

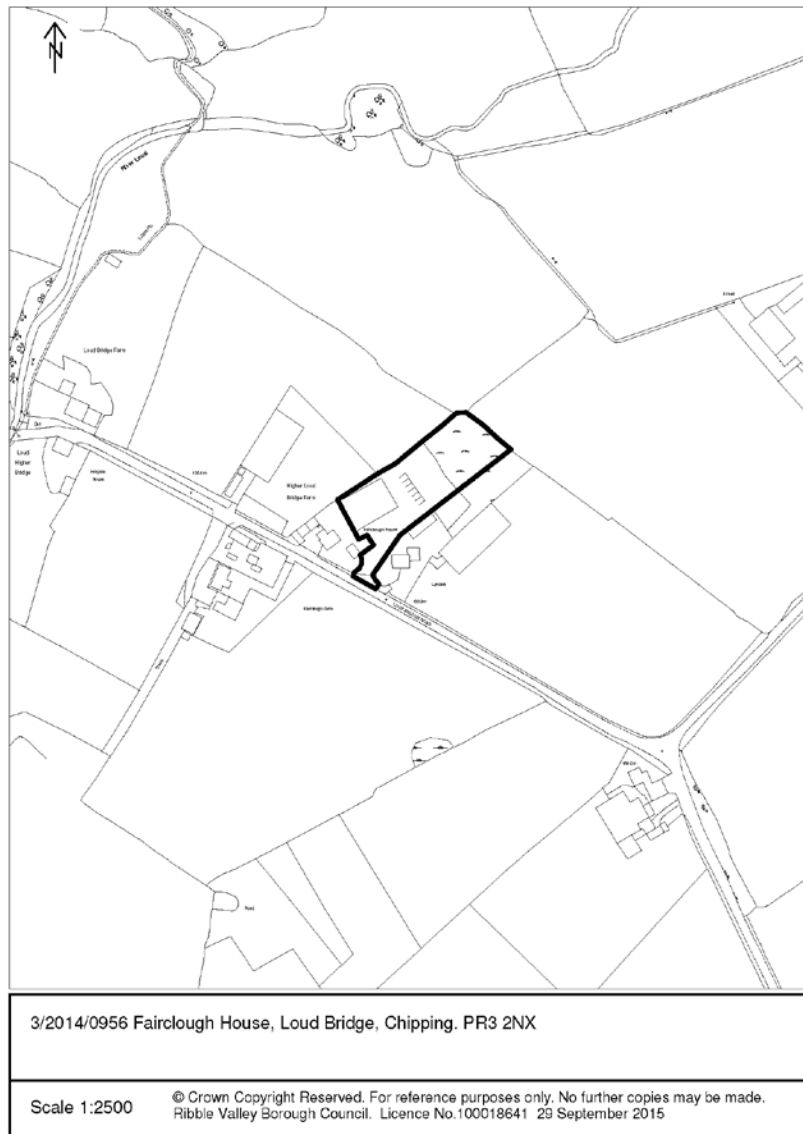
RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No 5

meeting date: THURSDAY, 15 OCTOBER 2015
title: PLANNING APPLICATIONS
submitted by: DIRECTOR OF COMMUNITY SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION NO: 3/2014/0956/P (GRID REF: SD 359111 441143)
CHANGE OF USE FROM BUILDERS YARD TO COACH DEPOT WITH MATERIAL ALTERATIONS TO BUILDING FAÇADE AND ENTRANCE AT FAIRCLOUGH HOUSE, LOUD BRIDGE, CHIPPING, PR3 2NA



PARISH COUNCIL:

No observations received.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

Following consultation with Lancashire Constabulary they no longer revert to their original recommendation which is one of approval whereas previously they objected to the development. On the basis of their revised consultation have no objections on highway grounds subject to conditions relating to the following:

1. The limitation of the number of vehicles to 9.
2. All vehicles must leave and enter the site in a forward gear.
3. Condition preventing any right turn from Loud Bridge Road.
4. Condition relating to the parking layout shown on plan received 17 April 2015.

ADDITIONAL
REPRESENTATIONS:

6 letters of objection have been received which raise the following concerns:

1. Highway issues – in particular the nature of the local highway makes it unsafe for the use of large vehicles due to the quiet lanes and narrow width and poor visibility at various junction points.
2. Noise pollution – concern over the equipment used in relation to repair and maintenance of coaches.
3. The environmental impact on the Area of Outstanding Natural Beauty due to the storage of vehicles in the open landscape.
4. Noise as a result from the activities of the coaches and the traffic movements.
5. Letter of objection or in support of the constituents has been submitted by Nigel Evans MP as whether the 6 letters of objection.

There has been one letter of support which makes reference to the fact that the business has always operated in a courteous way and respected local residents from its existing business premises. Two letters which do not object to the principle of the proposal but do have concerns that the additional vehicular movements may further damage the highway network, in particular the deterioration of the road condition.

Proposal

This application seeks detailed consent for a change of use of a builder's yard to a coach depot business and includes alterations to the build of the façade with new entrance doorways.

Site Location

The proposal is located within the Area of Outstanding Natural Beauty and on the outskirts of Chipping known as Loud Bridge. The site is a former builders yard and has dwellings located on two sides of the boundary and open countryside at the rear. The site accessed via Chipping Lane.

Relevant History

3/2996/0672 - Extension of existing workshop and relocation of oil tanks – approved with conditions.

Relevant Policies

Ribble Valley Core Strategy

Key Statement DS1 – Settlement Strategy.

Key Statement DS2 – Presumption in favour of Sustainable Development.

Key Statement EN2 – Landscape.

Policy DMG1 – General Considerations.

Policy DMG3 – Transport and Mobility.

Policy DME2 – Landscape Protection.

Policy DME1 – supporting Business Growth and Local Economy.

Environmental, AONB, Human Rights and Other Issues

Principle

The planning policy context for this application is set out at National Planning Policy Framework and at local level by the Core Strategy. The Core Strategy which is the adopted Core Strategy is now the starting point for decision-making within the borough which sets out the vision for the borough and how sustainable development will be developed. This not only relates to housing but employment and other uses.

The overall development of the Strategy is set out in Key Statement DS2 which aims to promote development in most suitable locations in the borough. It is clear that the site is not located in what can be regarded as a sustainable location but regard needs to be given to the existing consent and in this instance the local and personal circumstances.

Highway Safety and Accessibility

On matters of highways and accessibility, it is now clear that Lancashire County Council are satisfied that subject to the imposition of appropriate conditions limiting the number of vehicles operating from the site and appropriate manoeuvring space within the site they have no objection. I note the concerns of the local residents and accept that if this was a greenfield site it would not be regarded as a sustainable location but having regard to the authorised use it would be difficult to resist.

Landscape, Tree and Visual Impact

Although the site is located in Forest of Bowland Area of Outstanding Natural Beauty and no observation have been received from the AONB Officer I have assessed the landscape impact. As it seeks to utilise the existing building the main visual impact relates to the external parking of coaches on the existing concrete compound area which was used as part storage for the previous business. The applicant has submitted revised details showing additional planting which would reduce the impact when viewed from the open countryside. The existing buildings and neighbouring dwellings at Loud Bridge effectively screen most of the development from long distant view. On that basis I am satisfied with the visual impact.

Residential Amenity

In terms of residential amenity it is important to have particular regard to the noise impact caused by the proposal in relation to both the operation of the activities on the site and the associated traffic movements. There may also be issues relating to the impact of light spillage. The scheme itself would result in additional and a different type of trip generation to the existing use but on the basis of the agreed revised hours of operation and in consultation with the Councils EHO and the submitted noise and acoustic report I am satisfied that it would not adversely affect adjoining residential amenities.

The noise report submitted with the original application concluded that there may be some adverse impact but this was based on the activities including coaches returning late at night. I am satisfied that the revised condition will reduce any impact to an acceptable level.

Lighting

In order to minimise light pollution I consider it would be necessary to impose a planning condition requiring details of external lighting. However, it should be noted that there is a degree of lighting from the existing building and adjoining residents and I am of the opinion that any impact would not be unduly significant.

Conclusion

I am of the opinion that subject to detailed consideration that the benefits of the proposed use and given the established nature of the existing use would outweigh any harm caused by the visual impact of the additional buildings and as such recommend an approval.

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. 334/201 Proposed Elevations, Landscape and Layout Plan 334/205 received on 18/08/15, Revised site plan 334/502 received 30/09/15

REASON: For the avoidance of doubt and to clarify which plans are relevant and to ensure that the development is carried out in accordance with the approved plans.

3. Precise specifications or samples of window/ and doors including their colour and texture shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adoption Version).

4. Notwithstanding the submitted landscaping plan the development hereby permitted shall not be commenced until full details of the proposed landscaping 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, their maturity at the time of planting, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform.

The approved landscaping scheme shall be implemented in the first planting season prior to commencement of the development unless otherwise agreed by the Local Planning Authority, whether in whole or part and shall be maintained thereafter for a period of not less than 15 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of the amenity of the area and to comply with Policies DMG1, EN2 and DME3 of Ribble Valley Core Strategy (Adoption Version).

5. The number of vehicles operated from the premises shall not exceed 9 as stated in the application. Any increase in the number of vehicles operating from the site shall be the subject of a new planning application.

REASON: To limit the number of vehicles operating from the site in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adoption Version).

6. All vehicles visiting the site shall enter and leave in a forward gear.

REASON: In the interest of highway safety and in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adoption Version).

7. Unless otherwise agreed in writing by the Local Planning Authority, in consultation with the highway Authority, all commercial vehicles shall enter the site by turning right from Loud Bridge Road and leave by turning left onto Loud Bridge Road

REASON: .To ensure that the commercial traffic generated by the development utilises the most appropriate route to the Classified road network in the interest of highway safety and in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adoption Version).

8. The parking shall be in accordance with the parking layout shown on the Parking Area Plan Amendment B submitted 17th April 2015 Reason to ensure efficient use of the site

REASON: In the interest of highway safety and in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adoption Version).

9. Prior to commencement of development precise details of a vehicle washing area and management of a vehicle washing area shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interest of protecting residential amenity and in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adoption Version).

10. The hours of operation shall be restricted to 0730 – 18.30 Monday to Friday and 1000-1600 on Saturday with no working outside these hours.

REASON: In the interest of protecting residential amenity and in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adoption Version).

11. This permission and the use of the building shall inure for the benefit of Bretherton Coaches only in connection with its use as a coach business, and not for the benefit of the land nor any other person or persons whether or not have an interest in the land and shall be in accordance with the revised Management Plan received and dated 01/10/15.

REASON: Permission would not have been given for the proposed development but for the personal circumstances applying in this case, as the development would otherwise be contrary to Key Statement DS2 – Presumption in favour of Sustainable Development and Key Statement EN2 – Landscape.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any Order revoking or re-enacting that Order) any future extension or buildings shall not be carried out without the formal written consent of the Local Planning Authority.

REASON: In the interests of the amenity of the area in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adoption Version).

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

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

14. Prior to commencement of development precise details of any lighting, including details of the location and height of columns, wall-mounted lighting units, bollards and ground lighting, and the intensity of illumination, shall have been submitted to and approved in writing by the local planning authority.

REASON: In the interest of protecting residential amenity and visual amenity and in accordance with Policies DMG1 and DME2 – Landscape Protection of the Ribble Valley Core Strategy (Adoption Version).

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0296

INTRODUCTION

Members may recall that a report recommending approval of this application subject to conditions was considered by Committee at its meeting on 16 April 2015. Committee resolved to defer a decision pending the receipt and reporting of further information, especially in relation to the matter of potential noise nuisance to nearby residents.

In order for such additional information to be provided, it was necessary for noise monitoring to be undertaken during an event at Hawkshaw Farm. As the majority of the estimated 50 events per year take place during the winter months to cover Halloween, Christmas and Valentine's Day, there have not been many occasions since the April meeting of the Committee when the monitoring could be undertaken.

However, the applicants did employ a private company to undertake such monitoring of a Horror Camp Live event on Saturday, 16 May 2015, with existing background noise levels having been taken the previous evening, Friday, 15 May 2015. A report of the findings and conclusions of that monitoring was submitted to the Council, as a result of which nearby residents and the Parish Council were notified of the receipt of the report and given the opportunity to make further comments on the application if they wished. Further representations were received from Mellor Parish Council and from nearby residents, as summarised in the updated report below.

A summary of the results and recommendations stated in the report is given below:

1. BS 8233:2014 'sound insulation and noise reduction for buildings – Code of Practice' specifies desirable noise levels to be achieved inside dwellings. There are two levels, the first between the hours of 0700 to 2300 and the second between 2300 to 0700. For the daytime period the suggested internal noise level is 35dB L and the night-time level is 30dB L.
2. The monitoring location was situated between the event barn and the nearest residential property with the position being 145m from the barn and 85m from the property.
3. 15 minute long measurements were taken from 1845 to 0045 on the Friday and 1830 to 0230 on Saturday.
4. On the Saturday night the Horror Camp event started at 2000 and could not be heard at the monitoring location so a second sound level meter was set up 8m away from the event building.
5. Background levels during the Friday night and early Saturday evening ranged from 33dB (A) to 46dB (A) with the level dropping over the evening as would be expected as traffic reduces.
6. From 2000 onwards on the Saturday night (ie during the event) levels at the monitoring location ranged from 32dB (A) to 39dB (A) in line with the previous monitored background levels. Noise levels outside the event building between the hours of 2100 to 0130 ranged from 47dB (A) to 52dB (A).
7. Based on standard distance attenuation the noise levels measured outside the building would equate to 22dB (A) to 27dB (A) at the monitoring location and 18dB (A) to 23dB (A) at the nearest residential property.

8. As these levels are well below the measured background noise and below the above mentioned guidance, the general noise from the use of the building would not have a significant adverse effect on nearby residents.
9. Whilst the monitoring did not indicate any problems with noise from the event, residents had mentioned shouting and screaming within their letters of objection to the planning application. During the event some shouting was heard along with some laughter from guests while outside the building.
10. The current guidance document BS 8233:2014 is the most current and up to date guidance applicable for the situation but does not suggest any maximum internal noise levels for residential properties at night. However the previous version did recommend a maximum of internal noise level of 45dB (A) during the night-time period of 2300 to 0700.
11. The maximum noise levels identified at the primary monitoring point 145m from the event building which was attributable to the event was 49dB (A). Using standard distance attenuation this would equate to a level of 45dB (A) outside the nearest property and with a reduction of 10-15dB for an open window would result in 35dB (A) inside the property which is well below the old guideline of 45dB.
12. The monitoring carried out during the Horror Camp Live event identifies that levels to be experienced at the nearest residential properties are well below those recommended within the relevant guidance document and therefore, in line with the NPPF, there is no reason to refuse the application on the grounds of noise.

Local residents expressed concerns that the Horror Camp Live event is not the same as a Scare Kingdom event and therefore, in their opinion the findings of the report are of little relevance to the determination of the application that relates to Scare Kingdom events within the former agricultural storage building.

However, Horror Camp Live events due involve the use of the agricultural storage building for the same purposes as would be involved in a Scare Kingdom event. Also, as Horror Camp Live events are the only events held during the summer, there was no alternative than to use these events if any further information was to be put to a Committee meeting before the beginning of the autumn/winter season of Scare Kingdom events.

For this reason, the Council's own Environmental Health Officers monitored another Horror Camp Live event on 12 September 2015. Following this monitoring, the Environmental Health Officers commented as follows:

"The event could be audible but only when specifically listening for the event. Screaming could be heard when the event was outside, but once the event was inside, the noise was contained and would not be likely to cause a nuisance. It is therefore believed that the permission for the permanent Scare Kingdom would not have a detrimental impact on neighbouring properties. It would, however, be recommended that any outdoor "scenes" that are undertaken are limited to as few as possible, and that the camping is relocated to a point further away from the neighbouring properties or that the camping is ceased completely. It is believed that, by keeping outside activities to a minimum, this would be beneficial to all parties."

Discussions involving the Environmental Health Officers, the Planning Officers, the applicant and his agent took place in response to the findings and suggestions of the Environmental Health Officer. This concluded with the applicant commenting as follows:

“In the light of your department’s findings when monitoring Horror Camp Live (HCL) on Saturday, 12 September, we have decided that HCL will not be run again in its current format. The changes to be made to it, include the removal of all outdoor scenes, in particular those that provoke any screaming. In future all scenes will be conducted within buildings. Noisy campsite scenes will be removed.

This year’s Scare Kingdom will be conducted entirely within buildings, however there will be movement of guests from one attraction to the other, but there will be no scare scenes outside so, as a consequence no screaming from guests, so we envisage little noise disturbance.

Scare Kingdom also operates earlier in the evening than does HCL. On most nights it is expected that by 10pm most guests will have left the site or be contained within the environs of the farmyard.

It is and will be out intention to minimise our noise impact and follow advice from RVBC.”

Following the monitoring of an event that involved activities both outside and in the former agricultural storage building, the Council’s Environmental Health Officers have commented that, whilst screaming could be heard when the event was outside, once it was inside the noise was contained and would not be likely to cause a nuisance. The applicant has agreed to address the problem of outside noise by the removal of all outdoor “scenes” from the Horror Camp Live event and to relocate the campsite further away from residential properties. In view of this, the Planning Officers remain of the opinion that, subject to appropriate conditions (that have been amended from those originally recommended) it is not considered that the continued operation of the Scare Kingdom and Horror Camp Live events would have a seriously detrimental effect on the amenities of nearby residents. The concerns of nearby residents are, however, recognised and, in the event of any disturbance caused by a breach of any of the planning conditions, enforcement action could be taken under Town Planning legislation; and any noise nuisance that arose in other circumstances could be addressed under Environmental Health legislation. Additionally, as recommended in the original report, a condition would be imposed to require the fitting of acoustic insulation to the building should this be considered at any time in the future to be necessary.

The original report, including the recommendation of approval, is repeated below. It has, however, been updated and amended as appropriate to include:

- reference to the further representations received since the application was considered by Committee in April 2015;
- amended conditions to reflect the alterations agreed with the applicant;
- an update of the relevant planning history.

PARISH COUNCIL: Clayton-le-Dale Parish Council have not made any representations in relation to this application.

Mellor Parish Council commented in a letter dated 8 March 2015 that this retrospective planning application has excessive noise issues impacting on a number of residents in the Parish of Mellor and that there are also serious concerns about the nature and type of content that is involved in the Scare Kingdom attraction, all of which is covered in a document submitted by a number of nearby residents. Mellor Parish Council therefore asks that it be put on record that the objections contained in the document submitted on behalf of 16 Mellor residents is strongly supported by Mellor Parish Council.

Mellor Parish Council made additional comments in a letter dated 12 June 2015 that was written following a consideration of the application at a meeting of their Full Council. An objection was made by Councillors on the grounds of noise with the Parish Council wishing it to be acknowledged that whilst the site is in Clayton-le-Dale, the extreme noise is heard in Mellor Parish, in particular the Birley and Saccary Lane areas. The Parish Council was aware that a sound engineer had taken noise readings at the site but they considered this to be unsatisfactory as the extreme noise had occurred in the past, without planning permission, late at night, for long periods during and after the allowed hours of the Premises Licence.

The Parish Council expressed concerns about the questionable nature of the proposal and wonder whether it should be considered under licensing for Sex Establishments in addition to Premises Licence legislation as well as Planning.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

The proposal would operate outside the hours of operation of the main uses of the site and as a result there would be minimal highway implications arising from the proposal. However when he visited the site there were two advertising boards within the sightlines of the site access to the A59. Irrespective of whether planning permission is required, the County Surveyor stated that these signs should be removed as soon as possible as they are obstructing visibility for emerging vehicles. Subject to the removal of those advertising boards, the County Surveyor raised no objection to the proposal on highway grounds.

ADDITIONAL
REPRESENTATIONS:

One letter has been received from residents living in Longsight Road who express **no objection** to the application stating specifically that they are never disturbed by noise from events at Hawkshaw Farm.

Three individual letters and a 14 page letter signed by 16 persons from 8 addresses at Birley Fold have also been received. These letters, that are on file and available for inspection by Members, contain objections to the proposal that are summarised as follows:

1. The application contains inaccurate information. The building has been used for Scare Kingdom performances immediately following its construction. It has never been used for its approved agricultural purpose.
2. The states size of the building on the application form is larger than the building for which permission was granted.
3. Noise nuisance. Residents object strongly to the levels of noise coming from this attraction. The noise levels are extremely loud and are of a disturbing nature. Typically, the noise consists of a combination of horror suspense type music combined with human and terror screams, and animal noises can be clearly heard. It is not a continuous steady noise but is strongly impulsive and irregular with heavy bass levels. Residents have carried out their own monitoring and have provided a table that they consider shows the levels to be very high such that the application should be refused based on unreasonable disturbance to local residents.
4. The loud noises could also be harmful to local wildlife including a small population of deer that might be dispersed as a result of the noise.
5. Highway safety. The access from the site onto the A59 has restricted visibility especially due to signs being erected within the visibility splay. The A59 is a busy road that has a national speed limit and, as such, it is more probable that an accident will occur with a greater volume of traffic entering and exiting the site.
6. Inadequate facilities. The building to which the application relates was constructed as an agricultural building that was built for storage purposes. The current use emits very loud noises including screams, shouts and music. Any other establishment would require some level of noise insulation in the form of noise absorption and noise barriers. This building does not contain such features.
7. Ex-rated content. On occasions some residents have been woken in the middle of the night by “actors” screaming obscenities at the top of their voices. The residents strongly object to this vulgar, offensive and debasing behaviour.
8. Seasonal use. The application states that the activity would operate on a seasonal basis and that it would operate for a short period, however, no opening days are declared in the application that would allow reasonable assessment with regards to, but not limited, to the impact upon the residents.

A four page letter signed by 12 persons from 6 addresses at Birley Fold was received by the Council on 10 June 2015. This letter is headed "acoustic report" and contains the following points that are in addition to those points made in the previous 14 page letter:

1. Residents raised objections previously about the operation of the Scare Kingdom which is the event to which the application specifically relates. Residents highlighted extremely loud noise during these events from music, screams and swearing and vulgar language. The noise measurements, however, were taken during a Horror Camp Live event that consisted of people camping in fields remote from their dwellings. Loud music was not played and on the whole this event is much quieter and did not operate from the agricultural storage building that is the subject of the application. The Scare Kingdom event in comparison is performed within the building at very high noise levels. Neighbours confirm that during the evening of the Horror Camp Live event on 16 May 2015, no noise was heard at all. There was no music and not even a single scream. As such, residents object to the noise impact assessment as it was not made in an appropriate manner to represent the operation of the Scare Kingdom.
2. The report is also unclear as to the actual standards that have been employed to assess the noise impact.
3. Residents make reference to the various pieces of legislation available to local Councils to deal with the matter of noise nuisance.

Proposal

In this particular case, it is considered appropriate to describe the application within the context of the recent planning history of Hawkshaw Farm.

Hawkshaw Farm is a 135 acre dairy farm that is owned and farmed by the applicant has his family. In addition to the farm at the home, there is an additional 250 acres of rented land which is farmed as part of the business. The business comprises 200 dairy cattle with all replacements being reared on the farm so that at any one time there are 350 head of cattle present on the holding.

A proportion of the milk produced at the farm is used to make ice cream, an enterprise that began in 2001 and has continued to grow on an annual basis to the current situation where the farm and ice cream making enterprise employs 7 full-time staff.

From the basis formed by the ice cream making enterprise, a visitor centre attraction has been developed at the farm over recent years. This is a family attraction and is the subject of planning application 3/2014/1094/P a report relating to which is also on this agenda.

Another diversified enterprise was the introduction of the maize maze in 2007. This enterprise was a success with many people visiting more than once. In more recent years the maze was opened at nights with a Halloween theme to extend the lifespan of the attraction. This represented the introduction of Halloween themed events that have become popular at Hawkshaw Farm. The Scare Kingdom events have also been a feature for several years with new staging and themes introduced each year. For 2014 one of the agricultural storage buildings (that had been granted prior approval as an agricultural building under reference 3/2013/0117/P) was fitted out as an old mansion house with many large fixtures and fittings to create the rooms. Initially the sets were removed from the agricultural building after Halloween but the most recent one was more intricate and detailed and took a large team of people many weeks to erect and decorate.

This retrospective application relates to those parts of Hawkshaw Farm to be used on a seasonal basis to operate the Scare Kingdom visitor attraction. The application seeks retrospective permission for a permanent change of use of the agricultural building to a small scale tourism use in order to enable the internal fixtures to be left in situ; and for the retention of a storage container also to be used as part of the Scare Kingdom attraction.

Site Location

Hawkshaw Farm is located on the southeast side of Longsight Road (A59). Located around the existing farmhouse is a range of traditional and modern farm buildings providing cattle housing, silage clamps, general storage and manure storage. The existing agricultural storage building and storage container to which this application specifically relates, are located approximately 90m to the east of the existing farmhouse.

There is a group of residential properties at Birley Fold, off Saccary Lane, the nearest of which is approximately 250m to the south of the agricultural building to which the application relates.

Relevant History

3/2006/0149/P – Farm shop and associated facilities including education rooms, parking and alterations to access. Approved with conditions.

3/2007/0313/P – Proposed bird of prey centre including reception, office, education centre and separate toilet block. Approved with conditions.

3/2008/0413/P – Amendments to approved scheme for bird of prey centre. Approved with conditions.

3/2013/0117/P – Agricultural determination application for a portal steel framed storage building. Planning permission not required.

3/2014/1093/P – Retrospective application for calving unit to be open to members of the public as part of the visitor attraction. Current application – not yet determined as consideration being given to the matter of an unauthorised diversion of a public footpath.

3/2014/1094/P – Retrospective application for a visitor centre, comprising a car park, 5 livestock shelters, 1 storage building, 1 polytunnel and 1 children's play area. Approved subject to conditions.

3/2015/0536/P – Storage building associated with the ice-cream making element of the business. Approved subject to conditions.

Relevant Policies

Ribble Valley Core Strategy (Adopted Version)

Key Statement DS2 – Presumption in Favour of Sustainable 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

As can be seen from the recent history stated above, the Council has previously accepted the diversification of this farm through the planning permissions relating to the shop etc and the bird of prey centre. Following the cessation of the bird of prey enterprise, a family orientated visitor centre attraction has evolved and is the subject of a separate report on this agenda. Although of a somewhat different nature, the Scare Kingdom is also a visitor experience that has also evolved over recent years from the initial Maize Maze experience. Scare Kingdom actually features as an “Alternative Tourism Experience” in the Ribble Valley Tourism Association Stars in Tourism Awards 2015.

As a visitor attraction, this planning application falls to be considered on its planning merits against the relevant policies of the Development Plan that now comprises the adopted Core Strategy.

It is appropriate to first consider whether the retention of this experience is acceptable in principle in town planning terms; and to then consider whether it has any seriously detrimental effects in relation to detailed considerations such as visual amenity, the amenities of nearby residents and highway safety.

In relation to the principle of the development, Key Statement EC3: Visitor Economy states that “proposals that contribute to and strengthen the visitor economy of Ribble Valley will be encouraged. Including the creation of new accommodation and tourism facilities through the conversion of existing buildings or associated with existing attractions; and that significant new attractions will be supported in circumstances where they would deliver overall improvements to the environment and benefits to local communities and employment opportunities”.

This is a new tourism facility that utilizes an existing building at an existing attraction, and it provides employment opportunities. It will also be of benefit to other businesses in the locality (and therefore to the rural economy) as visitors to the attraction are likely to also use local public houses and restaurants. Some visitors from further afield might also use local hotels and guest houses.

The detailed matters of effects upon the environment and the local community will be discussed later in this report. Overall, however, I consider that, in principle, the Scare Kingdom attraction is in keeping with the general intentions of Key Statement EC3.

Policy DMB1 states that “proposals that are intended to support business growth and the local economy will be supported in principle; and that the expansion of established firms on land outside settlements will be allowed provided it is essential to maintain the existing source of employment and can be assimilated within the local landscape”.

The detailed matter of assimilation into the local landscape will be discussed later in this report. Overall, however, I consider that, in principle, this attraction satisfies the general intentions of Policy DMB1.

Policy DMB3 states that “planning permission will be granted for development proposals that extend the range of tourism and visitor facilities in the borough subject to compliance with a number of criteria.

The first of those criteria is that the proposal must not conflict with other policies of the plan. As explained above, it is considered that the development complies with all the policies (or elements of the policies) that relate to the principle of the development. Compliance with policies (or elements of policies) that relate to detailed considerations will be examined later in this report.

The second of these criteria requires the development to be physically well related to an existing settlement or village or to an existing group of buildings, except where the proposed facilities are required in conjunction with a particular countryside attraction and there are no suitable existing buildings or development sites available. This attraction is within an existing building that is within the existing group of buildings at Hawkshaw Farm, including the farmhouse and agricultural buildings as well as the buildings and structures associated with the visitor centre attraction. I therefore consider that the proposal satisfies this criterion.

The third of the criteria requires the development to not undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design. This application seeks retrospective permission for a change of use of an existing agricultural building. The building is located at a farm and has the scale, design and external materials of an agricultural building (as its originally intended use was agricultural storage). The change of use element of the application therefore satisfies this criterion. Permission is also sought for the retention of a storage container. This is not in an overly prominent location and does not appear as a visually discordant feature within the context of the farm buildings complex. In my opinion, the retention of the storage container also does not contravene this criteria.

The fourth and fifth of the criteria require the proposal to be well related to the existing highway network; to not generate additional traffic movements of a scale or type likely to cause undue problems of disturbance; where possible the proposal is to be well related to public transport networks and the site to be large enough to accommodate the necessary car parking, service areas and appropriate landscaped areas. The attraction is well related to the existing highway network as the farm is located off the A59, the principal road in the borough that is also on a number of bus routes. The other requirements of this criterion will be discussed below in relation to detailed considerations.

The sixth of the criteria requires the development to take into account the nature conservation impacts using suitable survey information and where possible seen to incorporate any important existing associations within the development, or, failing this, adequate mitigation will be sought. As this proposal relates to a use within a building and the retention of an existing storage

container in its existing location, it does not have any significant impacts upon nature conservation.

Policy DMB1 is a general development management policy that requires all applications to be considered in relation to the matters of design, access, amenity, environment and infrastructure.

In relation to this application, that does not involve any new-build development, there are no considerations to be made in relation to the matter of design. It also does not have any implications with regards to the matter of infrastructure.

The matter of access is one of the objections made by nearby residents. As previously stated, however, the LCC Highway Engineer (County Surveyor) considers the existing access and parking provision to be acceptable and not detrimental to highway safety, especially as the proposal would operate outside the hours of operation of the other uses at the site. He did, however, require the removal of a number of advertisement signs from within the visibility splay. These signs have already been removed by the applicant.

In relation to the consideration of access/parking/highway safety, the proposal is therefore considered to be acceptable and in compliance with requirements of Policy DMB1.

In relation to the consideration of amenity, perhaps the main objection made by nearby residents concerns alleged nuisance caused by excessive noise. One of the Council's Environmental Health Officer has given careful consideration to this matter including a number of visits to the site, following which she made a number of comments as follows:

1. As there was a lack of evidence in the form of complaints of noise nuisance made to the Environmental Health Department prior to the submission of the application, any requirement for the installation of noise mitigation measures at the site could not be justified.
2. There is the possibility that the applicant could install a noise barrier in the form, eg of evergreen hedgerows that would act as an acoustic barrier. However, without the submission of an official acoustic report to support this application, this is very difficult to judge.
3. A time restriction until 11pm would be beneficial.
4. No further external lighting should be installed without the agreement of the Council.

In a response to the neighbours' objections submitted by the applicant's agent, it is stated that "the managers of the Scare Kingdom attraction acknowledge that professional measurements of the noise need to be taken and addressed if necessary. If there is an issue with noise from within the building it would be possible to line the walls and roof with noise abating foam sheets or by using a spray foam product".

In view of the lack of evidence that such noise mitigation measures are necessary (as confirmed by the Environmental Health Officer) I consider that it would be unjustified to require their installation through a condition at this stage. A condition could, however, be imposed to require appropriate noise monitoring and the installation of noise abatement measures, if this proves to be necessary.

The application does however include the scheme of screen planting in the area between the Scare Kingdom building and Tottering Brook to the south. This would also be between the building and the dwellings to the south in Birley Fold. The scheme involves the planting of 125 trees with 3m spacings in a strip ranging in width from 10m to 15m. This would provide some noise mitigation to the nearby residents. The submitted scheme includes details of the maintenance regime for the planting.

In the event of retrospective planning permission being granted, a condition could be imposed to require the implementation and maintenance of the planting scheme.

The applicants have also provided a breakdown of the number of days in the year that the attraction would be open and the latest entry and departure times on the different days of the week. This is summarised as follows:

- The themed nights for Halloween (24 days) and around Christmas and Valentine's Day (3 days each) and Summer Solstice (2 days) equals **32 days**.
- Weekday entry from 6pm to 9.30pm with latest departure 11pm.
- Except weekdays during Halloween week when it would be last entry 10.30pm with latest departure 12 midnight.
- Friday/Saturdays last entry 10.30pm with latest departure 12 midnight.
- Except the weekend closest to Halloween when the last entry would be 11.30pm with latest departure 1am.
- Last entry on any Sunday 9.30pm with latest departure 11pm.
- Horror Camp Live – **9 days**.
- Total **41 days**.

To enable some leeway, permission is requested by the applicants for a maximum of 50 operating days. In the event of retrospective permission being granted, conditions would be imposed as follows:

1. To require appropriate noise monitoring and installation of noise abatement measures within the building if necessary.
2. Implementation and maintenance of the submitted planting scheme.
3. Restriction of the number of events per year and specification of the latest entry and departure times.
4. No external lighting to be installed at the site without the prior written permission of the Local Planning Authority.

Subject to the imposition of such conditions, I consider that the proposal would either not have any seriously detrimental effects upon the amenities of nearby residents, or any such detriment would be satisfactorily addressed.

In relation to the matter of the environment, the use of the existing building and retention of this storage container would have minimal impact. The proposed planting scheme, however, would add to biodiversity and would improve the visual amenities of the locality (in addition to its noise mitigation benefits).

Nearby residents also objected on the grounds of ex-rated content of the attraction, but this could not form the basis of a reason for refusal of a planning application.

Overall, subject to appropriate conditions, I consider that the requested retrospective permission would not contravene the requirements of the relevant policies of the adopted Core Strategy with regards to both the principle of the development and the more detailed considerations. I therefore recommend accordingly that permission be granted subject to the conditions in the recommendation below.

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

1. This retrospective permission relates to the use of the agricultural storage building, and the retention of a storage container and car park as shown on the submitted plans referenced as follows:
 - Site Plan Drawing Number HF/SP/Scale 1:500.
 - Change of Use of Agricultural Building – Scale 1:200.
 - Retention of Storage Container – Scale 1:200.

REASON: For the avoidance of doubt and to define the development for which retrospective permission is hereby granted.

2. The Scare Kingdom attraction for which permission is hereby granted shall be operated for a maximum of 50 days in any calendar year of which not more than 9 days shall be for the horror camp live event (involving persons camping at the site overnight).

With the exception of the horror camp live event, the first entry to the attraction shall be no sooner than 6pm.

The last entry and the latest departure times shall be as follows:

- Weekdays – last entry 9.30pm, latest departure 11pm.
- Weekdays during Halloween week – last entry 10.30pm, latest departure 12 midnight.
- Fridays and Saturdays – last entry 10.30pm, latest departure 12 midnight.
- Friday and Saturdays on the weekend closest to Halloween – last entry 11.30pm, latest departure – 1am.
- All Sundays last entry 9.30pm, latest departure 11pm.

The applicants shall keep a written record of all days upon which the attraction is open and this shall be made available for inspection by the Local Planning Authority upon request.

REASON: To comply with the terms of application and in the interests of the amenities of nearby residents and to comply with Policy DMG1 of the Ribble Valley Core Strategy Adopted Version.

3. Prior to the holding of the next Horror Camp Live event, a plan showing the location of the “campsite” shall be submitted to and approved in writing by the Local Planning Authority. Horror Camp Live events shall not include any outdoor scenes or noisy camp scenes. All activity likely to cause noise, in whatever form, shall be carried out within the former agricultural storage building that is the venue for the Scare Kingdom events (or in other

existing buildings at the farm subject to the prior written agreement of the Local Planning Authority).

REASON: For the avoidance of any doubt about the nature of the Horror Camp Live events and in the interests of the amenities of nearby residents and to comply with Policy DM1 of the Ribble Valley Core Strategy (Adopted Version).

4. Should the Local Planning Authority consider at any time that the operation of the Scare Kingdom events inside the building is resulting in an undue noise nuisance to nearby residents, then a scheme of acoustic insulation within the building, and a timescale for its implementation, shall be agreed between the applicant and the Local Planning Authority.

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

5. The scheme of landscape planting submitted with the application (involving the planting of 125 trees in a 10m – 15m wide belt between the Scare Kingdom building and Tottering Brook) shall be carried out in accordance with the submitted planting details in the next planting season (November 2015 to March 2016). The scheme shall thereafter be maintained for a period of 10 years as stated in the submitted details. This maintenance shall include the replacement of any tree that is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a tree of a similar size and species to that which was originally planted.

REASON: To comply with the terms of the application and the interests of visual amenity and the amenities of nearby residents and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

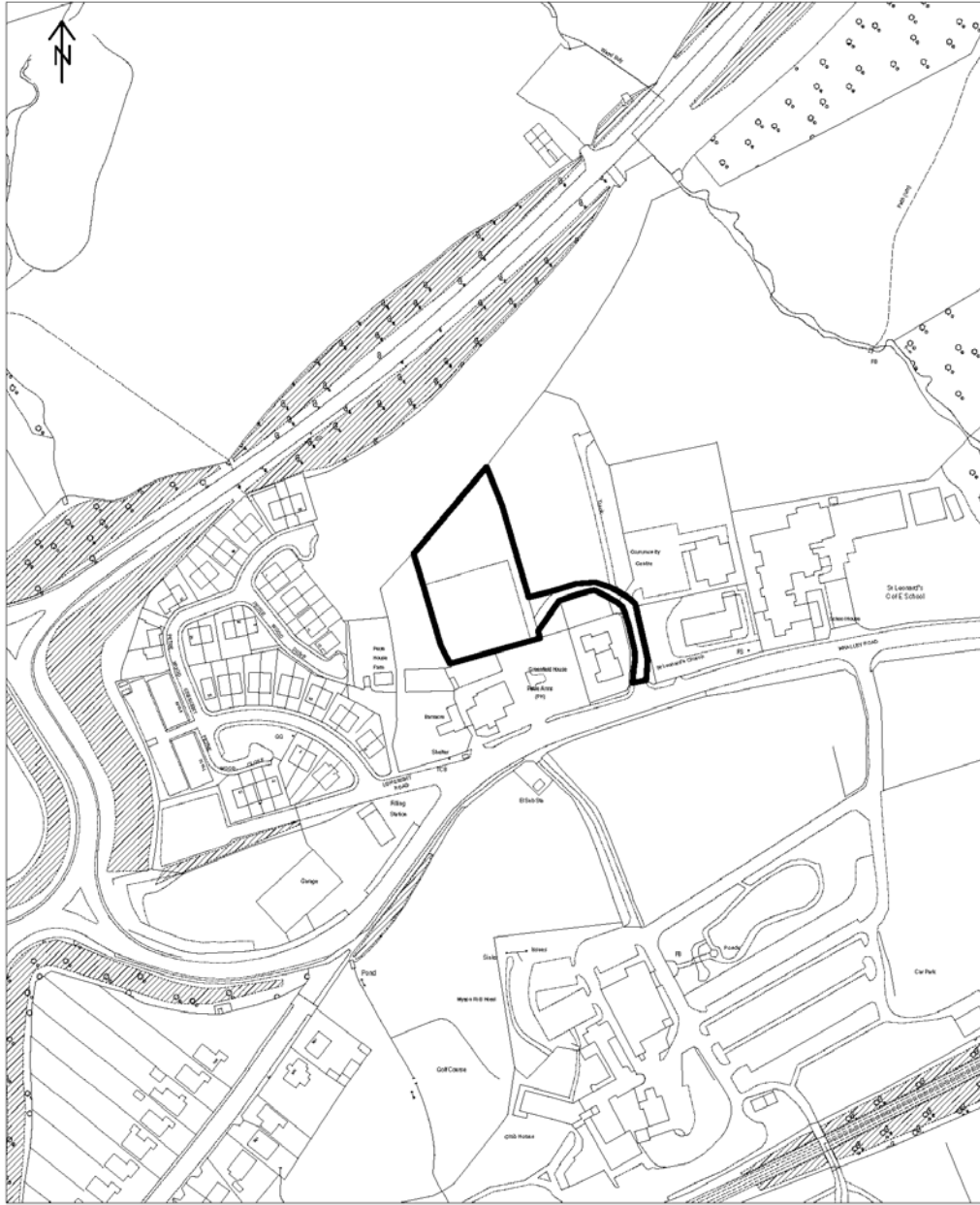
6. No external lighting shall be installed at the site without the prior written permission of the Local Planning Authority.

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

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

Scale 1:2500

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Ribble Valley Borough Council. Licence No.100018641 29 September 2015

INTRODUCTION

Members will recall that a report recommending approval of this application subject to conditions was considered at the last meeting of the Committee on 17 September 2015.

Committee resolved that it was minded to refuse the application for reasons relating to detrimental effects upon highway safety, the amenities of nearby residents and the general character of the locality. A decision was therefore deferred to enable officers to report back to Committee with suggested appropriately worded reasons for refusal should Members resolve to refuse the application.

The original report is reproduced below and the officers maintain their recommendation that conditional permission be granted. However, should Members resolve to refuse the application, two suggested reasons for refusal have been added to the end of the report.

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 167 letters have been received, of which 147 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 below. (Points 22-26 inclusive relate to the original report that was withdrawn from the agenda of the Committee on 20 August 2015):

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.
22. The advice received from LCC Highways is not adequate and recommended Condition No.4 should be amended.
23. The application boundary has been changed during the course of the application. Such a change to an application is not permitted under the Town and Country Planning (Applications) Regulations, as amended, or the Town and Country Planning (Development Management Procedure) (England) Order 2010.
24. The effects of the proposal on Heritage Assets, "the nearby Listed Church" have not been fully and properly assessed in the report (St Leonard's Church is not a listed building)
25. The report misdirects Committee by stating "as a matter of **fact**" that this is a small scale tourism development that is a type of development appropriate to a rural area. This is a matter of opinion, not fact.
26. Essential for the Local Economy - The comment in the report that the proposal fulfils this requirement "to some extent" in an unsatisfactory level of advice to provide to members of the Planning Committee.

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 timber cladding. There would be a timber sliding door in the eastern elevation. The south and west elevations that are immediately adjoined by existing hedges would be concrete blocks to the lower walls with timber cladding 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.

The submitted plans show a refuse storage area, that is to be enclosed by a close boarded fence, positioned close to the storage/facilities building adjoining the southern boundary of the site.

The plans also show the provision of a conifer hedge to the north western site boundary (facing the A59) and the erection of 1.8m. high close board timber fences to the western and southern boundaries. The proposed fence to the western boundary would replace an existing wall that is in the applicant's ownership.

Access to the site would be from Whalley Road across land that is also in the applicant's ownership. The precise dimensions and route of the access into the site have been amended by the applicants 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 DME3 -- Site and Species Protection and Conservation.
Policy DME4 – Protecting Heritage Assets.
Policy DMB1 – Supporting Business Growth and the Local Economy.
Policy DMB3 – Recreation and Tourism Development.

Environmental, AONB, Human Rights and Other Issues

Members will be aware that this application was withdrawn by officers prior to the August meeting.

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 environmental 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, in my opinion, it would comply with the general intentions of consideration number one. In my opinion the proposal is for a small scale tourism development of a type 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; nor is it necessary for the proposal to be more fully compliant with consideration number one.

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 and screen planting is proposed for the boundary fencing. 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 the proposed additional planting, 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.

There is a claim in the third party representations that the report originally prepared for this application had not properly assessed the effects of the proposal on "the nearby listed church". The nearest church to the site is St Leonard's and, according to the National Heritage List for England (NHLE) that church is **not** a listed building. The application has, however, been considered in relation to the effects of the proposal on the church as a non-designated heritage asset. Due to the distance between the application site and the church; the presence of intervening buildings between the church and the site; and the fact that caravans are not permanent structures, it is not considered that the proposed development would have any detrimental effects upon the setting of the non-designated heritage asset to represent a sustainable and justifiable reason for refusal of the application.

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 Environmental Health Officer has confirmed that there are "no objections" to the application, adding that, historically, the Council has received very few complaints about similar developments and therefore would not deem it to be a problem.

The application (as with all applications) must be determined on 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 appropriate conditions, including 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 1: 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 Numbers Low/688/1794/01 REVB and Low/668/1794/02 REV.B.

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 day when persons with bookings can first enter and finally depart the site. Both the initial entry onto the site, and final departure from the site shall not take place before 1000 or between the hours 1500 to 1630 on Mondays to Fridays during school term times.
- 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).

5. The indicative details of landscaping, boundary screening planting and boundary fencing are noted and are acceptable. However, prior to the first use of the site for the purpose hereby permitted more precise 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 precise 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 hard landscaping (ie fences and hard-surfaces) shall be implemented in accordance with the approved details prior to the first use of the site for the purpose hereby permitted. All soft landscaping/planting shall be carried out 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).

6. 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).

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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

8. Prior to the commencement of any development, a scheme for the disposal of foul and surface waters, 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 details prior to first use of the site for the purpose here permitted.

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

9. The indicative details of the proposed refuse storage area are considered to be acceptable. However, the proposed storage area shall be constructed prior to the first use of the site for the purpose hereby permitted, in accordance with more precise details relating to its location, dimensions, materials of construction and external appearance, that have first been submitted to and approved in writing by the Local Planning Authority.

REASON: In order to ensure the satisfactory provision of refuse storage facilities in a manner that is not detrimental to visual amenity and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

In the event that Members resolve to refuse the application, it is suggested that there should be two reasons for refusal worded as stated below:

RECOMMENDATION 2: That planning permission be REFUSED for the following reasons:

1. By reason of the general activities, noise generation and vehicular movements associated with the proposed use as a touring caravan site, the Council considers that the proposed development would be detrimental to the amenities of nearby residents and would have a harmful impact upon the general character of the locality as experienced, not only by local residents, but also by users of nearby facilities including a church, school, pre-school and community centre. As such, the proposed development would be contrary to the requirements of Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).
2. By reason of the vehicular movements associated with the proposed use as a touring caravan site, including movements involving a car and caravan combination, the Council considers that the proposed development would be detrimental to highway safety on the roads in the vicinity of the site contrary to the requirements of Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

APPLICATION NO: 3/2015/0426/P

(GRID REF: SD374241 438293)

CHANGE OF USE OF FISHERY TO LEISURE PARK WITH 19 LODGES, 11 WOODLAND LODGES, 10 CABINS, WARDEN'S LODGE, CONVERSION, EXTENSION AND AMENITY BUILDING TO FORM ONE BEDROOM HOLIDAY COTTAGE, CONVERSION OF STORAGE BUILDINGS TO FORM ONE 2 BED HOLIDAY COTTAGE, CONVERSION AND EXTENSION OF EXISTING MANAGER'S HOUSE AND CAFÉ TO FORM RESTAURANT, PUBLIC HOUSE AND MANAGER'S ACCOMMODATION, 100 CAR PARKING SPACE, GROUND WORK, RE-CONTOURING AND CREATION OF ECOLOGICAL WETLAND AND ANCILLARY LANDSCAPING AT PENDLE VIEW FISHERIES, A59, BARROW, BB7 9DH



3/2015/0426 Pendle View Fisheries, A59, Barrow, BB7 9DH.

Scale 1:2500

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PARISH COUNCIL:

Consider the above planning application welcome development as it would provide employment and trade within Barrow and Ribble Valley. Whilst it does not object to this application, they do have the following concerns:

1. Consider that the impact of the traffic on the A59 and as a result they request that traffic calming measures are carefully considered and highway safety given the highest priority.
2. Likely that holidaymakers would attempt to cross the A59 on foot to the local facilities and as a result a public right of way crosses the A59 and Parish Council is concerned about the increase in the numbers of pedestrians using the crossing and request that the installation of a footbridge or other pedestrian crossing is made as a condition of any approval.
3. The site occupies a prominent position in the Ribble Valley and is seen from the Area of Outstanding Natural Beauty. In order to protect the views as well as local wildlife, external lighting should be subject to careful control and there should be low intensity downlights positioned discreetly at low level. The level of illumination should also be subdued and concerned that the pub and restaurant should be subject to the curfew of 11pm.
4. Signage must be subject to local planning authority consent and not illuminated.
5. Consider there is limited information regarding drainage and request that precautions are put in place to ensure that the discharge of excess of this water does not cause flooding further down the stream.
6. All water spillage must be contained on the site, not discharge into existing systems which are at full capacity.
7. The Parish Council is disappointed of failure to consult with local residents and Parish Council prior to submitting the application.
8. A leisure park in Barrow would have an impact on the local community and result in an increase in the use of amenities and they are disappointed that the application does not include any contributions to the benefit of the community in Barrow. Previous large scale planning applications have included contributions under a Section 106 Agreement.

9. In order to protect visual and residential amenity, the Parish Council requests that restrictions are imposed to prevent further development on the site.
10. Need to ensure that any deviation from alterations to the public right of way is the subject of the legal process.
11. Result in the disturbance to wildlife and care must be taken to ensure species are protected.
12. Understand that the leisure park is to be open all year and therefore they request that conditions are included to close the park for a period of months to prevent long term or permanent residency.
13. The hours of operation of the restaurant and pub must be strictly enforced and they recommend that they are closed by 11pm each day to limit light and noise pollution.

WISWELL PARISH
COUNCIL:

Raise the following concerns:

1. It is located in a prominent position in the Ribble Valley clearly seen from Wiswell and the Area of Outstanding Natural Beauty and in order to protect the views, need to limit light pollution and also to safeguard local wildlife, lighting should be strictly controlled.
2. The Council has concerns regarding the effects of the building work on the adjacent A59 and request a management plan for the removal of spoil.
3. Signage must be subject to consideration by the Local Planning Authority and should be unobtrusive and not illuminated.
4. The hours of operation of the pub must be strictly controlled to limit light and noise pollution and be closed by 11pm.

LANCASHIRE COUNTY
COUNCIL (HIGHWAYS):

Initially recommend refusal on highway safety grounds and sustainability but on the basis of the revised plans and subject to appropriate conditions have no objections.

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

2. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 1 has been constructed and completed in accordance with the scheme 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.

3. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period. Reason; To prevent stones and mud being carried onto the public highway to the detriment of road safety.

LANCASHIRE COUNTY
COUNCIL
(ARCHAEOLOGY):

The present fishery lake was built between 1848 and 1893 as a supplementary reservoir to what became the Whalley Abbey Print Works, a firm employed at that time in printing and dyeing calico but operating on the site of a late 18th century water-powered cotton spinning mill. The site closed in 1930 and was empty until it was used by the army in WWII and then partly re-opened to engrave printing rollers in 1948. It finally closed in 1972 and was subsequently demolished and the site redeveloped. The reservoir has some local value as a reminder of the former industrial site, but given the changes that have occurred since its construction the value is low and the proposal is not considered to reduce this significantly. It is not considered that any further archaeological work is necessary on this site.

ENVIRONMENT AGENCY:

No objection in principle to the proposed development and consider that foul drainage should be connected to the main sewer where possible.

LANCASHIRE COUNTY
COUNCIL FLOOD
RESPONSE:

No objections subject to the imposition of appropriate conditions and would encourage the developer to take into account design and drainage systems for exceedance working within a natural topography of the site.

The proposal indicates the applicant intends to discharge surface water into the unnamed ordinary watercourse and under the Land Drainage Act 1991 consent would be needed from the lead local flood authority if a culvert was built. As a minimum the applicant would be expected to carry out studies of the existing culvert and watercourse condition, undertake examination of the downstream condition and restrict condition implications and development, restrict discharge rates so that there would be a peak run-off rate for development to the ordinary watercourse for 1:1 year rainfall event and the 1:100 year rainfall should it never exceed the peak greenfield run-off rate for the same event.

In relation to protected species, recommends that where there is a potential for existing habitat or protected species, the applicant should undertake an appropriate ecological assessment. The lead authority has no objection to the development subject to inclusion of various conditions:

- Surface water drainage scheme to be submitted.
- A surface water lifetime management and maintenance plan to be submitted.
- A construction phase surface water management plan to be submitted.

All these conditions need to be carried out and implemented to the satisfaction of the Local Planning Authority.

NATURAL ENGLAND:

Based on the information provided, advise that the Council that the proposal is unlikely to affect any statutory protected site. However they do recommend that the Forest of Bowland AONB officers be consulted to seek further advice.

UNITED UTILITIES:

Draw attention to the following observations and drainage comments.

No objection to the proposed development in relation to drainage but note that the water supply could be expensive and in relation to drainage comments, the site should be drained on a separate system with foul drainage to the public sewer and service water draining in the most sustainable way.

ELECTRICITY NORTH WEST:

The development is shown to be adjacent or affect operational land and where development is adjacent to such situations, the applicant must ensure that development does not encroach on the land or any rights for cable easements. It should be noted there is a cable running along the perimeter of the site off the A59 and works to the established woodland and close off the existing entrance should not be allowed to impact on the integrity of the cable.

FOREST OF BOWLAND AONB OFFICER:

The proposed development is located approximately 700m from the boundary of the Forest of Bowland AONB. The proposed development site will be visible from visual receptors within the AONB, primarily Public Rights of Way (FP12 & 13) and Access Land to the east of the site, all on rising ground to the top of Wiswell Moor and The Rough. Within these views, the proposed development site is situated adjacent to the A59 road and commercial development at Barrow Brook.

The AONB Landscape Character Assessment identifies the local landscape character type as 'Undulating lowland farmland - E6

Pendleton'. The overall sensitivity of this type is considered to be moderate. Advise accordingly:

1. Given the site's visibility from within the AONB, the lighting arrangement for the proposed development will require careful design and management by the LPA and applicant to ensure it does not create unnecessary light pollution; adversely affecting the setting of the AONB. The AONB Partnership requests that any approved scheme only includes low-intensity, down-lights that are positioned discretely at a low level. No up-lighting should be used on the site. The levels of illumination must be carefully controlled and in particular, any lighting around the car park, pub and restaurant should be subdued and subject to an appropriate curfew.
2. The AONB Partnership would also request enhanced landscaping along the south-eastern boundary of the car park (between the car park and access road) and areas surrounding the chalet pods. Appropriate landscaping should include planting of a native hedgerow (local species mix) interspersed with native hedgerow trees along the car park boundary and small clusters of native trees around the chalet pods.

Subject to above conditions, and given the distance of the site from the AONB and adjacent commercial development and highway infrastructure, the AONB Partnership considers that the proposed development could be acceptable within the AONB setting.

ADDITIONAL REPRESENTATIONS:

Three letters of representation have been received, one which expresses support for the project and notes that they have confidence that this development will be completed to a high standard and that it would have a positive impact on Lancashire and bring a much needed asset to the local community creating employment and attracting tourists from further afield.

Two letters of concern, one relates to concern of possible light spillage and would ask that there be no illuminated signage. Also concern expressed regarding possible injury or accidents.

The other letter raises concern regarding flooding.

Proposal

This development seeks detailed consent in relation to change of use of existing fishery to a leisure park with 19 lodges, 11 woodland lodges, 10 cabins, a warden's lodge and an extension to the amenity building to form a 1 bedroom cottage, conversion of storage building to form 2 bed holiday cottage and conversion of the existing office, house and café to form restaurant, public house and manager's accommodation, as well a 100 car parking spaces, additional

landscaping, creation of ecological wetland and alterations to the pedestrian layout at Pendle View Fisheries, Barrow.

During consideration of this application amendments have been secure in relation to the highway arrangement, as well as additional details given more information on the proposed scheme.

In relation to the nature of development there are to be 19 design timber lakeside lodges which are around the perimeter of the existing lake with an additional 12 timber woodland lodges located at the northern part of the site and 10 timber pods located within the main complex, as well as other work to existing buildings to create additional accommodation. It is also part of the project to involve the conversion and extension of the site manager's house to form a pub which would have over 100 cover restaurant and manager's accommodation on first floor.

The car parking arrangement is located on the western part of the site and would be adjacent to the main A59 carriageway but would not be readily seen due to the contours of the land. The purpose of the facilities is to provide catering facilities for guests but it will also be open to general public. The applicant has indicated that the units will be occupied with a mixture of short-term durations but it is also anticipated that the number of the lodges will be provided for sale but envisage an occupancy clause.

Site Location

The application is located on the eastern side of the A59 accessed adjacent to the roundabout serving Barrow Brook Business Park. It is situated about 4km south of Clitheroe and 2.5km north of Whalley. The developed area of Barrow Village adjoins the western side of the A59 opposite the site. The site currently is accommodated a recreational fishery business with a collection of outbuildings.

Relevant History

3/2007/0175/P – Groundworks and education building and car park – approved with conditions.

Relevant Policies

Ribble Valley Core Strategy (Adopted Version)
Key Statement DS2 – Sustainable Development.
Key Statement EN2 – Landscaping.
Key Statement EC3 – Visitor Economy.
Policy DMG1 – General Considerations.
Policy DME3 – Species Protection.
Policy DMB3 – Recreation and Tourism.
Policy DMG3 – Transport and Mobility.
NPPF

Environmental, AONB, Human Rights and Other Issues

Principle

The planning policy context for this application is set out at National Planning Policy Framework and at local level by the Core Strategy. The Core Strategy which is the adopted Core Strategy is now the starting point for decision-making within the borough which sets out the vision for the

borough and how sustainable development will be developed. This not only relates to housing but employment and other uses.

The overall development of the Strategy is set out in Key Statement DS2 which aims to promote development in most suitable locations in the borough. Key Statement EC3 makes reference to tourism and aims to ensure that development proposals that contribute and strengthen the visitor economy will be encouraged providing it is not contrary to the strategic objectives and other material considerations such as landscape and highways. It is clear that the site is located within close proximity to a main highway and although there is limited access via public transport it is in close proximity of a strategic employment site which also has a housing element in close proximity.

Highway Safety and Accessibility

On matters of highways and accessibility, it is clear that Lancashire County Council are now satisfied that subject to the improvements to the pedestrian crossing and other planning conditions that they no longer have any objection to the scheme in relation to highway safety or accessibility. It should also be relevant that there is an existing user on the site and although the scheme would involve a significant traffic and trip generation the Highway Authority considers that the site can accommodate such increase in vehicular movements.

Landscape, Tree and Visual Impact

Although the site is located on the edge of the Forest of Bowland Area of Outstanding Natural Beauty the AONB Officer does not object to the proposal subject to safeguards and additional landscaping along part of the site. The development has a considerable amount of peripheral landscaping and an earth bund which limits the visibility of the site from the roadside. In considering from long distance views it will be seen against existing development from the A59 and particularly the strategic employment site. I am satisfied that subject to careful consideration in relation to the lighting and control of the finished floor level of the buildings, that although there is a visual impact it will be limited to the locality. A detailed arboricultural report has been submitted which indicates that the main trees will be retained and the additional planting and earthworks will supplement the wider landscape.

Ecology

A Water Vole, Great Crested Newts and bird and bat species report has been submitted with the application and it is concluded that there is no significant impact on any protected species. This has been confirmed in the consultation response from Natural England and so subject to careful control I am satisfied that there would be no detriment or impact on the ecology.

Flood Risk and Drainage

Both the Environment Agency and Lancashire Local Flood Authority have been consulted who raise no objection subject to adequate controls.

Residential Amenity

There are no properties affected by the development other than the possibility of light spillage from distant views and I am satisfied that subject to appropriate conditions any impact in relation to light spillage will be minimal. The scheme itself would involve significant trip generation and

so there will be additional vehicular movements which in itself may have an impact on the general highway structure but on the basis that there is no objection from the statutory consultee I do not consider this to have any impact on general residential amenity.

Benefits

As part of the proposal, the applicant has indicated that the resultant development would lead to the possibility of 20 full-time jobs and 10 part-time jobs to the locality. They have also suggested that there would be a capital investment of approximately £8m in the proposed development which in itself would generate a net revenue of £1m in the first year of trading. Any developments would bring forward economic benefits and employment opportunities and this is of relevance in considering this development. It is also important to have consideration to the additional tourism facility that would be brought forward by the scheme and that Key Statement EC3 makes it clear that there is a commitment to boost and sustain the visitor economy in Ribble Valley. I am of the opinion that subject to successful operation this would add to the existing tourism facilities within the borough and must be seen as a potential benefit.

Lighting

It is evident from both the concerns of the Parish and the AONB Officer as well as some individual objections that the issue of light pollution is an important consideration in this development. The applicant has been advised of this issue both during the pre-application and throughout the consideration of this application and I am of the opinion that subject to a condition regarding low level lighting and signage that it is capable of minimising the impact of any light pollution so as not to detract from the amenity of local residents or the tranquillity of the area. On that basis a planning condition is to be imposed which will need to be discharged before development commences.

Conclusion

I am of the opinion that subject to detailed consideration that the benefits of the proposed use and given the established nature of the existing use would outweigh any harm caused by the visual impact of the additional buildings and as such recommend an approval.

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

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

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

2. Unless explicitly required by condition within this planning permission, the development hereby permitted shall be carried out in accordance with the details shown on drawing nos. 1018_100: Site Location; 1013_103 Rev A: Site Layout; 1013_105: Public House / Restaurant and Managers Accommodation; 1013_106: Holiday Cottage (8 person); 1013_107: Holiday Cottage (4 person); 1013_108 Rev A: Site Sections and Figure 1 Revised: Highway and Pedestrian Access Improvements, and in line with the illustrative details shown in the Holiday Lodge (2 bedroom), Holiday Lodge (3 bedroom) and Chalet

Cabin manufacturer's details, unless otherwise agreed in writing by the local planning authority.

REASON: For the avoidance of doubt and to clarify which plans are relevant and to ensure that the development is carried out in accordance with the approved plans.

3. No development shall take place until a programme of phasing for implementation of the whole development, including the approved off-site highway works, improvements to the site access and formation of the ecological wetland area, has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved programme and any amendment must be agreed in writing by the local planning authority.

REASON: In the interests of the amenity of the area and to comply with Policies DMG1, EN2 and DME3 of Ribble Valley Core Strategy (Adoption Version).

4. No development shall take place until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme for the site, have been submitted to and approved in writing by the local planning authority. Those details shall include, as a minimum:
 - a) Information about the design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
 - b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate.
 - c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
 - d) Flood water exceedance routes, both on and off site;
 - e) A timetable for implementation, including phasing as applicable;
 - f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
 - g) Details of water quality controls, where applicable.
The scheme shall be implemented in accordance with the approved details prior to first occupation or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

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

5. No development shall take place until an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development has been submitted to and approved in writing by the local planning authority. As a minimum, the plan shall include:
 - a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Management Company.
 - b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
 - c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

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

6. No development shall take place until a scheme for the treatment and disposal of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme prior to first occupation or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

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

7. No development shall take place until a scheme for the creation and management of the ecological wetland area shown on drawing no. 1013_103 Rev A, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out in accordance with the approved phasing programme for the development required by Condition 3, and managed and maintained thereafter in accordance with the approved details.

REASON: In the interests of the amenity of the area and to comply with Policies DMG1, EN2 and DME3 of Ribble Valley Core Strategy (Adoption Version).

8. No phase of development shall take place until details of the earthworks, finished ground levels, infrastructure for each holiday lodge, cottage and/or cabin and access roads and car parking for that phase, have been submitted to and approved in writing by the Local

Planning Authority. The development shall be carried out and operated in accordance with the approved details.

REASON: In the interests of the amenity of the area and to comply with Policies DMG1, EN2 and DME3 of Ribble Valley Core Strategy (Adoption Version).

9. No phase of development adjacent to the lake shall take place until details of all structures to be erected on the shore of the lake and/or projecting into the water within that phase, including the construction of jetties and platforms to accommodate holiday lodges, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and operated in accordance with the approved details.

REASON: In the interests of the amenity of the area and to comply with Policies DMG1, EN2 and DME3 of Ribble Valley Core Strategy (Adoption Version).

10. No phase of development shall take place until details of lighting for that phase, including details of the location and height of columns, wall-mounted lighting units, bollards and ground lighting, and the intensity of illumination, hours of operation, light spillage assessment have been submitted to and approved in writing by the local planning authority. The development shall be carried out and operated in accordance with the approved details. This shall also relate to any advertisement signs in relation to public house and other commercial elements

REASON: In the interests of the amenity of the area and to comply with Policies DMG1, EN2 and DME3 of Ribble Valley Core Strategy (Adoption Version).

11. No phase of development shall take place until details of the location, design and external treatment and appearance of the holiday lodges and cabins, and/or samples of external facing and roofing materials for the construction of the new and/or converted buildings within that phase, 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.

REASON: In the interests of the amenity of the area and to comply with Policies DMG1, EN2 and DME3 of Ribble Valley Core Strategy (Adoption Version).

12. Notwithstanding the submitted details, no phase of development shall take place until full details of the proposed landscaping scheme for that phase have been submitted to and approved in writing by the local planning authority. The landscaping scheme shall indicate as appropriate the types and numbers of trees and shrubs; their distribution within the 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 boundary fencing or screening within the site and along its perimeter. Details of the means of protection during development works of all hedgerows and trees identified for retention in that phase, shall also be submitted for the Council's written approval 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 phase of development. The approved landscaping scheme for each phase of development shall be implemented in the first planting season following first use of the phase of development and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the local planning authority. This 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: In the interests of the amenity of the area and to comply with Policies DMG1, EN2 and DME3 of Ribble Valley Core Strategy (Adoption Version).

13. No phase of 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 dust and dirt during construction
7. Measures to manage surface water and prevent pollution

REASON: In the interests of the amenity of the area and to comply with Policies DMG1, EN2 and DME3 of Ribble Valley Core Strategy (Adoption Version).

14. No phase of development shall be occupied until a management plan for the site has been submitted to and approved in writing by the local planning authority. The site shall be operated at all times in accordance with the approved plan. As a minimum, the management plan shall provide details of:

1. Access arrangements
2. Security arrangements
3. Site maintenance arrangements
4. Site rules and regulations for residents

REASON: In the interests of the amenity of the area and to comply with Policies DMG1, EN2 and DME3 of Ribble Valley Core Strategy (Adoption Version).

15. The public house and restaurant shall not be open to the public outside the hours of 08:00 to 23:00 on Monday to Thursday and on Sunday, and outside the hours of 08:00 to 24:00 on Friday and Saturday.

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

16. The holiday lodges, cottages and cabins shall be used and occupied as holiday accommodation only and shall not be occupied as a person's sole or primary place of residence. The site operator shall maintain an up-to-date register of the names of all owners / occupiers of individual lodges, cottages and cabins on the site and of their main home addresses at all times, and shall make this information available to the local planning authority upon request.

REASON: In the interests of the amenity of the area and to comply with Policies DS1 and DMG1 of Ribble Valley Core Strategy (Adoption Version).

17. 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: In the interests of the amenity of the area and to comply with Policies DMG1, EN2 and DME3 of Ribble Valley Core Strategy (Adoption Version).

18. In the event that contaminated ground is found within the site during construction, this should be reported to the contaminated land officer at the local planning authority. Works in the location of the contaminated ground should cease and the area cordoned off. A Competent Person shall be appointed to undertake sampling and analysis of the suspected contaminated materials, and a report containing details of sampling methodologies and analysis results, together with recommended remediation methodologies, shall be submitted to the local planning authority for approval in writing. The approved remediation scheme shall be implemented prior to further development works taking place and prior to occupation of the development. Should no adverse ground conditions be encountered during each phase of development, a Verification Statement shall be forwarded in writing to the local planning authority prior to occupation of each phase of development, confirming that no adverse ground conditions were found.

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

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

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 Policy DMG1, of Ribble Valley Core Strategy (Adoption Version).

20. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 20 has been constructed and completed in accordance with the scheme 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 comply with Policy DMG1, of Ribble Valley Core Strategy (Adoption Version).

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

REASON: To prevent stones and mud being carried onto the public highway to the detriment of road safety and to comply with Policy DMG1, of Ribble Valley Core Strategy (Adoption Version).

22. The residential accommodation associated with the development contained within the proposed public house and restaurant shall be occupied by persons employed in connection with the operational management of the proposed complex.

REASON: In the interests of the amenity of the area and to comply with Policies DS1 of Ribble Valley Core Strategy (Adoption Version).

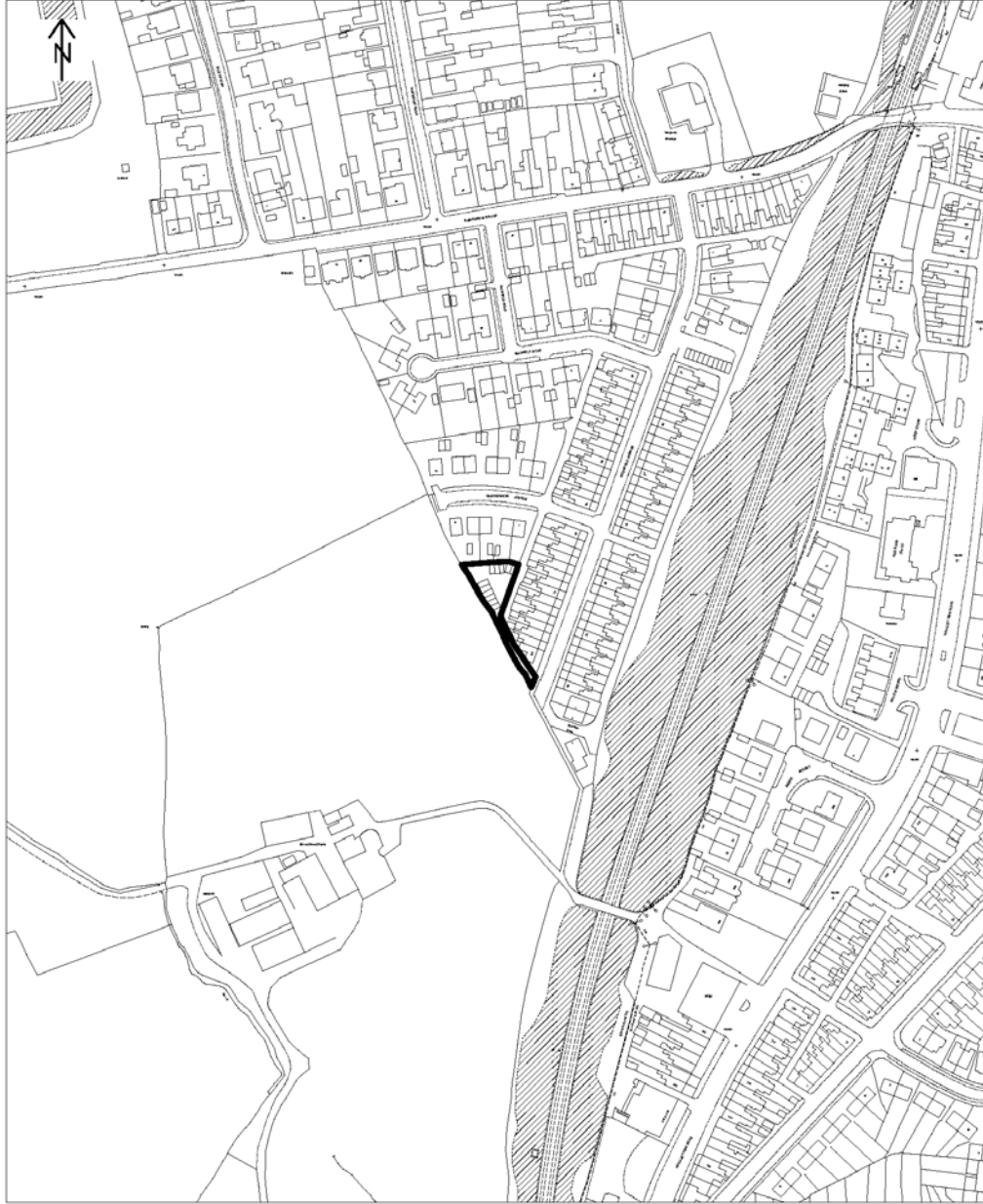
NOTES

1. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the contact the Environment Directorate for further information by telephoning the Developer Support Section (Area East) on 0300 123 6780, or writing to Developer Support Section, Lancashire County Council, Community Services Burnley Highways Office, Widow Hill Road, Burnley BB10 2TJ or email lhscustomerservice@lancashire.gov.uk

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0296

APPLICATION NO: 3/2015/0592/P (GRID REF: SD 368384 431333)
OUTLINE APPLICATION (ACCESS AND LAYOUT) FOR THE ERECTION OF 1NO THREE
BEDROOM DWELLING WITH ACCESS OFF MOORFIELD AVENUE AT LAND ADJACENT TO
MOORFIELD AVENUE, RAMSGREAVE, LANCASHIRE, BB1 9BU



3/2015/0592 land adj Moorfield Avenue, Ramsgreave BB1 9BU

Scale 1:2500

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PARISH COUNCIL:

No response received.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

The Highways officer has made representations in respect of the application which can best be summarised as follows:

- The proposal is for outline permission for a 4 bed detached dwelling with 2 external parking spaces and 1 integral garage. The parking standards requires provision for 3 vehicles which would appear to be achievable (assuming that the minimum garage dimensions are 6m x 3m).
- The plot does not provide sufficient manoeuvring space to permit vehicles to enter and leave in a forward gear.
- The access route is currently unsurfaced and it is required that the first 5 metres measured from the back of the footway of Moorfield Avenue to be appropriately surfaced to prevent loose material being dragged onto the highway.
- The development of the site must not include the gating or closure of either the passage to the side of 90 Moorfield Avenue nor the passage to the rear of properties 62 to 90 Moorfield Avenue.

Subject to the above concerns being resolved satisfactorily I would raise no objection to a residential property at this location. Members will note that amended plans have been received following the Highways officers comments, revised observations are awaited and these will be reported verbally.

RVBC ENGINEERS:

No objections or observations.

ADDITIONAL
REPRESENTATIONS:

22 letters of representation have been received objecting on the following grounds:

- Inadequate access arrangements
- Loss of garages will exacerbate existing parking issues in the area.
- Noise and disturbance.
- Loss of privacy.
- Loss of light.
- Overbearing impact.
- Scale of the dwelling.
- The proposal would preclude the ability for emergency vehicles to access the rear of existing properties.
- Flooding issues.
- Inadequate details have been submitted in support of the application.

- Felling of trees prior to the submission of the application.
- Devaluation of property.

Members will note that one letter of support has been received in respect of the application.

Site Location

The site is a triangular piece of land located directly to the rear and west of numbers 72 – 90 Moorfield Avenue and to the south and rear of numbers 1 – 9 Glengreave Avenue. Access is provided to the site via an access track to the south off Moorfield Avenue. Additional vehicular access to the site is provided by way of a side alley located to the east of number 1 Glengreave Avenue.

The site currently accommodates 11 single storey lock-up garages. The open area fronting the garages is informally surfaced and is in a somewhat state of disrepair.

Proposal

The proposal seeks outline consent (matters of access and layout) for the erection of a detached three bedroom dwelling on land adjacent Moorfield Avenue, Ramsgreave.

The original proposal sought consent for the erection of a detached four bedroom dwelling, following officer concerns regarding the potential impact of the proposal upon the residential amenities of neighbouring occupiers the proposal has been amended to reduce the number of bedrooms proposed and subsequently the overall footprint of the proposed dwelling. The amendments have also resulted in the reorientation of the dwelling to further lessen any impact.

It is proposed that the first 5m of the access track off Moorfield Avenue will be hard-surfaced with the remainder of the track being gravel. Rear access to the properties fronting Moorfield Avenue will be maintained via the existing side alley accessed off Glengreave Avenue.

Relevant History

The site has no planning history directly relevant to the determination of the 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 DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME3 – Site and Species Protection and Conservation

Principle of Development

In relation to the adopted Settlement Strategy DS1, Wilpshire is defined as a Tier 1 settlement which is a location to which (in addition to the principal settlements) the majority of new housing will be focused towards.

At this point in time, the latest housing monitoring information (July 2015) indicates that there is an outstanding requirement for 43 dwellings in Wilpshire for the remainder of the Core Strategy plan period, this takes account of existing completions and commitments.

Policy DMG2 of the Core Strategy states that development proposals in the principal settlements of Clitheroe, Longridge and Whalley and the Tier 1 villages should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.

The application site is located within the defined settlement boundary for Wilpshire on a brownfield site, therefore in principle, notwithstanding other materials considerations the proposal would accord with the aims, objectives and main thrust of Policy DMG2 and Key Statement DS1 consider that there would be no significant detrimental implications to the adopted development Strategy resultant from the granting of consent.

Environmental, AONB, Human Rights and Other Issues

Members will note that the application is made in outline with consent being sought solely for matters of access and layout to be considered. Given the nature of the site and its proximity to neighbouring dwellings officers have sought further assurance that a dwelling could be accommodated on site without being of significant detriment to neighbouring occupiers.

As a result an illustrative floorplan arrangement, including the location of windows to habitable rooms has been submitted in support of the application. Whilst these floorplans are considered to be illustrative only, for the purposes of the determination of the application they have been used as a reference point in assessing the likely or potential future impact upon existing residential amenities and whether a dwelling could be appropriately accommodated on site.

Amendments have been sought that have re-orientated the proposed dwelling to minimise and mitigate any impact upon residential amenities. The amended plans have resulted in the dwelling maintaining offset distances ranging from 18.5 – 22.5m to the primary elevations of neighbouring dwellings which is considered to be broadly in accordance with acceptable distances.

Therefore taking into account the amended plans submitted and the offset distances proposed, it is considered that the site could accommodate a single residential dwelling (of a footprint and orientation similar to that indicated) without resulting in a significant detrimental impact upon the residential amenities of existing neighbouring occupiers. Detailed matters of overlooking/privacy would be considered at the relevant reserved matters stage.

Conclusion

Having regard to the relationship between the proposed development and the immediate context, consider the scheme acceptable and do not consider that it would be of detriment to the amenities of existing or future occupiers or the visual amenities of the area.

Subject to appropriate conditions, the proposed development is therefore considered to be in accordance with the aims, objectives and requirements of the NPPF and the adopted Core Strategy.

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

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

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

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

2. The submission of reserved matters details shall substantially accord with the offset distances and window locations as indicated on the proposed site plan (Drawing reference 4839-02C).

REASON: To ensure the development accords with acceptable agreed general design principles and to protect the residential amenities of neighbouring occupiers in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

3. The submission of reserved matters shall include details of all boundary treatments and existing and proposed land levels, including slab levels. The development shall be carried out in strict accordance with the approved details unless agreed in writing by the Local Planning Authority.

REASON: In order that the Local Planning Authority can ensure that the development responds appropriately to the topography of the site and in the interests of the appearance of the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

4. 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. 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 dust and dirt during construction and demolition.
7. The highway routing of plant and material deliveries to and from the site.
8. Measures to limit noise disturbance during construction & demolition
9. A scheme for the recycling/disposing of materials/waste resulting from demolition and construction

REASON: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the highway during the construction phase in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

5. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services the trees identified in the arboricultural assessment identified T1 & T3 shall be protected in accordance with the BS5837 2012 [Trees in Relation to Demolition, Design & Construction] the details of which shall be submitted to and agreed in writing and implemented in full under the supervision of a qualified arboriculturalist and in liaison with the Countryside/Tree Officer. A tree protection monitoring schedule shall be agreed and tree protection measures inspected by the local planning authority before any site works are begun.

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

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

No tree pruning shall be implemented without prior written consent, which will only be granted when the local authority is satisfied that it is necessary is in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In the interests of visual amenity and to protect trees during construction in accordance with Policies DMG1, DME2, DME3 and Key Statement EN4 of the Ribble Valley Core Strategy.

6. Notwithstanding the submitted details and prior to the access being used for vehicular purposes, the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tar macadam, concrete, block pavements, or other approved materials, full details of which are to be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development.

REASON: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

7. Once works commence on the site, should site operatives discover any adverse ground conditions and suspect it to be contaminated, they should report this to the Site Manager

and the Contaminated Land Officer at Ribble Valley Borough Council. Works in that location should cease and the problem area roped off. A Competent Person shall be employed to undertake sampling and analysis of the suspected contaminated materials. A Report which contains details of sampling methodologies and analysis results, together with remedial methodologies shall be submitted to the Local Planning Authority for approval in writing. The approved remediation scheme shall be implemented prior to further development works taking place and prior to occupation of the development.

Should no adverse ground conditions be encountered during site works and/or development, a Verification Statement shall be forwarded in writing to the Local Planning Authority prior to occupation of the building(s), which confirms that no adverse ground conditions were found.

REASON: To ensure that the site investigation and remediation strategy will not cause 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.

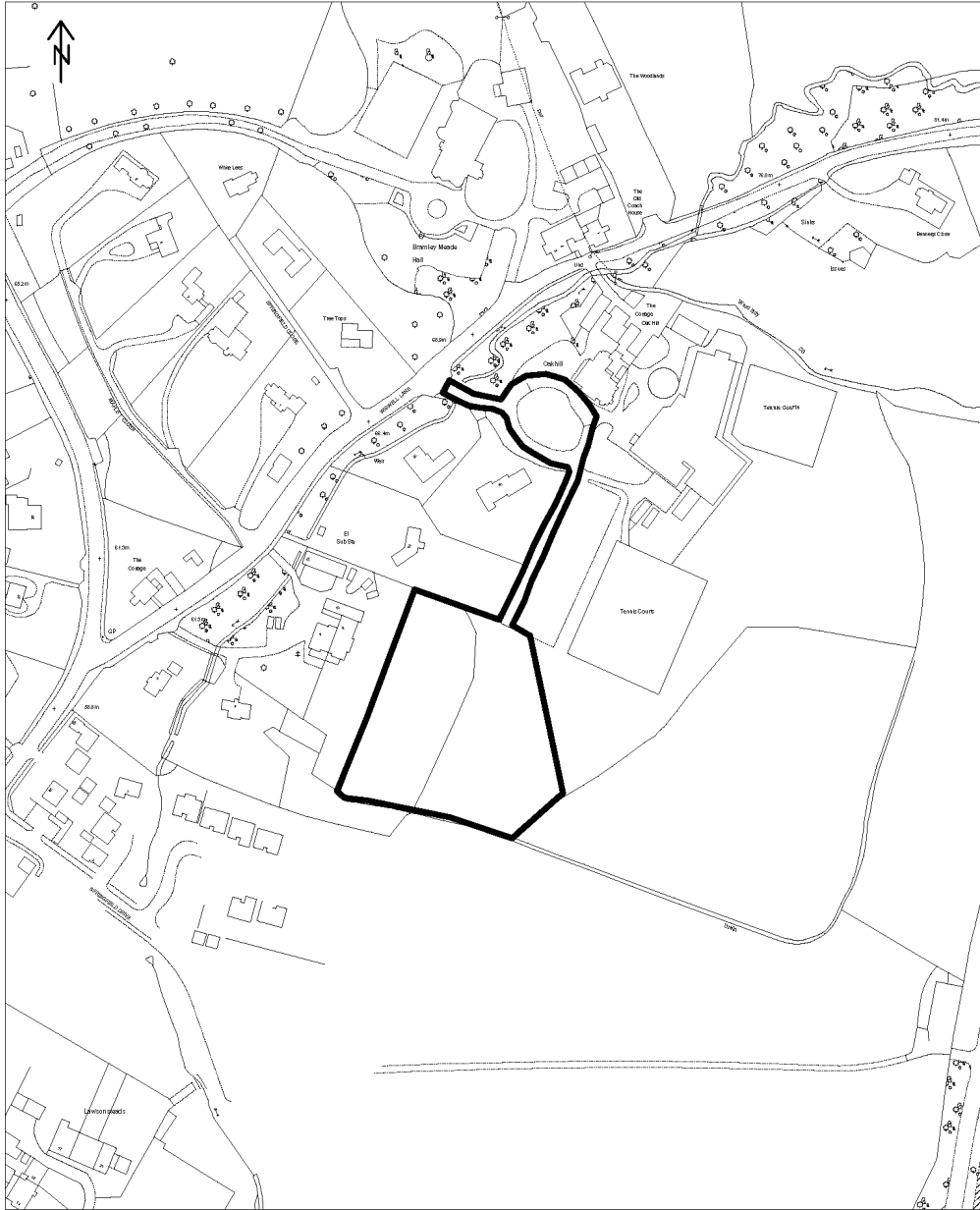
BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0296

APPLICATION NO: 3/2015/0715/P

(GRID REF: SD 373812 436892)

OUTLINE APPLICATION (ACCESS ONLY) FOR DEVELOPMENT OF UP TO 6 DETACHED LOW CARBON ECO HOMES ON SURPLUS LAND AT OAKHILL COLLEGE/ACADEMY, WHALLEY



3/2015/0715 Oakhill College, Wiswell Lane, Whalley BB7 9AF

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PARISH COUNCIL:	The Parish Council accepts the proposal but requests officers to be mindful that the development will decrease the number of parking places available for users of Oakhill College. It is not unreasonable to compute that as future use of the College facilities increase, resultant limited parking may result in an overflow parking situation on Wiswell Lane. This scenario is unacceptable.
ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):	<p>No representations have been received from the Highways officer in respect of the application, should these be forthcoming they will be reported verbally.</p> <p>Members will note that the officer offered the following observations on the previous withdrawn application which can best be summarised as follows:</p> <p><i>The car park accumulation survey does not suggest that the reduction in the car park capacity resulting from the proposed development would be detrimental to the site as a whole and lead to customers/visitors parking on Wiswell Lane I would therefore raise no objection to the proposal on highway grounds.</i></p> <p>At this stage it is not considered that there will be a deviation from the previous 'no objection' stance.</p>
UNITED UTILITIES:	No objection subject to conditions regarding foul and surface water drainage.
ADDITIONAL REPRESENTATIONS:	<p>8 letters of representation have been received objecting on the following grounds:</p> <ul style="list-style-type: none"> • Increase in congestion and traffic along Wiswell Lane. • The proposal will be of detriment to the safe operation of the immediate highway. • Flooding. • Loss of privacy as a result of the development. • Reduction in car parking spaces is likely to lead to parking on Wiswell Lane. • Inadequate services, facilities and infrastructure in the area. • The loss of car parking is contrary to the previous approval for the improvement to facilities on site. • The shared use of the access for the housing with the existing uses/facilities on site will be of detriment to the traffic situation in the area. • No need for additional housing within the settlement.

Site Location

The application site forms part of the grounds of Oakhill College, located to the south eastern extents of the grounds located to the east of numbers 6 – 12 Wiswell lane and to the south of number 14 Wiswell Lane and the existing college car parking facilities. The site benefits from a number of changes in topography with the site general sloping upward to the east.

The site is located adjacent but outside the currently defined settlement boundary for Whalley and is currently predominantly grassland in nature.

Proposal

The proposal seeks outline consent (matters of access only) for the erection of up to 6 low-carbon eco homes. The submitted details propose direct access to the site to be located to the southern extents of the existing car parking area sharing the existing vehicular access off Wiswell lane with the existing College and Academy.

It is further proposed that a 1.8m footway will be formed to the western extents of the existing parking to facilitate pedestrian access to the proposed housing; this will result in the loss of the eastern bank of parking, reducing overall provision from 112 to 85 spaces.

Indicative site plans has been submitted in support of the application that provide a potential arrangement/layout for the proposed housing. The submitted plans show 4 detached dwellings backing directly onto the western boundary of the site with the remaining two being located towards the southern extents of the site. The dwellings are served by a single access road in a cul-de-sac arrangement that terminates in a vehicle turning head.

A landscape buffer is proposed to the western boundary between Acrefield and the rear gardens of the proposed dwellings with an additional landscape buffer being proposed to the east of the site to mitigate any impact upon the residential amenities of future occupiers from the approved proposals to extend and floodlight the all-weather pitch to the north-east.

Relevant History

3/2015/0340 - Extension, floodlighting, resurfacing, and perimeter fencing of artificial sports pitch (resubmission of application 3/2014/1118). (Approved with conditions)

3/2014/1118 - Extension, floodlighting, resurfacing, and perimeter fencing of artificial sports pitch. (Refused)

3/2014/1117 - Development of up to 6 detached dwellings on surplus land at Oakhill College/Academy. (Withdrawn)

3/2006/0081 - Change of use of land to provide sport and recreational facilities and upgrading of existing football pitches. (Approved with conditions)

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 DMI2 – Transport Considerations
Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME3 – Site and Species Protection and Conservation

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Technical Guidance to National Planning Policy Framework

Principle of Development

The application site is located adjacent but outside the defined settlement boundary for Whalley. In relation to the adopted Settlement Strategy (Key Statement DS1), Whalley is defined as one of the Boroughs principal settlements, once of the locations to which the majority of new housing will be focused towards.

Policy DMG2 of the Core Strategy states that development proposals in the principal settlements of Clitheroe, Longridge and Whalley and the Tier 1 villages should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.

The Borough's settlement boundaries are currently being revised to take account a variety of matters including permissions granted since 1998. These revisions being undertaken are on the basis of a set of criteria approved by the Planning and Development Committee in September 2014 which state that the District wide Local Plan boundaries will be taken as a starting point for the purposes of development management decision making.

As such the site, at present, remains within the defined Open Countryside, though the proposals southern boundary would be adjacent to the current draft revised Whalley boundary. As such, and taken in isolation, it would still be unable to pass the tests within Policy DMG2.

However, matters have changed in relation to the overall housing supply position in Whalley. In particular, due to the recently revised position in relation to the Lawsonsteads site. Current applications now indicate that this site will deliver a reduced amount of housing than was originally anticipated, with outline consent having been granted for up to 260 dwellings and subsequent reserved matters approvals and submissions indicating that the quantum of development to be delivered on site will be approximately 214 units. Therefore approval of this scheme in terms of its harm to planned requirements as set out in the Core Strategy is to some degree mitigated by this shortfall in predicted housing numbers.

Therefore, considering the above and given the limited amount of development proposed, and its position in relation to the current draft revised boundary, it is not considered, at this time, that this proposal would cause significant harm to the overall Development Strategy for the Borough as set out in Key Statement DS1.

Therefore in principle, notwithstanding other materials considerations the proposal would to some degree accord with the aims, objectives and main thrust of Policy DMG2 and Key

Statement DS1 and consider that there would be no significant detrimental implications to the adopted development Strategy resultant from the granting of consent.

Environmental, AONB, Human Rights and Other Issues

The application states that the proposed dwellings will be low-carbon 'eco' homes. No detailed supporting information has been submitted in respect of building performance, sustainable construction methods or technologies proposed. The applicant has stated that in terms of energy efficiency the intention is to satisfy the requirements of the (now replaced) Code for Sustainable Homes Level 5 i.e. a 100% reduction on the Dwelling Efficiency Rating.

As previously stated, the application is made in outline with all matters reserved save that of access therefore layout and matters of detailed design/landscaping cannot be assessed at this stage, however it is imperative that the Local Planning Authority is assured that the level/amount of development proposed can be comfortably and appropriately accommodated on site.

I have a number of observations in respect of the indicative layout proposed, whilst it is envisaged that these matters would be addressed through negotiation at the Reserved Matters (R.M) stage these observations have been provided for the purposes of clarity/continuity and in light of the nature of a number of representations received.

In respect of the proposed indicative layout I have the following observations:

- I have some concerns regarding the scale and footprint of the proposed dwellings and as a result their perceived visual density on the site which does not allow for a level of visual permeability that I would consider acceptable given the proposal intends to encroach into defined open countryside. Whilst I am mindful of the quantum and densities of development approved to the south, it is clear this site will be read in conjunction with the existing College and there is the potential it could result in a discordant pattern and density of development that fails to respond positively to the immediate adjacent built form.
- I have some reservations regarding the relationship between plots 4 and 5 in that the primary outlook (east) of plot 4 is likely to be onto the gable end of plot 5 however as no scale parameters have been proposed it could be likely that this outlook is onto a single storey element rather than that of a two storey elevation.
- The extents of hardstanding/driveway, particularly fronting plots 03-05 may be considered excessive and permeable solutions should be considered along with a reduction in the extents of surfacing.

Impact upon residential amenity

As the application is made in outline with all matters reserved save that of access, a definitive assessment of the impact upon residential amenities, if any, cannot be determined at this stage. However on the basis of the indicative layout proposed (which may be subject to significant change) the separation distances from the existing properties to the west is in excess of 40m which exceeds current off-set standards.

The applicant has submitted supporting information in relation to the potential impacts from the previous consent for the extension of the adjacent artificial sports pitch and associated floodlighting, resurfacing, and perimeter fencing. An acoustic survey/noise assessment has

been submitted that demonstrates that the acoustic attenuation/noise barriers, as previously approved, would provide sufficient mitigation to the proposed dwellings in addition to a limitation of the hours of operation.

A lighting impact study has also been submitted that provides details of light spill and light pollution modelling and its potential impact upon existing and proposed adjacent properties. The report concludes that the levels of impact are deemed to be acceptable.

For the purposes of clarity members will note that the installation of acoustic mitigation and the detailed nature of the lighting to be installed were conditional to the approval for the extension of the artificial sports pitch and therefore these matters need not be conditioned as part of the current application.

Conclusion

Subject to appropriate conditions, the proposed development is therefore considered to be in accordance with the aims, objectives and requirements of the NPPF and the adopted Core Strategy.

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

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

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

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

2. The submission of reserved matters shall include details of all proposed boundary treatments, existing and proposed land levels, including slab levels. The development shall be carried out in strict accordance with the approved details unless agreed in writing by the Local Planning Authority.

REASON: In order that the Local Planning Authority can ensure that the development responds appropriately to the topography of the site and in the interests of the appearance of the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

3. No development shall take place, including any demolition or site preparation works, until a Construction & Demolition 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 dust and dirt during construction and demolition.
7. The highway routing of plant and material deliveries to and from the site.
8. Measures to limit noise disturbance during construction & demolition
9. A scheme for the recycling/disposing of materials/waste resulting from demolition and construction

REASON: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the highway during the construction phase in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

4. No development shall take place until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites have been submitted to, and approved in writing by the Local Planning Authority. The details shall be submitted on a dwelling/building dependent bird/bat species development site plan and include details of plot numbers and the numbers of artificial bird nesting boxes and artificial bat roosting site per individual building/dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into those individual dwellings/buildings during the actual construction of those individual dwellings/buildings identified on the submitted plan before each such dwelling/building is 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.

5. Notwithstanding the submitted details, prior to the commencement of the development, details of the proposed footpath and alterations to the existing car park, including resurfacing as indicated on the proposed site plan (Drawing Title Proposal 1:500) shall have been submitted to and approved by the Local Planning Authority. The proposed footpath shall be constructed in strict accordance with the approved details and be available for use prior to first occupation of any of the dwellings hereby approved.

REASON: In order that the Local Planning Authority may ensure that adequate pedestrian access to the site is provided prior to the occupation of any dwelling in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

6. 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 that building, in accordance with the approved details. The 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.

7. 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 means of surface water drainage in accordance with Policies DMG1 and DME6 of the Ribble Valley Core Strategy.

C APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL

APPLICATION NO: 3/2015/0605/P (GRID REF: SD370476 432960)
ERECTION OF A GROUND MOUNTED SOLAR PHOTOVOLTAIC ARRAY AND ASSOCIATED INFRASTRUCTURE AT LITTLE SNODWORTH FARM, SNODWORTH ROAD, LANGHO



3/2015/0605 land at Little Snodworth Farm, Snodworth Road, Langho BB6 8DN.

Scale 1:5000

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BILLINGTON & LANGHO
PARISH COUNCIL:

Objects to the application for the following reasons:

- Traffic/highways: Snodworth Road floods on a regular basis. This is particularly dangerous in winter as the surface water freezes across the road making the road treacherous. The placing of solar panels at the top of the hill will increase surface water run-off exacerbating the problem.
- The south west corner of the development is placed at a very dangerous junction where high speed traffic cresting a brow on York Road meets with the extension of Parsonage Road. The Lancashire cycleway also joins at this point. There is also a very popular public footpath that adjoins the road at this junction. Any glare or distraction at this point is an unnecessary danger to road users.
- Greenbelt: This development is within land designated as greenbelt. It is effectively an industrial development with security fencing, CCTV cameras and sub-stations. It will significantly destroy the vistas from York Road and the footpaths in the area. Moreover it will be visible from many miles around and from areas classed as Area of Outstanding Natural Beauty.
- Footpaths: The development will require the moving of a footpath, but who would want to walk through 1700 solar panels.
- The proposal is of the wrong size and totally out of keeping with its placement.

WILPSHIRE PARISH
COUNCIL:

Objects to the application on visual grounds as the land slopes so that the height of the panels is more prominent and would destroy the openness. This is an inappropriate location for this development that would have an adverse effect upon the greenbelt.

NEIGHBOURING
AUTHORITY:

Blackburn with Darwen Borough Council has confirmed that it raises no objections to the proposed development.

Hyndburn Borough Council was also consulted on the application but has not made any representations.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

Comments that, as the proposed development would have little impact on the highway, except during the construction period, he does not raise any objections to the application. He did, however, express concern about the possibility of a distraction to motorists caused by the glint and glare. In the event that planning permission was to be granted, the County Surveyor would therefore recommend the imposition of appropriate

conditions to ensure that any possibility of distraction to drivers on the adjoining highway caused by glint and glare is prevented by appropriate measures, such as a scheme of screen planting on the boundaries of the site adjoining the adopted highways.

LCC (PUBLIC RIGHTS OF WAY OFFICER):

Comments that the development affects three public footpaths, two of which (Nos 15a and 16 Billington) are shown on the application plans to require diversions. A third footpath (No 13 Wilpshire) also appears to require a diversion as part of it is within the proposed fenced compound. Any diversions would be dealt with under the Planning Act and would need to be in place prior to the commencement of development.

The Public Rights of Way Officer therefore submitted a holding objection until the applicant provided more detail relating to the proposed diversions.

THE RAMBLERS ASSOCIATION:

Object to the application on the grounds of visual intrusion. This is an important area for walkers, both local and from further afield. At a time when the Government is encouraging walking as a means of improving health and wellbeing, accessible walking areas should not be made less attractive or convenient by the development of a solar farm.

The area consists of 26 acres of greenbelt land and the site would be visible from the Area of Outstanding Natural Beauty. It would be much less pleasant to have to walk alongside or close to a solar farm of the size and location proposed in this application, and reactions from footpath users to similar developments in other areas has not been favourable.

Whilst supporting measures to mitigate the threat posed to our countryside by climate change, including the use of solar technology, solar farms should be sensitively sited so that they do not damage valued landscapes and would be better sited in already developed areas.

ADDITIONAL REPRESENTATIONS:

85 letters have been received from 80 local households. The letters are available on file for viewing by Members, but the comments and objections that they contain are summarised as follows:

1. The site is within the Green Belt. This must surely rule out any development on the site.
2. Serious detriment to local views, including distant views due to the elevated location of the site.
3. Serious detrimental effects on local wildlife.

4. This proposal would add to the harm to the local environment caused by the three wind turbines at Carr Hall (that was allowed on appeal despite the objections of local residents, the MP and Parish and Borough Councils).
5. Solar panels are clumsy in design and unsightly in appearance and would blight the local landscape for many years.
6. The proposal would contravene paragraph 91 of the Planning Practice Guidance which states “when located in the Green Belt, elements of renewable energy projects will comprise inappropriate development”.
7. This development would add to the harm already caused by numerous recent planning permissions and developments in the Langho area.
8. The site will be an eyesore for many years, having the appearance of an open prison due to the security fencing.
9. Unnecessary diversion of public footpaths.
10. Developments of this type would be better located in the south-east of England that benefits from more sunlight.
11. The proposal will not generate enough electricity to warrant spoiling three fields in the Green Belt.
12. The proposal would contravene the requirements of Key Statement EN1 (Green Belt) and Policy DME5 (Renewable Energy) of the Core Strategy.

Proposal

Full planning permission is sought for a development comprising the following:

- Approximately 17842 solar panels mounted on structures capable of holding 48 panels, fixed at an angle of 30° and with a maximum height of 2.905m.
- 6 electrical invertors within 4 inverter housing units, each of which would have dimensions of 6m x 2.4m x 2.5m high with a flat roof, and have the appearance of storage containers.
- 1 electricity sub-station with dimensions of approximately 3.1m x 3.6m x 3m high with a flat roof.
- Internal site access tracks and a site entrance point.
- A temporary construction compound.
- A 2m tall wire fence around the perimeter of the site.
- 6 No 5m high CCTV towers.

Site Location

The application relates to three fields covering a total area of approximately 10 hectares at Little Snodworth Farm, Snodworth Road within an area of open countryside that is designated as greenbelt, approximately 350m to the south of the village of Langho. The urban area of Wilpshire is approximately 1.7km to the south west of the site; the urban area of Blackburn is approximately 2.7km to the south; the urban area of Rishton is approximately 3km to the south east; and the urban area of Great Harwood is approximately 2km to the east of the site. The land between the proposed development site and the surrounding urban areas is undulating and largely devoid of trees.

Two of the fields to which the application relates are situated on either side of Snodworth Road at its junction with York Road such that both of those fields have boundaries with both Snodworth Road and York Road. The third field is located further to the north west in a location that does not immediately adjoin any adopted highways.

Public footpaths cross two of the fields and there are other public footpaths immediately adjoining the proposed development site.

Relevant History

3/2015/0337/P – Request for an Environmental Impact Assessment (EIA) Screening Opinion in respect of the proposed erection of a ground mounted solar PV array on land comprising two fields at Little Snodworth Farm (this current application relates to those fields plus a third field). It was resolved that the development was not EIA development within the meaning of the regulations.

There have been planning applications relating to the use of agricultural buildings at Little Snodworth Farm for equestrian purposes and for conversion to holiday lets, including ancillary equestrian development such as a ménage. These are not, however, considered to be of any particular relevance 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 EN1 – Green Belt.

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.

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 includes such guidance and policies. This proposed development would generate electricity equivalent to the requirements of approximately 1,000 homes with electricity. This would make a 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 large scale solar farms can have a negative impact on the rural environment, particularly in very undulating landscapes. However, it is stated in the 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.

Green Belt

As the site is in the Green Belt, it is necessary for the applicant to demonstrate very special circumstances to why the proposed development should be permitted. The applicants put forward a number of matters that they considered to demonstrate that the benefits of a solar development would outweigh any potential harm to the Green Belt. These are discussed below.

- Wider environmental benefits as a result of renewable energy generation. The applicants state that the development will generate enough power to generate electricity for approximately 1,000 homes and will present an opportunity to reduce the carbon footprint emissions of the local area by approximately 1,100 tonnes of CO₂ per annum.

The Council accepts this as a benefit to be weighed in the planning balance.

- Landuse. The applicants state that the land is currently used as horse paddocks and that during the operational period of the development it would not be possible for horse grazing to occur but the land would still be used for grazing smaller livestock such as sheep that are able to graze under and in between the rows of panels. The landowner intends to reduce the scale of the livery business irrespective of the solar development. However the proposal provides a sustainable opportunity to do so without impacting on the other areas of the farm.

The owner could reduce the scale of the livery and introduce small livestock grazing without the necessity to introduce a solar farm. Indeed it is suggested that more livestock could graze on

fields that were not occupied by thousands of solar panels. The Council does not see how this represents any substantial benefit of the proposal.

- Farm diversification. The applicants comments that NPPF identifies farm diversification as a priority of rural land use planning. The proposed solar farm proposal allows for the diversification of the landowners agricultural opportunities, preventing over-reliance on grazing as the primary method of income. The applicants state that the solar development forms a significant part of the landowner's future business plans as the current capacity of the livery business is sought to be scaled down sustainably; and that the solar scheme would allow the business plans to be achieved sustainably and provide a secure and steady income which is diverse and independent of the livery business.

Currently, the main business of the landowner appears to be livery. The Council would comment that the proposed solar panels would render the three fields involved only suitable for grazing, thereby to some extent increasing the reliance on grazing as an income source rather than preventing it. The Council considers that farm diversification should be for alternative uses that maintain the rural/agricultural appearance and character of the locality; and also offer benefit to the local economy. The Council considers that any benefits to the site owner of diversification into solar energy production would weigh very little in the balance against the harm caused to the visual amenities of the Green Belt locality.

- Landscape. The applicants claim that the Landscape Visual Impact Assessments (LVIA) submitted with the application show that, due to the elevated location of the site as well as screening from shelterbelts and foliage, only a limited number of views of the site will be visible to members of the public, preventing any negative visual impacts.

Even if the Council was to agree with this statement (which it does not) the applicants are not claiming any improvements to the visual amenities of the locality. This does not therefore represent a benefit in favour of the development. At best it would be neutral but, in the Council's opinion, it is negative.

- Ecology. The applicants claim that the solar development will have a positive benefit to biodiversity by providing shelter for habitats and wildlife allowing them to flourish in areas that would otherwise be exposed. They claim that over the project lifetime this will result in significant benefits to the fields in which the panels are situated as the land and soils are given a break from intense farming allowing the soil to rejuvenate and replenish.

The Council considers that any improvements to the land and biodiversity over the 30 years could equally be achieved over the same period by the continued farming of the land using good agricultural practices. Improvements brought about by the implementation of good agricultural practices would also be a benefit without any visual harm. On the other hand, any benefits to the land and biodiversity that might result from the solar farm would not outweigh the 30 years of harm to the visual amenity/character of the locality.

- Grid connection. The applicants state that the site is located close to a viable grid connection point thus removing the need for "unsightly additional infrastructure and cabling which would negatively impact the surrounding natural environment". For

this reason and for reasons relating to costs saving, the applicants consider that projects in close proximity to a viable grid connection should be supported.

The Council considers the phrase “unsightly additional infrastructure” to be somewhat unfortunate when being put forward as a benefit in support of a development that the Council would contend itself amounts to a considerably larger amount of “unsightly infrastructure”. The Council does not consider it to be any benefit in relation to town planning considerations that the development is in a location that will require slightly less unsightly infrastructure than might be required in other locations.

- Project lifetime. The applicants claim that, when the development is decommissioned in approximately 30 years’ time it will leave behind significantly improved conditions for agricultural benefits, with healthier soil, remediated ground nutrients and greatly improved biodiversity.

The Council’s response to this claim is the same as that given to the applicant’s claims under “Ecology”.

- Economic benefits. The applicants claim that the proposal will create employment opportunities during the construction period, ongoing maintenance and decommissioning of the site thus contributing to the rural economy. They consider that income generated by the farming business from renewable technologies is reinvested into the farm itself providing a significant boost and an opportunity to secure the farming business for future generations.

The only tangible benefits to the local economy are through employment opportunities at the beginning and end of the 30 year period. Other than to carry out limited maintenance, there is no employment generated by the development during the 30 year lifespan of the solar panels. The only financial benefits would be to the landowner. Other forms of farm diversification, such as into tourism, would have perpetual benefits to the local economy.

The applicants consider that the 8 factors discussed above demonstrates that the benefit of the proposed development significantly outweigh the (in their opinion) minimal impact that the development may cause to the Green Belt by reason of inappropriate development. For the reasons given above, the Council strongly disagrees with this conclusion.

The applicants then seek to claim that a precedent has been set for development in this area by the approval on appeal for three, 46m high wind turbines at the now closed Carr Hall Garden Centre.

That application was refused by this Council as inappropriate development within the Green Belt as the turbines would be harmful to the openness and permanence of the Green Belt, and as no special circumstances had been demonstrated that would outweigh the harm caused.

The Planning Inspector has acknowledged that the turbines **would constitute as inappropriate development** within the Green Belt, however, it was the opinion of the Inspector that very special circumstances had been demonstrated as stated in paragraphs 27 and 28 of the appeal decision letter that are quoted below:

“I heard that the existing electricity connection at Carr Hall Garden Centre is of insufficient capacity to serve all the equipment required to run the business. Further, that reliance on diesel

generators has had an adverse impact on the business due to the seemingly ever increasing cost of fuel and the ability to offer potential franchisees a reliable supply of electricity. The proposal would facilitate a three phase connection and, in addition to providing some renewable energy to the grid, **would help secure and create local employment.**

I consider that these matters amount to the very special circumstances necessary to justify the development in the Green Belt. For the reasons given above and having regard to all matters raised, I conclude that the appeal should be allowed.”

The Council considers that the special circumstances referred to by the Inspector were exactly that. They were circumstances that related specifically to that application as the electricity would be provided to a local business helping to keep it viable and thereby securing and creating local employment. The applicants consider that for reasons similar to the wind turbine and due to the 8 benefits that they claim (as discussed above) very special circumstances can be demonstrated in this instance.

For the reasons given above and as the special/specific circumstances applicable to the wind turbine case do not appertain to this application, the Council does not agree with the applicant's conclusion.

The applicants also claim that, unlike wind turbines, solar developments are not inappropriate development within the Green Belt. They consider that due to the low-lying and unobtrusive nature of solar panel developments, which, in their opinion do not dominate or encourage on the sky-line, little impact is predicted on the openness of the Green Belt.

Again, the Council would disagree with the applicant and would refer to an appeal in Chorley Borough relating to a solar farm covering approximately 18 hectares in a Green Belt location (APP/D2320/A/14/2222025).

In this case, the Inspector found that the proposal **was** inappropriate development within the Green Belt. The Inspector found that the main issues for consideration in assessing that appeal were (i) whether the proposed solar farm would cause any harm other than by reason of inappropriateness; (ii) other considerations to be weighed in the planning balance; (iii) and whether the harm caused would be clearly outweighed by other considerations.

The Inspector concluded that the proposed solar farm would result in:

- a significant loss of openness of the Green Belt;
- significant encroachment in the countryside, thereby undermining of the purposes of including land within the Green Belt;
- a minor adverse effect on the character of the landscape;
- a significant adverse effect on the visual amenity of the area; and
- an adverse effect on the visual amenities of specified nearby residents.

Other considerations made by the Inspector related to the contribution of the proposal to energy security, reduction of greenhouse emissions and enhancement of biodiversity in the area.

The Inspector concluded that the harm caused by reason of inappropriateness, by a significant loss of openness of the Green Belt, and by significant encroachment into the countryside; in addition to the harm that would be caused to the character of the landscape, to the visual

amenity of the countryside and to the visual amenities of nearby residents, were not outweighed by the environmental and biodiversity benefits of the proposed renewable energy scheme. In the Inspector's opinion, therefore, the proposal was not sustainable development and the appeal was accordingly dismissed.

In the Council's opinion, this appeal strongly supports the Council's claim that the proposed solar development is inappropriate development in the Green Belt.

The applicant finally claims that the proposal does not affect the openness or permanence of the Green Belt in a manner that a wind development would; and, in fact, in the applicant's opinion a solar development supports the Green Belt's purpose by preventing the inappropriate spread of development, such as housing developments, from urban areas into the countryside.

The Council does not see any merit in this argument at all. There is absolutely no need or justification to allow a "lesser" development in the Green Belt in order to prevent a larger development. The implementation of Green Belt policies, by themselves, would prevent the larger development, in any event.

Finally, the Council would refer to the fact that more recently produced Government Guidance and Ministerial Statements have emphasised the importance of focussing the use of previously developed sites and the need to take into account local environmental considerations such as landscape and local amenity.

Overall, the Council considers that the proposal does constitute inappropriate development in the Green Belt and that the applicant has not demonstrated sufficient special circumstances to warrant approval, and therefore fails to meet the requirements of NPPF in this respect. The increase in the amount of renewable energy generated by the scheme does not outweigh the additional harm caused to the character and appearance of the Green Belt locality.

Landscape and Visual Impact

A Landscape and Visual Impact Assessment (LVIA) has been carried out that the Council's Countryside Officer confirms as being in compliance with LVIA Practice for Impact Assessment. The Assessment concludes that, overall, the impact of the development on the landscape and visual resource would be low to medium.

However, when looking at specific viewpoints, the Assessment concludes that the effects on York Road would be high; on Snodworth Road would be medium; and on footpath 16 would be medium.

As no special circumstances have been demonstrated to justify this development in the Green Belt, the Council considers that the effects of this renewable energy development on the local environment should be considered on the same basis as any other type of development.

The boundaries to York Road and Snodworth Road are low dry stone walls. Immediately inside these walls would be the 2m high security fencing, through which the 2.9m tall panels would be visible. Added to this would be 5m tall CCTV towers, two of which would immediately adjoin the boundary to York Road; and the four inverter cabins that have the appearance of storage containers.

The Council does not consider this to be a development that is acceptable or appropriate with respect to its impact on the immediate locality. Additionally, no attempt has been made to mitigate the detrimental visual effects of the development by landscaping or screen planting.

Whilst the LVIA might have concluded that the effects on the wider landscape are not significant, the Council considers that these effects are still nonetheless negative effects that, in the absence of special circumstances, strengthen the reasons to refuse this application.

The effects of the proposal on the public footpaths will be discussed later in this report.

Ecology

An Ecological Assessment including a Protected Species and Habitats Survey has been carried out. This concludes that the proposed works would not constitute a risk to any protected species or habitats if relevant mitigation is followed; and that it is considered that a Biodiversity Management Plan is produced if planning permission is granted to look at ways of greatly enhancing the ecological value and biodiversity of the site.

The Council's Countryside Officer does not disagree with these conclusions and there are therefore no reasons for refusal of this application in relation to this particular consideration.

Historic Environment

Evidence has been provided that the proposed development has been considered in relation to its potential effects upon heritage assets in the locality. This concludes that the development would not directly or indirectly impact upon any known features of historical significance. The Council does not disagree with this conclusion and there are therefore no reasons for refusal of the application in relation to this particular consideration.

Transportation and Highways

The County Surveyor considers that the proposal would only have any material impacts on the local highway network during the construction and decommissioning periods. Subject to an appropriate condition to address the potential problem of glint and glare distracting drivers on the roads adjoining the site, he also has no objections to the proposal on highway safety grounds.

There are therefore no reasons for refusal of the application relating to highways matters.

Public Rights of Way

The proposed development would require the diversion of two (possibly three) public footpaths. This, in itself, is not a reason to refuse the application but, in the event that planning permission was granted, all necessary Diversion Orders would need to be obtained prior to the commencement of development.

However, the proposed diversions would still leave the footpaths very close to the proposed development, thereby resulting in a significant change to the experience of walkers using these particular footpaths.

The Council considers that the nature and appearance of the development is such that the change to the experience of walkers would be a negative one. In the absence of any proven 'special circumstances' the Council considers this to represent a sustainable reason for refusal of the application.

Agricultural Land

National policy is opposed to development that would have an unacceptable impact upon prime agricultural land (grades 1-2). The land to which this application relates is shown on the DEFRA Agricultural Land Classification (ALC) as grade 4 land, classed as poor for agriculture.

In relation to this specific consideration, the proposed development would be acceptable.

Local Economy

Any benefit to the local economy would be restricted to the construction and decommissioning periods. There would be no benefit to the local economy during the 30 year lifespan of the development. As such, with regards to this particular consideration, the proposed development does not represent a benefit.

Noise/Residential Amenity

There are a number of residential properties in the vicinity of the site that would be affected during the construction and decommissioning periods. If permission was granted, however, a construction management plan would be required in order to address any potential nuisance to nearby residents. Once the construction was completed the proposed development would not, in the Council's opinion, have any detrimental effects upon the amenities of nearby residents during the lifespan of the development. There is therefore no reason for refusal relating to this particular consideration.

Conclusion

It is considered that the proposed development is inappropriate development in the Green Belt and it is not considered that the applicant has demonstrated sufficient very special circumstances to warrant approval. The proposal therefore fails to meet the requirements of NPPF in this regard. It is considered that the increase in the amount of renewable energy that would be generated by the proposal would not outweigh the harm to the character and appearance of the Green Belt and the immediate locality in general.

It is considered that the proposal due to the "urban" nature of the structures would change the character of the locality by detracting from its rural qualities.

It is clear in national guidance that renewable and low carbon energy proposals should only be provided in locations where the effects upon the local environment would be acceptable. Policy DME5 of the Council's Core Strategy is in compliance with national guidance by expressing support for renewable energy schemes but requiring particular regard to a number of matters including the following:

1. The immediate and wider impact of the proposed development on the landscape, including its visual impact and the cumulative impacts of development.

2. The potential benefits the proposal may bring.
3. The visual impact of the proposals, including design, colour and scale.

For reasons already given in this report, it is considered that the proposal would have a seriously detrimental impact on (in particular) the immediate environment and that any benefits of the proposed development do not outweigh this harm. The proposal is therefore contrary to Policy DME5 of the Core Strategy as well as being contrary to DMG1 and Key Statement EN1 (Green Belt).

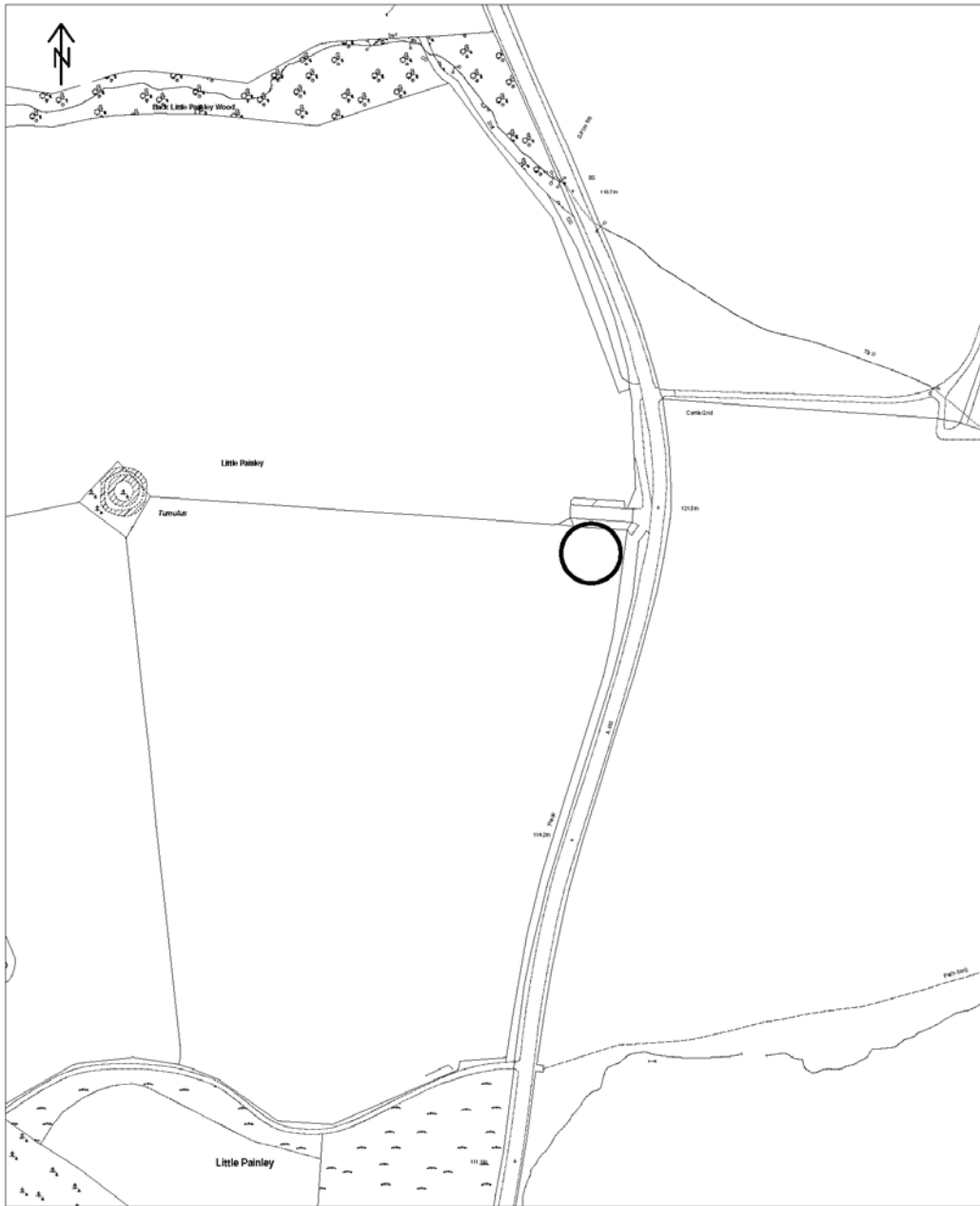
The harm to the appearance and character of the area would be experienced, not only by local residents but also by visitors, particularly walkers using the local footpath network.

For these reasons, it is accordingly recommended that permission be refused.

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

1. The proposed development is located entirely within the Green Belt. It is considered to represent inappropriate development in the Green Belt as defined in NPPF and the Council does not consider there to be special circumstances that would outweigh the harm that will be caused to the Green Belt by reason of inappropriateness, and to the character and openness of the Green Belt as a result of the development. As such, the proposal would be contrary to the requirements of NPPF and Key Statement EN1 of the Ribble Valley Core Strategy (Adopted Version).
2. The proposed development would be harmful to the visual amenities and character of the locality by reason of the size, scale, incongruous appearance and inappropriate nature of the proposals; particularly with regards to the proximity of the development to adopted highways and the lack of any proposed natural screen planting/landscaping to mitigate the detrimental effects upon visual amenity. As such, the proposal is contrary to the requirements of Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).
3. The proposed development would have a detrimental impact on the appearance and character of the locality as experienced by users of the local footpath network contrary to Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

APPLICATION NO: 3/2015/0722/P (GRID REF: SD 383374 450441)
ADVERTISING TRAILER/MOBILE BILLBOARD ADJACENT POND 250M FROM LITTLE
PAINLEY BOWL BARROW, OFF A682 SETTLE ROAD, NEWSHOLME



3/2015/0722 Pond 250m from Little Painley Bowl Barrow, A682 Settle Rd, Newsholme

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PARISH COUNCIL:

Strongly object to the proposals for the following reasons:

- A682 is a dangerous road and drivers need to concentrate on the road. A 50mph speed limit has been imposed on the road due to the number of accidents.
- The advertisement is unnecessary 'street furniture' and would not enhance the environment. It is an aggressive and overwhelming form of advertising which exploits the appeal of rural areas.
- The billboard would distract from the view of the Schedule Ancient Monument.
- Approval of the billboard would set a precedent for other caravan parks in the area to apply for this kind of advertisement ruining the natural beauty of the countryside.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

The proposed development would have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

HISTORIC ENGLAND:

The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

ADDITIONAL
REPRESENTATIONS:

Four letters of objection have been received in respect of the current application and relate to the following:

- A682 is a dangerous road and drivers need to concentrate on the road. A 50mph speed limit has been imposed on the road due to the number of accidents.
- The advertisement is unnecessary 'street furniture' and would not enhance the environment. It is an aggressive and overwhelming form of advertising which exploits the appeal of rural areas.
- The billboard would distract from the view of the Schedule Ancient Monument.
- Approval of the billboard would set a precedent for other caravan parks in the area to apply for this kind of advertisement ruining the natural beauty of the countryside.
- The displaying of advertisements on this land is a restricted covenant.

Proposal

This application seeks consent for the siting of an advertising trailer off Settle Road (A682), between the settlements of Gisburn and Newsholme and has been called-in by the ward member for determination by planning committee. The proposed advertisement would measure 2.5m x 3.7m and would be sited in an agricultural field to the west of the highway. Advertisements on vehicles or trailers parked in fields, verges, or in lay-bys require express consent. Only when the vehicle is used as a moving vehicle and is not used principally for the display of advertisements is any advertisement on it lawful. The purpose of the signage would be to advertise the sale of holiday homes at the Ribble Valley Country and Leisure Park, Paythorne.

Advertisement consent is sought for a period of fifteen years. The advertisements, which would be displayed on both sides of an A-frame trailer, would be elevated 0.7m above the adjacent ground level reaching a height of 3.2m in total. The advertisement would be made of PVC and would display the text 'HOLIDAY HOME SHOW & SALE NOW ON' in 20cm high white lettering with black background. A graphic of the holiday homes would cover the lower half of the advertisement.

Site Location

The trailer would be positioned on land identified as open countryside approximately 50m south of the access road to Middle Breaks Farm off the A682. The trailer would be located on the west side of the highway where the land is elevated above the level of the carriageway. The approach to the signage from both directions would afford the sign significant prominence given the lack of hedgerows or trees bounding the highway on the west side. Around 250m to the west of the proposed advertising trailer is located Little Painley bowl barrow, a Scheduled Ancient Monument. The Pennine Bridleway traverses a field to the south at a distance of 250m and follows the A682 adjacent the proposed advert.

Relevant Policies

Ribble Valley Core Strategy

Key Statement EN2 - Landscape

Key Statement EN5 – Heritage Assets

Policy DMG1 – General Considerations

Policy DME2 – Landscape and Townscape Protection

Policy DME4 – Protecting Heritage Assets

National Planning Policy Framework

Section 7 – Requiring Good Design

Section 11 – Conserving and enhancing the natural environment

Section 12 – Conserving and enhancing the historic environment

Environmental, AONB, Human Rights and Other Issues

Fundamental to the determination of applications for advertisement consent, is that they may only be controlled with regard to two material considerations, namely amenity and public safety. Amenity includes aural and visual amenity and factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. Paragraph 67 of the NPPF indicates that 'Poorly placed

advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment.'

The proposed signage would be situated in a prominent roadside position and would be highly visible to passing vehicles and users of the bridleway. Policy DMG1 of the Core Strategy places particular emphasis on the visual appearance of proposals and their relationship with their surroundings. The advertisement would be significant in size and given the use of modern materials, bright graphics and prominent text it would be visible from long range views and would appear wholly out of character with the rural setting. There would be no natural screening afforded to the proposed advertisement given the open characteristics of the field within which it would be placed and it is considered that the advertising trailer would appear as an incongruous feature that would result in significant harm to the landscape

Little Painley bowl barrow, a Scheduled Ancient Monument, is located 250m west of the proposed advertising trailer. Bowl barrows are funerary monuments with most examples belonging to the period 2400-1500 BC and are constructed as earthen or rubble mounds. They are considered a major historic element of the modern landscape and are considered worthy of protection. Additionally, the advertising trailer would be within 500m of the Gisburne Park estate which is a Registered Historic Park and Garden and contains a number of listed buildings.

Core Strategy Policy DME4 states that development that would result in harm to the significance of a Registered Parks or Gardens and Scheduled Ancient Monuments will not be supported. No information has been provided with the application to assess the impact of the proposals on the significance of these heritage assets as required by The Framework. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance is defined in the NPPF as 'the value of a heritage asset to this and future generations because of its heritage interest' and can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting - the surroundings in which an asset is experienced.

In this case, it is considered that the location of the proposed signage within 250m of the Scheduled Ancient Monument would result in significant harm to its setting. Little Painley bowl barrow is surrounded by rolling hills and attractive countryside which contributes significantly to how the heritage asset is experienced. The NPPF is clear that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent. The advertising trailer would be injurious to the visual amenity and character of the area and would be detrimental to the setting of Little Painley bowl barrow contrary to policies DMG1, EN2, EN5, DME2 and DME4.

With regards to public safety, the County Surveyor has raised no objections regarding the proposed advertising trailer and is of the opinion that the proposed development would have a negligible impact on highway safety. The advertising trailer would not obstruct or impair sight-lines, would not obstruct or confuse a road-user's view and would not distract road-users and it is considered that it would not result in any unacceptable harm to public safety.

Conclusion

For the reasons explained in the report, it is considered that the advertising trailer would result in unacceptable harm to the considerable visual amenity of the surrounding countryside by virtue of its exposed siting, size and design which would make it a prominent and out of keeping feature in the landscape. The advertising trailer itself as the means of display is also considered visually unacceptable, representing poor quality design and resulting in an unacceptable visual appearance. Furthermore, the proposal would be injurious to the setting of a Scheduled Ancient Monument contrary to policies EN5 and DME4 of the Ribble Valley Core Strategy. It should also be borne in mind that approval of the proposed advertisement could set a dangerous precedent for similar applications in countryside areas of high amenity value.

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

1. The display of the proposed trailer advertisement in this location within an area of open countryside would be harmful to visual amenity by reason of its siting, size, design, means of display and prominence which would result in the introduction of an unduly obtrusive and incongruous feature into the landscape contrary to policies DMG1, EN2 and DME2 of the Ribble Valley Core Strategy and the advice contained within the National Planning Policy Framework.
2. The proposed trailer advertisement would detract from the significance of a Scheduled Ancient Monument by reason of its siting, size, design, means of display and prominence which would be injurious to the setting of Little Painley Bowl Barrow contrary to policies EN5 and DME4 of the Ribble Valley Core Strategy.
3. The proposal if approved would set a dangerous precedent for the acceptance of other similar proposals which would cause visual harm to the landscape and render more difficult the implementation of the established planning principles of the Local Planning Authority.

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

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

APPLICATIONS APPROVED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2010/0653/P	Retrospective consent for extractor equipment	87 Lowergate Clitheroe
3/2011/0689/P	Discharge of condition for materials and window detailing	Sunnymede Ribblesdale Avenue Clitheroe
3/2014/0348/P	American barn and outdoor riding arena at land	Bobbin Hall, Shire Lane Hurst Green
3/2014/1056/P	Removal of condition 3 to allow for recently partially constructed holiday let building as a dwelling	Higher Mill Farm, Slaidburn Road, Waddington
3/2015/0112/P	Resubmission of 3/2015/0112 vertical extension of existing dwelling to allow for an additional bedroom and improved family bathroom	Lynwood Neddy Lane Billington
3/2015/0129/P	Raising roof of single storey extension	1 Beech Grove Chatburn
3/2015/0317/P	Two and single storey rear extensions and balcony	18 Netherwood Gardens Brockhall Village Old Langho
3/2015/0349/P	Two VHF dipole antennas located at the top of the mast; One 1.8msatellite dish antenna located 30m on the mast; the removal of an existing DSO cabin and its replacement with one ground base equipment cabin with dimensions 2.7m x 2.7 x 2.72m high, two 0.15m GPS antennas to be located on the equipment cabin; minor ancillary works including an existing concrete base for the replacement cabin	Telecommunications Mast Moor Lane Billington
3/2015/0366/P	Erection of new dwelling within domestic curtilage	63 Mitton Road Whalley
3/2015/0370/P	Reserved matters application in respect of outline permissions – 3/2012/0497 – outline application for the erection of 7 No affordable housing dwellings and 14 No open market dwellings; 3/2013/0161 – outline application for the erection of 7 No open market dwellings and 4 No social housing dwellings; and 3/2013/0189 – outline application for the erection of 2 No open market dwellings	Strawberry Fields Main Street Gisburn

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0372/P	Erection of agricultural building of approximately 50m x 40m for livestock	Demesne Farm Newsholme
3/2015/0379/P	Proposed ménage and retrospective permission sought for a detached stable building	Intack Farm Old Clitheroe Road Dutton
3/2015/0380/P	Roof raised to allow for loft conversion. New staircase with dormer window. Extensions to side and rear of premises	37 Whitecroft Lane Mellor
3/2015/0431/P	Single storey extension to side of existing premises following demolition of existing toilet block. Internal alterations to existing shop/showroom to form larger shop unit	Stonebridge Garage Kestor Lane, Longridge
3/2015/0470/P	Dormer extension forming additional bedroom space	17 Mayfair Crescent Wilpshire
3/2015/0487/P	Discharge of condition for materials	Elmridge Farm Elmridge Lane, Chipping
3/2015/0491/P	Demolition of modern additions and erection of one and two storey extensions, change of use and alterations to form 8 apartments and minor alterations	The White Bull Hotel Higher Road Longridge
3/2015/0494/P	Proposed first floor rear extension	6 Long Row, Mellor
3/2015/0510/P	Discharge of Condition(s) 3 (materials) and 4 (door framing and glazing) of planning permission 3/2015/0141	Crabtree Cottage Back Lane Wiswell
3/2015/0532/P	Discharge of condition 3 (tree protection) and 4 (containment and storage of manure) in relation to planning permission 3/2015/0325	Field off Twitter Lane Waddington
3/2015/0536/P	Erection of a new storage building adjacent to the ice cream production buildings	Dowson Dairies Ltd Hawkshaw Farm Longsight Road Clayton-le-Dale
3/2015/0546/P	Demolition of existing single storey utility room and detached garage. Formation of single storey side and rear extension and attached garage	Fellway, Waddington Road Clitheroe
3/2015/0552/P	Replacement shop front signage consisting of one 700mm high Natwest fascia sign with one set of 490mm high externally illuminated lettering and chevron logo; one 515mm high Natwest fascia sign with one set of 360mm high externally illuminated lettering and chevron logo; two 600mm high Natwest externally illuminated heritage hung projection signs; one 890mm high Natwest non illuminated nameplate sign; two 244mm high Natwest non illuminated vinyl chevron signs; one tele/web window vinyl; three A1 light pocket marketing units	Nat West Bank York Street Clitheroe

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0562/P	Replacement of external window and rear elevation by bi-folding door, provision of decking and glass balustrade	Neddy Barn Neddy Lane Billington
3/2015/0563/P	Front porch extension to 0.300m projection, width 2.285m	9 Pagefield Crescent Clitheroe
3/2015/0570/P	Detached garage	Clayton Hey House Ribchester Road Clayton le Dale
3/2015/0580/P	Proposed demolition of six existing garages and replacement with one new garage	Seven Acre Garage Barker Lane, Mellor
3/2015/0581/P	To replace existing single garage with a single brick built garage	4 Highfield Drive Longridge
3/2015/0582/P	Single storey rear/side extension	12 Willows Park Lane Longridge
3/2015/0583/P	Proposed porch extension	132 Pimlico Road Clitheroe
3/2015/0587/P	Removal of existing conservatory, part demolition and adaption of garage, erection of new detached double garage, erection of separate timber garden workroom	The Old Dairy, Alston Lane Longridge
3/2015/0588/P	Alteration and extension of existing dwelling to include side and rear extension and remodelling of front elevation	32 The Hazels Wilpshire
3/2015/0598/P	Demolition of existing balcony and replacement with porch/canopy with double doors and infill windows	Moor Nook, Clitheroe Road Dutton
3/2015/0600/P	Replacement and extension of elevated platform to rear	Gatesgarth, Green Lane Grindleton
3/2015/0611/P	Discharge of condition(s) 1- 2 and 7-11 (covering letter confirming the conditions will be satisfied,) 3 (materials), 4 window and door schedule), 5 (landscaping) and 6 (bat and bird boxes) on planning permission 3/2015/0278	Chew Mill Farm Elker Lane Billington
3/2015/0613/P	Single storey extension to rear	Malden, 17 Lyndale Avenue Wilpshire
3/2015/0619/P	Proposed removal of detached garage to create the space for a two storey side extension	18 Balmoral Avenue Clitheroe
3/2015/0627/P	Engineering works to form earth banked slurry lagoon	Chilsey Green Farm Birdy Brow, Stonyhurst
3/2015/0631/P	Engineering works to form new open silage clamp	Chilsey Green Farm Birdy Brow, Stonyhurst
3/2015/0634/P	New agricultural livestock building and installation of a 16T bulk feed hopper	Chilsey Green Farm Birdy Brow, Stonyhurst
3/2015/0640/P	Non material amendment to planning permission 3/2012/0558 relating to reorganisation of floor plans for the internal	Primrose Mill Woone Lane Clitheroe
Cont/		

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
Cont...	garden area, design studio and apartment; changes to openings referred to in condition 4 and replacement of windows referred to in condition 6	
3/2015/0650/P	Single storey extension and minor amendments to the front elevation	7 Leys Close, Wiswell
3/2015/0661/P	Prior approval of proposed change of use of agricultural building to a dwelling-house (Class Q(a) only)	Barn at Higher House Farm Settle Lane, off Kiln Lane Paythorne
3/2015/0678/P	Discharge of conditions, landscaping in relation to consent 3/2015/0331	53 Knowsley Road Wilpshire
3/2015/0740/P	Replacement footbridge	Kemple View Clitheroe

APPLICATIONS REFUSED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2015/01111/P	First floor extension over existing ground floor kitchen	19 Millthorne Ave Clitheroe	Contrary to Core Strategy policies DMG1 and DMH5.
3/2015/0469/P	Demolition of existing kitchen and garage and replacement with new	Broomhill 54 Higher Road Longridge	Contrary to Policies DMG1, DMH5 and DME3 of the Ribble Valley Core Strategy.
3/2015/0549/P	First floor extension over existing ground floor extension	7 Hospital Cottages Ribchester Road Ribchester	Contrary to Policies DMG1 and DMH5 of the Ribble Valley Core Strategy.
3/2015/0577/P	Demolish existing conservatory and replace with single storey lean to extension to project 3.7m beyond the rear wall of the original dwelling, maximum height of 3.9m from the natural ground level and 2.7m height at eaves	The Coach House Lower Lane Longridge	The proposal is assessed against the provisions of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 2015

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

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0633/P	Prior notification application [under Classes Q(a) and Q(b)] for the change of use of existing agricultural storage building to form two dwellings including associated operational developments	The Barn at Pasture House Farm West Marton

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0832/P	Prior approval application for proposed change of use of an agricultural building to a dwelling-house with no associated building operations (Class Q)[a] only)	Dewhurst Farm Longsight Road, Langho

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>
3/2015/0072/P	Prior notification application for an agricultural access track	Land off Rimington Lane Rimington, Gisburn

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>
3/2015/0629/P	Prior notification to replace existing agricultural building with new structure to house sheep during lambing and store machinery. Length 23m, height to eaves 4.5m, breadth 16.8m and height to ridge 6.8m	Lawson House Farm Bolton by Bowland Road Sawley

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2011/0906/P	Proposed installation of new soil vent pipe to gable elevation and installation of wood burner to side elevation	5 Church Street Slaidburn
3/2015/0603/P	New 2m high boundary fence fronting the highway	1 Wasdale Grove Longridge

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2014/0742	Land off Pimlico Road Clitheroe	15/1/15	19	Signed
3/2014/0764	Land East of Chipping Lane Longridge	2/7/15	363	With Solicitor Applicants
3/2014/1018	Barnacre Road Longridge	20/8/15	33	With Solicitor Applicants
3/2015/0266	Primrose Works Primrose Road, Clitheroe	20/8/15	18	With LCC
3/2015/0347	Land off Towneley Road Longridge	20/8/15	12	With Applicants Agent for signature

<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>
3/2014/0779	Land off Dale View, Billington	16/10/14	50 Weeks	18	Decision 24/9/15

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>
3/2014/0438 R	16/01/15 but extension given until 6/02/15	Land east of Chipping Lane Longridge	Inquiry	10/11/15 6 days	Awaiting Inquiry
3/2014/0887 R	12/03/15	Bent House Tosside	WR		Appeal dismissed 28/09/15
3/2014/0942 R	28/04/15	Land off New Lane Withgill	WR		Awaiting decision
3/2014/1122 R	21/05/15	35 King Street Whalley	WR		Appeal dismissed 24/09/15
3/2015/0212 R	14/07/15	4 The Green Osbaldeston Lane Osbaldeston	WR		Awaiting decision
3/2014/0697 R	29/06/15	Land adj Clitheroe Road West Bradford	WR		Awaiting decision
3/2014/1090 R	06/07/15	Little Dudlands Fm Rimington	WR		Awaiting decision
3/2015/0272 R	22/07/15	Curtis House Longridge	WR		Awaiting decision
3/2014/0755 R	22/07/15	Mellor Lodge Gatehouse Mellor	WR		Awaiting decision
3/2015/0216 R	28/07/15	4 Court Grove Clayton le Dale	HH		Awaiting decision
3/2014/0846 R	12/08/15	Land at 23-25 Old Row, Barrow	Hearing	18/11/15	Awaiting decision
3/2014/0961 R	30/07/15	Skirden Hall Fm Tosside	WR		Awaiting decision
3/2014/0183 R	13/08/15	Land at Malt Kiln Brow, Chipping	Hearing	Provisionally 15/03/16	Statement due 17/09/15
3/2014/0226 R	13/08/15	Kirk Mill and Kirk House, Chipping	Hearing	Linked with 3/2014/0183	Statement due 17/09/15
3/2015/0200 R	23/09/15	Land rear of Beech Cottage Lovely Hall Lane Copster Green	Hearing		Statement due 28/10/15
3/2015/0565 R	24/09/15	Coach House Main Street Bolton by Bowland	WR		Statement due 29/10/15

<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>
3/2015/0566 R	24/09/15	Coach House Main Street Bolton by Bowland	WR	Linked with 3/2015/0565	Statement due 29/10/15
3/2015/0318 R	29/09/15	The Holly Wardsley Road Chipping	HH		Notification and Questionnaire due 06/10/15