-terrace, three storey property located within the Whalley conservation area fronting king street, being identified as a building of townscape merit. The primary elevation of the building is faced in render with stone window surround detailing. The ground floor currently accommodates a traditional shop front of timber construction.

Parking is accommodated to the rear of the property with provision for approximately 2 vehicles, with refuse storage also being accommodated to the rear.

### **Relevant History**

3/2015/0378 - Erection of externally illuminated fascia sign, externally illuminated hanging sign, and non-illuminated wall painted sign. (Approved with conditions)

3/2015/0137 - Change of use from A1 to A3 restaurant with extractor flue to rear elevation. (Approved with conditions)

3/2005/0692 - Internal alterations and two storey extension to rear. Re-submission. (Approved with conditions)

3/2005/0433 - Internal alterations and two storey extension to rear. (Approved with conditions)

### **Relevant Policies**

*Ribble Valley Core Strategy (Adopted Version)*

Key Statement EN5 – Heritage Assets

Policy DMG1 – General Considerations

Policy EC2- Retail & Shopping

Policy DMR2 – Shopping in Longridge & Whalley

Policy DME4 – Protecting Heritage Assets

National Planning Policy Framework

Whalley Conservation Area Appraisal

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

Condition 02 originally sought to restrict the opening hours of the premises to the hours of 10:00am to 00.00am Monday to Sunday in the interests of the amenities of the area. The current application seeks to extend the hours of operation by 1 hour (to 1am) on Fridays, Saturdays and Bank Holidays with the hours of operation remaining 10:00am to 00.00am Monday to Thursday including Sundays.

Given the extended hours will bring the hours of operation largely in line with a number of similar businesses in the area and that it will only result in the premises being open an additional hour on Fridays, Saturdays and Bank Holidays I see no reason to refuse the granting of the variation of the condition and do not consider the extended hours are so significant as to be of detriment to the amenities of the area or existing neighbouring occupiers.

In relation to the removal of condition 5, the building currently benefits from a rear escape stair and first-floor platform landing, the floorplans associated with the original change of use application proposed that this area be utilised as an 'external smoking area'.

Due to concerns regarding potential noise/disturbance emanating from an elevated location, particularly during the late evening hours, the Local Planning Authority originally imposed a condition requiring that the area be solely used as a means of escape or for the purposes of deliveries in the interests of protecting the amenities of nearby residential occupiers and the amenities of the area.

The applicant has since informed the Planning Department that a licence has been granted for the premises and one of the conditions is that smokers are not allowed to use the front of the building. Whilst my concerns remain in relation to the potential detrimental impact upon the amenities of the area as a result of patrons utilising the first floor external landing in the late hours, on balance and having regard to the licensing decision (and associated conditions) I do not consider that it would be reasonable for the Local Planning Authority to refuse the removal of this condition as it is likely to be of detriment to the future operation of the business by virtue of not being able to accommodate or provide facilities for smokers.

As such, it is for the above reasons that I recommend accordingly.

RECOMMENDATION: That condition 03 be varied as proposed and that condition 05 be removed subject to the following conditions.

1. The development must be begun no later than the expiration of three years from the date of the granting of the original consent (Reference 3/2015/0137) dated 23<sup>rd</sup> April 2015.

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

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Proposed Floor Plans: 2015/86/P2

Proposed Elevations: 2015/86/P3

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

3. The use hereby approved shall only be operated between the hours of:

10:00am to 00.00am Monday to Thursday and Sundays.

10:00am to 01.00am Fridays, Saturdays and Bank Holidays

There shall be no business operated from the site outside the stated operating hours.

REASON: In the interests of the amenities of nearby residents and the character of the locality as required by Policy DMG1 of the Ribble Valley Core Strategy (Adopted version).

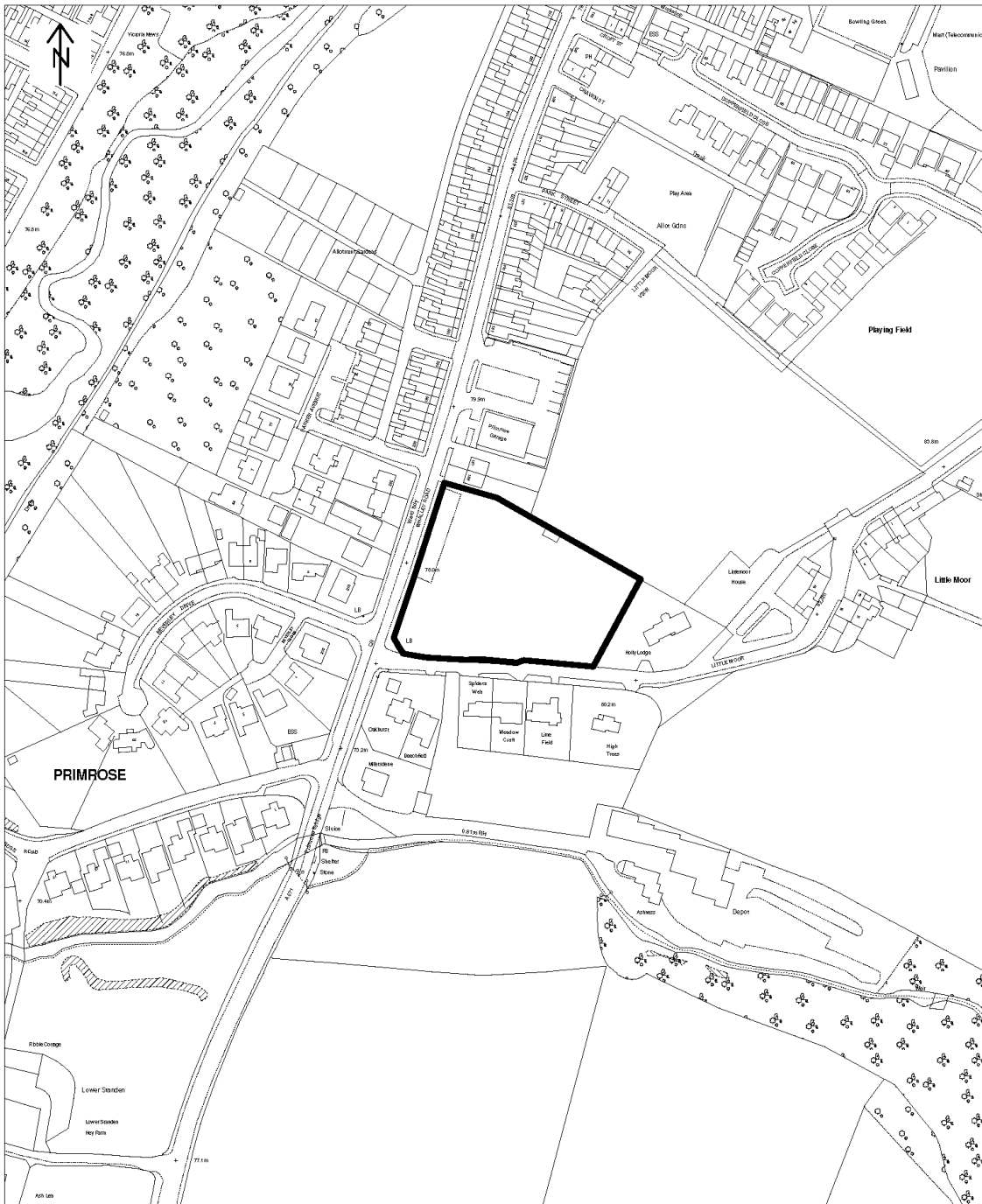
4. Before any works to implement this permission are commenced, any external alterations to the building, including detailed specifications of any flue or extract ventilation to shall be submitted to and approved by the local planning authority, the agreed details shall be installed and be operative prior to the business being in use.

REASON: In accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adopted version) in the interests of the general amenity of the area and to safeguard, where appropriate, neighbouring residential amenity.

5. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development) Order 1995 (as amended or re-enacted) the development hereby approved shall only be used as a restaurant and for no other purpose, including any other purpose within Use Class A3.

REASON: For the avoidance of doubt and to ensure that the development remains compatible with the character of the area in accordance with Policy DMG1 and Key Statement EN5 of the Ribble Valley Core Strategy (Adopted Version).

APPLICATION NO: 3/2015/0424/P (GRID REF: SD 374123 440896)  
VARIATION OF CONDITION 22 (OPENING HOURS) AND 23 (SERVICING AND DELIVERIES) OF CONSENT 3/2014/0890. ALDI STORES LTD WHALLEY ROAD CLITHEROE BB7 1HU



3/2015/0424 Aldi Stores Ltd, Whalley Road, Clitheroe.

Scale 1:2500

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TOWN COUNCIL:	No objection
ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):	<p>The Highway Development Control Section does not have any objections regarding the proposed change of conditions 22 and 23 and are of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.</p> <p>The Highway Development Control Section is of the opinion that the proposed changes will not increase traffic movements during the normal morning and evening peak periods and will distribute traffic movements over a longer time period.</p>
ENVIRONMENTAL HEALTH	The proposal as originally submitted would be of detriment to the residential amenities of existing neighbouring occupiers
ADDITIONAL REPRESENTATIONS:	<p>12 letters of representation have been received objecting on the following grounds:</p> <ul style="list-style-type: none"> <li>• The extended opening hours will be of detriment to existing businesses.</li> <li>• The extended delivery and opening hours will be of detriment to residential amenities</li> <li>• Increased traffic and light pollution as a result of extended opening hours.</li> <li>• The delivery times are unacceptable, particularly in the morning hours.</li> </ul>

### **Proposal**

Consent is sought for a variation of conditions 22 and 23 of consent 3/2014/0890 which was a subsequent variation of condition application relating to the granting of consent for the erection of a class A1 foodstore and non-food retail unit together with associated vehicular access, car parking, servicing area and hard and soft landscaping at land formerly known as Barkers Nursery, Whalley Road Clitheroe.

### **Site Location**

The application site is the former Barkers Nursery off Whalley Road, Clitheroe. Construction is currently underway onsite with works being undertaken relating to consent for the erection of a class A1 foodstore and non-food retail unit together with associated vehicular access, car parking and hard and soft landscaping.

The site is bounded to the north by number 59 Whalley Road, with a number of properties fronting Littlemoor being located to the south and a number of residential properties on the opposing side of Whalley Facing the site to the west. Members will also note that outline consent exists for a residential development of up to 49 dwellings on the adjacent field to the north east (3/2012/0420).

### **Relevant History**

3/2015/0500 - Discharge of condition 3 (stone walling), 10 (external lighting)13 and 15 (off site highways and lighting design scheme/ street lighting), 16 (cycle parking/external works and detail /Aldi trolley park), 18 external plant: Aldi Noise Impact Assessment Report, Pets at Home floor plan and proposed refrigeration layout), 20 (Acoustic fencing to Aldi and Pets at Home

plant areas, Spectrum Noise Impact Assessment Report, 2m high fencing details) on planning permission 3/2014/0071. (Not yet determined)

3/2015/0433 - Variation of condition 2 to substitute new plans for amendment to the Mansard roof of Unit 1 to facilitate roof access. (Approved)

3/2014/1077 - Discharge of condition 26 (Construction management plan) of planning consent 3/2014/0071. (Approved)

3/2014/0890 - Variation of condition 13 (highway works to Littlemoor) of planning permission reference 3/2014/0071 for alternative wording as follows: 'First occupation of the development hereby permitted shall not take place unless and until a scheme for highway works to Littlemoor has been submitted to and approved in writing by the local planning authority and subsequently implemented in accordance with the approved details.' (Approved)

3/2014/0781 - Discharge of conditions 6 (drainage) 8 (badger survey) 11 (landscaping) 14 (section details) 19 (travel plan) and 21 (biodiversity offsetting) of planning permission reference 3/2014/0071 for the erection of two retail units. (Approved)

3/2014/0071 - Erection of a class A1 foodstore (gross internal floorspace 1,520 square metres) and non-food retail unit (gross internal floorspace 557 square metres) together with associated vehicular access, car parking, servicing area and hard and soft landscaping. (Approved with conditions)

### **Relevant Policies**

*Ribble Valley Core Strategy (Adopted Version)*

Key Statement DS2 – Presumption in Favour of Sustainable Development

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG3 – Transport and Mobility

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Technical Guidance to National Planning Policy Framework

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

#### **Condition 22 (Opening Hours)**

Condition 22 of consent 3/2014/0890 reads as follows:

*Unit 1 (discount food retail) shall not be open to the public outside the following hours:*

*Monday to Saturday 08:00-21:00*

*Sundays and Bank Holidays 10:00-16:00*

Consent is sought to vary the above condition to read:

Unit 1 (discount food retail) shall not be open to the public outside the following hours:

Monday to Saturday 08:00-22:00

Sundays 10:00-17:00

This would result in the store being open for an additional hour in the evenings Monday to Saturday and an additional hour on Sundays and Bank Holidays.

## Condition 23 (Servicing & Deliveries)

Condition 23 of consent 3/2014/0890 reads as follows:

*Servicing and deliveries to and from unit 1 (discount food retail) shall not take place other than between the hours of 07:00-21:00 Monday to Friday; 07:30-21:00 Saturdays and 09:30-17:00 on Sundays and Bank Holidays.*

Consent is sought to vary the above condition to read:

Servicing, deliveries, loading and unloading to and from unit 1 (discount food retail) shall not take place other than between the hours of 07:00-22:00 Monday to Saturday and 09:00-17:00 on Sundays.

This would result in the servicing and deliveries being able to be undertaken for an additional hour on evenings Monday to Friday, 30 minutes earlier in the morning and one hour later in the evening on Saturdays and 30 minutes earlier on Sunday mornings.

Members will note that the applicant originally sought to vary the opening hours so that the discount food retail store could open from 08:00–22:00 Monday to Saturday and 09:00 – 17:00 on Sundays. In addition the applicant originally sought to vary the timing of servicing and deliveries to allow for them to be undertaken between the hours of 06:00–23:00 Monday to Saturday and 08:00–17:00 on Sundays.

As a result of extensive negotiation the Local Planning Authority has secured a reduction in the hours originally applied and has also secured the introduction of the wording ‘Servicing, deliveries, loading and unloading to and from unit 1..’. This will ensure that all operations/activities associated with deliveries, such as unloading will have ceased prior to the hours stipulated in condition 23 and protects against the late arrival of vehicles where unloading potentially would carry on past the stipulated hours for deliveries.

Revised comments are awaited from the Councils Environmental Health Officer and these will be reported verbally.

In light of the revised wording of the conditions, I do not consider that the variation of hours in relation to opening times and servicing/deliveries are of such a significant deviation to that which was previously approved, to an extent that the application would result in a significant detrimental impact upon the residential amenities of existing or future neighbouring occupiers.

It is for the above reasons and having regard to all material matters raised that I recommend accordingly

**RECOMMENDATION:** That conditions 22 and 23 be varied as proposed subject to the following conditions.

1. The development must be begun not later than the expiration of three years of the date of the original planning permission, reference 3/2014/0071 granted on 30th May 2014.

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

2. The development hereby permitted shall be carried out in accordance with the amended plans received by the local planning authority on 8th May 2014 and drawing reference numbers:

- 13009 P103G Proposed Site Plan
- 13009-P104 Floor Plan: Unit 1 Aldi

- 13009-P105 Floor Plan: Unit 2
- 13009 P106E Unit 1 (Aldi) Proposed Elevations
- 13009 107C Unit 2 Elevations
- 13009 P108C Site Sections and Elevations

REASON: To clarify the permission.

3. Notwithstanding the submitted details, samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority prior to their use in the proposed works. The development shall be carried out in accordance with the approved details prior to the first occupation of the development.

REASON: In the interests of visual amenity, having regard to Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the draft Ribble Valley Core Strategy (post submission version including proposed main changes).

4. No part of the development hereby permitted shall be occupied or brought into use until the parking/turning/servicing areas are provided in accordance with the approved plans. The parking/turning/servicing areas shall be retained thereafter at all times when the premises are in use and shall not be used for any purpose other than parking/turning/loading and unloading of vehicles.

REASON: In the interests of highway safety and convenience, having regard to Policies G1 and T7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the draft Ribble Valley Core Strategy (post submission version including proposed main changes).

5. Prior to the first use of the development, a car parking management strategy to include time scales for monitoring and trigger points for management of the car park shall be submitted to and approved in writing by the local planning authority. The strategy shall be implemented in accordance with the approved details on the first occupation of the development. In the event that occupation of the car park cannot be satisfactorily managed to below 90% at peak periods as set out in the approved strategy, a parking management scheme for mitigation measures on the public highway, including time scales for implementation, shall be submitted to and approved in writing by the local planning authority and implemented in accordance with the approved details.

REASON: In the interests of highway safety and convenience, having regard to Policies G1 and T7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the draft Ribble Valley Core Strategy (Post submission version including proposed main changes).

6. Prior to the commencement of the development, a scheme for the disposal of foul and surface waters, to include provision for surface waters to drain separate to foul and to pass through an oil interceptor, shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the development and retained thereafter at all times.

REASON: To prevent pollution of the water environment in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the draft Ribble Valley Core Strategy (post submission version including proposed main changes).

7. No tree felling, vegetation clearance works, site clearance works, demolition work or other works that may affect nesting birds shall take place between 1st March and 31st August inclusive, unless the site has been subject to additional surveys by a competent ecologist,

the results of which shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the ecological survey/s.

REASON: To protect any nesting birds that may be present on the site, having regard to Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan and Policies DMI1, DME1 and DME3 of the draft Ribble Valley Core Strategy (post submission version including proposed main changes).

8. Prior to the commencement of any site works, a repeat survey for the presence of badgers on the site and surrounding suitable habitat, with associated mitigation/compensation measures, shall be submitted to and approved in writing by the local planning authority in consultation with specialist advisors. Site works shall be carried out in complete accordance with the survey unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of badgers and in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan and Policies DMI1, DME1 and DME3 of the draft Ribble Valley Core Strategy (post submission version including proposed main changes).

9. The development hereby permitted shall be carried out in complete accordance with the arboricultural report dated 25th September 2013, the arboricultural method statement dated 19th March 2014 and the amended tree protection plan dated 27th March 2014, unless otherwise required by condition of this permission. All trees and hedgerows identified as retained in or adjacent to the application area will be adequately protected during construction, in accordance with BS5837: 2012 Trees in relation to design, demolition and construction or equivalent unless otherwise required by condition of this permission.

REASON: To protect trees and hedges on and adjacent to the site in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan and Policies DME1 and DME3 of the draft Ribble Valley Core Strategy (post submission version including proposed main changes).

10. Prior to installation of any external lighting, a scheme for the external lighting of the site shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the development. External lighting associated with the development shall be directed downwards and designed to avoid excessive light spill and shall not illuminate bat roosting opportunities including trees and hedgerows within or adjacent to the site.

REASON: In the interests of visual and residential amenity and in the interests of protected species, having regard to Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan and Policies DMG1, DME1 and DME3 of the draft Ribble Valley Core Strategy (Post submission version including proposed main changes).

11. No site works shall take place unless and until a hard and soft landscaping scheme and scheme for boundary treatment including vegetation and hedgerows to be retained, has been submitted to and approved in writing by the local planning authority. The scheme shall include appropriate surface treatment to reduce tyre squeal and to include the marking out of a pedestrian route within the site. The landscaping scheme shall include the replacement of trees identified for removal at a ratio of at least 3:1. The hard landscaping shall be implemented in accordance with the approved details prior to the first occupation of the development and the soft landscaping shall be implemented in accordance with the approved details in the first planting season following completion of the development and shall be maintained for a period of not less than 5 years to the satisfaction of the local planning authority. This maintenance shall include the replanting of any tree or shrub that

dies, becomes diseased or seriously damaged, or is removed with a similar species of the same size as originally planted.

REASON: To ensure the site is satisfactorily landscaped and to ensure adequate provision for pedestrian movement within the site, having regard to Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME1 of the draft Ribble Valley Core Strategy (Post submission version including proposed main changes).

12. (a) Works affecting any features likely to provide shelter (for example, rubble piles, piles of leaf litter, dense vegetation) will be avoided during the core hibernation period (November to February inclusive);
- (b) Vegetation to be removed shall be cut at a height of approx 6-7 inches and removed (note the need to ensure nesting birds are not affected);
- (c) The site shall then be carefully searched by hand by a suitably qualified ecologist immediately prior to a second cut of vegetation down to ground level. All heaped debris and any other habitat suitable for sheltering/hibernating hedgehogs and reptiles shall be uplifted carefully by hand and removed from the site;
- (d) Vegetation shall thereafter be kept at ground level until works commence.
- (e) Any hedgehogs, amphibians or reptiles (or any other wildlife) encountered shall be moved carefully to a safe area of suitable habitat, which will then remain undisturbed;
- (f) The duration of all ground works should be kept as short as possible and any excavations should be made in a phased order when required to minimise the time holes are exposed for;
- (g) Trenches and other excavations shall be backfilled or covered before nightfall, or a ramp placed in excavations to allow animals to easily exit. All excavations left open overnight shall be searched/checked every morning prior to commencement of works.

REASON: In the interests of species that may be present on the site, having regard to Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan and Policies DMI1, DME1 and DME3 of the draft Ribble Valley Core Strategy (post submission version including proposed main changes).

13. Prior to the first occupation of the development hereby permitted, the highway works to Littlemoor shall be carried out in complete accordance with the submitted drawing reference number 131-01/GA-03 Rev C, unless otherwise agreed in writing by the local planning authority in consultation with the local highway authority. Samples of all materials, including surfacing materials to be used, shall be submitted to and approved in writing by the local planning authority prior to their use in the proposed works and the works shall thereafter be carried out in accordance with the approved materials prior to first occupation.

REASON: In the interests of highway and pedestrian safety, the safety of other users of the highway and the visual amenities of the area, having regard to Policies G1, T1 and T7 of the Ribble Valley Districtwide Local Plan, Key Statement DS2 and Policies DMI2, DMG1, DMG3 of the emerging Ribble Valley Core Strategy (post submission version including proposed main modifications) and the National Planning Policy Framework.

14. The development hereby permitted shall not be commenced unless and until details of the design, specification, fixing and finish, including sections at a scale of not less than 1:20, of all glazing, verges, eaves, reveals and any extract vents have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the first occupation of the development unless otherwise agreed in writing by the local planning authority.

REASON: Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the draft Ribble Valley Core Strategy (post submission version including proposed main changes).

15. Prior to the commencement of the development, a scheme for the provision of the off-site highway works comprising the provision of the pedestrian crossing on Whalley Road, the improvements to the bus stops and the closure of the existing vehicular access points shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in full in accordance with the approved details prior to the first occupation of the development unless otherwise agreed in writing by the local planning authority.

REASON: To facilitate access for pedestrians and encourage sustainable modes of travel in accordance with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan and Policies DMI1, DMI2 and DMG3 of the draft Ribble Valley Core Strategy (post submission version including proposed main changes).

16. Prior to the first occupation of the development, full details of cycle parking provision for staff and visitors and motorcycle parking provision shall be submitted to and approved in writing by the local planning authority. The cycle and motorcycle parking shall be implemented prior to the first occupation of the development and retained thereafter at all times unless otherwise agreed in writing by the local planning authority.

REASON: To ensure adequate provision is made for the parking of cycles and motor cycles in accordance with Policies G1 and T7 of the Ribble Valley Districtwide Local Plan and Policies DMG3 and DMI2 of the draft Ribble Valley Core Strategy (post submission version including proposed main changes).

17. No deliveries shall take place unless and until a service yard and deliveries management plan for the site has been submitted to and approved in writing by the local planning authority. Servicing and deliveries shall thereafter take place in accordance with the approved management plan at all times unless otherwise agreed in writing by the local planning authority.

REASON: To manage conflicts between customers and deliveries/servicing of the units and to safeguard the living conditions of occupiers of nearby dwellings, having regard to Policies G1 and T7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the draft Ribble Valley Core Strategy (post submission version including proposed main changes).

18. Prior to the first occupation of the development, full details of any external plant and associated acoustic enclosure/s shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details prior to first occupation of the development and shall thereafter be maintained in accordance with the manufacturers details at all times unless otherwise agreed in writing by the local planning authority. The noise rating level from external plant at each unit shall not exceed 32dB and the cumulative noise level from external plant shall not exceed 35dB at any time when measured at the nearest sensitive receptor/s.

REASON: To protect the amenity of the occupants of neighbouring properties in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the draft Ribble Valley Core Strategy (Post submission version including proposed main changes).

19. No development shall commence until a Framework Travel Plan has been submitted to and approved in writing by the local planning authority. Monitoring of the travel plan will require the applicant to enter into a legal agreement with Lancashire County Council prior to commencement of the development unless otherwise agreed in writing by the local planning authority. The provisions of the Framework Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority and all elements shall continue to be implemented at all times

thereafter for as long as any part of the development is occupied or used, for a minimum period of at least 5 years.

REASON: To ensure that the development provides sustainable transport options in accordance with Policies G1 and T7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DMG3 of the draft Ribble Valley Core Strategy (Post submission version including proposed main changes).

20. Prior to the first occupation of the development, a scheme for the provision of acoustic fencing, to include associated repair and maintenance, shall be submitted to and approved in writing by the local planning authority. The acoustic fencing shall be installed in accordance with the approved scheme prior to the first occupation of the development and shall thereafter be maintained in accordance with the approved scheme unless otherwise agreed Local Planning Authority. Site operations shall be managed to ensure that activity on the site does not exceed a cumulative noise level of 5dB above background levels at the nearest sensitive receptors. Noise measurements shall be undertaken by the applicant in consultation with the Council's Environmental Health department and should exceedance be identified, appropriate mitigation to reduce cumulative noise levels at the nearest sensitive receptors shall be agreed in writing by the local planning authority and implemented in accordance with the approved details.

REASON: In the interests of visual and residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the draft Ribble Valley Core Strategy (Post submission version including proposed main changes).

21. No development shall commence unless and until a scheme for the offsetting of biodiversity impacts at the site has been submitted to and approved in writing by the local planning authority and until the developer has purchased the requisite conservation credits as evidenced through submission of the issued Conservation Credit certificates. The offsetting scheme shall include:
- I. The identification of receptor site(s);
  - II. Details of the offset requirements of the development (in accordance with the recognised offsetting metrics standard outlined in the Defra Metrics Guidance dated March 2012);
  - III. The provision of arrangements to secure the delivery of the offsetting measures (including a timetable for their delivery); and
  - IV. A management and monitoring plan (to include for the provision and maintenance of the offsetting measures for not less than 25 years).

The offsetting shall be implemented in accordance with the approved scheme unless otherwise agreed in writing by the local planning authority.

REASON: In order to offset impacts on biodiversity and to compensate for residual harm of development, having regard to Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan, Policies DMI1, DME1 and DME3 of the draft Ribble Valley Core Strategy (Post submission version including proposed main changes) and the National Planning Policy Framework.

22. Unit 1 (discount food retail) shall not be open to the public outside the following hours:

Monday to Saturday 08:00-22:00  
Sundays 10:00-17:00

REASON: To protect the amenity of the occupants of neighbouring properties, having regard to Policy G1 of Policy DMG1 of the draft Ribble Valley Core Strategy (Adopted Version).



23. Servicing, deliveries, loading and unloading to and from unit 1 (discount food retail) shall not take place other than between the hours of 07:00-22:00 Monday to Saturday and 09:00-17:00 on Sundays.

REASON: To protect the amenity of the occupants of neighbouring properties, having regard to Policy DMG1 of the draft Ribble Valley Core Strategy (Adopted Version).

24. Unit 2 (non-food retail) shall not be open to the public outside the following hours:

Monday to Saturday 08:00-21:00  
Sundays and Bank Holidays 10:00-16:00

REASON: To protect the amenity of the occupants of neighbouring properties, having regard to Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the draft Ribble Valley Core Strategy (post submission version including proposed main changes).

25. Servicing and deliveries to and from unit 2 shall not take place other than between the hours of 07:00-19:00 Monday to Friday; 07:30-19:00 Saturdays and 09:30-17:00 on Sundays and Bank Holidays.

REASON: To protect the amenity of the occupants of neighbouring properties, having regard to Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the draft Ribble Valley Core Strategy (Post submission version including proposed main changes).

26. No site works shall take place unless and until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period and shall provide for:

- i. Sustainable travel options for journeys to and from work for the site operatives, including pedestrian routes, travel by bicycles, journeys by train, car sharing schemes and other opportunities to reduce journeys by motor car;
- ii. The parking of vehicles of site operatives and visitors;
- iii. Loading, unloading and storage of plant and materials;
- iv. Wheel washing facilities;
- v. Periods when plant and materials trips should not be made to and from the site (mainly peak hours, but the developer to suggest times when trips of this nature should not be made);
- vi. Routes to be used by vehicles carrying plant and materials to and from the site which shall have been constructed to base course level;
- vii. Measures to ensure that construction vehicles do not impede adjoining accesses;
- viii. The erection and maintenance of security hoardings;
- ix. Details of the storage of potential ground and water contaminants;
- x. A scheme for recycling/disposing of waste resulting from construction work; and
- xi. A scheme to control noise during the construction phase.

REASON: In the interests of protecting residential amenity from noise and disturbance and in the interests of highway safety in accordance with Policies G1 and T7 of the Ribble Valley Districtwide Local Plan and Policy DMG1 and DMG3 of the draft Ribble Valley Core Strategy (Post Submission Version Including Proposed Main Changes).

27. Notwithstanding the provisions of the Use Classes Order 1987 (as amended or re-enacted) unit 1 shall not be occupied other than by a discount retailer for the sale of convenience food goods. The net retail floor space of unit 1 shall not exceed 1,140 square metres of which not more than 228 square metres shall be used for the sale of comparison goods. Notwithstanding the provisions of the General Permitted Development Order 1995 (as

amended or re-enacted); no mezzanine floor space shall be introduced and the unit shall not be subdivided unless planning permission for such works has been granted on application to the local planning authority.

REASON: In the interests of highway safety and to protect the vitality and viability of Clitheroe Town Centre, having regard to Policies G1, T7 and S2 of the Ribble Valley Districtwide Local Plan and Policy DMR1 and Key Statement EC2 of the draft Ribble Valley Core Strategy (post submission version including proposed main changes).

28. Notwithstanding the provisions of the Use Classes Order 1987 (as amended or re-enacted), unit 2 shall not be used for the sale of food and drink for human consumption and shall be restricted to the sale of pets, pet food and pet related products and services (including the provision of ancillary pet care and treatment services): DIY, building and gardening supplies; furniture; carpets; tiles and other floor and wall coverings; and electrical appliances. The net retail floor space of unit 2 shall not exceed 500 square metres and notwithstanding the provisions of the General Permitted Development Order 1995 (as amended or re-enacted); no mezzanine floor space shall be introduced and the unit shall not be subdivided unless planning permission for such works has been granted on application to the local planning authority.

REASON: In the interests of highway safety and to protect the vitality and viability of Clitheroe Town Centre, having regard to Policies G1, T7 and S2 of the Ribble Valley Districtwide Local Plan and Policy DMR1 and Key Statement EC2 of the draft Ribble Valley Core Strategy (post submission version including proposed main changes).

#### NOTE(S)

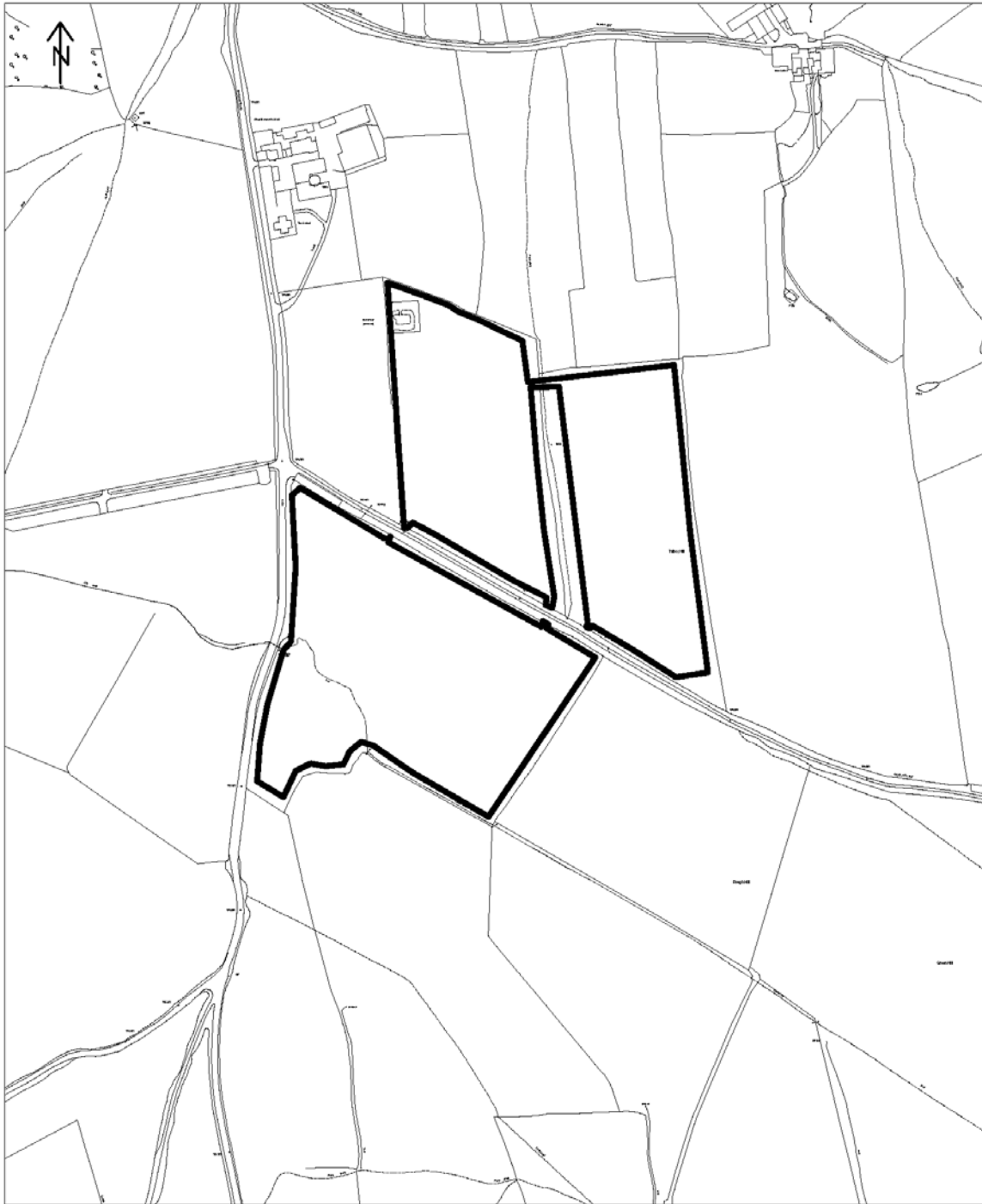
1. For rights of appeal in respect of any condition(s)/or reason(s) attached to the permission see the attached notes.
2. The applicant is advised that should there be any deviation from the approved plan the Local Planning Authority must be informed. It is therefore vital that any future Building Regulation application must comply with the approved planning application.
3. The Local Planning Authority operates a pre-planning application advice service which applicants are encouraged to use. Whether or not this was used, the Local Planning Authority has endeavoured to work proactively and positively to resolve issues and considered the imposition of appropriate conditions and amendments to the application to deliver a sustainable form of development.
4. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning Area Surveyor East 01254 823831 or writing to the Area Surveyor East, Lancashire County Council, Area Office, Riddings Lane, Whalley, Clitheroe BB7 9RW quoting the planning application number.
5. The applicant is advised that they have a duty to adhere to the regulations of Part IIA of the Environmental Protection Act 1990, the Town and Country Planning Act 1990 and Building Control Regulations with regards to contaminated land. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Contaminated Land Officer at Ribble Valley Borough Council. Responsibility for ensuring that the contamination is dealt with appropriately rests with the applicant.

6. Electricity North West advise that there is an out of commission 3c25 SAC service cable which used to feed the building on site which, according to their records has been cut at the main and made dead. Additionally, there is a 4c.1 Low Voltage mains cable passing in front of the site. A new entrance way is to be constructed over this cable to allow HGV delivery vehicular access. This cable may require placing at increased depth or installing in ducts to allow construction of this entrance way. The applicant is advised to contact ENW.

APPLICATION NO: 3/2015/0459/P

(GRID REF: SD382845 448352)

INSTALLATION OF SOLAR PV ARRAY PLUS ANCILLARY DEVELOPMENT ON LAND OFF  
COAL PIT LANE, GISBURN



3/2015/0459 Land off Coal Pit Lane, Gisburn

Scale 1:5000

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GISBURN PARISH  
COUNCIL:

Object to the application. Although mindful of the need to promote alternative forms of renewable energy, the Parish Council believes that the vast scale and location of the proposed array, adjacent to the AONB, is unsuitable and detrimental to the amenity of the area.

RIMINGTON AND MIDDOP  
PARISH COUNCIL:

Object to the application for reasons that are summarised as follows:

1. Because of the small vertical element involved (in comparison eg with the wind turbine) it is easy to assume that the proposal will have little visual impact either in the immediate vicinity or from a distance. The Parish Council however challenges this assumption because:
  - the surface of the panels are reflective such that due to the movement of the sun there would be effects outside the field and it could even have a significant impact on the view from Pendle Hill and other areas of high ground to the south of the site;
  - the effects upon the vision of motorists driving on the A62, already a notoriously dangerous road, is unproven and it is suggested that there could be significant and totally negative effects on highway safety. Motorists will be distracted at all times of day and may be blinded by reflective glare at some places.
2. The visual impact of the panels would be considerable and totally alien to the agricultural nature of the surrounding landscape.
3. The land classification of Grade 4 given in the application is not accepted by the Parish Council as there is a highly successful dairy farm immediately across the road. The need for farmers to improve viability by diversification is accepted but the farmer turning to an industrial use of an agricultural field is not accepted.
4. The Parish Council supports the development of energy from non-fossil fuel based sources but considers that the use of urban sites and the use of industrial buildings would be preferred locations to which this type of development should be directed, with the visual impact would be less damaging.
5. The lifetime of the installation is given as 25 years after which the site would be returned to agricultural use but no details relating to decommissioning are submitted such details should be the subject of a pre-development condition.
6. A permission for this development could set the precedent for other proposals of a similar nature which would erode the essentially rural nature of the parish.

ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR):

Has no objections to the proposal as it is considered that the development would have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

Advisory notes would also be required stating that the grant of planning permission does not authorise the stopping up or diversion of a public right of way; and that a separate permission would be required from LCC Highways in relation to the display of signs on highway land.

At the time of preparation of this report no further consultation response had been received from the LCC Public Rights of Way Section.

LCC PRINCIPAL AONB  
OFFICER:

Comments that he has visited the site and the locality and attempted to view the site from within the AONB focussing his efforts on the viewpoint on twist and more to the south of the site and the LVIA Viewpoint 12 to the northwest of Gisburn. He says that after struggling to view the site from either of the vantage points he would concur with the conclusion of the submitted LVIA that the site is hardly (if at all) visible from within the AONB. Therefore, in his opinion, the likely landscape and visual impact on the AONB would be slight to negligible.

HEALTH AND SAFETY  
EXECUTIVE:

The HSE does not advise on safety grounds against the granting of planning permission in this case.

The HSE adds, however, that as the proposed development is within the consultation distance of a major hazard pipeline, the operator of the pipeline (in this case Sabic UK Petrochemicals Ltd) should be consulted on the application.

SABIC UK  
PETROCHEMICALS LTD:

The operator of the Trans-Pennine Ethylene Pipeline has been consulted in accordance with the advice of HSE. Their response is that, in terms of the safety and engineering integrity of the pipeline, the developer of the solar installation will need to submit their design drawings for the approval of Sabic. The areas of concern for Sabic are the location of metallic structures, routing of electrical cables and the impact on land drainage schemes close to the pipeline. Sabic should be consulted on all work within 50m either side of the pipeline.

ADDITIONAL  
REPRESENTATIONS:

A total of 19 letters have been received from nearby residents in which objections are expressed to the proposal on grounds that are summarised as follows:

1. The proposed development is contrary to the Policies of the Core Strategy that seek to protect the landscape character of the area and the nearby AONB.
2. Glare from the panels will distract drivers to the detriment of highway safety on an already dangerous road.
3. Detrimental visual impact when viewed from local beauty spots such as Weets Hill, Pendle Hill and Cold Weather Hill.

4. Tree screening might assist visual amenity in the longer term but not in the short term or, indeed, during the winter months.
5. Detriment to the Core Strategy Policy EN3 as the agricultural grade of Level 4 given in the application is disputed by local farmers who claim it to be a Level 2 or even Level 1.
6. The minimal amount of grazing by sheep between and under the panels would not in any way compensate for the loss of the food production that these fields could provide if left solely in agricultural use.
7. This type of development should be on the roofs of commercial buildings or on previously developed land.
8. Detriment to the amenity value of the public footpaths that cross the site.
9. The ethylene gas pipeline that runs under the site would have an impact on the proposed burying of cables for the transmission of energy.
10. The proposed sub-station will mean floodlights and CCTV making the development resemble a high security prison.
11. The scale of the proposal (covering 11 hectares) is objectionable as the visual damage is too great and obtrusive.
12. Glare will be a problem to local residents.
13. This is a finally driven proposal that will ruin the local landscape and harm tourism with no benefit for the local community.
14. The panels can create a low level hum in certain weather conditions thereby detracting from the quality of the rural environment.
15. Detriment to local wildlife and habitat.
16. Possible loss of access from the A682 during the construction period for the dwellings further down Coal Pit Lane.
17. If this development goes ahead, will the land become brownfield and therefore a target for other future Government objectives such as housing?
18. The proposed development will adversely impact upon local property values.

19. There will be disruption to users of the Pennine Bridleway, including horse riders during construction works.

## **Proposal**

The application seeks full planning permission for the construction of a solar PV array on a site of approximately 11.26 hectares. The proposal is for a five Megawatt (MW) installation that would generate renewable, carbon free electricity with the panels connected to the electrical distribution grid.

The overall site comprises three fields but the total area that would be covered by the proposed solar array modules amounts to only approximately 3 hectares (ie approximately 27% of the entire area available).

In detail, the proposed solar array modules would be tilted between 15-20° to the horizontal and would form a pattern of arrays in rows facing south with a 6-7m gap between the rows. The arrays are to be mounted on frames that driven into the ground and once constructed the top edge of the arrays would be restricted to no more than 2.03m in height. In this particular application, concrete foundations would not be used in order reduce associated environmental impacts.

Ancillary developments would include four inverter stations placed amongst the solar panels and a substation located in the south eastern corner of the site, 2m high security fencing and associated security features such as CCTVs mounted on poles (not taller than 2.3m) and a temporary construction compound on the north site of Coal Pit Lane.

The four inverter enclosures would each measure 10m x 3m and would be 3m high. The external appearance of these structures is green coloured GRP. The substation would have a smooth rendered finish with plain interlocking roof tiles. It would have dimensions of 13.5m x 7.5m with a maximum height of 5.5m. The security fencing would be 2m high and would comprise wire mesh affixed to wooden posts. The CCTV cameras would be affixed to 2.3m high columns.

The solar panels themselves would be dark grey/blue in colour and would be mounted on a frame of anodised aluminium alloy and galvanised steel. The panels would be covered by high transparency solar glass that has an anti-reflective coating to minimise glare and glint and to aid the maximum absorption of the available sunlight.

The proposal involves some landscaping/screening and biodiversity enhancements.

Three existing farm access will be utilised to access the internal access tracks and one access, to the north of Coal Pit Lane would serve the temporary compound. This access would require widening by approximately an additional 8m. This widening would be temporary and the access and hedgerow would be reinstated back to the original access width once construction is complete. The internal access tracks would be constructed from a material which would assimilate with the grass that is to be grown once the solar arrays have been erected. Access to the site would be required during the construction period and the internal access tracks for maintenance visits only. Once the development is actually in operation, maintenance visits would be infrequent.

The useful life of the facility is anticipated to be 25 years during which time sheep would be able to graze between and beneath the solar arrays. At the end of this period the development will be completely decommissioned and all associated equipment will be removed with minimal ground disturbance. The land would then be reverted back to agricultural use by removing the array features and all associated infrastructure.



## **Site Location**

The application relates to three agricultural fields belonging to Shuttleworth Hall Farm on the south side of Burnley Road (A682) approximately 500m south of the village of Gisburn. Two of the fields are the north of Coal Pit Lane approximately 100m away from the east side of the A682 whilst the other field is on the south side of Coal Pit Lane immediately adjoining the east side of the A682. A public footpath runs from north to south between the two fields on the northern side of Coal Pit Lane.

The site is adjoined to the north by agricultural land and the associated farm buildings to Shuttleworth Hall Farm. To the east there is agricultural land within which there is a telecommunications mast. To the south the site is adjoined by agricultural land beyond which lies a farm and associated agricultural buildings. Todber Caravan Park is further to the south approximately 900m away from the application site. There is further agricultural land on the west side of the A682 with Rimington Caravan Park to the south west.

In the former Local Plan the site is designated as open countryside outside the settlement boundary of Gisburn. It is not within the AONB and it is not greenbelt.

## **Relevant History**

3/2014/0516/P – Request for an Environmental Impact Assessment (EIA) Screening Opinion in respect of a development that is now proposed in this current application. It was resolved that the proposal is not EIA development.

There are no other previous applications relating to the application site. There have been applications relating to developments at the farm building complex of Shuttleworth Hall Farm, but none are considered to be relevant to the determination of this current application.

## **Relevant Policies**

### **Ribble Valley Core Strategy (Adopted Version)**

Key Statement DS1 – Development Strategy.

Key Statement DS2 – Presumption in Favour of Sustainable Development.

Key Statement EN2 – Landscape.

Key Statement EN3 – Sustainable Development and Climate Change.

Key Statement EN4 – Biodiversity and Geodiversity.

Key Statement EN5 – Heritage Assets.

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DMG3 – Transport and Mobility.

Policy DME1 – Protecting Trees and Woodlands.

Policy DME2 – Landscape and Townscape Protection.

Policy DME3 – Site and Species Protection and Conservation.

Policy DME4 – Protecting Heritage Assets.

Policy DME5 – Renewable Energy.

Policy DME6 – Water Management.

National Planning Policy Framework (NPPF).

National Planning Policy Guidance (NPPG).

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

This application is submitted in line with the support and encouragement for renewable energy schemes (and the resultant reductions in greenhouse gas emissions) given by international, national and local policies. NPPF and the Council's adopted Core Strategy include such

guidance and policies. This proposed development would generate electricity equivalent to the requirements of approximately 1500 households and result in a reduction of emissions of approximately 10,520 tonnes of carbon dioxide per annum. The applicants claim that this would make a valuable contribution to national, regional and local renewable energy and climate change mitigation targets.

NPPF states that decision takers at every level should seek to approve applications for sustainable development where possible, adding that the delivery of renewable and low carbon energy is central to sustainable development. It is, however, accepted in the Planning Practice Guidance for Renewable and Low Carbon Energy (March 2014) that the development of largescale solar farms can have a negative impact on the rural environment, particularly in very undulating landscapes. However, it is stated in that Guidance that the visual impact of a well planned and well screened solar farm can be properly addressed within the landscape if planned sensitively.

Applications of this type do, therefore need to include a thorough assessment of the impacts of the development, not only upon the local landscape but also upon a number of other considerations. These will be discussed below under appropriate sub-headings.

### Landscape and Visual Impact

A Landscape and Visual Impact Assessment (LVIA) was carried out to assess potential impacts on landscape character and visual amenity and a report outlining the findings and conclusions has been submitted with this application. The Council's Countryside Officer had been involved at pre-application stage in advising upon the viewpoints from where the assessments should be made.

The Lancashire County Council AONB Officer has studied the LVIA and has visited the site and attempted to view the site from positions within the AONB both from Pendle Hill to the south and from within the AONB to the northwest of Gisburn.

The LVIA concluded that the proposed development would not be visible from within the AONB. Following his site visit, the Lancashire County Council Principal AONB Officer has confirmed that he concurs with that particular conclusion of the submitted LVIA. He comments that the likely landscape and visual impact of the development on the AONB would be slight to negligible and he therefore expresses no objections to this application.

The proposed development would, of course, be visible from more immediate viewpoints. This impact of the proposed development has been considered by the Council's Countryside Officer. He has confirmed that, in his opinion, the LVIA has been carried out in accordance with the LVIA guidelines and it concludes that the impact on the landscape character will be high within the immediate context for the duration of the solar farm's lifetime but that the impact on the wider landscape will be low due to the enclosed nature of the site and existing land contours. He also refers to the conclusion that the impact on any views from within the AONB would be limited but that the development would be partially seen from the A682.

The Countryside Officer comments that the landscape mitigation measures submitted with the application will go some way to screening the site from the A682 and will also provide added biodiversity value. Therefore he comments that planning conditions will be required for grassland/hedgerows and tree/nesting birds that comply with biodiversity guidelines for solar development.

The Countryside Officer comments that views from the wider rights of way network may not be significant but footpath number 4 runs through the site and the Pennine Bridle Way runs east/west along Coal Pit Lane. Overall, however, whilst accepting that the proposal would

inevitably have some impact upon visual amenity, those impacts are not considered sufficient to justify refusal of the application.

As I do not disagree with the opinions of the two specialist officers, I conclude that in relation to the matter of landscape/visual amenity the proposed development would not contravene Key Statement EN2, Policy DMG1 or Policy DME2.

### Ecology

An Ecological Impact Assessment comprising a Desk Based Assessment and an extended Phase 1 Habitat Survey has been submitted with the application. This Assessment has considered the habitats both on the site and the possible effects of the development on 2 statutory and 9 non-statutory sites within 5km of the site boundary.

With regards to habitats on site, the report states that the fields that are the subject of the application are of negligible ecological value. The Assessment states that the solar panels are to be positioned above ground allowing light to penetrate the majority of the existing grassland and that, additionally, with the absence of fertilizer, the development would actually improve habitats, species richness and diversity within the site in line with Key Statement EN4 (Biodiversity and Geodiversity) of the Core Strategy. With regards to designated sites, the actual application site does not have any statutory nor non-statutory designations for nature conservation.

The 2 statutory designated sites are New Ing Meadow SSSI and the Forest of Bowland AONB that are within 5km of the site boundary. The 9 non-statutory sites are Lancashire Biological Heritage Sites (BHS) largely associated with the River Ribble and within 2km of the site. Coal Pit Lane, that divides the 2 parts of the site, is a Roadside Verges BHS.

No significant harm was found in respect of any of the two sites. The Assessment, however, put forward some appropriate ecological mitigation and enhancement measures including the following:

- Seeding the fields with a wild flower and grass seed mix to maximise biodiversity value in the areas between the solar panels and up to the existing field boundaries.
- The planning of species rich hedgerow along the western field boundary in order to provide screening and also enhance the bio diversity value of the site post development.
- The implementation of appropriate measures in consultation with LCC and RVBC to avoid damage to grass verges during construction works in order to ensure that the integrity of the BHS is not undermined in the long-term.
- Works to be undertaken outside the bird nesting season to avoid any potential impacts on ground nesting birds but, if this cannot be achieved, a pre-construction survey for ground nesting birds to be undertaken to avoid disturbing any nests.

The Ecological Impact Assessment has been considered by the Council's Countryside Officer who does not disagree with its findings. With regard to the impact upon ecology, therefore, the proposal is considered to be in accordance with Key Statement EN4 and Policy DME3 of the Core Strategy.

### Historic Environment

A Historic Environment Desk Based Assessment (DBA) but including a site visit, has been carried out to assess the potential impact that the proposed development might have on the local historic environment and the results of the DBA have been submitted with this application.

As there are no designated heritage assets on the site, the proposal would have no direct impact on designated assets. The DBA therefore considered the impact of the proposal on 6 heritage assets including 2 Grade II listed buildings – Stirk House Hotel and Salem Congregational Church and attached Manse; the Grade II\* Park House, the Grade II Gisburn Registered Park and Garden; Gisburn Conservation Area and 3 Scheduled Monuments, Castle Haugh Ringwork, northern part of Rimington Lead Mines and Bomber Camp.

The effects upon all of the heritage assets are considered to be no more than neutral.

The LCC Archaeologist has been involved with the applicant's agents prior to the commencement of development and concurred with the conclusion within the DBA that the proposed development would have a very limited archaeological potential.

Overall, it is considered that the proposed development would have very limited impact upon the surrounding historic environment including both designated heritage assets and unregistered below ground remains; and that such minor effects would be significantly outweighed by the benefits provided by renewal electricity generation.

For these reasons the proposal is considered to accord with the requirements of Key Statement EN5 and Policy DME4 of the Core Strategy.

#### Transportation, Highways and Public Rights of Way

Once the development is completed and in operation, there would be very few vehicle movements to and from the site. The main impact upon the local highway network would be during the construction period and in this respect a Traffic Management Plan has been submitted with the application. The Lancashire County Council Highway Engineer has confirmed that there is no objection to the proposed development subject to compliance with the requirements of the Traffic Management Plan and the imposition of other appropriate conditions.

A public footpath which crosses the site will be retained on its existing route without the requirement for any closure or diversion. The LCC Public Rights of Way Officer has been consulted on this application but, at the time of report preparation, no comments had been received.

Overall, subject to appropriate conditions and compliance with the Traffic Management Plan, the proposed development is considered to be acceptable with regards to highway safety considerations; and is therefore in compliance with Policies DMG1 and DMG3 of Core Strategy.

#### Flood Risk

As the proposed development is larger than 1 hectare, a Flood Risk Assessment (FRA) has been undertaken in accordance with the requirements of NPPF. According to the Environment Agency Flood Risk Maps, most of the site located in Flood Zone 1 which has the lowest possibility of flooding. The FRA concludes that the risk of flooding on the site is small as surface run-off can be managed to ensure that the development does not increase flood risk elsewhere. As such, no mitigation measures are necessarily required but a surface water management strategy has been included in the proposal to reduce ground water flooding and over land flow flooding.

Subject to compliance with the requirements of the FRA, the proposed development is considered to be acceptable in relation to this particular consideration and in compliance with Policy DME6 – Water Management.

## Agricultural Land

National Planning Practice Guidance states that the development of large scale solar PV developments that are necessary on agricultural land should only use poorer quality agricultural land. This site is classified under the Agricultural Land Classification as Grade 4 (Poor Quality). Although the proposal would stop intensive farming practices on the land for a period of at least 25 years, with wild flower planting and generation of renewable electricity in the meantime. The proposal is therefore in compliance with the requirement of Policy DME3 to protect soil resources and high quality agricultural land.

A number of local residents and Rimington and Middop Parish Council have questioned whether this land is Grade 4 (Poor Quality). This has been checked against the Natural England Land Classification Map for the North West and found to be accurate.

## Local Economy

The proposed development would generate employment during construction, with approximately 20-30 contractors employed over a 2-3 month period. After this period, employment generated would be minimal so the scheme would generate a small local economic benefit.

## Noise/Residential Amenity

Once in operation, it is anticipated that the proposal would create little if any noise. The noise created during the construction period would be over a relatively short period of time.

Overall, it is not considered that this proposed development either during the construction period or once the development is in operation would cause harm to the amenities of any nearby residents sufficient to justify refusal of the application.

## Conclusion

As explained above, the proposed development is in accordance with the Government's intentions relating to the development of renewable energy schemes, and the application has been submitted with documentation covering all the relevant considerations that need to be made in the determination of an application of this type.

The application plans and documents are being considered by the Local Planning Authority and by specialist consultees as appropriate and, as explained above, the individual aspects of the proposal are considered to satisfy the relevant Key Statements and Policies of the Core Strategy.

The Policy that brings together all the individual considerations is Policy DME5 that relates specifically to renewable energy and states that the Borough Council will support the development of renewable energy schemes, providing it can be shown that such developments would not cause unacceptable harm for the local environment or local amenity. The Policy then lists the considerations that need to be made, all of which have been covered previously in this report and found to be satisfactory.

Subject therefore to appropriate conditions, the proposed development is considered to be in accordance with the requirements of NPPF and the Council's recently adopted Core Strategy.

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

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

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

2. This permission shall relate to the development as shown on drawings referenced as follows:

1. General site plan (amended plan showing substation).
2. Substation building Dwg No 900206-002REV001.
3. Elevations DNO substation and ancillary structures Dwg No 21
4. Fence and gate details Sheet No 1 of 1.
5. Camera detail Sheet No 1 of 1.
6. Inverter cabin P.Elect outdoor Sheet No 1 of 1.
7. Panel elevation Drawing.

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

3. This permission shall be for a temporary period expiring on 31 August 2040. Not less than 12 months prior to that expiry date or if the development fails to produce renewable energy for a continuous period of six months or more, (whichever is sooner) the restoration details for the site shall be submitted for the written approval of the Local Planning Authority. This shall include a scheme of works for the decommissioning of the solar farm and associated equipment which shall include; a scheme detailing the removal of all surface elements and any foundations to a depth of 300mm below ground level, a scheme for restoration and aftercare, a timetable for the works and a decommissioning traffic management plan. The subsequent decommissioning of the site shall be carried out in accordance with the agreed details within 6 months of the expiry of this permission or within 6 months of the cessation of electricity production (whichever is sooner).

REASON: To comply with the terms of the application and to ensure the satisfactory restoration of the site in the interests of visual amenity and to comply with Policies DMG1, DME2 and DME5 of the Ribble Valley Core Strategy (Adopted Version).

4. For the entire period of construction works, facilities shall be available on site for the cleaning of the wheels and vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried on to the highway. The roads adjacent to the site shall be mechanically swept as required during the entire construction period.

REASON: To prevent stones and mud being carried on to the public highway in the interests of highway safety and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

5. Prior to the commencement of development, a vehicular turning space shall be formed in order to enable construction vehicles to enter and leave the site in a forward gear.

REASON: In the interests of highway safety and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

6. The site access on Coal Pit Lane at the junction with Burnley Road (A682) shall be widened as shown in Appendix 2 of the submitted Traffic Management Plan before any development takes place within the site.

REASON: To ensure that satisfactory access is provided to the site in the interests of highway safety and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

7. Following the completion of construction works, the access that has been widened in accordance with condition No 6 shall be returned to its original condition in accordance with precise details that have first been submitted to and agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and visual amenity and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

8. Throughout the construction period, the requirements of the submitted Traffic Management Plan (April 2015) by ADAS UK Ltd shall be followed in their entirety.

REASON: In the interests of highway safety and the amenities of nearby residents and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

9. Prior to the installation of any external lighting, a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. All external lighting shall thereafter be implemented in accordance with the approved scheme prior to the first use of the development

REASON: In the interests of the amenities of the locality and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

10. The development hereby permitted shall be carried out in complete compliance with the contents of the submitted Flood Risk Assessment by ADAS UK Ltd (reference SHF.1151.002.R.001.C).

REASON: In the interests of proper water management and to comply with Policy DME6 of the Ribble Valley Core Strategy (Adopted Version).

11. The development hereby permitted shall be carried out in complete compliance with the recommendations for mitigation and enhancement measures in Section 9 of the submitted Ecological Impact Assessment (May 2015) by ADAS UK Ltd.

REASON: In the interests of site and species protection and conservation and to comply with Policy DME3 of the Ribble Valley Core Strategy (Adopted Version).

12. In addition to the requirements of the Traffic Management Plan (Condition No 8) 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 routing and management of construction traffic;
- ii) the parking of vehicles of site operatives and visitors;
- iii) loading and unloading of plant and materials;
- iv) storage of plant and materials used in constructing the development;
- v) the erection and maintenance of security hoardings where appropriate;
- vi) wheel cleaning facilities;
- vii) measures to control the emission of dust and dirt during construction;
- viii) a scheme of recycling/disposing of waste resulting from demolition and construction works;
- ix) the hours during which machinery may be operated, vehicles may enter and leave the site and works may be carried out on the site

REASON: In the interests of highway safety and the amenities of nearby residents and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

#### NOTES

1. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act. Public footpath No 4 in the Parish of Gisburn crosses the application site.
2. The developer is advised that the erection of signs within the adopted highway would require the consent of the Lancashire County Council highway authority and that Advertisement Consent might also be required from the Local Planning Authority for any such signs.



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

APPLICATION NO: 3/2015/0453/P

(GRID REF: SD 365541 442474)

PROPOSED CONVERSION OF BROOK WOOD BARN INTO A SINGLE RESIDENTIAL  
DWELLING AT CHERRY TREE FARM, CHIPPING ROAD, CHAIGLEY, CLITHEROE, BB7 3LX



3/2015/0453 Brook Wood Barn, Cherry Tree Farm, Chipping Road, Chaigley.

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PARISH COUNCIL:	No objections.
ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):	No response received
LCC ARCHAEOLOGY:	<p>A building of a similar size and location as that proposed for conversion is thought to be depicted on the 1st Edition Ordnance Survey 1:10560 (Lancashire Sheet 46), surveyed in 1844.</p> <p>The building should therefore be considered to be of some historical interest, probably dating to the early 19th century, but having undergone a number of alterations in response to changes in agricultural practices and economics.</p> <p>The period 1750-1880 has been recognised as the most important period of farm building development in England. The proposed conversion will have a significant impact on the historic character and appearance of the building, and may result in the loss of some historic fabric.</p> <p>The CBAs 'An Archaeological Research Framework for North West England: Volume 2, Research Agenda and Strategy' has indicated that "there is an urgent need for all local authorities to ensure that farm buildings undergoing adaptation are at least considered for recording" (p. 140) so that "a regional database of farm buildings can be derived and variations across the region examined." (ibid.).</p> <p>Consequently should the Local Planning Authority be minded to grant planning permission to this or any other scheme, the Lancashire Archaeology Service would recommend that the recording of the building prior to conversion be secured by means of the following condition:</p> <p>Condition: No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.</p>
RVBC COUNTRYSIDE	Suggest that should consent be granted that conditions be attached in relation to protected species mitigation.
ADDITIONAL REPRESENTATIONS:	No additional representations have been received.

**Proposal**

The application seeks consent for the conversion of an existing standalone stone built barn into a self-contained four bedroom dwelling.

The submitted details propose that the existing openings will be retained and will accommodate windows to habitable rooms all to be of timber frame construction, it is further proposed that the

existing fibre-cement sheet roof will be removed and replaced with natural slate with the introduction of 2x roof-lights and 2x roof-lights to the southwest and north east facing roof planes.

A structural survey submitted in support of the application concludes that ensure structural integrity approximately 14% of the external facing walls will be required to be rebuilt with the introduction of internal load-bearing walls to support the first floor accommodation also necessary.

The applicant has provided a proposed site plan in support of the application which indicates a residential curtilage bounding the barn that extends, outward from the barn, by approximately 9-10m to the northeast, 10-12m to the southwest, 6m to the northwest and 7m to the southeast. The submitted details fail to show how parking and vehicular manoeuvring will be accommodated on site and, extents of proposed hard/soft landscaping or proposed boundary treatments.

### **Site Location**

The building proposed for conversion is a free standing stone built barn adjoining Cherry Tree farm and benefits from an existing vehicular access off Chipping Road located within the designated Forest of Bowland AONB.

The site is afforded a relatively high level of visibility upon approach from both the east and west which is further reinforced by the sense of visual openness inherent to the immediate landscape character.

The site is located approximately 2.4 miles to the east of Chipping, 4.8 miles to the west of Clitheroe and 3.8 miles to the north east of Longridge.

### **Relevant History**

The site has no planning history that is directly relevant to the current application.

### **Relevant Policies**

Key Statement DS1 – Development Strategy  
Key Statement DS2 – Sustainable Development  
Key Statement EN2 – Landscape  
Key Statement EN4 – Biodiversity & Geodiversity

Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport & Mobility  
Policy DME2 – Landscape and Townscape Protection  
Policy DHM3 – Dwellings in the open countryside & AONB  
Policy DMH4 – The conversion of barns and other buildings to barns

National Planning Policy Framework (NPPF)

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

#### **Principle of Development**

The planning policy context for the application site is set out at a national level by the National Planning Policy Framework (NPPF) and at a local level by the Ribble Valley Core Strategy, the

formal adoption of the Core Strategy (including the Inspector's modifications) was considered and adopted at a Meeting of Full Council on Tuesday 16th December 2014.

The Core Strategy is therefore the starting point for decision making within the Borough, setting out the spatial vision for the borough and how sustainable development will be delivered. Having been found to be NPPF compliant, it is further considered that what constitutes sustainable development, at a local level, is embodied within and to be determined against the core policies contained within the overall strategy.

The overall development strategy for the borough is set out in Key Statement DS1 which aims to promote development in the most suitable locations in the borough, and has been informed by evidence base work which classifies settlements into Principal, Tier 1 and Tier 2 settlements largely based on an evidence based assessment regarding the sustainability of settlements within the Borough. With Key Statement DS2 setting out the presumption in favour of sustainable development within the borough and states that planning applications which accord with the policies contained within the Core Strategy will be approved unless other material considerations indicate otherwise.

Policy DMG2 sets out the strategic considerations in relation to housing and states that development should be in accordance with the Core Strategy Development Strategy and should support the overall spatial vision for the borough, it further states that outside the defined settlement areas development must meet one of the following considerations:

- The development should be essential to the local economy or social well-being of the area.
- The development is needed for the purposes of forestry or agriculture.
- The development is for local needs housing which meets an identified need and is secured as such.
- The development is for small scale tourism or recreational developments appropriate to a rural area.
- The development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated.

Policy DMG3 states that in assessing proposals the Local Planning Authority will attach considerable weight to the availability and adequacy of public transport and associated infrastructure and consider the provision made for access to the development by pedestrian, cyclists and those with reduced mobility. It recognises that transport considerations are key to the delivery of sustainable development within the borough and seeks to promote development within existing developed areas or in locations which are considered highly accessible by means other than the private car.

Policy DMH3 allows for the appropriate conversion of buildings to dwellings in the open countryside and AONB providing they are suitably located and their form and general design are in keeping with their surroundings. Buildings must be structurally sound and capable of conversion without the need for complete or substantial reconstruction.

Policy DMH4 allows for the conversion of barns and other buildings to dwellings providing the building is not isolated in the landscape, i.e. it is within a defined settlement or forms part of an already group of buildings, it further states that the conversion of buildings should be of a high standard and in keeping with local tradition. The impact of the development, including the creation of garden area and car parking facilities (or other additions) should not harm the appearance or function of the area in which it is situated.

#### Other Matters

The applicant has submitted a bat, bird and owl survey in support of the application which has identified that the building has been used for nesting by barn owls, it further identifies that

without adequate mitigation it is reasonable to assume that there may be the loss of an important nesting and roosting site for this species. Mitigation has been proposed in the form of an integral replacement barn owl nest located within the roof void of the building with a temporary tree-mounted nest/roost box being proposed during the construction phase of the development. Should consent be granted it is suggested that details of the proposed mitigation shall be submitted to and approved by the Local planning Authority prior to the commencement of the development.

### Assessment/Conclusion

Policy DMG2 set out the strategic considerations in relation to housing and states that residential dwellings outside the defined Settlement Areas must meet a number of considerations, none of which apply to the current proposal.

It is recognised that transport considerations are key to the delivery of sustainable development within the borough and Policy DMG3 seeks to promote development within existing developed areas or in locations which are considered highly accessible by means other than the private car. In respect of the current application it is clear that use of the private motor vehicle would predominate due to the lack of access to public transport and dedicated pedestrian footways.

In respect of new dwellings in the open countryside and those located in the Forest of Bowland AONB these are covered by Policies DMH3 which recognises that the appropriate conversion of buildings to dwellings may be considered acceptable provided that they are suitably located or meet specific criteria none of which apply to the current proposal which is additionally considered to be in an isolated location with limited access to services and/or facilities which would result in an unsustainable pattern of development by virtue of its remote location which would place further reliance on the private motor vehicle.

Policy DMH4 recognises the need for the conversion of buildings to be of a high standard and in keeping with local tradition. The visual impact of the development, including the creation of garden areas and car parking facilities (or other additions) should not harm the character or appearance of the area. This is further reinforced within Policy DMH3 which states that there should be no adverse impact on the landscape and Policy DMG1 which sets out general considerations in relation to the amenities of the surrounding area.

Further protection is afforded to the Forest of Bowland AONB within Key Statement EN2 which requires that development will need to contribute to the conservation of the natural beauty of the area. The landscape and character of those areas that contribute to the setting and character of the Forest of Bowland Areas of Outstanding Natural Beauty will be protected and conserved and wherever possible enhanced. As a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.

In respect of the potential visual impact of the proposal upon the protected landscape it is considered that the vehicular parking arrangements and extents of residential curtilage associated with the conversion may give rise to the proliferation of domestic paraphernalia upon the landscape resulting in a visual urban encroachment to the detriment of the character and appearance of the AONB and immediate/wider landscape character.

The proposal has been assessed on the basis of national and local plan policy and has found to be in direct conflict with both. The proposal would lead to the creation of new dwelling in the Forest of Bowland AONB without sufficient justification, which if approved, would cause harm to the development strategy for the borough as set out in the Adopted Core Strategy leading to an unsustainable pattern of development. It is further considered that the granting of consent would create a harmful precedent for the acceptance of other similar unjustified proposals which

cumulatively would have an adverse impact on the implementation of the Development Strategy for the Borough

Therefore, having carefully assessed the proposal and having regard to all relevant matters that I recommend accordingly.

RECOMMENDATION: That planning permission be refused for the following reasons:

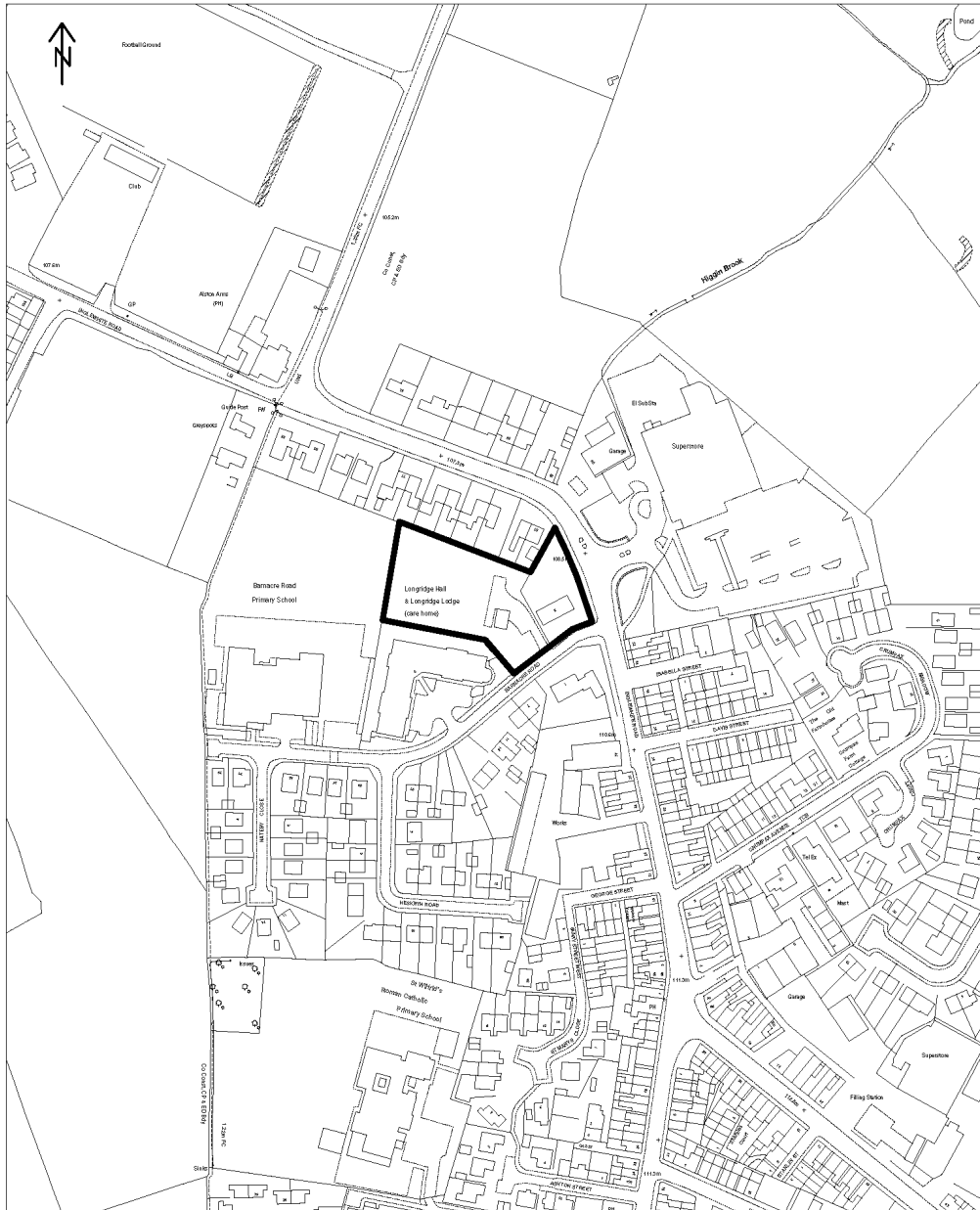
1. The proposal is considered contrary to Key Statements DS1, DS2 and policies DMG2, DMG3, DMH3 and DMH4 of the Ribble Valley Core Strategy (Adopted Version) in that the approval would lead to the creation of a new dwelling in the Forest of Bowland AONB without sufficient justification which would cause harm to the development strategy for the borough. It is further considered that the approval of this application would lead to an unsustainable form of development in an isolated location that does not benefit from local services or facilities, placing further reliance on the private motor-vehicle contrary to the presumption in favour of sustainable development.
2. The proposal by virtue of its harmful effect from the likely impact of domestic paraphernalia such as parked vehicles, sheds, washing lines, children's play equipment and fence lines on this part of the Forest of Bowland AONB would represent an urban encroachment to the significant detriment of the character and appearance of the protected landscape, contrary to Key Statement EN2 and Policies DMG1, DMG2, DME2, DMH3 and DMH4 of the Ribble Valley Core Strategy (Adopted Version)
3. The proposed development would create a harmful precedent for the acceptance of other similar unjustified proposals, without sufficient justification, which cumulatively would have an adverse impact on the implementation of the Development Strategy for the Borough, contrary to the interests of the proper planning of the area in accordance with core principles and policies of the National Planning Policy Framework.

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

APPLICATION NO: 3/2014/1018/P

GRID REF: SD 360105 437804

DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 33 UNITS OF RETIREMENT LIVING HOUSING (CATEGORY 11 TYPE ACCOMMODATION), COMMUNAL FACILITIES, LANDSCAPING AND CAR PARKING AT BARNACRE ROAD, LONGRIDGE PR3 2PD



3/2014/1018 Barnacre Road, Longridge

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TOWN COUNCIL:	No response received
ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):	<p>The proposed development is acceptable in principle the site being within the existing town centre and close to local amenities and public transport services, however there are a number of issues which will need to be addressed</p> <ul style="list-style-type: none"> <li>• The proximity of the supermarket across Inglewhite Road is a benefit and one which is likely to be well patronised by the residents, however crossing Inglewhite Road via a pedestrian refuge will require a detour beyond the mini-roundabout as there is no formal refuge to the south of the mini-roundabout. This would be unacceptable as it would place residents in a potentially vulnerable position whilst crossing. There is the opportunity to introduce a pedestrian refuge which will require a localised carriageway widening along the westerly side of Inglewhite Road from a point south of Barnacre Road to the mini-roundabout. The works to be carried out under a S278 agreement and will require a small area of land dedication at the south easterly corner of the site to maintain an appropriate footway width.</li> <li>• The mobility scooter storage area is remote from the main building and may not be convenient for residents with mobility issues and it will have to share space with cycle storage</li> <li>• Considering the age restriction on the residents and the increase in the likelihood of infirmity and mobility issues the provision of 2 (10%) mobility spaces may be considered low.</li> </ul> <p>The County Surveyor has further requested that a number of conditions be imposed.</p>
ELECTRICITY NORTHWEST	No objection to the proposal as submitted.
UNITED UTILITIES	No objection subject to the imposition of conditions relating to foul and surface water drainage.
ADDITIONAL REPRESENTATIONS:	15 letters of representation have been received in support of the application.

**Proposal**

The proposal seeks consent for the erection of a two-storey building to accommodate 33 units of retirement living housing (category 11) type housing incorporating communal facilities, landscaping and associated car-parking. The proposal has been designed to allow it to respond to the inherent built form within the immediate vicinity adopting pitched roof forms with flat roofed 'link-elements' which aid in breaking down the visual mass of the proposal into block forms that respond positively to the immediate townscape.



## **Site Location**

The site lies within the currently defined settlement boundary of Longridge access is provided off Barnacre Road which links directly to Inglewhite Road to the east.

The site is bounded to the north existing residential properties with a residential care home being directly adjacent the site to the south west. The proposal occupies an element of frontage to both Inglewhite Road and Barnacre Road being afforded a high level of visibility on approach from the south and east.

The site currently accommodates a derelict two-storey dwelling and single storey utility structure.

## **Relevant History**

### **3/2012/0862**

Outline application for 9 dwellings. (Refused, Appeal lodged and dismissed)

### **3/2011/0710**

Outline application for the erection of 9no. dwellings (Re-submission). (Approved with conditions)

### **3/2009/0968**

Residential development comprising 9no. New Dwellings. (Refused, Appeal Lodged and allowed)

## **Relevant Policies**

Ribble Valley Core Strategy (Adopted Version)

Key Statement DS1 – Development Strategy

Key Statement DS2 – Presumption in Favour of Sustainable Development

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 H2 – Housing Balance

Key Statement H3 – Affordable Housing

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME2 – Landscape and Townscape Protection

Policy DME3 – Site and Species Protection and Conservation

Policy DME5 – Renewable Energy

Policy DME6 – Water Management

Policy DMH1 – Affordable Housing Criteria

Policy DMB4 – Open Space Provision

Policy DMB5 – Footpaths and Bridleways

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Technical Guidance to National Planning Policy Framework

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

### Principle of Development

In terms of strategic considerations, Key Statement DS1 of the recently adopted Core Strategy outlines that the majority of new housing development will be concentrated within the identified strategic site to the south of Clitheroe (Standen); and the principal settlements of Clitheroe, Longridge and Whalley.

Key Statement DS1 further states that the scale of planned housing growth will be managed to reflect existing population size, the availability of, or the opportunity to, provide facilities to serve the development and the extent to which development can be accommodated within the local area.

Policy DS1 identifies 1160 residential units to be provided in Longridge over the plan period (2008-2028) and current monitoring indicates that 438 dwellings remain to be provided (31st March 2015). However when taking into account current commitments and applications which have been delegated for approval the residual identified housing need for Longridge is currently 73 dwellings.

Whilst the Council can demonstrate a 5 year supply of housing land (5.59 as at 31 March 2015), Members need to be reminded that it is clearly stated that a 5 year supply is a minimum figure.

Given the application site is located within the defined settlement boundary of Longridge, and that there is an outstanding residual housing need of 73 dwellings I consider, in principle, that the proposal is in broad accordance with the Development Strategy for the Borough and that it would assist in the delivery of housing for older persons within the borough and in a sustainable and accessible location with adequate provision for access to infrastructure, services and facilities.

### Residential & Visual Amenity

The proposal is bounded to the north by existing residential properties fronting Inglewhite Road and by a residential care home to the south. I am therefore mindful of the relationship between the proposal and the neighbouring properties and the potential impact upon the residential amenities of future and existing occupiers.

In respect of the residential properties to the north the proposed building benefits from off-set distances ranging from 24m to 27m, with off-set distances of approximately 21m to the existing buildings to the south.

Taking account of the site topography and the aforementioned off-set distances I consider that the proposed building would not result in any significant detrimental impact upon the residential amenities of neighbouring occupiers and in that respect, consider that the proposal is in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

In terms of the external appearance of the proposal, it is considered that the elevational modelling and articulation of the overall built form will allow it to respond positively to the inherent character of the area and the scale, form and characteristics of the immediate surrounding urban fabric.

### Highways

LCC highways have raised no objection to the proposal subject to technical requirements and off-site improvement works that are detailed earlier in this report.

## Affordable Housing

Key Statement H3 states that within the settlement boundaries of Clitheroe and Longridge, on housing developments of 10 units or more dwellings (or sites of 0.5 hectares or more, irrespective of the number of dwellings) an element of affordable, local needs housing will be required on all schemes. The Council will seek affordable housing provision at 30% of units on the site.

The Council will use open book viability assessments, provided at the developer's cost, within its consideration of affordable housing provision particularly where thresholds are not being met. In all other locations in the borough, on developments of 5 or more dwellings (or sites of 0.2 hectares or more irrespective of the number of dwellings) the council will require 30% affordable units on the site. The Council will only consider a reduction in this level of provision, to a minimum of 20% only where supporting evidence, including a viability appraisal, fully justifies a lower level of provision to the council's satisfaction.

Providing housing for older people is a priority for the Council within the Housing Strategy. Within the negotiations for housing developments, 15% of the units will be sought to provide for older people on sites of 10 units or more. Within this 15% figure a minimum of 50% would be affordable and be included within the overall affordable housing threshold of 30%. The remaining 50% (ie the remaining 50% of the 15% older people's element) will be for market housing for older people.

Affordable housing delivery and addressing the housing needs of older people are both key priorities for the Council, and therefore although there is an identified affordable housing need in Longridge we will accept an offsite contribution from this site because of the specialist housing being proposed. The Strategic Housing working Group have accepted this principle.

The Addressing Housing Needs Policy 2012 sets out the requirements for acceptance of an offsite contribution. There is a requirement for 30% of the site to be affordable and where this is not delivered on site then an equivalent commuted sum will be required. The requested commuted sum for the proposal was calculated using the Council's agreed methodology. This involves taking the OMV of the units and the values a Registered Provider would purchase the units for.

Using the average sale value of apartments sold in Longridge and the value of HAPPI standard apartments currently being built in Billington a value of £147,500 was agreed as the OMV of the apartments. The scheme of 33 units proposed the LPA would request a 30% affordable housing provision therefore 10 affordable units. On each scheme in the market town we request a tenure split of 50% affordable rent and 50% shared ownership these figures have been used in the following calculation;

Affordable rent apartments with a RP purchase value of £55,000 would provide £147,500 - £55,000 = £92,500 per unit

5 x £92,500 = £462,500 contribution for the affordable rent units.

Shared ownership units with an RP purchase value of £108,000 would provide £147,500 - £108,000 = £39,500

5 x £39,500 = £197,500 contribution for shared ownership units.

Therefore a total commuted sum contribution for the equivalent of 10 units of £660,000 was requested by the LPA.

The initial contribution offer put forward by the applicant totalled £3,027 towards affordable housing and other planning obligations. This figure was considered to be substantially lower than what would be deemed acceptable to the Local Planning Authority and was considered to be in direct conflict with the aims and provisions of Key Statement H3 and as a consequence the Local Planning Authority has been engaged in robust discussions in respect of the financial contribution towards off-site affordable housing being offered.

The applicant was requested to undertake a viability appraisal which was subsequently independently appraised which then formed the basis for negotiations in respect of planning obligations regarding affordable housing.

As a result of the on-going negotiations the applicant has provided the following statement:

*The scheme cannot viably support a full 30% affordable housing contribution, in order to accord with the Council's adopted policy, my client can provide a commuted sum phased payment of 20% shared value. According with the LPA's calculation =*

*33 units @ 20%= 6.6 units. Using the agreed benchmark this would equate to:*

*£147,500 - £108,000 = £39,000 x 6 units = £234,000.*

*In order to make the scheme work with this level of contribution we would need to pay 10% on the sale of the first unit and the remainder on the sale of the 30th unit. This is the absolute maximum contribution the site can achieve viably.*

In light of the submitted viability appraisal and the above revised offer the LPA has agreed to accept the reduced final off-site contribution towards affordable housing which will be secured via a S.106 agreement which is currently under negotiation.

Members will note that the applicant, in calculating the offer of affordable off-site provision, had applied the Vacant Building Credit (VCB) in respect of affordable provision that could be requested on-site (or off-site contribution) by the LPA.

Following a judicial review between West Berkshire District and Reading Borough Council and the Department for Communities and Local Government. The Court's decision (which upheld all of the issues raised by the Claimants) was that those parts of the National Planning Practice Guidance, along with the Written Ministerial Statement (WMS), that reduced the affordable housing threshold to developments of ten or less units and introduced the vacant building credit last November were not lawful and must not be treated as a material consideration.

The effect is that planning applications must now be determined as if neither the statement or guidance had come into effect, this affects the consideration of all live planning applications and planning appeals currently lodged with the authority.

Taking account of the viability arguments that have already been put forward by the applicant, the Local planning Authority are of the view, in this case, that it would not be prudent to pursue a re-calculation or revised financial contribution for affordable housing as a result of the aforementioned court judgement when balanced against the need to deliver housing for older persons.

As part of the overall consideration and having regard to the planning balance, it should be noted that the contribution of £290,660 arising from the New Homes bonus would be awarded to the Council with 80% going to the borough and 20% to Lancashire County Council.

As such, it is for the above reasons and having regard to all material matters raised that I recommend accordingly.

RECOMMENDATION: That the application be DEFERRED AND DELEGATED to the Director of Community Services for approval following the satisfactory completion of a legal agreement (in the terms described within this report and subject to changes in CIL Regulations) within 3 months from the date of this Committee meeting or delegated to the Director of Community Services in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following conditions:

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

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

2. Unless explicitly required by condition within this consent the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

- Site Plan 2016-1-02 Rev A
- Elevations 2016-1-03 Rev D
- Floorplans 2016-1-05 Rev B
- Substation & Battery Car Details 2016-1-06 Rev B
- Site Plan Technical 2016-1-7 Rev A
- Elevations 2016-1-08 Rev A

REASON: For the avoidance of doubt since the proposal was the subject of agreed design improvements/amendments and to clarify which plans are relevant.

3. Precise specifications or samples of all external surfaces, including surfacing materials of the development hereby approved shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development.

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 DMG1 of the Ribble Valley Core Strategy (Adopted version).

4. Prior to the commencement of the development section details at a scale of not less than 1:20 of each elevation shall have been submitted to and approved by the Local Planning Authority. For the avoidance of doubt the sections shall clearly detail all eaves, guttering/rain water goods, soffit/overhangs, window/door reveals and the proposed window/door framing profiles and materials. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adopted version).

5. Notwithstanding the submitted details, prior to the commencement of the development, section details and/or elevations at a scale of not less than 1:20 of the proposed boundary treatments/fencing, walling including any coping details shall have been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adopted version).

6. Prior to the commencement of the development, details of the car park surfacing/markings shall be submitted to and agreed in writing by the Local Planning Authority. The car parking spaces and manoeuvring areas shall be marked out in accordance with the approved details, before the use of the premises hereby permitted becoming operative.

REASON: To allow for the effective use of the parking areas in accordance with Policies DMG1, DMG3 and DMI2 of the Ribble Valley Core Strategy (Adopted version).

7. 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 for have been submitted to, and approved in writing by the Local Planning Authority.

The details shall be submitted on a building dependent bird/bat species development site plan and include details of the numbers of artificial bird nesting boxes and artificial bat roosting site(s) type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into the building during the construction phase and prior to the building being first brought into use and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and reduce the impact of development in accordance with Policies DMG1 and EN4 of the Ribble Valley Core Strategy (Adopted Version).

8. Notwithstanding the submitted details, prior to the commencement of the development, full details of the proposed landscaping shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the landscaping details shall indicate all trees and hedgerows identified to be retained or how those adjacent to the proposed development and/or application area/boundary will be adequately protected during construction, in accordance with BS5837: 2012 'Trees in relation to design, demolition and construction' or equivalent unless otherwise agreed. The agreed protection measures shall be put in place and maintained during the construction period of the development.

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

REASON: To protect trees and hedges on and adjacent to the site and to ensure the proposal is satisfactorily landscaped and appropriate to the locality in accordance with Policies DME1 and DME3 of the Ribble Valley Core Strategy (Adopted version).

9. 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. It shall provide for:

1. The parking of vehicles of site operatives and visitors
2. The loading and unloading of plant and materials
3. The storage of plant and materials used in constructing the development
4. The erection and maintenance of security hoarding
5. Wheel washing facilities

6. Measures to control the emission of dirt and dust during construction
7. Details of working hours
8. Contact details of the site manager.
9. The timing of the delivery of plant and material to site to avoid the nearby school start and finish times

REASON: In the interests of protecting residential amenity from noise and disturbance in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adoption version).

10. No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to, and approved by the Local Planning Authority in consultation with the Highway Authority. For the avoidance of doubt, the off-site highway works shall provide for a pedestrian refuge and associated carriageway works on Inglewhite Road south of the mini roundabout.

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to ensure the proposal would not be of detriment to the safe operation of the immediate highway in the interests of highway safety and is in compliance with current highway legislation in accordance with Policies DMG1, DMG3 and DMI2 of the Ribble Valley Core Strategy (Adopted version).

11. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 10 has been constructed and completed in accordance with the approved details.

REASON: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works and to ensure the safe operation of the immediate highway network in accordance with Policies DMG1, DMG3 and DMI2 of the Ribble Valley Core Strategy (Adopted version).

12. The existing access shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads concurrent with the formation of the new access.

REASON: To limit the number of access points to, and to maintain the proper construction of the highway in accordance with Policies DMG1, DMG3 and DMI2 of the Ribble Valley Core Strategy (Adopted version).

13. Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. The building shall not be occupied until the approved foul drainage scheme has been completed in accordance with the approved details. This development shall be completed maintained and managed in accordance with the approved details.

REASON: To ensure satisfactory means of foul drainage in accordance with Policies DMG1 and DME6 of the Ribble Valley Core Strategy (Adopted Version).

14. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To ensure satisfactory storage and disposal of surface water from the site to prevent flooding in accordance with Policies DMG1 and DME6 and Key Statement EN2 of the Ribble Valley Core Strategy (Adopted Version).

15. Prior to the commencement of development, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:

(a) A Desk Study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on and off-site contamination and ground gases.

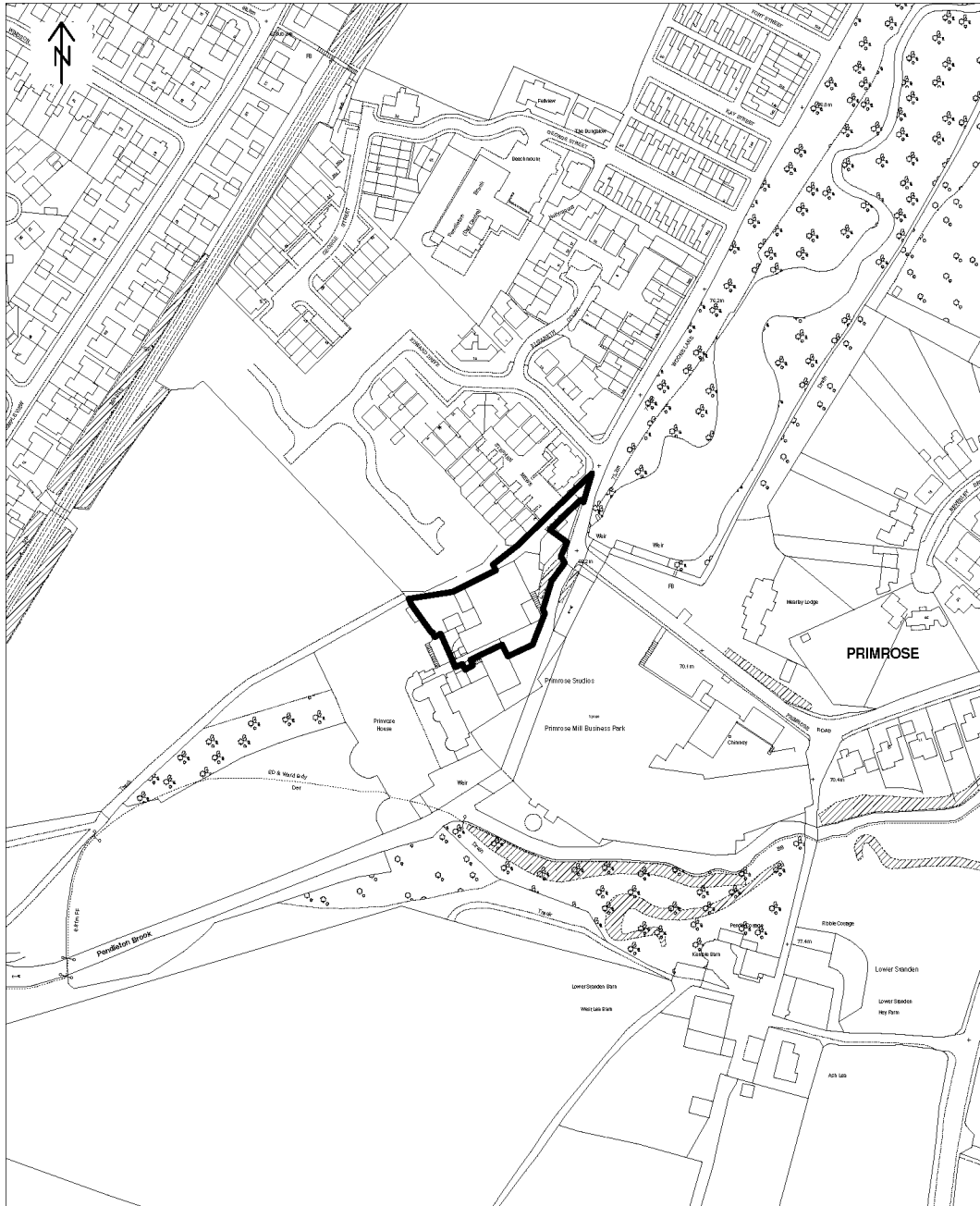
(b) If the Desk Study identifies potential contamination and ground gases, a detailed Site Investigation shall be carried out to address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of the risk to receptors as defined under Part IIA of the Environmental Protection Act 1990, focusing primarily on risks to human health and controlled waters. The investigation shall address implications of the health and safety of site workers, of nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property. The sampling and analytical strategy shall be submitted to and approved in writing by the LPA prior to the site investigation survey.

(c) If the site investigation indicates remediation is necessary, a Remediation Statement detailing the recommendations and remedial measures to be implemented within the site shall be submitted to and approved in writing by the LPA. The remediation shall be carried out in accordance with the agreed statement and on completion of the development/remedial works, the developer shall submit a Verification Report to the LPA for approval in writing that certifies that all works were completed in accordance with the agreed Remediation Statement prior to the first occupation of the development.

REASON: To prevent pollution of ground and surface waters both on and off site and to ensure the site is suitable for its end use in accordance with Policies EN2, EN4, DME2 and DME3 of the Ribble Valley Core Strategy (Adopted Version).



APPLICATION NO: 3/2015/0266/P (GRID REF: SD 373687 440694)  
 DEMOLITION OF EXISTING WORKSHOPS BUILDINGS (OTHER THAN WORKSHOP 3),  
 CONVERSION OF WORKSHOP 3 TO PROVIDE 14 RESIDENTIAL APARTMENTS THE  
 ERECTION OF 4 RESIDENTIAL APARTMENTS, ERECTION OF CYCLE/REFUSE STORE,  
 LAYING OUT OF PARKING AND CIRCULATION AREAS, AND ASSOCIATED  
 LANDSCAPING. PRIMROSE WORKS, PRIMROSE ROAD, CLITHEROE, LANCASHIRE BB7  
 1BS.



3/2015/0266 Primrose Works, Primrose Road, Clitheroe.

Scale 1:2500

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PARISH/TOWN COUNCIL:	<p>The Town Council have no objection to the proposal subject to the following:</p> <ul style="list-style-type: none"> <li>• The traffic issues relating to the bend in the road be addressed.</li> <li>• Affordable provision is delivered on site.</li> <li>• The developer be required to make a financial contribution towards the cost of dealing with existing problems associated with the weir.</li> </ul>
ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):	LCC Highways have no objection to the development subject to the imposition of relevant planning conditions and subject to the receipt of additional/amended information which is detailed later within this report.
ENVIRONMENT AGENCY:	No objection subject to the imposition of relevant planning conditions.
LCC CONTRIBUTIONS	The LCC Contributions Team have requested that a contribution of £18,126.38 for 1 secondary school place will be required in respect of educational provision relating to the development.
LCC ARCHAEOLOGY	No objection subject to the imposition of relevant planning conditions to secure a programme of archaeological work in accordance with a written scheme of investigation
UNITED UTILITIES	No objection subject to the imposition of relevant planning conditions.
RVBC ENGINEERS	No objection subject to the imposition of relevant planning conditions.
ADDITIONAL REPRESENTATIONS:	<p>5 Letters of representation have been received objecting on the following grounds:</p> <ul style="list-style-type: none"> <li>• The loss of trees.</li> <li>• Inadequate parking and access.</li> <li>• Increased noise disturbance.</li> <li>• Safety issues relating to the existing public right of way.</li> <li>• Disruption during demolition.</li> <li>• Drainage and rainwater run-off.</li> <li>• Inaccuracies within the application.</li> </ul>

### **Proposal**

The proposal seeks consent for the demolition of 2 existing mill building and the conversion of the building to be retained to create 14 residential apartments. The submitted details also propose the erection of a two storey apartment block to provide four apartments.

The proposal involves associated landscaping and works to create an external parking area with the erection of a proposed cycle/refuse storage building also forming part of the proposal.

It is proposed that five of the apartments will be brought forward as affordable units, four of which will be Social Rented units with the fifth being delivered as a low cost market unit.

## **Site Location**

The application relates to former Lodematic site located to the southern extents of Woone Lane. The site is occupied by three parallel and attached industrial workshop buildings, with smaller associated outbuildings dating from the 1800s and a detached industrial building dating from the second half of the twentieth century.

The application site is bounded to the north by an existing access track and public right of way (Footpath 17). Further to the north is the site of the redevelopment of the former Primrose Mill with construction still currently underway.

## **Relevant History**

The site has no planning history that is directly relevant to the nature of the application submitted.

## **Relevant Policies**

Ribble Valley Core Strategy (Adopted Version)

Key Statement DS1 – Development Strategy  
Key Statement DS2 – Presumption in Favour of Sustainable Development  
Key Statement EN2 – Landscape  
Key Statement EN3 – Sustainable Development and Climate Change  
Key Statement EN4 – Biodiversity and Geodiversity  
Key Statement EN5 – Heritage Assets  
Key Statement H1 – Housing Provision  
Key Statement H2 – Housing Balance  
Key Statement H3 – Affordable Housing  
Key Statement DMI1 – Planning Obligations  
Key Statement DMI2 – Transport Considerations  
Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport and Mobility  
Policy DME2 – Landscape and Townscape Protection  
Policy DME3 – Site and Species Protection and Conservation  
Policy DME4 – Protecting Heritage Assets  
Policy DME5 – Renewable Energy  
Policy DME6 – Water Management  
Policy DMH1 – Affordable Housing Criteria  
Policy DMB4 – Open Space Provision  
Policy DMB5 – Footpaths and Bridleways

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Technical Guidance to National Planning Policy Framework  
Listed Building & Conservation Area Act.

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

### **Principle of Development**

Planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework adopted in 2012 (NPPF) is one such material consideration and whilst it does not change the

legal status of the development plan, it promotes a presumption in favour of sustainable development.

In terms of strategic considerations, Key Statement DS1 of the recently adopted Core Strategy outlines that the majority of new housing development will be concentrated within the identified strategic site to the south of Clitheroe (Standen); and the principal settlements of Clitheroe, Longridge and Whalley.

Whilst the Council can demonstrate a 5 year supply of housing land (5.59 as at 31 March 2015), Members need to be reminded that it is clearly stated that a 5 year supply is a minimum figure.

This development, although modest in numbers would assist in meeting the need, contribute to the 5 year supply and introduce some single storey accommodation and provide some local affordable units in a sustainable location within the centre of Longridge.

### Affordable Housing Provision

The applicant has submitted a draft S.106 agreement which proposes that the 30% on site affordable provision, as required by Policy H3 of the adopted Core Strategy, will be delivered as a mix of four Social Rented units and one low cost market unit.

Members will note that the applicant, during the course of the application, in calculating the offer of affordable off-site provision, had applied the Vacant Building Credit (VBC) in respect of affordable provision that could be requested by the LPA, which had resulted in the removal of the offer of affordable housing provision on-site.

Following a judicial review between West Berkshire District and Reading Borough Council and the Department for Communities and Local Government. The Court's decision (which upheld all of the issues raised by the Claimants) was that those parts of the National Planning Practice Guidance, along with the Written Ministerial Statement (WMS), that reduced the affordable housing threshold to developments of ten or less units and introduced the vacant building credit last November were not lawful and must not be treated as a material consideration.

The effect is that planning applications must now be determined as if neither the statement or guidance had come into effect, this affects the consideration of all live planning applications and planning appeals currently lodged with the authority.

Subsequent to the outcome of the Judicial review the applicant has confirmed the willingness to revert back to the original terms contained within the S.106 agreement as detailed above. Members will note that the situation relating to the VBC may be fluid and subject to further changes at a later date.

### Planning Obligations

Based upon the latest assessment, LCC Educational Contributions Team seek a contribution for 1 secondary school place. However, a contribution towards primary school places is not currently sought.

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

Secondary places:

$(£18,469 \times 0.9) \times \text{BCIS Indexation } (314.50 / 288.40 = 1.090499)$

= £18,126.38 per place

£18,126.38 x 1 place = £18,126.38

## LCC Highways

The Highway Development Control Section does not have any objections in principle to the proposed housing development, subject to the imposition of planning conditions and providing the following observations are addressed:

The applicant has provided an acceptable Transport Statement by VTC (Highways & Transportation) Consultancy dated the 2nd February 2015. TRICS is the national standard system used to predict trip generation and analysis of various types of development. Using a typical TRICS report for a privately owned housing development, the development will generate an estimated 120 vehicular movements a day with an estimated peak flow of (11) vehicles between 17:00 and 18:00.

Using the information above the peak flow traffic generated by the new housing development will decrease the amount of peak flow traffic using Primrose Road and Woone Road and also reduce the total number of light goods vehicles, vans and HGVs visiting the site. This agrees with the findings and conclusions in the Transport Statement by VTC (Highways & Transportation) Consultancy dated the 2nd February 2015.

Based on the Joint Lancashire Structure Plan the Highway Development Control Section is of the opinion that the applicant has provided adequate off-road parking provision for this type and size of development.

The Highway Development Control Section is of the opinion that the existing available sight line from the existing private site access road onto Primrose Road and Woone Road are acceptable and as such a sight line condition is not required.

The Lancashire County Council Sustainable Travel has requested improvements to the existing site access road as part of definitive footpath 3-1-FP17 these improvements includes the surfacing of the access road for the full frontage of the site and for the landowner of the site to designate the existing access road as a cycle route. This dedication would aid with the provision of a future cycle route from Henthorn Road to Woone Road, to aid social inclusion and the promotion of sustainable transport.

The Highway Development Control Section accepts the principle of shared access roads for this size of development but are of the opinion that the current site access is not safe for children and mobility impaired to enter and exit the site safely at the junction with Woone Road. The applicant is advised to prove the forward visibility for north bound traffic entering the private access road with an estimated 85th percentile speed of 15mph. All walls planting and fencing etc. within the forward visibility splay to be reduced to a height not more than 1m high. In the interest of highway safety, the promotion of sustainable transport and to aid social inclusion.

The Highway Development Control Section is of the opinion that the applicant should prove the existing site access with Woone Road by swept path analysis for a twin axel refuse vehicle to ensure refuse vehicle do not need to reverse back down Woone Road to serve the site as the current practice is at the detriment to highway safety.

The Highway Development Control Section is also of the opinion that the applicant should prove the car park entrance with the private access road by swept path analysis for a twin axel refuse vehicle to ensure refuse vehicles do not need to reverse back onto Woone Road at the detriment to highway safety.

A number of these issues are subject to on-going negotiations and are currently being addressed by the applicant, the outcome of which will be reported verbally.

## Heritage Issues

The Councils conservation offer has raised concerns in respect of the application in that they are of the opinion that the duty at section 69 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 should be re-visited.

The Conservation officer makes reference to the specialist opinions to the site that consider that this area is of architectural importance and should be afforded conservation area status. It is the Conservation Officers opinion that this should be undertaken immediately because the current proposals will intrude irrevocably into the valley of the original water mills (the valley top also forms the designed curtilage boundary to Primrose House) and denude (e.g. mill manager's house) the core ensemble of its visual and architectural coherence and historic integrity.

Further concerns have also been raised in respect of the design of the new-build apartment block, members will note that negotiations are underway in respect of securing an appropriate design.

Whilst I am mindful of the observations made by the Conservation Officer, a number of these matters are subject to on-going discussions. I am also mindful of the observations made in relation to affording the area Conservation Area status and the potential implications as a result of the proposed demolition works. As no progress has been made in relation to the latter point I do not consider that it, in isolation, would be a sufficient reason to withhold the granting of planning permission.

## Residential & Visual Amenity

I am mindful of the relationship between the proposal and that of existing neighbouring occupiers to the north and west. Taking into account the site topography and off-set distances proposed I do not consider that the proposal would be of significant detriment to the residential amenities of existing occupiers. I have some limited concerns in respect of the spatial relationship between the proposed new-build apartment block and that of the building to be retained and converted along with general concerns relating to the external appearance and design of the new-build element, these issues are currently the subject of on-going negotiations, the outcome of which will be reported verbally.

Discussions are also currently underway in relation to the internal treatment of the forecourt/parking area and the potential to retain a higher proportion of the northern mill-wall which will delineate the northern boundary and how it could be utilised as part of the hard-landscaping for the site.

## Employment Use

The proposal will see the redevelopment of an existing Brownfield site and will secure the long term retention of the main mill building through its re-use and conversion. The applicant has submitted supporting information regarding the marketing of the site which has demonstrated there has been insufficient interest in respect of securing an occupier or purchaser who would operate the site in a similar manner to that of the previous.

The site is largely constrained by access arrangements, with limited parking provision for staff, the internal layout and configuration of the existing buildings are also thought to be inadequate to accommodate modern work practices or requirements, with other properties currently available within the borough that offer more efficient and unconstrained work spaces.

## Benefits

It is considered that the development of this site offers the following benefits:

- The proposal will assist RVBC in boosting the supply of housing in the Borough.
- The proposal will deliver affordable housing (30%).
- The proposal would deliver significant some economic benefits through the creation or retention of jobs during the construction phase.
- New Homes Bonus payments to RVBC. The amount of New Homes Bonus would be £26,424 (18 x £1,468) a year with the total for the full six years being £158,544.
- Off site recreational contributions of £3888 which will go towards the green gym project at the Castle.

## Conclusion

Having considered all the benefits and mindful of the concern in relation to heritage assets, I still consider that a positive recommendation is appropriate. As such, it is for the above reasons and having regard to all material matters raised that I recommend accordingly.

**RECOMMENDATION:** That the application be DEFERRED AND DELEGATED to the Director of Community Services for approval following the satisfactory completion of a legal agreement (in the terms described in the developer contributions section of this report and subject to changes in CIL Regulations) and subject to the receipt of acceptable design amendments within 3 months from the date of this Committee meeting or delegated to the Director of Community Services in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following conditions:

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

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

2. Unless explicitly required by condition within this consent the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

- N.B. Drawing number references to be confirmed following the receipt of amended plans

**REASON:** For the avoidance of doubt since the proposal was the subject of agreed design improvements/amendments and to clarify which plans are relevant.

3. Precise specifications or samples of all external surfaces, including surfacing materials of the development hereby approved shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development.

**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 DMG1 of the Ribble Valley Core Strategy (Adopted version).

4. Prior to the commencement of the development section details at a scale of not less than 1:20 of each elevation shall have been submitted to and approved by the Local Planning Authority. For the avoidance of doubt the sections shall clearly detail all eaves, guttering/rain water goods, soffit/overhangs, window/door reveals and the proposed window/door framing profiles and materials. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adopted version).

5. Notwithstanding the submitted details, prior to the commencement of the development, section details and/or elevations at a scale of not less than 1:20 of the proposed boundary treatments/fencing, walling including any coping details shall have been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adopted version).

6. Prior to the commencement of the development, details of the car park surfacing/markings shall be submitted to and agreed in writing by the Local Planning Authority. The car parking spaces and manoeuvring areas shall be marked out in accordance with the approved details, before the use of the premises hereby permitted becoming operative.

REASON: To allow for the effective use of the parking areas in accordance with Policies DMG1, DMG3 and DMI2 of the Ribble Valley Core Strategy (Adopted version).

7. Notwithstanding the submitted details, prior to the commencement of the development, full details of the proposed landscaping shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the landscaping details shall indicate all trees and hedgerows identified to be retained or how those adjacent to the proposed development and/or application area/boundary will be adequately protected during construction, in accordance with BS5837: 2012 'Trees in relation to design, demolition and construction' or equivalent unless otherwise agreed. The agreed protection measures shall be put in place and maintained during the construction period of the development.

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

REASON: To protect trees and hedges on and adjacent to the site and to ensure the proposal is satisfactorily landscaped and appropriate to the locality in accordance with Policies DME1 and DME3 of the Ribble Valley Core Strategy (Adopted version).

9. No development shall take place, including any demolition, until a Construction & Demolition Method Statement has been submitted to and approved in writing by the local planning authority has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

1. The parking of vehicles of site operatives and visitors
2. The loading and unloading of plant and materials
3. The storage of plant and materials used in constructing the development
4. The erection and maintenance of security hoarding
5. Wheel washing facilities
6. Measures to control the emission of dirt and dust during construction
7. Details of working hours
8. Contact details of the site manager



9. The timing of the delivery of plant and material to site
10. A programme and timing for the mechanical sweeping of all adjacent roads during the construction and demolition phase of the development

REASON: In the interests of protecting residential amenity from noise and disturbance in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adoption version).

10. Prior to the commencement of the demolition works on site, a methodology and schedule of works in relation to all proposed demolition shall be submitted to an agreed in writing by the Local Planning Authority. For the avoidance of doubt the submitted details shall contain a further building condition survey relating to the buildings/structures to remain on site, details regarding the method and phasing of demolition and details in respect of demolition works relating to or affecting the main mill building

The schedule and timing of works shall also include detailed proposals to ensure the structural stability of the building(s) during the course of demolition and construction of the development and include elevational and engineering details as to how the building(s) will be retained in a satisfactory and sound condition thereafter. All works shall be carried out in strict accordance with the agreed details.

REASON: To protect and conserve the buildings proposed to be retained on site and to ensure that there is no significant deterioration in the condition of the building In accordance with Policies DMG1 and DME4 of the Ribble Valley Core Strategy (Adopted Version).

11. Prior to the commencement of development, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:

(a) A Desk Study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on and off-site contamination and ground gases.

(b) If the Desk Study identifies potential contamination and ground gases, a detailed Site Investigation shall be carried out to address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of the risk to receptors as defined under Part IIA of the Environmental Protection Act 1990, focusing primarily on risks to human health and controlled waters. The investigation shall address implications of the health and safety of site workers, of nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property. The sampling and analytical strategy shall be submitted to and approved in writing by the LPA prior to the site investigation survey.

(c) If the site investigation indicates remediation is necessary, a Remediation Statement detailing the recommendations and remedial measures to be implemented within the site shall be submitted to and approved in writing by the LPA. The remediation shall be carried out in accordance with the agreed statement and on completion of the development/remedial works, the developer shall submit a Verification Report to the LPA for approval in writing that certifies that all works were completed in accordance with the agreed Remediation Statement prior to the first occupation of the development.

REASON: To prevent pollution of ground and surface waters both on and off site and to ensure the site is suitable for its end use in accordance with Key Statement EN4 and Policies DME2, DME3 and DMG1 of the Ribble Valley Core Strategy (Adopted Version).

12. Prior to each phase of development approved by this planning permission no development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components

to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
  - all previous uses;
  - potential contaminants associated with those uses;
  - a conceptual model of the site indicating sources, pathways and receptors; and
  - potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To assess the risk associated with the development and to ensure the site is suitable for its end use in accordance with Key Statement EN4 and Policies DME2, DME3 and DMG1 of the Ribble Valley Core Strategy (Adopted Version).

13. No occupation shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON: To assess the risk associated with the development and to ensure the site is suitable for its end use in accordance with Key Statement EN4 and Policies DME2, DME3 and DMG1 of the Ribble Valley Core Strategy (Adopted Version).

14. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To assess the risk associated with the development, to prevent the pollution of controlled waters from potential contamination on site and to ensure the site is suitable for its end use in accordance with Key Statement EN4 and Policies DME2, DME3 and DMG1 of the Ribble Valley Core Strategy (Adopted Version).

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

REASON: To ensure and safeguard the recording of any archaeological deposits in accordance with Policies DMG1 and DME4 of the Ribble Valley Core Strategy (Adopted Version).

16. No part of the development shall be occupied until details of the forward visibility splays visibility have been approved by the planning authority and the land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the forward visibility splays in excess of 1.0 metre in height above the height at the centre line of Woone Road.

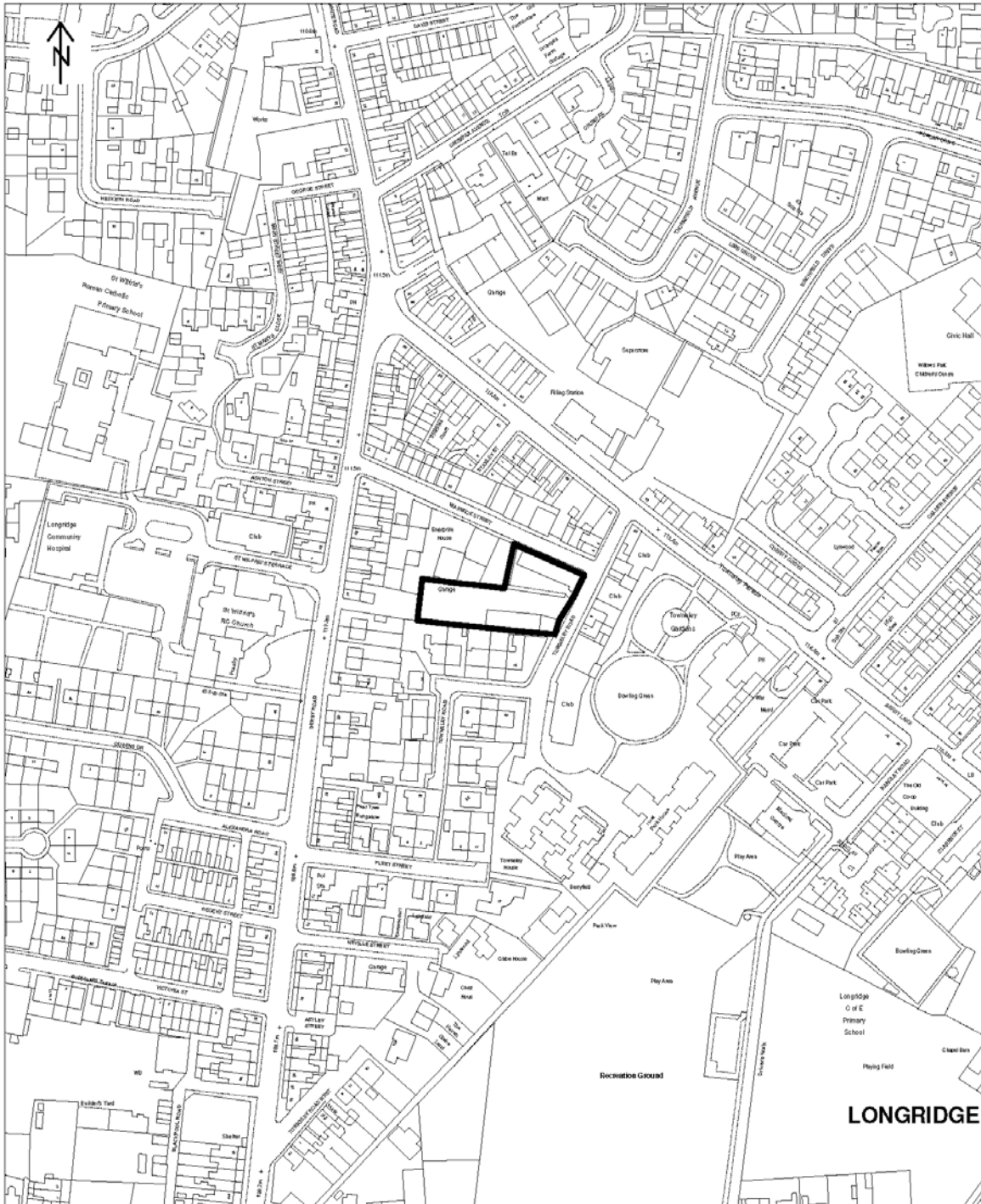
REASON: To ensure adequate visibility at the street junction or site access in the interest of highway safety in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy (Adopted Version).

17. Prior to the commencement of the development, a joint survey shall be carried out between the developer and the planning authority (in conjunction with the highway authority) to determine the condition of Woone Road. A similar survey shall be carried out within six months of the completion of the last phase of development, and the developer shall make good any damage to Woone Road to return it to the pre-construction situation.

REASON: To maintain the construction of Woone Road in the interest of highway safety in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy (Adopted Version).

18. The bat mitigation proposals for the protection of bats as contained within the Inspection and Assessment in Relation to Bats Dated 18th June 2015 will be implemented in full, subject to any changes required by Natural England at the Licensing stage.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and reduce the impact of development in accordance with Policy DMG1 and Key Statement EN4 of the Ribble Valley Core Strategy (Adopted Version).



3/2015/0347 Land off Towneley Road, Longridge.

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TOWN COUNCIL:	Agree in principle to a development, however this is subject to the site layout, altered address, easier access of parking and bins for the proposed residents. Longridge Town Council also note that this is industrial land and should consent be granted for this development would like to see an equivalent amount of land designated elsewhere for commercial development.
UNITED UTILITIES:	No objection subject to technical conditions regarding foul drainage and surface water drainage schemes.
LANCASHIRE COUNTY COUNCIL (HIGHWAYS):	Initially had concern regarding the parking layout but the proposal has now been modified to take into account the concerns as far as reduced number of dwellings would overcome any issues. Subject to the condition that 2 parking spaces are removed have no objections to the proposal on highway grounds and appropriate conditions. These relate to the technical condition of the estate road changes to be built at base course level before development takes place, a Construction Management Plan condition and cycling facilities.
LANCASHIRE CONSTABULARY:	Make reference to the benefits of complying a secure by design approach and that the recommendations need to be incorporated into the design.
ADDITIONAL REPRESENTATIONS:	One letter of support considers that residential bungalows would be better than the industrial units and that the local community will benefit from an increased number of residences for older people nearer to the town centre facilities. One letter of objection which raise concerns about over development and lack of parking.

### **Proposal**

This application seeks detailed consent for the erection of 12, 2 bedroom bungalows geared for the over 55's and the demolition of the industrial buildings. It should be noted that the demolition has already taken place. The scheme incorporates two blocks of hipped roof bungalows with parking at the front of the site with access from Towneley Road. The original scheme was for 14 units but now it incorporates a block of 5 and a block of 7, with communal gardens serving both blocks. There is to be a hard surfaced area with communal benches at the front of one of the blocks which gives an element of useable communal space as well as a visual break on the street scene. The units are 2 bedroom and the block of 7 units measures approximately 10.5 x 27m with the block of 5 being 10.5m x 27m. The maximum height would be 5.5m with eaves height at 2.2m. There is some landscaping area along the boundary of the site as well as secure gateways to the communal gardens. The boundary treatment along Towneley Road is to have a boundary wall constructed of artificial stone with pillars and galvanised steel railings. The access is open from Towneley Road with no gateway and there are 18 car parking spaces. The proposal has been the subject of design amendments with an agreement to introduce a central gabled elevation and galled porches to break up the mass of the buildings.

### **Site Location**

The site is located within a central position of Longridge and has a dual frontage off Warwick Street and Towneley Road. It is within the main settlement boundary of Longridge and can be regarded as close to the town centre facilities. There are some commercial properties adjacent

to the site including a car repair garage and printing business. The site is adjacent to the Longridge Conservation Area.

### **Relevant History**

3/2013/0145/P – Demolition of existing function room and building yard and construction of 9 light industrial starter business units. Approved with conditions.

### **Relevant Policies**

*Ribble Valley Core Strategy (Adopted Version)*

Key Statement DS1 – Development Strategy.  
Key Statement DS2 – Sustainable Development.  
Key Statement EN5 – Heritage Assets.  
Key Statement H1 – Housing Provision.  
Key Statement H3 – Affordable Housing.  
Key Statement H2 – Housing Balance.  
Policy DMG1 – General Considerations.  
Policy DMG2 – Strategic Considerations.  
Policy DME2 – Landscape and Townscape Protection.  
Policy DMH1 – Affordable Housing Criteria.

National Planning Policy Framework (NPPF).

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

#### **Principle**

Planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework adopted in 2012 (NPPF) is one such material consideration and whilst it does not change the legal status of the development plan, it promotes a presumption in favour of sustainable development.

In terms of strategic considerations, Key Statement DS1 of the recently adopted Core Strategy outlines that the majority of new housing development will be concentrated within the identified strategic site to the south of Clitheroe (Standen); and the principal settlements of Clitheroe, Longridge and Whalley.

Policy DS1 identifies 1160 residential units to be provided in Longridge over the plan period (2008-2028) and current monitoring indicates that 73 dwellings remain to be provided (31<sup>st</sup> March 2015 and including the recent decision at Chipping Road).

Whilst the Council can demonstrate a 5 year supply of housing land (5.59 as at 31 March 2015), Members need to be reminded that it is clearly stated that a 5 year supply is a minimum figure.

This development, although modest in numbers would assist in meeting the need, contribute to the 5 year supply and introduce some single storey accommodation and provide some local affordable units in a sustainable location within the centre of Longridge.

#### **Highway Safety and Accessibility**

It is evident that although the County Surveyor initially raised concerns about the parking spaces the revised layout and reduced numbers now accommodates adequate and suitably

located spaces. On that basis there are no highway concerns. I note the objection from a resident but consider the revised scheme would mitigate the concerns.

### Landscape, Tree and Visual Impact

The site is located within the settlement boundary of Longridge and was formerly occupied by some industrial units that have now been demolished and so is an open area. Based on the secured design amendments to both the buildings and the boundary treatment I am satisfied that the layout will not detract from the visual amenity of the area which is bordered by a mixture of dwellings, retail and industrial buildings.

### Ecology

No issues resulting from this proposal.

### Flood Risk and Drainage

The Environment Agency, United Utilities and LCC have raised no objection subject to conditions relating to foul and surface waters. As such, the proposal is therefore considered to be acceptable in respect of drainage and flood risk in accordance with Key Statements EN2 and EN3 and Policies DMG1 and DME6 of the Core Strategy.

### Residential Amenity

The proposal gives sufficient distance from existing dwellings to have no significant impact in terms of residential amenity such as overlooking or loss of light. During the pre-application stage concern was raised regarding the suitability of the proposal in relation to adjoining industrial uses such as the car repair business. An acoustic report has been submitted and I have also visited and met with the occupiers of the adjoining premises and I am satisfied that this development can be accommodated without adversely having an impact on the adjoining premises. This has been verbally confirmed by the EHO.

### Infrastructure, Services and Developer Contributions

The Council has secured an agreement of approximately £2500 in relation to off site recreation facilities which will be used in connection with improvements to the 'Green gym' in Kestor Lane.

### Benefits

It is considered that the development of this site offers the following benefits:

- The proposal will assist RVBC in boosting the supply of housing in the Borough and particularly in Longridge.
- The proposal will deliver affordable housing (30%) in Longridge and specifically bungalows for the over 55's.
- The Site is in a highly sustainable location; within walking distance of Longridge Town Centre and the excellent range of shops, services and community facilities that this principal town offers.
- The development will be accessible by non-car modes of transport.
- The proposal would deliver significant some economic benefits through the creation or retention of jobs during the construction phase.
- New Homes Bonus payments to RVBC. The amount of New Homes Bonus would be £17,616 (12 x £1,467.98) a year with the total for the full six years being £105,696.
- Off site recreational contributions of £2628.

## Conclusion

The proposal would contribute to the provision of housing and affordable housing in the Borough to meet objectively assessed housing need. Given the site is located within the main centre of Longridge and there are no objections in relation to highway or other issues I consider the principle to be appropriate for residential development.

RECOMMENDATION: That the application be DEFERRED AND DELEGATED to the Director of Community Services for approval following the satisfactory completion of a legal agreement (in the terms described in the developer contributions section of this report and subject to changes in CIL Regulations) within 3 months from the date of this Committee meeting or delegated to the Director of Community Services in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following conditions:

### *Time Limits*

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.

### *Drawings and Details*

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents, drawing references:

<b>Plan Ref:</b>	<b>Title:</b>	<b>Received On:</b>
NIX/05 Dwg 05	Boundary wall detail	1/07/15
NIX/05 Dwg 02A(b)	Proposed Site Layout Plan	7/08/15
NIX/05 Dwg 03A(b)	Revised Elevation plans	7/08/15
	Acoustic report dated 27/05/15	

REASON: To clarify the plans and agreed amendments to which this permission relates.

### *Amenity*

3. Prior to commencement of development a Construction Method Statement/Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out otherwise than in accordance with the approved Construction Management Plan which shall include the following matters:
  - a) the parking and turning for vehicles of site personnel, operatives and visitors;
  - b) programme of works (including measures for traffic management and operating hours including times for deliveries or vehicles involved in construction);
  - c) loading and unloading of plant and materials;
  - d) storage of plant and materials used in constructing the development;
  - e) erection and maintenance of security hoarding and lighting;
  - f) wheel washing facilities and a programme for cleaning the access lane and for the deployment of a road sweeper on Mitton Road when necessary;
  - g) a Management Plan to control the emission of dust and dirt during construction identifying suitable mitigation measures;
  - h) a scheme for recycling/disposing of waste resulting from demolition and construction works (there shall be no burning on site);



- i) a Management Plan to control noise and vibration during the construction phase (in accordance with BS:5228 (2009) code of Practice titled 'Noise and Vibration Control on Construction and Open Sites'). The Noise Management Plan for the development shall include details of acoustic heavy duty fencing and locations; location of site offices, compounds and storage and operation of the wheel wash.

All requirements of the Construction Method Statement/Management Plan shall be followed and implemented during the entire period of construction works on the site.

REASON: To protect the residential amenities of the locality and in the interest of highway safety to accord with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy (Adopted Version).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting that Order, no extensions shall be carried out in respect of the buildings to which this permission relates.

REASON: In the interests of the safeguarding the visual amenities and residential amenities in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

### *Drainage*

5. Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve each building, in accordance with the approved details.

This development shall be completed maintained and managed in accordance with the approved details.

REASON: To ensure a satisfactory means of drainage in accordance with Policies DMG1 and DME6 of the Ribble Valley Core Strategy (Adopted Version).

6. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To ensure a satisfactory means of drainage in accordance with Policies DMG1 and DME6 of the Ribble Valley Core Strategy (Adopted Version).

### *Highways*

7. The new access between the site and Towneley Road shall be constructed in accordance with the LCC specification for Construction of Estates roads to at least base course level before any development takes place on the housing.

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy (Adopted Version).

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

REASON: To allow for the effective use of the parking areas and to accord with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy (Adopted Version).

#### *Materials*

9. Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on the approved plans and specification) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved materials prior to first occupation.

REASON: To ensure the materials to be used are appropriate to the locality in the interests of visual amenity and in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

10. Notwithstanding the landscaping details submitted on Drawing Number NIX/05 Dwg 02a-prior to the commencement of development a satisfactory programmed landscaping scheme which shall include hard and soft surfacing and details of trees.

The approved soft landscaping scheme shall be implemented in the first planting season following occupation or use of the development and shall be maintained thereafter for a period of not less than 10 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.

The hard landscaping and boundary treatment shall be implemented in accordance with the approved details prior to the first occupation of the development and retained thereafter at all times.

REASON: In the interests of visual amenity, habitat enhancement and species protection in accordance with Key Statement EN2 and EN4, and Policies DMG1, DME1, and DME2 of the Ribble Valley Core Strategy (Adopted Version).

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

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

APPLICATIONS APPROVED

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2014/0759/P	Hazardous substance consent for storage of materials of toxic and oxidising capabilities	Johnson Matthey Pimlico Industrial Area West Bradford Road Clitheroe
3/2014/0984/P	Proposed timber garage	Moss Hall, Higher Road Longridge
3/2014/0989/P	Rear bedroom block extension and link building	High Brake, Chatburn Road Clitheroe
3/2014/1019/P	Conversion and reconstruction of part of original public house/hotel to form domestic dwelling-house	Pendle Hotel Clitheroe Road Chatburn
3/2014/1021/P	Proposed extension of cottage into barn to provide annex accommodation	Houghton Green Cottage Houghton, Skipton
3/2014/1066/P	Variation of condition 3 of planning permission 3/2012/1099/P to allow the two-bed holiday cottage to be occupied as a permanent dwelling with restricted occupation as a social low cost unit (re-submission of planning application 3/2014/0074/P)	former garage adjacent to 1 Swinglehurst Cottage Garstang Road Chipping
3/2014/1083/P	Part retrospective application for ground excavation works and the erection of 36.5m x 16.7m agricultural storage building	High House Farm Read
3/2014/1089/P	Erection of two new dwellings and detached garage	land off Clough Bank Lane Chatburn
3/2015/0011/P	Double garage at the front	Maycroft House Hesketh Lane, Chipping
3/2015/0076/P	Replacement of existing glazed link building and open colonnade, conversion of outbuildings to provide additional living accommodation, plus conversion of existing carport and log store to form garages	Angerham Barn Clitheroe Lane Withgill, Great Mitton
3/2015/0162/P	Removal of condition 3 (occupation) of planning permission 3/1997/0134/P to allow use as a holiday let	The Fishing Lodge Catlow Road Slaidburn
3/2015/0179/P	Air intake and exhaust stack located on roof of S2 building	Samlesbury Aerodrome S609 Box 1 Balderstone
3/2015/0243/P	Front and rear dormer	71 Hillcrest Road, Langho
3/2015/0244/P	Construction of all weather ménage 20m x 40m	Buckstalls, Slaidburn Road Waddington

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2015/0248/P	Erection of agricultural building for free range egg production.	Haggs Hall Fields Higher Ramsgreave Road Ramsgreave
3/2015/0273/P	Repointing the east and west elevations with a non-hydraulic lime	Townhouse Farmhouse Main Street, Pendleton
3/2015/0282/P	Conversion of existing garage to a garden room including formation of mezzanine floor for storage	106 St Pauls Street Clitheroe
3/2015/0291/P	Erection for three bedroom detached house and creation of vehicular access	Land at Chapel Close Low Moor, Clitheroe
3/2015/0299/P	Single storey electrical sub-station	Johnson Matthey Pimlico Industrial Area West Bradford Road Clitheroe
3/2015/0330/P	288m x 13.192m storage building for use in the Hodder Valley Show	Land off Back Lane Newton-in-Bowland
3/2015/0360/P	Proposed retention of existing stable building, access track and ménage to be used as a remedial farrier business	Land adjacent to Woodfold Hall, Further Lane, Mellor
3/2015/0378/P (Split Decision)	Advertisement application for externally illuminated fascia sign	41 King Street Whalley
3/2015/0386/P	Extension to roof garden	Lee Carter House Castlegate, Clitheroe
3/2015/0396/P	Discharge of condition no.3 (samples of walling, roofing and surface materials) of planning permission 3/2014/0855	Bonny Blacks Farm Howgill Lane Gisburn
3/2015/0400/P	Proposed extensions, alterations and remodelling of existing house. Resubmission of withdrawn application 3/2014/1136	Bennetts Close Wiswell
3/2015/0401/P	Creation of hardstanding for parking and storage area	Garage at the rear of Pendle Street East, Sabden
3/2015/0403/P	Ground floor extension to front of property to replace existing porch extension	68 Riverside Low Moor Clitheroe
3/2015/0405/P	Demolition of existing garage and erection of new garage and store room	Dog and Partridge Hesketh Lane Chipping
3/2015/0422/P	Application for discharge of condition no. 5 (relating to installation of sparrow nest boxes and bat boxes) of planning permission 3/2015/0075/P	21 Darkwood Crescent Chatburn
3/2015/0423/P	Discharge of conditions 3 (materials) and 5 (flood proofing) planning permission 3/2014/0838	Beech House, Alston Lane Longridge
3/2015/0430/P	Extension and enlargement of the property to convert bungalow into two storey house with internal garage	12 Chesterbrook Ribchester
3/2015/0432/P	Demolition of small rear extension. Replace with new single storey rear extension 4m x 6.15m and a porch 2.5m x 2m	132 Pimlico Road Clitheroe
3/2015/0436/P	Internally Illuminated replacement sign	Homebase Queensway North, Clitheroe

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2015/0438/P (LBC)	Rewiring, replumbing replacement of ceilings, repair and replastering ground floor walls, clean and restore original fireplace, fit log burner and chimney liner, fit new kitchen and bathroom suite	12 Talbot Street Chipping
3/2015/0437/P	Detached single garage	26 Kestor Lane Longridge
3/2015/0439/P	Flat roof rear extension, removal of chimney stack and soil stack	1 Manor Barn Rimington Lane, Rimington
3/2015/0441/P	Sun lounge and garage	8 Longridge Road Hurst Green
3/2015/0443/P	1 internally illuminated fascia sign, 1 internally illuminated projector sign, 5 non illuminated window vinyls	2-3 Stonebridge Parade Preston Road, Longridge
3/2015/0449/P	Discharge of conditions in relation to application 3/2014/1061/P for materials, landscaping, foul and surface water, construction management plan, site access and highway and marketing clause	Old Whalley Nursery Clitheroe Road Barrow
3/2015/0454/P	Enclosure of existing canopy with aluminium bi-fold doors and full height glazing including relocation of existing play train	Whalley CE Primary School Church Lane, Whalley
3/2015/0455/P	Proposed extensions and alterations to the existing bungalow	The Bungalow 62 Littlemoor Road Clitheroe
3/2015/0456/P	Proposed loft conversion including increasing the height of the ridge and side extension to the detached property	Elhanon, Whalley Road Pendleton
3/2015/0457/P	Alterations and extensions to form a garden room, improved entrance and garage	Shireburn House Longridge Road Hurst Green
3/2015/0458/P	Proposed rear conservatory	10 Queensway Waddington
3/2015/0460/P	Variation of condition 4 on planning permission 3/2012/0961 to allow the use of the annex for holiday accommodation	Quaker Field House Lambing Clough Lane Hurst Green
3/2015/0461/P	Demolition of garage and porch to create the space for a two storey side extension incorporating special needs facilities	55 Durham Road, Wilpshire Blackburn
3/2015/0468/P	Change garage into bedroom, alter front elevation	Nowra, Mellor Lane Mellor
3/2015/0476/P	Discharge of conditions 7 (Highways), 9 (Foul Drainage), 10 (Surface Water Drainage) and 13 (Construction Statement/Management Plan) of planning permission 3/2014/0725/P	land off Clitheroe Road Whalley
3/2015/0477/P	Variation of condition 2 (to allow for a double rather than a single garage for house type A on plot 1) on planning permission 3/2014/0725/P	Land off Clitheroe Road Whalley
3/2015/0478/P	Remove a section of the low wall and grassed area at the front of the URC to allow more space for any disabled user to park and transfer from their vehicle to the new platform lift	United Reformed Church Castle Gate Clitheroe

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2015/0485/P	Erection for three bedroom detached house and creation of vehicular access	land at Chapel Close Low Moor, Clitheroe
3/2015/0486/P	Conservatory to rear	Pleasant View Farm Saccary Lane Mellor
3/2015/0497/P	Non material amendments sought on planning permission 3/2014/1027 - rearrangement of front lounge window, revised garage layout, revised roof plan, rear bedroom window to be amended to double doors, addition of sunpipe to inner bedroom, reduction of rear kitchen diner doors from 6 to 4	15 Calfcote Lane Longridge
3/2015/0498/P	Proposed rear conservatory to project 4m beyond the rear wall of the original dwelling, 3.113m max height from natural ground level and 2.26m height at the eaves.	10 Ennerdale Road Clitheroe
3/2015/0503/P	Strip out existing window, carry out alterations to form two new window openings to north elevation	14 Greenacres Read
3/2015/0504/P	Side and rear extensions	53 Mellor Lane Mellor
3/2015/0511/P	Discharge of condition 4 (materials), 5 (hardstanding and drainage) and 6 (turning area) of planning permission 3/2014/0874/P	Land adj to Radcliffe Farm Lower Road, Longridge
3/2015/0525/P	Replacement 5 no windows	Higher Whitewell Farmhouse, Whitwell
3/2015/0537/P	New canopy and pitched roof to replace existing flat roof to porch to front of existing semi-detached property	51B Mellor Lane Mellor
3/2015/0556/P	Non material amendment to extend the ground floor of the approved two storey side extension forward by 400mm and change the garage door to a window on planning permission 3/2014/0651	22 Langshaw Drive Clitheroe

#### APPLICATIONS REFUSED

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>	<b><u>Reasons for Refusal</u></b>
3/2014/0620/P	Change of use from studio/office to a single dwelling	Brookside Cottages Grunsaigill	NPPF; Key Statements DS1 and DS2; Policies DMG1, DMG2, DMH3 and DMH4 – isolated unsustainable location contrary to the Council's Adopted Development Strategy, and unsatisfactory level of residential amenity due to the proximity of the proposed dwelling to the existing dwelling, Brookside Cottage.

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2015/0128/P	Outline application for proposed construction of 1, 4 bedroom detached house and formation of vehicular access drive on land at the junction of	The Drive and Gleneagles Drive Brockhall Village Old Langho	Key Statements DS1, DS2 and Policy DMG2 – Inappropriate development within a Tier 2 settlement causing harm to the adopted Settlement Strategy.  Policy DME3 – Insufficient information provided that the proposed tree felling and pruning would not have a detrimental impact on protected species.
3/2015/0208/P	Outline application for a single new dwelling with all matters reserved except access	land adjacent Village Hall Main Street Newton-in-Bowland	Contrary to Key Statements DS1 and EN1 and Policies DMG1, DMG2 and DME4 of the Adopted Core Strategy – a new dwelling in a Tier 2 settlement representing unsustainable development, creation of harmful precedent, detriment to the appearance and character of the Conservation Area and the AONB.
3/2015/0309/P	Office building (Class A2) adjacent to the existing B1/B8 buildings	Fairfield Business Park Longsight Road Clayton-le-Dale	Policies DMG1, DMB1 and DME2 – Over prominent and discordant feature to the detriment of the visual amenities of the locality.
3/2015/0343/P	Proposed conservatory	17 Crumpax Ave Longridge	Contrary to Policies DMG1, DMH5 and DME4 of the Ribble Valley Core Strategy
3/2015/0378/P (Split Decision)	Advertisement application for externally illuminated hanging sign and non-illuminated wall painted sign	41 King Street Whalley	Policies DMG1 and DME4 - The sign is too large and too high on the building and would detract from the appearance and character of the Conservation Area – and harmful precedent.

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>	<b><u>Reasons for Refusal</u></b>
3/2015/0409/P	Detached garage of application (Resubmission of application number 3/2015/0152)	4 The Croft Chatburn	Contrary to Policies DMG1 and DMH5 of the Ribble Valley Core Strategy.
3/2015/0445/P (LBC)	First floor en-suite bathroom. New SVP on rear elevation to connect to existing soil drainage	Newton House Slaidburn Road Newton	Proposed SVP and roof installed bathroom extractor fan visually intrusive and conspicuous and harmful to listed buildings and Newton Conservation Area. NPPF paragraph 17, 131 and 132; Core Strategy DME4 and DMG1.
3/2015/0484/P	Proposed two storey extension to rear with one new roof light on existing dwelling.	Mill Hey Croft Chatburn	Contrary to Policies EN5, DMG1, DME2, DME4 and DMH5 of the Ribble Valley Core Strategy - significant harm to the setting of the adjacent listed building and the character, setting and visual amenities of the Conservation Area.
3/2015/0492/P	Variation of Condition 2 (proposal for the conversion of temporary nursery building to permanent) of planning permission 3/2013/0970.	Longridge C of E Primary School Berry Lane Longridge	Contrary to Policies DMG1 and EN5 of the Ribble Valley Core Strategy.
3/2015/0504/P	Side and rear extensions.	53 Mellor Lane Mellor	Contrary to Policies DMG1 and DMH5 of the Ribble Valley Core Strategy
3/2015/0931/P	Installation of 8.no. x 15m high galvanised steel flood lighting columns to be installed around BRFC Academy Show Pitch.	Blackburn Rovers Football Club Academy Old Langho Blackburn	EN2 and DMG1 - Light pollution – impact on landscape and AONB DMG1 – Light pollution – adversely affecting amenities of local residents. EN4 and DME3 – Insufficient information to assess effect on local ecology on and adjacent to the site.



## HOUSEHOLDER EXTENSIONS – PRIOR APPROVAL **NOT** REQUIRED

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2015/0481/P	Single storey rear extension, extending 4m beyond the rear wall of the original dwelling, 3.8m max height from natural ground level to mono pitch roof and 2.4m to the eaves	23 Windsor Avenue Longridge
3/2015/0498/P	Proposed rear conservatory to project 4m beyond the rear wall of the original dwelling, 3.113m max height from natural ground level and 2.26m height at the eaves	10 Ennerdale Road Clitheroe
3/2015/0541/P	Rear conservatory to be constructed of white PVC-U frames with glazing panels. To extend 3.5m beyond the rear wall of the original dwelling, maximum height 3.028m from the natural ground level and height at eaves 2.268m.	10 Queensway Waddington
3/2015/0544/P	Proposed solid roof conservatory to project 4m from the rear wall of the original dwelling, 3.33m maximum height from the natural ground level and 2.47m height at eaves.	19 Brookside Old Langho
3/2015/0560/P	Prior notification of proposed construction of rear single storey extension following demolition of existing conservatory projecting 4m from the wall of the original dwelling, 4m maximum height from the natural ground level and 2.7m height at the eaves.	48 Kenilworth Drive Clitheroe

## HOUSEHOLDER EXTENSIONS – PRIOR APPROVAL **REQUIRED**

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2015/0479/P	Alterations to the existing single storey extension, removal of the conservatory and flat roof areas to be replaced with a new pitched roof extension to extend 4.25m from the original rear wall, 4.5m max height from the natural ground level and 2.3m to the eaves.	12 Moorland Road Langho

## CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2015/0428/P	Certificate of Lawfulness for a proposed development involving the removal of a window, blocking up of a wall and installation of a replacement window on an outbuilding	27 Kirklands Chipping

## PRIOR NOTIFICATION DEVELOPMENT UNDER LANCASHIRE ADVANCE ENGINEERING AND MANUFACTURING ENTERPRISE ZONE (SAMLESBURY) AND LOCAL DEVELOPMENT ORDER NO 2 (2014) (LDO)

<b><u>Plan No</u></b>	<b><u>Proposal</u></b>	<b><u>Location</u></b>
3/2015/0520/P	Submission by LCC for construction of new signalised junction on A677 and access road to form an entrance to the Lancashire advanced engineering and manufacturing Enterprise Zone facility	A59 BAE Systems Samlesbury

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0555/P	Construction of a temporary construction haul road and demolition of a compound building adjacent to the Enterprise Zone	A59 BAE Systems Samlesbury
3/2015/0558/P	Construction of a defence logistics centre for the storage and distribution of parts and materials for advanced engineering and manufacturing and associated access roads, parking, servicing areas	BAE Systems Samlesbury

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER PART 3, **CLASS R**, PRIOR APPROVAL APPLICATION FOR CHANGE OF USE OF AGRICULTURAL BUILDING TO DWELLING-HOUSES

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0346/P	Change of use of an agricultural building from its current use to residential use with no associated building operations (Class Q(a) only)	New Laithe Skipton Road Gisburn
3/2015/0412/P	Change of use of an agricultural building from its current use to a commercial storage use (Class B8 – storage or distribution)	New Ings Farm Coal Pit Lane Gisburn

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 PARTS 6 & 7 PRIOR NOTIFICATION OF AGRICULTURAL AND FORESTRY BUILDINGS AND ROADS PRIOR APPROVAL **REQUIRED**

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0371/P	Prior notification of agriculture or forestry development - proposed building (Silage store)	Over Hacking Farm Stonyhurst Clitheroe

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 PARTS 6 & 7 PRIOR NOTIFICATION OF AGRICULTURAL AND FORESTRY BUILDINGS AND ROADS PRIOR APPROVAL **NOT REQUIRED**

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0404/N	Open fronted mono pitch storage building	Halsteads Farm Grindleton Road West Bradford

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0115/P	Two storey extension to the rear single storey and garage extension	26 Hayhurst Road Whalley
3/2015/0288/P	Replacement porch, two storey side extension, single storey rear extension, insertion of rooflights and creation of access	Wildmans Farm Longsight Road Langho
3/2015/0415/P	Crown lift, to 4m and deadwood Horse Chestnut T1, T2 and T3. Remove branches on Horse Chestnut T4 and T5	12 The Rhyddings Langho
3/2015/0417/P	Prior approval of proposed change of use from agricultural building to two dwellings	Barn at Pasture House Farm West Marton

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0482/P	Remove and repoint lime mortar in the barn	Pimlico Farm Pimlico Village, Clitheroe

#### SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2014/0779	Land off Dale View Billington	16/10/14	18	With LCC
3/2014/0188	Victoria Mill Watt Street Sabden	13/11/14	40	With Planning applicant seeking to renegotiate contributions so may need to go back to Committee
3/2014/0742	Land off Pimlico Road Clitheroe	15/1/15	19	With Applicant
3/2014/0764	Land East of Chipping Lane Longridge	2/7/15	363	With Housing

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Time from First Going to Committee to Decision</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2014/0618	Land off Chatburn Old Road, Chatburn	16/4/15	8 Weeks	10	Decision 11/6/15
3/2013/0981	Land at Chatburn Road, Clitheroe	13/2/14 18/12/14	29 weeks	23	Decision 10/7/15
3/2015/0010	Land off Longsight Road, Langho	12/3/15	17 weeks	18	Decision 10/7/15

#### 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>
3/2013/1023 U	29/08/14	Land off Kingsmill Avenue Whalley	WR		Appeal Dismissed (application refused) 22/06/15
3/2014/0550	01/10/14	Bradyll House Franklin Hill Old Langho	WR		Appeal Allowed 31/07/15 Costs application dismissed
3/2014/0438 R	16/01/15 but extension given until 6/02/15	Land east of Chipping Lane Longridge	Inquiry	20/10/15 6 days	Awaiting Inquiry
3/2014/0827 R	12/02/15	39 Clitheroe Rd Whalley	WR		Appeal Allowed 21/05/15
3/2014/0312 R	03/03/15	Time House Knowle Green	WR		Appeal Dismissed 09/16/15

<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>
3/2014/0679 R	13/03/15	Mill Cottage Victoria Terrace Mellor Brook	WR		Appeal Dismissed 23/07/15
3/2014/0887 R	12/03/15	Bent House Tosside	WR		Awaiting decision
3/2014/0684 R	12/03/15	Meadcroft Clitheroe Road Whalley	Hearing	30/06/15 1 day	Appeal Dismissed 30/07/15
3/2014/0409 R	12/03/15	Eatoughs Farm	WR		Appeal dismissed
3/2014/0942R	28/04/15	Land off New Lane	WR		Awaiting decision
3/2014/1122 R	21/05/15	35 King Street Whalley	WR		Awaiting decision
3/2014/0967R	01/06/15	8 Chatburn Ave Clitheroe	HH		Awaiting decision
3/2015/0212R	14/07/15	4 The Green Osbaldeston Lane, Osbaldeston	WR		Statement due 18/08/15
3/2015/0127R	17/07/15	26 Clitheroe Rd Whalley	HH		Awaiting decision
3/2014/0697R	29/06/15	Land adj Clitheroe Road West Bradford	WR		Awaiting decision
3/2014/1090 R	06/07/15	Little Dudlands Farm, Rimington	WR		Statement due 10/08/15
3/2015/0272R	22/07/15	Curtis House Longridge	WR		Statement due 26/08/15
3/2014/0755R	22/07/15	Mellor Lodge Gatehouse Mellor	WR		Statement due 26/08/15
3/2015/0216R	28/07/15	4 Court Grove Clayton le Dale	HH		Awaiting decision
3/2014/0846R	Waiting for start date	Land at 23-25 Old Row, Barrow			(File with CS)
3/2014/0961R	30/07/15	Skirden Hall Fm Tosside	WR		Statement due 03/09/15
3/2014/0183R	Waiting for start date	Land at Malt Kiln Brow, Chipping			
3/2014/0226R	Waiting for start date	Kirk Mill and Kirk House, Chipping			

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 20 AUGUST 2015  
title: DELEGATION TO DEVELOPMENT PLAN WORKING GROUP  
submitted by: CHIEF EXECUTIVE  
principal author: COLIN HIRST

## 1 PURPOSE

1.1 To agree areas of delegation to the Council's Development Plan working group.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – The Development Plan is fundamental to the delivery of planning policy and will help in protecting and enhancing environmental quality. Planning policies will help deliver the Council's ambitions relating to the supply of affordable homes in the area, and economic growth.
- Corporate Priorities – The working group in supporting the delivery of key planning policy will help deliver community involvement. The area of responsibility contributes to the objectives of a sustainable economy, thriving market towns and housing.
- Other Considerations – The Council has a duty to prepare and keep up to date a Local Development Scheme for the area.

## 2 BACKGROUND

2.1 Having adopted the Core Strategy, the Council now needs to address the delivery of the previously identified Housing and Economic Development Plan Document (DPD) bringing forward proposals for specific land allocations needed to implement the adopted Core Strategy. The next stage will also facilitate the update of the proposals map reflecting the provisions of the Core Strategy and providing policy designations for development management purposes.

2.2 A Member working group has been established to provide an overview to the process and has already held formative meetings to input to the process. Making progress on the 'allocations' plan has been recognised as a priority and the working group has sought to identify opportunities by which to streamline process and enable the plan to progress as quickly as possible.

## 3 DELEGATION

3.1 At its first meeting the time-frame set out in the Local Development Scheme was reviewed by the working group. As Members will recall the plan making process is regulated by statutory stages that the Council has to follow and inevitably these have set timeframes and lead in times. The Council's own decision making process is governed by the committee cycle and its administration timetable. The working group is able to work less rigidly and can respond to issues more readily as they arise, providing Member input to operational decisions both proactively and re-actively.

- 3.2 To help speed up the process where appropriate and avoid delays to areas of work that otherwise would need to be brought before a full committee under current arrangements; the working group is proposing that some matters be delegated to them to progress.
- 3.3 Within the plan making process there are clearly matters where it is necessary for agreement to be sought through full committee such as agreeing and adopting policy matters including allocations, policy designations that the council may wish to propose and such like. Indeed within the statutory regulations certain documents such as the proposed submission plan or statutory adoption have to be considered by full committee and approved by The Council. Equally, if as work progresses it is appropriate to adopt any policy for decision making purposes this would need to be considered by the Planning and Development Committee.
- 3.4 As Members are aware plan preparation operates on a frontloading basis whereby the production of the plan is based on evidence, consultation, and engagement with stakeholders where ideas and options are explored in formulating proposals for the plan. There are many stages in the process where it is held that the working group could, where necessary, consider and endorse stages for consultation, the publication of evidence base material testing of options and sustainability appraisal.
- 3.5 As previously reported a budget has been established based on estimates of work required including commissioning of consultancy support. The working group has a role in keeping under review the project budget. Given that it will have detailed knowledge of issues that emerge it is also well placed to respond to any requirement to commission additional support or particular pieces of work where gaps in our evidence become apparent within the budget established.
- 3.6 Agreeing to delegate decisions in relation to the matters identified above, would mean as work develops it can be taken forward proactively and committee time is utilised to consider the outcome and resulting policy. This will serve to progress the plan more effectively and help deliver the plan as quickly as possible.

#### 4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications:
- Resources – There are no direct implications on resources as a result of this report. In the event of additional budget requirements being identified, this would be subject to separate reports to Committee.
  - Technical, Environmental and Legal – Up to date, timely and relevant planning policies are important in maintaining and improving the environment of the borough. It is important to complete the local plan for the borough to have in place the DPD as soon as practicable.
  - Political – There are no direct political implications.
  - Reputation – Appropriate delegation demonstrates the council operates as efficiently as possible.
  - Equality & Diversity – No issues identified.

**5 RECOMMENDED THAT COMMITTEE**

- 5.1 Delegate authority to the Chief Executive in consultation with the Chairman of Planning and Development Committee and the Development Plan Working Group to take such steps as are appropriate and necessary to progress the Housing and Economic DPD in relation to matters of consultation, stakeholder engagement, evidence base and options testing.

COLIN HIRST  
HEAD OF REGENERATION AND HOUSING

MARSHAL SCOTT  
CHIEF EXECUTIVE

**BACKGROUND PAPERS**

- 1 Local Development Scheme

For further information please ask for Colin Hirst, extension 4503.

CH/20081502/P&D

# RIBBLE VALLEY BOROUGH COUNCIL

## REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: 20 AUGUST 2015  
title: 2014/2015 YEAR-END PERFORMANCE INFORMATION  
submitted by: DIRECTOR OF RESOURCES  
principal author: PRINCIPAL POLICY AND PERFORMANCE OFFICER

### 1 PURPOSE

- 1.1 This is the year-end report of 2014/2015 that details performance against our local performance indicators.
- 1.2 Regular performance monitoring is essential to ensure that the Council is delivering effectively against its agreed priorities, both in terms of the national agenda and local needs.
- 1.3 Relevance to the Council's ambitions and priorities:
  - Community Objectives –
  - Corporate Priorities –
  - Other Considerations -

Monitoring our performance ensures that we are both providing excellent services for our community as well as meeting corporate priorities.

### 2 BACKGROUND

- 2.1 Performance Indicators are an important driver of improvement and allow authorities, their auditors, inspectors, elected members and service users to judge how well services are performing.
- 2.2 A rationale has been sought for maintaining each indicator – with it either being used to monitor service performance or to monitor the delivery of a local priority.
- 2.3 The report comprises the following information:
  - The outturn figures for all local performance indicators relevant to this committee, reported by for each of the quarters of 2014/15. Some notes have been provided to explain significant variances either between the outturn and the target or between 2014/2015 data and 2013/2014 data. A significant variance is greater than 15% (or 10% for cost PIs).
  - Performance information is also provided for previous years for comparison purposes (where available) and the trend in performance is shown.
  - Targets for service performance for the year 2014/2015 are provided and a 'traffic light' system is used to show variances of actual performance against the target as follows: Red: service performance significantly below target (i.e. less than 75% of target performance), Amber: performance slightly below target (i.e. between 75% and 99% of target), Green: target met/exceeded.
  - Targets have been provided for members to scrutinise for the following three years. A target setting rationale was sought from each Head of Service.
- 2.4 These tables are provided to allow members to ascertain how well services are being delivered against our local priorities and objectives, as listed in the Corporate Strategy.











- 2.5 Analysis shows that of the 6 indicators that can be compared to target:
- 66.6% (4) of PIs met target (green)
  - 33.3% (2) of PIs close to target (amber)
  - 0% (0) of PIs missed target (red)
- 2.6 Analysis shows that of the 23 indicators where performance trend can be compared over the years:
- 39.13% (9) of PIs improved
  - 13.04% (3) of PIs stayed the same
  - 47.83% (11) of PIs worsened
- 2.7 Where possible audited and checked data has been included in the report. However, some data may be corrected following work of Internal Audit and before the final publication of the indicators on the Council's website. In addition, some of the outturn performance information has not been collected/not yet available before this report was produced.
- 2.8 Indicators can be categorised as 'data only' if they are not suitable for monitoring against targets – these are marked as so in the report.
- 3 GENERAL COMMENTS ON PERFORMANCE AND TARGETS
- 3.1 In respect of PIs for Development Control, John Macholc, Head of Planning Services, has provided the following information regarding performance and targets:
- **PI PL14b (N157b) - Processing of planning applications: Minor applications -** Staff turnover and appeals had an impact on resources.
  - **PI PL14c (N157c) - Processing of planning applications: Other applications -** Due to staff turnover and the number of complicated applications.
- 4 RISK ASSESSMENT
- 4.1 The approval of this report may have the following implications
- Resources - None
  - Technical, Environmental and Legal – None
  - Political - None
  - Reputation – It is important that correct information is available to facilitate decision-making.
  - Equality & Diversity - None
- 5 CONCLUSION
- 5.1 Consider the 2014/2015 performance information provided relating to this committee.



















PRINCIPAL POLICY AND  
PERFORMANCE OFFICER

DIRECTOR OF RESOURCES













PD4-15/MH/AC  
3 August 2015

For further information please ask for Michelle Haworth

PI Status		Long Term Trends	
	Alert		Improving
	Warning		No Change
	OK		Getting Worse
	Unknown		
	Data Only		

PI Code	Short Name	2013/14		2014/15		2015/16	2016/17	2017/18	Current Performance	Trend year on year	Target setting rationale	Link to Corporate Strategy Objective
		Value	Target	Value	Target	Target	Target	Target				
<b>PI PL2 (BV204)</b>	Planning appeals allowed	29.3%	23.0%	22.2%	23.0%	23.0%	23.0%	23.0%			The need for an up to date local plan is important in defending planning appeals and without such a policy it may prove difficult to defend	To conserve our countryside, the natural beauty of the area and enhance our built environment
<b>PI PL2a</b>	Planning appeals received - householder appeal	7		16								
<b>PI PL2b</b>	Planning appeals received - written representation	9		30								
<b>PI PL2c</b>	Planning appeals received - Inquiry	2		2								
<b>PI PL2d</b>	Planning appeals received - Hearings	1		2								
<b>PI PL2e</b>	Planning appeals determined - Householder appeal	6		15								
<b>PI PL2f</b>	Planning appeals determined - written representation	15		22								
<b>PI PL2g</b>	Planning appeals determined - Inquiry	3		1								
<b>PI PL2h</b>	Planning appeals determined - Hearings	2		2								

PI Code	Short Name	2013/14		2014/15		2015/16	2016/17	2017/18	Current Performance	Trend year on year	Target setting rationale	Link to Corporate Strategy Objective
		Value	Target	Value	Target	Target	Target	Target				
PI PL3	Applications refused by committee but recommended for approval	0		3							Not required.	To conserve our countryside, the natural beauty of the area and enhance our built environment
PI PL4	Applications approved by committee but officers recommended for refusal	3		3							Not required.	To conserve our countryside, the natural beauty of the area and enhance our built environment
PI PL5 (BV188)	% of planning decisions delegated to officers	91.3%		92.16%							Not required.	To conserve our countryside, the natural beauty of the area and enhance our built environment
PI PL14a (N157a)	Processing of planning applications: Major applications	43.75%	35.00%	74.70%	35.00%	35.00%	35.00%	35.00%			Due to need for section 106 on all major proposals and the increase in numbers it is unlikely to be possible to meet a higher target	To conserve our countryside, the natural beauty of the area and enhance our built environment
PI PL14b (N157b)	Processing of planning applications: Minor applications	49.95%	62.00%	61.27%	62.00%	62.00%	62.00%	62.00%			Due to high level of applications and the contentious nature many applications are determined at committee which makes it difficult to determine within the 8 week period.	To conserve our countryside, the natural beauty of the area and enhance our built environment
PI PL14c (N157c)	Processing of planning applications: Other applications	67.20%	80.00%	73.12%	80.00%	80.00%	80.00%	80.00%			Re-organisation of staff to focus on minor applications	To conserve our countryside, the natural beauty of the area and enhance our built environment
PI PL14d	Processing of planning applications: Number of applications received	755		708								
PI PL14e	Processing of planning applications: Number of applications determined	713		599								
PI PL14f	Processing of planning applications: Number of applications withdrawn	59		62								

PI Code	Short Name	2013/14		2014/15		2015/16	2016/17	2017/18	Current Performance	Trend year on year	Target setting rationale	Link to Corporate Strategy Objective
		Value	Target	Value	Target	Target	Target	Target				
PI PL14g	Processing of planning applications: Number of applications determined under delegated powers	651		540								
PI PL14h	Processing of planning applications: Number of applications approved	584		441								
PI PL14i	Processing of planning applications: Number of applications refused	103		146								
PI RH10 (BV106)	New homes built on previously developed land	57.00%	85.00%	33.00%	20.00%	20.00%	20.00%	20.00%			Due to the lack of available brownfield sites and pressure for new housing it leads to significant need to develop green field sites.	To conserve our countryside, the natural beauty of the area and enhance our built environment
PI RH11	Number of new homes granted planning permission	1,024		1,707								To conserve our countryside, the natural beauty of the area and enhance our built environment
PI RH12	Number of new homes constructed	N/A	90	345	280	280	280	280			Set at 280 to reflect the annulated figure of the Core Strategy	To conserve our countryside, the natural beauty of the area and enhance our built environment