

RIBBLE VALLEY BOROUGH COUNCIL

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Dear Councillor

The next meeting of the **PLANNING AND DEVELOPMENT COMMITTEE** is at **6.30pm** on **THURSDAY, 12 NOVEMBER 2015** at the **TOWN HALL, CHURCH STREET, CLITHEROE.**

I do hope you can be there.

Yours sincerely

CHIEF EXECUTIVE

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

AGENDA

Part I – items of business to be discussed in public

1. Apologies for absence.
- ✓ 2. To approve the minutes of the last meeting held on 15 October 2015 – copy enclosed.
3. Declarations of Pecuniary and Non-Pecuniary Interests (if any).
4. Public Participation (if any).

DECISION ITEMS

- ✓ 5. Planning Applications – report of Director of Community Services – copy enclosed.
- ✓ 6. Capital Programme Review and New Bids – report of Director of Resources – copy enclosed.

INFORMATION ITEMS

7. Reports from Representatives on Outside Bodies (if any).
- ✓ 8. Appeals:
 - a) 3/2014/0942/P – Creation of one dwelling at agricultural building on land off New Lane, Withgill, Clitheroe – appeal dismissed.
 - b) 3/2015/0216/P – Proposed pitch roof dormer to front elevation to match the existing roof material and four low profile velux windows to rear elevation at 4 Court Grove, Clayton-le-Dale – appeal dismissed.
 - c) 3/2014/1090/P – Conversion of barns to two dwellings with garages, creation of garden areas, replacement garage for farmhouse and installation of package treatment plant at Little Dudlands Farm, Rimington Lane, Rimington – appeal dismissed.

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

NONE

INDEX OF APPLICATIONS BEING CONSIDERED						
MEETING DATE: 12 NOVEMBER 2015						
	<u>Application No:</u>	<u>Page:</u>		<u>Officer:</u>	<u>Recommendation:</u>	<u>Site:</u>
A	APPLICATIONS REFERRED BACK TO COMMITTEE FOR APPROPRIATE CONDITIONS:					
					NONE	
B	APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR APPROVAL:					
	3/2014/0956/P	1		JM	AC	Fairclough House Loud Bridge Chipping
	3/2015/0688/P	8		SK	AC	Dilworth Lane Longridge
C	APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL:					
					NONE	
D	APPLICATIONS UPON WHICH COMMITTEE DEFER THEIR APPROVAL SUBJECT TO WORK DELEGATED TO DIRECTOR OF COMMUNITY SERVICES BEING SATISFACTORILY COMPLETED					
	3/2015/0159/P	15		JM	DEFER	Golf Driving Range Up Brooks, Lincoln Way Clitheroe
E	APPLICATIONS IN 'OTHER' CATEGORIES:					
					NONE	

LEGEND

AC Approved Conditionally
R Refused
M/A Minded to Approve

AB Adam Birkett
AD Adrian Dowd
CS Colin Sharpe

JM John Macholc
SK Stephen Kilmartin

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 12 NOVEMBER 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



3/2014/0956 Fairclough House, Loud Bridge, Chipping

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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.

Awaiting formal response based on amended plans but has requested a new plan showing swept path analysis

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.

Following revised plans and renotification no new issues.

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

Members will be aware that this application was taken off the October agenda in order to renotify following a revised plan due to ownership 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 recognise that the development would result in additional traffic movements in a rural location and would have some impact on adjacent residential amenities but on the basis of the recommended conditions and limited visual impact consider a recommendation of approval to be acceptable.

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 26/10/15, Revised site plan 334/502 received 14/10/15 and Sightline plan 334/206 received on 26/10/15.

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. This scheme shall relate to swept path analysis submitted on the 26/10/15 and 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: 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).

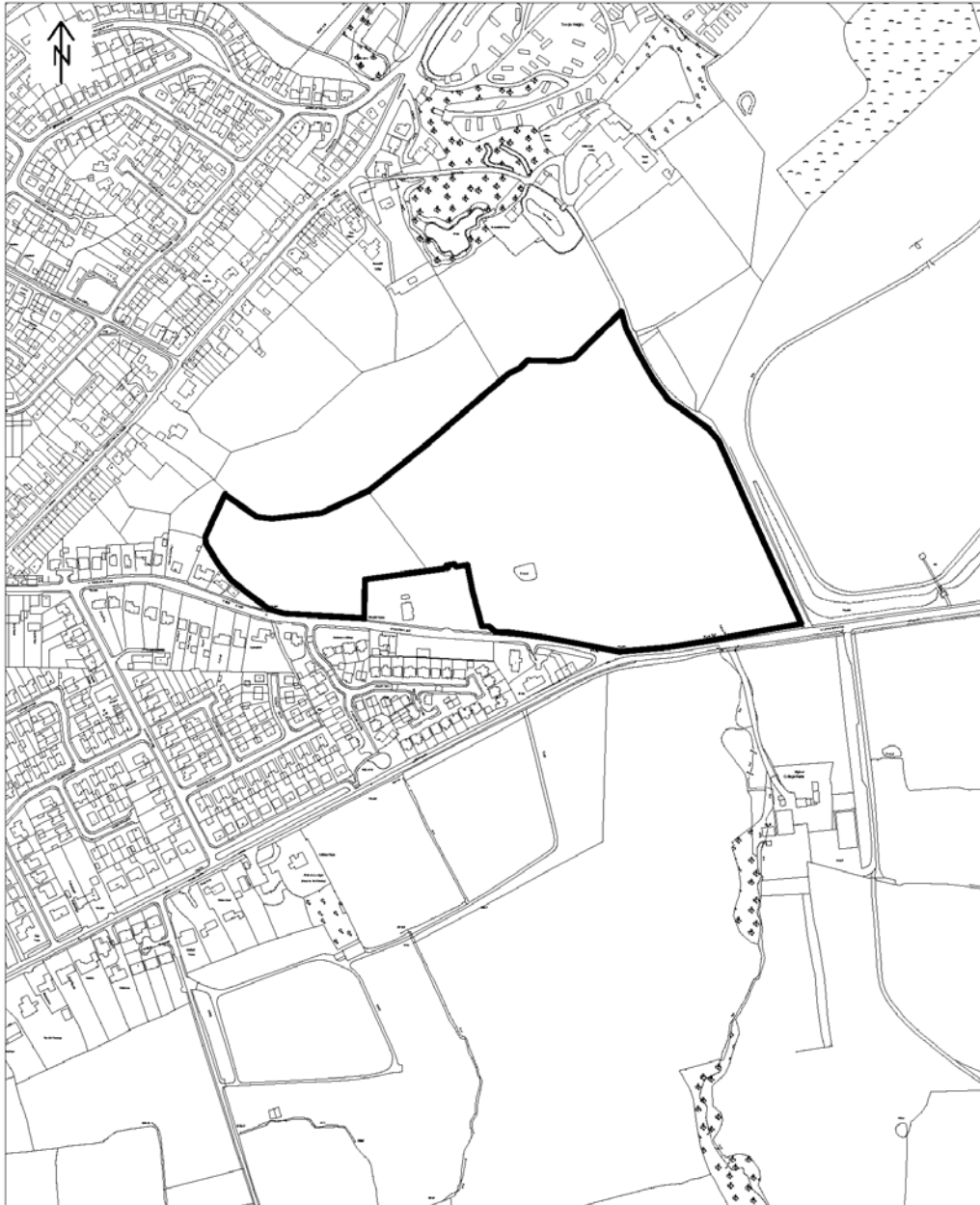
BACKGROUND PAPERS

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

APPLICATION NO: 3/2015/0688/P

(GRID REF: SD 361301 437386)

APPLICATION FOR DETAILED APPROVAL FOR APPEARANCE, LANDSCAPE, LAYOUT AND SCALE (RESERVED MATTERS FOLLOWING OUTLINE PLANNING PERMISSION 3/2015/0065 FOR UP TO 195 DWELLINGS WITH ACCESS FROM DILWORTH LANE) AT LAND TO NORTH OF DILWORTH LANE, LONGRIDGE PR3 3ST



3/2015/0688 Land to the north of Dilworth Lane, Longridge.

Scale 1:5000

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TOWN COUNCIL:	<p>Longridge Town Council have objected on the following grounds:</p> <p>The report submitted with the application which relates to flooding only deals with site drainage and doesn't include dealing with getting water away from the site.</p> <p>The Town Council is extremely disappointed that the sheltered housing element of the development at the West of the site will be done in the final stage of the development.</p> <p>The Town Council would like to point out that there has been flooding there for years and at the moment the drains are blocked. LTC are also disappointed at the lack of commitment from the relevant authorities to sort out the existing flooding prior to any development taking place.</p>
ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):	LCC Highways final observations are currently awaited and these will be reported verbally. At present no objection has been indicated and the layout/access points have been amended in line with comments made by the Highways Officer.
LCC ARCHAEOLOGY	LCC Archaeology have no objection to the proposal.
UNITED UTILITIES	No response received.
LEAD LOCAL FLOOD AUTHORITY	No response received.
NATURAL ENGLAND:	No comments in respect of the application.
PRESTON CITY COUNCIL	No objection to the proposal.
ADDITIONAL REPRESENTATIONS:	<p>11 letters of representation have been received objecting on the following grounds:</p> <ul style="list-style-type: none"> • No justification or the development. • Drawings are unclear. • Loss of privacy. • Insufficient landscaping. • Loss of view. • The proposed dwellings and materials are not in keeping. • Poor location of access. • Impacts upon highways. • No details of light pollution have been provided in respect of the application. • Noise impacts. • Drainage issues. • Increased risk of flooding.

Proposal

The application seeks reserved matters consent (Appearance, landscaping, layout, scale) for the erection of 195 residential dwellings including associated infrastructure, open space provision and landscaping pursuant to outline consent 3/2015/0065 (Approved 31st March 2015).

The reserved matters details propose the erection of 195 dwelling as follows:

- 13 x 5 Bedroom dwellings (Open market)
- 89 x 4 Bedroom dwellings (Open market)
- 57 x 3 Bedroom dwellings (Open Market)
- 10 x 2 Bedroom dwellings (Open Market)
- 8 x 3 Bedroom dwellings (Affordable)
- 10 x 2 Bedroom dwellings (Affordable bungalows)
- 8 x 2 Bedroom dwellings (Affordable)

Site Location

The site comprises of a broadly triangular parcel of land measuring 10.02 hectares to the north of Dilworth Lane in Longridge. Spade Mill reservoirs lie to the east of the site and the rear gardens of three dwellings on the northern side of Dilworth Lane adjoin the western boundary of the site, the closest of which is a recently constructed three storey dwelling.

An area of open land adjoins the northern boundary of the site, beyond which are the rear gardens of properties to the south of Higher Road. Dilworth House is a detached two storey dwelling also to the north of Dilworth Lane and the application site comprises of the land around the curtilage of this property. Dilworth House is considered to be a non-designated heritage asset.

Bridleway No.35 runs along the eastern boundary of the site on Tan Yard Lane. Footpath No.36 adjoins this bridleway to the north leading to Higher Road and footpath No's 29 and 33 lead east towards Beacon Fell View holiday-park. Dilworth Lane forms part of the Lancashire Cycleway.

Relevant History

3/2015/0065

Outline planning application for the development of up to no. 195 dwellings with all matters reserved, save for access from Dilworth Lane.
(Approved with conditions)

3/2014/0517

Outline planning application for the development of up to 220 dwellings with all matters reserved, save for means of access from Dilworth Lane/Blackburn Road.
(Application 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 EN3 – Sustainable Development and Climate Change
Key Statement EN4 – Biodiversity and Geodiversity
Key Statement EN5 – Heritage Assets
Key Statement H1 – Housing Provision
Key Statement H2 – Housing Balance
Key Statement H3 – Affordable Housing
Key Statement EC2 – Development of Retail, Shops and Community Facilities and Services
Key Statement DMI1 – Planning Obligations
Key Statement DMI2 – Transport Considerations
Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME2 – Landscape and Townscape Protection
Policy DME3 – Site and Species Protection and Conservation
Policy DME4 – Protecting Heritage Assets
Policy DME5 – Renewable Energy
Policy DME6 – Water Management
Policy DMH1 – Affordable Housing Criteria
Policy DMB4 – Open Space Provision
Policy DMB5 – Footpaths and Bridleways

Joint Lancashire Minerals and Waste Local Plan

Policy CS1 – Safeguarding Lancashire’s Mineral Resources
Policy M2 – Mineral Safeguarding

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

Environmental, AONB, Human Rights and Other Issues

Members will note that the principle of the development of the site for residential purposes has been established as acceptable through the granting of outline consent 3/2015/0065. It has therefore been established, in principle, that the proposal is considered to be in accordance with the Development Strategy for the Borough.

The proposal has been subject to extensive and detailed negotiation under the umbrella of a with further negotiation having been undertaken at pre-application stage and during the course of the application.

Given the current application seeks reserved matters consent pursuant to outline consent 3/2015/0065 the matters for assessment relate largely to technical and detailed matters, specifically the external appearance of the dwellings/streetscape, the proposed landscaping scheme, the layout of the proposed development, the scale of the dwellings proposed and any

impacts upon amenities of existing/future residents and the amenities of the area which are addressed in detail below.

Layout:

The development will be served by a single point of vehicular access to the eastern extents of the site off Dilworth Lane with additional pedestrian access being proposed western extents of the site and to the east of Dilworth House.

The development is primarily served by a singular spine road that runs east to west through the centre of the site serving a number of cul-de-sac and private drives.

By virtue of the routes throughout the site the development will be broken into small parcels of development which will allow for a level of visual permeability which will be complimented and interspaced with substantial landscaping and numerous pedestrian/cycle routes.

The Local Planning Authority has engaged in positive, extensive and detailed negotiation during both the pre-application and application stage which has resulted in a number of significant improvements in terms of the overall layout, negotiations are on-going in relation to detailed design treatments of the proposed dwellings and it is envisaged such matters will be resolved and the outcome of the ongoing negotiations will be reported verbally.

Scale:

The upper limits of the scale of development proposed has been restricted to two-storey with a number of single storey bungalows located to the western extents of the site to the east of numbers 30, 32 and 34 Dilworth Lane to minimise any impact upon residential amenities. I do not consider that the scale of the dwellings proposed will be of significant detriment to existing or future neighbouring occupiers.

Landscaping:

The submitted landscaping details propose significant streetscape landscaping and tree planting to the north, east and southern boundaries. The extents of the landscaping proposed is in accordance with the proposed landscape framework as approved under the umbrella of the original outline consent (3/2015/0065) with the inclusion of significant woodland planting to the eastern boundary and a significant landscape buffer to the southern extents of the site fronting Dilworth Lane. A number of play areas are proposed within the site, linked by an extensive network of cycle-ways and footways that ensure the long term usability of the proposed on site public open space.

The extents of the proposed landscaping, particularly within the streetscape and on the aforementioned boundaries, will aid in the proposal responding to the site context, provide significant mitigation in respect of the visual impact of the development and aid in contributing to overall biodiversity enhancement.

Appearance:

The design of the proposed dwellings is subject to on-going positive negotiations and design dialogue. It is considered that these matters will be satisfactorily resolved prior to the Planning and Development Committee meeting, the outcome of which will be reported verbally.

Conclusion

I note the comments of Longridge Town Council in respect of drainage and flooding. Matters relating to foul and surface water drainage have been conditioned as part of the outline consent and these matters will be consulted upon by the statutory responsible bodies in respect of the technical specification and acceptability of the overall drainage strategies proposed.

A number of objectors have raised issues in respect of insufficient landscaping and that the design of the dwellings and overall layout are not in keeping with the character of the area. Detailed negotiation has been undertaken to ensure the inclusion of extensive areas of dedicated usable open space and significant landscape and buffer planting to the site boundaries and throughout the internal layout which will ensure the development contributes to ecological and biodiversity enhancement whilst ensuring the development contributes to the character and context of the immediate vicinity,

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 Council's recently adopted Core Strategy.

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

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

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

N.B: Drawing Numbers TBC following receipt of revised plans

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

2. Notwithstanding the submitted details, precise specifications or samples of all external surfaces including, door/window surrounds and framing materials, fascia/barge boards and roofing/ridge materials including their colour and texture shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development.

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

3. Notwithstanding the submitted details, prior to the commencement of the development, details of revised house type elevations and floorplans shall be submitted to and agreed in writing by the Local Planning Authority.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposed house types are appropriate to the character of the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

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

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

5. Prior to the commencement of the development details of the design and position of the external meter boxes shall be submitted to and agreed in writing by the Local planning Authority, for the avoidance of doubt the details shall indicate that no meter boxes will be located on the primary elevations of the proposed dwellings or on locations that that are afforded a high level of visibility upon the streetscene. The development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

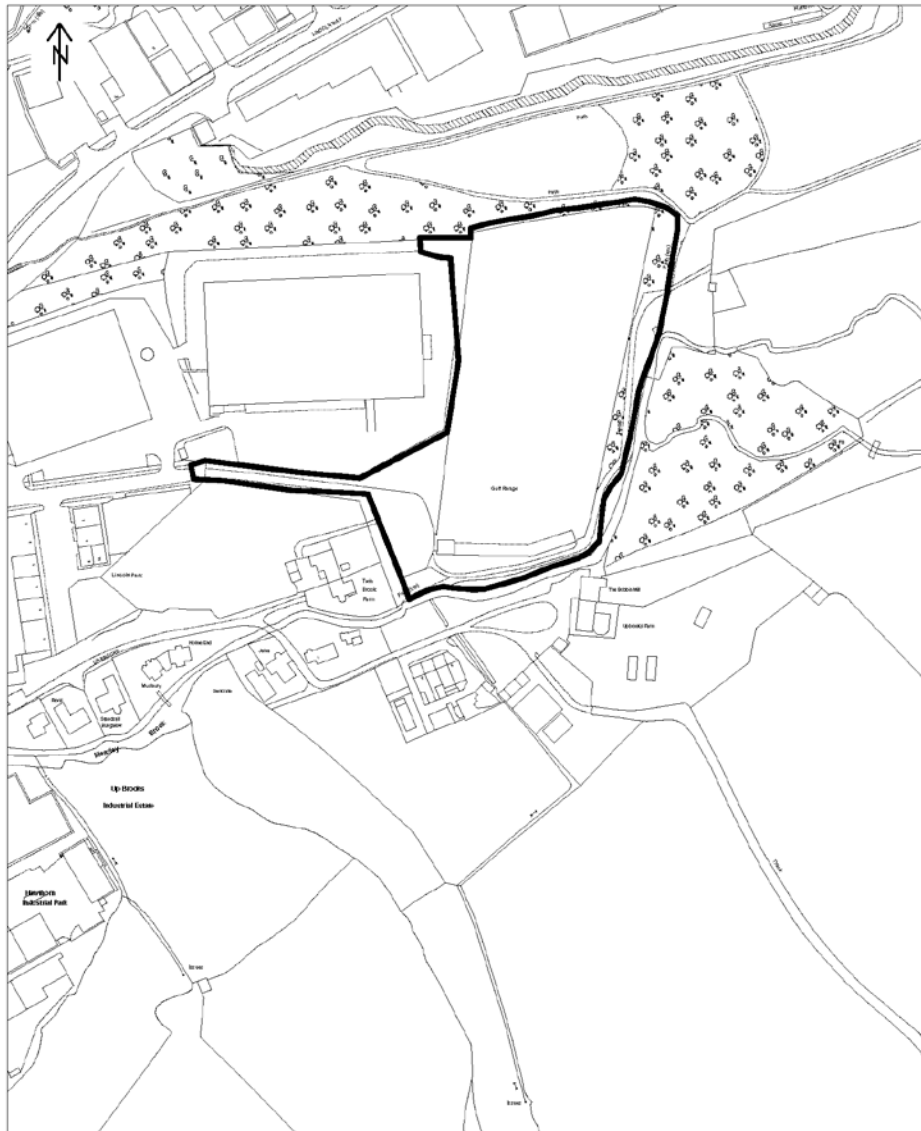
REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality and results in acceptable standard of appearance in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

BACKGROUND PAPERS

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

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

APPLICATION NO: 3/2015/0159/P (GRID REF: SD374170 441987)
PROPOSED ERECTION OF INDUSTRIAL UNITS CLASSES B1 AND B2, LAYOUT OF ESTATE ROAD, PARKING AREAS AND ASSOCIATED LANDSCAPING AT FORMER GOLF DRIVING RANGE, UP BROOKS, LINCOLN WAY, CLITHEROE



3/2015/0159 Former Golf Driving Range, Upbrooks, Lincoln Way, Clitheroe.

Scale 1:2500

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TOWN COUNCIL:	No objections.
ENVIRONMENT DIRECTORATE (ARCHAEOLOGY):	Following initial consultation and receipt of an archaeological evaluation report I am now able to confirm that the site is of no further archaeological interest and are happy with the conclusions in the report submitted and undertaken by the Archaeological Services at Durham University; report dated May 2015.
ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):	<p>Initially requested further details in relation to a transport assessment and following receipt of an adequate transport statement from TGPC have no objections to the development subject to appropriate conditions which included in the main body of the report and also a contribution to the Lancashire County Council in relation to a highway travel plan which shall be in the region of £12,000. The conditions which are included as part of a recommendation incorporates the following:</p> <ul style="list-style-type: none"> • Wheel washing facilities. • Adequate turning facilities to be made available within the site. • Requirement of a visibility splay. • Details of a car park and manoeuvring scheme. • Cycle provision from within the site. • Adequate parking facilities from within the site. • The scheme should be subject to a Section 278 Agreement in relation to off-site highway improvements. • Pre-commencement condition in relation to the Section 278 Agreement. • Details of a Travel Plan to be submitted. • Details of survey work and a Traffic Management Plan.
ENVIRONMENT AGENCY:	Following details and correspondence I no longer object to the proposal.
LANCASHIRE CONSTABULARY:	Suggests details regarding secure by design.
NATURAL ENGLAND:	No comments.
ADDITIONAL REPRESENTATIONS:	<p>6 letters of representation have been received which raise the following issues:</p> <ul style="list-style-type: none"> • Concern regarding its proximity to residential properties and possible noise issues. • Concern regarding possible flooding. • The increase in traffic would cause highway issues as well as problems with parking. • Concern regarding the impact on loss of trees.

Following reconsultation concern still raised regarding possible issues sewage and the capacity of the combined sewers as well as noise issues.

Proposal

The proposal is a detailed application for the erection of 21 industrial units together with estate road, car parking and landscaping. The units are predominantly in two specific blocks; one on the south side which is adjacent to the brook, would accommodate 12 units and one larger building on the north side which would accommodate 9 units, one of which is at first floor level. The total gross floor area will be approximately 10,500m². Parking spaces are distributed throughout the site and there is a landscape buffer around the north east and south site and additional planting within the adjacent land proposed two allow for sufficient biodiversity gains.

The buildings are designed of a traditional industrial nature and would incorporate a mixture of brickwork and cladding with similar materials to that used in the adjacent locality. The maximum height of the main building shown as Building 2 which incorporates 9 units is 10m but due to the existing topography there will be a variation in roof pitches breaking up the mass of the building. The overall size of Building number 2 is approximately 106 metres by 58 metres. The building has numerous roller shutter doors to enable lorries to access the building and on first floor will have office accommodation and a range of window openings. The roof is punctuated with solar panels which will enable a degree of renewable energy mechanisms to be employed on the site. The small units shown as Building 1 are designed in a 'U' shape orientation and the maximum height of these buildings would again be approximately 6 metres. The buildings of this unit back on towards the existing landscaping and the brook and would have an elevation comprising a mixture of cladding and brickwork and also silver panels on the roof. The property of this unit is nearest to any residential dwellings with the nearest properties being Twyn Brook Farm and Up Brooks Farm.

The proposal provides for car parking in various locations adjacent to the proposed buildings as well as turning facilities and an element of landscaping to be punctuated within the parking bays.

The proposed use is a mixture of light industrial and general industrial.

Site Location

The site is located on the east side of Clitheroe and adjacent to the Up Brooks employment site. Access to the site is from Salthill Industrial Estate and the land is adjacent to the large Ultraframe building and on the former golf driving range. The land to the north and east is designated as a Site of Special Scientific Interest known as Salthill and Bellman Quarry.

Relevant History

3/1997/0039 - Golf driving range. Approved.

Relevant Policies

Ribble Valley Core Strategy (Adopted Version)

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 proposals.

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 located in what can be regarded as a sustainable location being within the key settlement of Clitheroe closely related to the existing employment site.

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 the development is acceptable. The concerns of the residents are noted but it is clear that an analysis has been carried out on the key road junctions which concluded that there is spare capacity to support the additional trip generations from the proposed development.

LCC are satisfied that the proposed Travel Plan is adequate but may need to be supplemented with additional information and has requested a contribution of £12,000 to enable monitoring of the Travel plan.

As part of the development it would be necessary to upgrade some of the local footpaths which would be subject to a S278 Agreement.

The site is regarded by LCC as having a low accessibility score and as such recommends various improved highway measures within the vicinity of the site and request a financial contribution of £12,000.

In relation to the internal parking and visibility splays there is no objection subject to imposition of various conditions.

Landscape, Tree and Visual Impact

The site is located on the former Golf Driving range on the edge of one of the main industrial employment areas of Clitheroe. It is also adjacent to open countryside and in close proximity to a Site of Special Scientific Interest and the Salhill Quarry Local Nature Reserve.

A detailed arboricultural report has been submitted with the application. It has indicated that the development would result in a loss of 7 individual trees, 5 groups and a hedgerow all located

throughout the site. The scheme shows the provision of extensive new tree planting within the site and has been amended to now include land on the outside of the site for additional planting to now demonstrate a net gain in biodiversity. As this parcel of land is outside the site boundary and should not be affected by construction traffic I consider that this should be implemented in the next available planting season following consent being issued.

I am satisfied that given the extent of adjacent built development that the landscape visual impact remains localised.

Ecology

The ecology report has been amended to take into account ecological mitigation measures and subject to compliance now demonstrates a net gain in biodiversity and this has been confirmed by the Countryside Officer. The habitat to be lost comprises of intensively managed agricultural improved pasture of low ecological value and as such the onsite mitigation including new planting coupled with the offsite mitigation is acceptable and would be able to demonstrate a net gain in biodiversity.

Flood Risk and Drainage

Following the request for further information in relation to Flood Risk Assessment the Environment Agency no longer have any concerns based on the amended plans and additional information. I am mindful of the concerns expressed by the local residents but on the basis of the secured amendments it is evident that the statutory consultee raise no concerns.

Residential Amenity

In assessing the scheme I am satisfied that although the proposal is a significant incursion in the landscape and the height and scale of the buildings will have a visual impact I am satisfied that they are a sufficient distance from any residential properties not to adversely impact by virtue of loss of light or be unduly oppressive. The smaller units are located nearest to residential properties and the proposed and existing landscaping helps safeguard existing residential amenities. In terms of residential amenity it is also important to have particular regard to the noise impact caused by the new development and based on the proposed user of the main building and subject to appropriate restrictions relating to hours of operation I am satisfied that the scheme would not significantly impact residential amenities.

The Councils EHO has advised that they have no objection subject to appropriate conditions and based on details contained in the submitted noise and acoustic report. The proposal also includes an acoustic fence along part of the boundary and additional planting. The latter would not only reduce any noise impact but also add to the visual amenity and biodiversity.

Conclusion

The proposal is for a significant employment scheme adjacent to what can be regarded as the main industrial area of Clitheroe and would represent a logical extension to the area. Although the buildings will be visible I consider it to be a localised impact and given the backdrop of existing buildings to represent an acceptable impact. The scheme will provide the opportunity for significant employment benefits in one of the Key settlements. On the basis of the secured amendments I am satisfied that the development is acceptable.

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

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

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

2. The development hereby permitted shall be carried out in accordance with the details shown on drawing Nos:

Location Plan ALPE 14b/DWG 00 Issue C
Existing Site Plan ALPE 14b/DWG 01 Issue A
Proposed Site Plan ALPE 14b/DWG 02 Issue F
Proposed Roof Plan ALPE 14b/DWG 03 Issue B
Proposed Elevations Building 1 ALPE 14b/DWG 04 Issue B
Proposed Sections Building 1 ALPE 14b/DWG 05 Issue D
Proposed Elevations Building 2 ALPE 14b/DWG 06 Issue B
Proposed Sections Building 2 ALPE 14b/DWG 07 Issue B
Proposed Drainage Plan ALPE 14b/DWG 08 Issue E
Landscaping Plan ALPE 14b/DWG 09 Issue B
Biodiversity Plan ALPE 14b/DWG 10 Issue C

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.

Drainage

3. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt, prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking /servicing areas should be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing sewerage systems. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding in accordance with Policies DMG1, DME1 and DME6 of the Ribble Valley Core Strategy (Adopted Version).

4. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) with subsequent amendments and the following mitigation measures detailed within the FRA:
 - a). Finished floor levels are set no lower than stated on Drawing Alpe 14b / dwg 02 Amendment F.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To reduce the risk of flooding to the proposed development and future occupants and in order to protect the residential amenities of the occupiers of the adjacent properties and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

Lighting

5. Prior to the occupation of any unit details of external 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, a 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.

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).

Landscaping

6. Notwithstanding the submitted details, no development shall take place, unless otherwise agreed in writing, until full details of the proposed landscaping scheme for each 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 shall be implemented in the first planting season following completion of the external buildings and road infrastructure and shall be maintained thereafter for a period of not less than 15 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).

7. No development shall take place until a scheme for the offsetting of biodiversity impacts at the site has been submitted to and approved in writing by the local planning authority and

until the developer has purchased the requisite conservation credits as evidenced through the submission of the issued Conservation Credit certificates for the identified receptor site [Primrose Lodge, Clitheroe]. The details of offsetting shall include:

- 1 the identification of receptor site[s]
- 2 a management and monitoring plan [to include for the provision and maintenance of such offsetting measures for not less than 25 years from the date of this consent
- 3 the provision of contractual terms to secure the delivery of the offsetting measures
4. a Conservation Credit Certificate as proof of purchase of the offset credit

The development shall not be commenced until the local planning authority has received payments as calculated by the Environment Bank.

REASON: In order to minimise impacts on biodiversity and compensate for residual harm of development and to comply with Policy DME3 of the Ribble Valley Core Strategy Adopted Version.

8. 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).

9. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all existing trees within the site and adjoining the site shall be protected as shown on Drawing Number 4487-02-21B and in accordance with the BS5837: 2012 [Trees in Relation to Design, Demolition & Construction] the details of which, including a tree protection monitoring schedule, shall be submitted to and approved in writing by the local planning authority; and the agreed tree protection measures shall be put in place and inspected by the local planning authority before any site works are begun.

The root protection zone shall be 12 x the DBH and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

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

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

REASON: In order to ensure that any trees affected by the development are afforded maximum physical protection from the potential adverse effects of development on and

adjacent to the site in accordance with Key Statements EN2 and EN4 and Policies DMG1, DME1, DME2 and DME3 of the Ribble Valley Core Strategy (Adopted Version).

Amenity

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

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

11. The buildings shown as unit 18-22 inclusive shall be occupied by Paper Cup Company in relation to the existing business of manufacture and distribution of paper cups and ancillary products and no other use within Use Class B1, B2 or B8 of the Town and Country Planning Use Classes Order 2006(as amended) Or in any provision, including permitted changes, equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

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

12. No construction work, construction traffic or operation of any plant/machinery shall take place on the site during the course of the development hereby approved except between the hours of 0800 hours and 1800 hours Monday to Friday and 0900 and 1300. No construction work, construction traffic or operation of any plant/machinery shall take place on Sundays or Public Holidays. Furthermore, no deliveries or vehicles shall arrive on site outside these stipulated working works.

REASON: In order to protect the residential amenity of the occupiers of the adjacent properties and to comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy (Adopted Version).

13. The working hours within Units 1-17 the premises shall be restricted to the period from 0700 to 1900 Mondays to Saturday. No work shall be undertaken in the buildings on Sundays, Bank or Public Holidays.

REASON: In order to protect the residential amenity of the occupiers of the adjacent properties and to comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy (Adopted Version).

14. The roller shutter doors to units 18-22 shall be kept closed between the hours of 1900 and 0700 hours fabricating and manufacturing activities within the units.

REASON: In order to protect the residential amenities of the occupiers of the adjacent properties and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

15. There shall be no deliveries to the site or collections from the site between the hours of 1900 and 0700 hours.

REASON: In order to protect the residential amenities of the occupiers of the adjacent properties and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

16. No goods, plant or materials shall be deposited or stored on the site other than in the buildings shown on the approved plans.

REASON: To ensure a satisfactory appearance of the site in the interests of local visual amenity and in the interests of the amenities of nearby residents to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

17. No goods, plant or material shall be displayed for sale in the open on the site.

REASON: To ensure a satisfactory appearance of the site in the interests of local visual amenity and in the interests of the amenities of nearby residents to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

Contamination

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).

Highways

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. 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).

21. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plan and the vehicular turning space shall be laid out and be available for use before the development is brought into use and maintained thereafter.

REASON: Vehicles reversing to and from the highway are a hazard to other road users.

22. No part of the development shall be occupied until the visibility splays measuring 2.4 metres by 43 metres in both directions to be provided, measured along the centre line of the proposed car parking access as part of planning 3/2014/0948 application from the continuation of the nearer edge of the existing carriageway of Crabtree Lane, to the satisfaction of the Local Planning Authority. The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway.

REASON: To ensure adequate visibility at the street junction or site access in the interest of highway safety and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adoption Version).

23. A car park and manoeuvring scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative and permanently maintained thereafter.

REASON: To allow for the effective use of the parking areas in the interest of highway safety and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adoption Version).

24. The cycling facilities to be provided in accordance with a scheme to be approved by the Local Planning Authority and the cycling facilities to be provided in accordance with the approved plan, before the use of the premises hereby permitted becomes operative and permanently maintained thereafter.

REASON: To allow for the effective use of the parking areas the promotion of sustainable forms of transport and aid social inclusion in the interest of highway safety and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adoption Version).

25. The motorbike facilities to be provided in accordance with a scheme to be approved by the Local Planning Authority and the motorbike facilities to be provided in accordance with the approved plan, before the use of the premises hereby permitted becomes operative and permanently maintained thereafter.

REASON: To allow for the effective use of the parking areas in the interest of highway safety and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adoption Version).

26. 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 as part of a section 278 agreement, under the Highways Act 1980.

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 enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users in the interest of highway safety and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adoption Version).

27. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in condition 30 above has been constructed and completed in accordance with the approved scheme details, without prior agreement from the Local Planning Authority.

REASON: In order that the traffic generated by the new development does not exacerbate unsatisfactory highway conditions in advance of the first occupancy or trading in the interest of highway safety and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adoption Version).

28. Prior to the first use of the development hereby permitted, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The Business Travel Plan shall be implemented within the timescale set out in the approved plan and will be audited and updated at intervals not greater than 18 months to ensure that the approved plan is carried out.

REASON: To promote and provide access to sustainable transport options in the interest of highway safety and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adoption Version).

29. A Traffic Management Plan for the construction works, to be approved in writing by the planning department before any works begin on site and to include:

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials used in the construction of the development;
- Storage of such plant and materials;
- Wheel washing facilities;
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- Routes to be used by vehicles carrying plant and materials to and from the site;
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

REASON: To protect existing road users in the interest of highway safety and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adoption Version).

Energy

30. No development hereby permitted shall commence until a scheme to secure at least 10% of the total energy consumption of the development from renewable energy or that alternative measures will achieve at least 10% less energy consumption in a similar development constructed in accordance with the current building regulations has been submitted to and approved in writing by the local planning authority. Development shall be completed wholly in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To allow the energy needs of the development to be partially generated on site to reduce reliance on the grid in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan, Key Statements EN2 and EN3 and Policies DMG1 and DME5 of the Core Strategy Submission Version as proposed to be modified and the National Planning Policy Framework.

BACKGROUND PAPERS

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

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

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

APPLICATIONS APPROVED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2012/0992/P	New exterior trough lighting to the existing fascia	42 Berry Lane Longridge
3/2013/0859/P	Discharge of conditions for landscaping in relation to 3/2013/0486/P	Plot 8 Primrose Gardens, Primrose Road, Clitheroe
3/2014/0434/P	Discharge of landscaping condition (3/2014/0137)	Hammond Field Read
3/2014/0527/P	Discharge of conditions for time constraint, plan reference, materials, velux windows and bat survey in relation to 3/2010/1016	Brookside Cottage The Old Bakery Worston
3/2014/0919/P	Proposed garage and storage area	Bank House Sawley Road, Grindleton
3/2014/0948/P	Proposed garage and storage area	Bank House Sawley Road, Grindleton
3/2015/0004/P	Part retrospective application for the construction of a farm track	Sunnybank, Moorgate Farm Kenyon Lane, Langho
3/2015/0024/P	Erection of building for use as a crematorium and funeral chapel with associated construction of a car park	Ribble Valley Remembrance Park, Mitton Road Whalley
3/2015/0054/P	Erection of livestock building	Wheatley Farm Four Acre Lane, Thornley
3/2015/0194/P	Extension of curtilage to include adjacent grass verge and create new vehicular and pedestrian access	100 Chatburn Road Clitheroe
3/2015/0341/P	Proposed new garage to replace existing garage	Corgill Lodge, Holden Lane Bolton by Bowland
3/2015/0352/P	Demolition of former public convenience and erection of single storey detached garage/store for residential use	Former public conveniences Newton
3/2015/0377/P	Two storey side extension and single storey rear extension	27 Calder Avenue Billington
3/2015/0408/P	Extension to existing livestock building	Halsteads Farm, Grindleton Road, West Bradford
3/2015/0496/P	Discharge of condition(s) 5 (Boundary treatment detail) and 11 (Building dependent species detail) of planning permission 3/2015/0158	Windy Hills Farm Twin Brooks Road Chipping
3/2015/0502/P	Proposed basement extension	Craven Fold, Moorside Lane Wiswell

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0522/P (LBC)	Retention of unauthorised work. Removal of paint from window surrounds and subsequent repaint a major house	12 Church Street Clitheroe
3/2015/0530/P	Discharge of conditions 3 - Travel Plan and 4 - car park details of planning application 3/2014/0745	Bright Futures Day Nursery 54 West View, Clitheroe
3/2015/0538/P	Demolition of existing dwelling and erection of replacement detached dwelling and double garage	29 Calder Avenue Billington
3/2015/0557/P	Discharge of Conditions 3 (Protected Species) and 4 (Materials) on planning permission 3/2015/0017	4 Hammond Drive Read
3/2015/0574/P	Raising of roof, insertion of rooflights to front elevation and dormer extension to rear	25 Hillcrest Road Langho
3/2015/0595/P	First floor extension over existing garage and new porch. Single storey extension to rear	12 Back Lane, Rimington
3/2015/0597/P	Side extension at first floor level	55 Rogersfield Langho
3/2015/0607/P	Proposed two storey rear extension and alterations	18 Mitton Road Whalley
3/2015/0618/P	Single storey extension to side and rear	2 Hacking Close, Langho
3/2015/0628/P	Demolition of outbuilding, new two storey side extension and porch	14 Queensway Waddington
3/2015/0630/P	Roof over covered yard area following demolition of existing lean to building	Chilsey Green Farm Birdy Brow, Stonyhurst
3/2015/0636/P	Reduce ground levels and insert windows to create basement to games room	The Croft, 55 Whalley Road Wilpshire
3/2015/0637/P	Demolition of existing garage/store and conservatory. Erection of single storey side extensions and single storey garden room extension to rear with associated external works	Orchard House Main Street Grindleton
3/2015/0644/P	Proposed erection of single storey front entrance porch. Erection of a two storey bay window to the front to serve the sitting and master bedroom. Construction of a roof canopy over the existing garage door	Shay Cross Old Back Lane Wiswell
3/2015/0645/P	Change of use of former ambulance station to a theatre lighting hire business including the storage, servicing and hiring out of lighting equipment	Former Ambulance Station off Princess Avenue Clitheroe
3/2015/0655/P	Discharge of condition(s) 3 (materials), 4 (window detail), 5 (flood proofing) and 8 (obscure glazing) on planning permission 3/2015/0348	Ease Barn Farm Gallows Lane, Ribchester
3/2015/0656/P	Two storey rear extension with balcony	Langbar, Tunstead Avenue Simonstone

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0659/P	Replacement of existing wooden shed with timber clad, block-built shed	Hill Croft, Shire Lane Hurst Green
3/2015/0665/P	First floor extension and minor external works	St Michael & St John's RC Primary School Lowergate, Clitheroe
3/2015/0674/P	Front and rear dormer extensions and single storey rear extension incorporating conservatory	10 Bleasdale Avenue Clitheroe
3/2015/0696/P	Erection of garage to existing dwelling	Damson Cottage, Garstang Road, Chipping
3/2015/0693/P	Amendments to planning permission 3/2013/1030 consisting of substitution of grey concrete roof tiles to rear of property and relocation of first floor window to front elevation	6 Church Lane Mellor
3/2015/0669/P	Discharge of conditions 3 (roofing and walling materials), 4 (doors and glazing) and part discharge of condition 7 (driveway materials) of planning permission 3/2015/0130/P	21 Avenue Road Hurst Green
3/2015/0683/P	Resubmission of 3/2015/0152 for a detached garage	4 The Croft Chatburn
3/2015/0692/P	Side and rear extensions	53 Mellor Lane, Mellor
3/2015/0695/P	Proposed kitchen extension to extend 4.9m beyond the rear wall of the original dwelling with a maximum height of 3.3m from the natural ground level and 2.66m height at eaves	18 Longsight Avenue Clitheroe
3/2015/0743/P	Variation of condition 10 on planning permission 3/2015/0340/P to allow three trees to be removed and replaced rather than all trees being retained	Oakhill Collage Whalley

APPLICATIONS REFUSED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2015/0157/P	Creation of a new agricultural access track (Resubmission of application 3/2014/0695)	Land at A59 Gisburn Road Gisburn	Contrary to Core Strategy Policy DMG2.
3/2015/0260/P	Rear Balcony	38 Beaver Close Wilpshire	Contrary to Core Strategy policies DMG1 and DMH5
3/2015/0427/P	Conversion of existing workshop to form a new granny flat	1 Wheatsheaf Ave Longridge	Contrary to Policies DMG1 and DMH5 of the Ribble Valley Core Strategy

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2015/0651/P	Proposed single storey rear extension to extend 6.75m from the rear wall of the original dwelling, 3.75m maximum height from the natural ground level and 2.5m height at eaves.	74 Fairfield Drive Clitheroe	The proposal fails to meet criteria (j)(iii) of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 2015 to be permitted development
3/2015/0685/P	Single storey front extensions	6 Woodcrest Wilpshire	Contrary to Policies DMG1 and DMH5
3/2015/0691/P	Dormer extension to rear	Pillings Farm Bungalow Grindleton Road West Bradford	Core Strategy Policies DMG1, DMH5, EN2, DME3
3/2015/0704/P	Demolition of existing kitchen and conservatory extension and erection of new extension to rear 4.9m long, 4m high (max) to ridge, 2.66m high to eaves	16 Longsight Avenue Clitheroe	The proposal fails to meet condition A.4(7) of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 2015.
3/2015/0711/P	Single storey rear extension	19 Whalley Road Sabden	Harmful to the character and appearance of Sabden Conservation Area because extension is incongruous, conspicuous and unsympathetic to the building. Contrary to Ribble Valley Borough Council's Policy DME4 and NPPF Paragraph 17, 131 and 132.
3/2015/0746/P	Internal alterations, new window openings in NE, NW and SW elevations, replacement of all existing timber windows with UPVC mop sash double glazed units. Removal of existing render wall finish to rear utility room extension and	Salisbury Cottage Newton	Proposed upvc mock - sash windows and stone cladding of the extension is harmful to the character and appearance of Newton Conservation Area and the setting of Salisbury Hall and the Old Reading
Cont/			

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
Cont...	recladding with stone to match existing. Removal of existing tarmac to driveway and replacement with stone cobbles/setts		Room. RVCS Policy DME4 and NPPF Paragraph 17, 131 and 132.

AGRICULTURAL NOTIFICATIONS WHERE PLANNING CONSENT WILL **NOT** BE NECESSARY

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0391/P	Agricultural farm track approximately 300m long x 3.6m width	Clark House Farm Fish House Lane Chipping
3/2015/0751/P	Agricultural determination in respect of the construction of a farm workshop and tractor shed	Delphrock Bowland Gate Lane West Bradford

CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0623/P	Application for Lawful development certificate for existing use of land as residential curtilage at Lower Barn Farm	Lower Barn Farm Church Street Ribchester

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

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0752/P	Agricultural determination in respect of proposed open fronted general purpose farm building for storage of feed and bedding material adjacent to steel-framed farm buildings	Higher Highfield Farm Tinklers Lane Slaidburn

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0279/P	Single storey rear orangery 6m x 3.4m x 2.4 to eaves	20 Ribblesdale Road Ribchester
3/2015/0475/P	Change of use from B1 to B2 gymnasium and fitness centre	Units 4 & 5 Deanfield Drive Link 59 Business Park Clitheroe
3/2015/0701/P	Internal alterations, single storey rear extension, front and rear dormer construction	14 Bank Cottages Whalley Road Billington
3/2015/0724/P	Demolition of sawmill and outbuildings, construction of two storey residential and academic facility for 60 pupils and associated staff including secure outdoor play area	Land off Knowles Brow Stonyhurst

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2014/0764	Land East of Chipping Lane Longridge	2/7/15	363	Awaiting signature
3/2014/1018	Barnacre Road Longridge	20/8/15	33	With Applicants Solicitor for signature
3/2015/0266	Primrose Works Primrose Road, Clitheroe	20/8/15	18	With Applicants Agent
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>
3/2014/0742	Land off Pimlico Road, Clitheroe	15/1/15	37 weeks	19	Decision

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		Held in Abeyance – inquiry date cancelled
3/2014/0942R	28/04/15	Land off New Lane Withgill	WR		Appeal dismissed 12/10/15
3/2015/0212R	14/07/15	4 The Green Osbaldeston Ln Osbaldeston	WR		Awaiting decision
3/2014/0697R	29/06/15	Land adj Clitheroe Road West Bradford	WR		Awaiting decision
3/2014/1090 R	06/07/15	Little Dudlands Farm, Rimington	WR		Appeal dismissed 19/10/15
3/2015/0272R	22/07/15	Curtis House Longridge	WR		Awaiting decision
3/2014/0755R	22/07/15	Mellor Lodge Gatehouse Mellor	WR		Awaiting decision
3/2015/0216R	28/07/15	4 Court Grove Clayton le Dale	HH		Appeal dismissed 15/10/15
3/2014/0846R	12/08/15	Land at 23-25 Old Row, Barrow	Hearing	18/11/15	Awaiting decision

Application No	Date Received	Applicant Proposal/Site	Type of Appeal	Date of Inquiry/Hearing	Progress
3/2014/0961R	30/07/15	Skirden Hall Farm, Tosside	WR		Awaiting decision
3/2014/0183R	13/08/15	Land at Malt Kiln Brow, Chipping	Hearing	Provisionally 15/03/16	Awaiting Decision
3/2014/0226R	13/08/15	Kirk Mill and Kirk House, Chipping	Hearing	Linked with 3/2014/0183	Awaiting Decision
3/2015/0200R	23/09/15	Land rear of Beech Cottage Lovely Hall Lane Copster Green	Hearing		Statement due 28/10/15
3/2015/0565R	24/09/15	Coach House Main Street Bolton by Bowland	WR		Statement due 29/10/15
3/2015/0566R	24/09/15	Coach House Main Street Bolton by Bowland	WR	Linked with 3/2015/0565	Statement due 29/10/15
3/2015/0318R	29/09/15	The Holly, Wardsley Road Chipping	HH		Awaiting Decision
3/2015/0517	07/10/15	Wolfen Hall Fish House Lane Chipping	WR		Statement due 11/11/15
3/2015/0518	07/10/15	Wolfen Hall Fish House Lane Chipping	WR	Linked with 3/2015/0517	Statement due 11/11/15
3/2015/0016	Awaiting start date from Inspectorate	Cowley Brook Fm Higher Road Longridge			
3/2015/0333	Awaiting start date from Inspectorate	2 Halstead Mews Rimington			
3/2015/0345	Awaiting start date from Inspectorate	1 Halstead Mews Rimington			
3/2015/0685	Awaiting start date from Inspectorate	6 Woodcrest Wilpshire			

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No 6

meeting date: 12 NOVEMBER 2015
title: CAPITAL PROGRAMME BIDS AND REVIEW 2016-2019
submitted by: DIRECTOR OF RESOURCES
principal author: ANDREW COOK

1 PURPOSE

- 1.1 To recommend the proposed future three-year capital programme (2016/17 to 2018/19) for this committee.

2 BACKGROUND

- 2.1 This report will review the draft programme of schemes for the next three financial years (2016/17 to 2018/19), based on the bids received from Heads of Service.
- 2.2 Schemes were considered at this time last year for the 2016/17 and 2017/18 financial years. There were no schemes in the capital programme for Planning and Development committee for these years. No bids have previously been requested for the 2018/19 financial year.
- 2.3 In the same manner as previous years, all Heads of Service were asked to review the schemes previously approved for 2016/17 and 2017/18 and submit new capital bids for 2018/19, bearing in mind the limited financial resources that are available to finance the capital programme.

3 CAPITAL PROGRAMME BIDS AND REVIEW 2016/17 TO 2018/19

- 3.1 There were no schemes for 2016/17 and 2017/18 to be reviewed for this committee.
- 3.2 Heads of Service were asked to put forward new bids for the 2018/19 capital programme. No bids were received for 2018/19 for this committee.
- 3.3 New bids for 2016/17 and 2017/18 were not expected unless there were schemes supported by new funding or new circumstances had arisen since this time last year. One new bid was received, which included a funding request for 2016/17, totalling £30,200.
- 3.4 The bid received would require funding from the Council's available capital resources. These capital resources are currently low. Annex 1 shows the new scheme bid for this committee in detail and how it links to the Council's ambitions.

3.5 The table below shows the financial impact of the new bid that has been put forward.

Planning and Development Committee Schemes	2016/17 £	2017/18 £	2018/19 £	TOTAL £
Previously Approved Schemes Brought Forward	0	0	0	0
New Bid Received (BID 1 attached at Annex 1): Introduction of Planning Portal Link to the Planning Application System and Planning System Update	30,200	0	0	30,200
Overall Total – All Schemes	30,200	0	0	30,200

3.6 Committee members should consider the new scheme bid. Members are asked to put forward any amendments to the bid that they may wish to make at this stage.

3.7 It must be noted that other committees will be receiving similar reports for the new scheme bids. Bids from all committees will finally be considered alongside each other by the Budget Working Group and Policy and Finance Committee against the limited financial resources that are available to finance the capital programme.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – The new bid, as submitted, would require a substantial level of funding from Council resources, £30,200. External funding is minimal.
- Technical, Environmental and Legal – None.
- Political – None.
- Reputation – Sound financial planning for known capital commitments safeguards the reputation of the Council.
- Equality and Diversity – Equality and Diversity issues are examined as part of the capital bid appraisal process.

5 CONCLUSION

5.1 One new capital scheme bid for 2016/17 has been received for this committee, totalling £30,200.

5.2 The new capital scheme bid does not have associated external funding. The Council's existing capital resources to fund such schemes are currently low.

6 RECOMMENDED THAT COMMITTEE

6.1 Consider the future three-year capital programme for 2016/17 to 2018/19 as attached and agree any amendments they wish to make.

6.2 Recommend to Policy and Finance Committee a future three-year capital programme for this committee's services.

SENIOR ACCOUNTANT

DIRECTOR OF RESOURCES

PD9-15/AC/AC
30 October 2015

For further background information please ask for Andrew Cook.

BACKGROUND PAPERS – None

BID 1: Introduction of Planning Portal Link to the Planning Application System and Planning System Update

Service Area: Planning

Head of Service: John Macholc

Brief Description:

Planning Portal Link - Introduction of a software link and associated hardware to enable a link between the external facing Planning Portal and the back office Planning system for processing and inputting of planning applications. All application documents entered into the Planning Portal will be automatically transferred to the Council's Planning system.

Planning System Update – Additional upgrades/modules added to the Planning System to allow:

- Planning documents to be scanned onto the in-house Planning System and then stored and viewed electronically on the Planning system.
- Planning documents available in real time for public access via the internet.

The proposal is to implement these system changes in 2016/17 to allow service improvements to be implemented as soon as possible. This would involve some additional server space being obtained before the new Council-wide ICT infrastructure refresh is implemented in 2017. The system changes are:

- Planning portal integration software and installation
- Consultant costs to facilitate the M3 to Engage migration
- Additional server space – likely purchase of a reconditioned server
- Fast scanner purchase
- EDRM document management upgrade with consultant input
- Purchase of public access module.

The Council's Northgate M3 planning system will be migrated across to the Northgate Engage system in the next twelve months and it is proposed to make these changes when the transfer takes place.

Overriding aim/ambition that the scheme meets:

- To be a well-managed council.

Government or other imperatives to the undertaking of this scheme:

Central Government is continuing to promote the submission of planning applications on line using the Planning Portal and it becomes a reputational issue that the Council remains the only one in Lancashire not to have the connector to the back office link to the planning portal.

Planning and Development Committee NEW Capital Bid Submissions

Improving service performance, efficiency and value for money:

Planning Portal Link:

It would reduce the amount of time spent inputting the applications and as such free up admin time to carry out other tasks. It would result in a speedier processing of the applications with the planning applications arriving to officers at an earlier stage. When the Portal link was initially available the LPA only received about 10% of applications via the planning portal whereas now it receives in the region of 65%. The link would allow the documents to be automatically transferred to the Council's Planning System and as such should result in an efficiency of the service which would be cascaded down.

Planning System Update:

Internal scanning of all planning documents onto the planning system and automatic availability on the website will allow:

- better service for applicants and residents if they can access planning application details in real time as they are processed by the Planning department, via the internet
- less time for Planning department staff dealing with queries for information; and
- less external scanning time from use of a fast scanner.

Internal scanning of documents is likely to reduce external scanning costs in future years. The actual level of savings cannot be quantified at this stage but the current planning and building control revenue budget for external scanning is £4,000.

Consultation:

IT staff.

Start date, duration and key milestones:

2016/17

Financial Implications – CAPITAL:

Breakdown	2016/17 £	2017/18 £	2018/19 £
Equipment/Materials:			
- Planning portal integration	5,100	-	-
- Additional server	5,100	-	-
- Fast scanner	3,100	-	-
- Public access module	4,600	-	-
Fees – IT consultant costs:		-	-
- M3 to Engage migration	2,100	-	-
- EDRM upgrade	10,200	-	-
TOTAL	30,200	-	-

Planning and Development Committee NEW Capital Bid Submissions

Financial Implications – ANNUAL REVENUE:

Breakdown	£
Supplies and services – <i>Planning portal support costs and EDRM extra licensing costs</i>	2,300
Total Estimated <u>Annual</u> SAVING	2,300
Estimated Lifespan	Up to 10
Total Estimated <u>Lifetime</u> SAVING	23,000

Useful economic life:

5-10 years.

Additional supporting information:

-

Impact on the environment:

N/A

Additional comments to support 2016/17 or 2017/18 bid:

In order to maximise the efficiency savings associated with the increased numbers and complexity of planning applications submitted via the planning portal it is now imperative to have the system up and running as soon as possible. It was not possible to predict the increase in submissions to have made a realistic bid in previous years.

It is sensible to introduce the planning system update at the same time as the planning portal link and M3 to Engage migration to allow the service improvements to be implemented as soon as possible.

Risk:

- **Political:** None
- **Economic:** None
- **Sociological:** None
- **Technological:** None
- **Legal:** None
- **Environmental:** None



Appeal Decision

Site visit made on 18 August 2015

by Michael Moffoot DipTP MRTPI Dip Mgt MCMI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 October 2015

Appeal Ref: APP/T2350/W/15/3011902

Agricultural building on land off New Lane (B6243), Withgill, Clitheroe

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by Mr Angus Grimshaw against the decision of Ribble Valley Borough Council.
 - The application Ref: 3/2014/0942, dated 15 October 2014, was refused by notice dated 24 December 2014.
 - The development proposed is described as *'the floor area of the building is 108 square metres and the proposal is to create one dwelling. The existing building is situated off New Lane (B6243) as shown on the location plan submitted with this application. Please also see enclosed photographs of the building.'*
-

Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr Angus Grimshaw against Ribble Valley Borough Council. This application is the subject of a separate Decision.

Procedural Matters

3. Since the appeal was lodged the Town and Country Planning (General Permitted Development) Order 1995 (as amended) ('the 1995 GPDO') has been replaced by the Town and Country Planning (General Permitted Development) (England) Order 2015 ('the 2015 GPDO'), which came into force on 15 April 2015. Whilst there has been no substantive change to the provisions relating to the change of use of agricultural buildings to dwellinghouses or the associated procedural requirements, Class MB of Schedule 2, Part 3 of the 1995 GPDO is replaced by Class Q of Schedule 2, Part 3 of the 2015 GPDO. I refer to the classes in the 2015 GPDO in this decision.
4. Following initial uncertainty as to whether the application also sought prior approval for building operations necessary to convert the building to a dwelling, the Council has confirmed that the proposal was considered under Class MB(a) only¹. I shall therefore disregard the Authority's submissions relating to paragraph Q.2. ('Conditions'), and consider the appeal proposal as comprising change of use of an agricultural building to a dwellinghouse; the description cited by the main parties.

¹ Now Class Q.(a) of the 2015 GPDO

5. There is no dispute between the parties that the proposal complies with parts Classes Q.1.(b) and Q.1.(j). Furthermore, as the application is confined to Class Q.(a), the provisions of Class Q.1.(i) are not for consideration in this appeal. Accordingly, I shall confine my detailed considerations to the remaining parts of Class Q.1.

Reasons

6. In relation to Class Q.1.(a), the prior approval application form answers 'n/a' to questions regarding the use of the building prior to or after 20 March 2013 and advises that "*the building has only been used for agricultural livestock and agricultural storage*". However, Class Q.1.(a) requires the site to be part of an established agricultural unit. The application included two location plans, a proposed site plan, a floor plan/elevation drawing and photographs of the existing building. However, whilst the applicant's address was indicated in correspondence accompanying the application², no information was provided at this stage about the size and nature of the established agricultural unit or its relationship and proximity to the application site.
7. Although the application form clearly states the number of dwellings proposed, Class Q.1.(c) similarly refers to 'an established agricultural unit', and as information regarding this matter was not provided it follows that the application was deficient in this respect.
8. In respect of Classes Q.1.(d) and Q.1.(e), the application form makes it clear that the site was not currently occupied under an agricultural tenancy agreement at the time of the application and no such tenancy agreement had been terminated during the preceding year for the purposes of undertaking the proposed development.
9. The application form does not request information regarding Class Q.1.(f), and it was therefore unclear whether the building was part of an established agricultural unit. I do not consider the onus is upon the Council to research its planning records to determine whether or not the proposal complied with Class Q.1.(f), and would expect the appellant's professional agent to have been aware of the need to provide this information and to have done so.
10. The information and plans of the existing building indicate that the floor area of the proposed change of use would be 108 square metres. However, it is not clear whether the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point, as described in Class Q.1.(g), for example by way of an increased roof height.
11. The Council's decision was based on the provisions of the 1995 GPDO which under Class MB.1(h) required a building to be within an established agricultural unit. However, this term is not included in Class Q.1.(h), and the proposal is therefore compliant as the floor space would be less than 450m².
12. Although the Council's considerations were confined to Class MB(a), it submits that post-decision amendments to the *Planning Practice Guidance* (PPG) in relation to building works allowed when changing an agricultural building to residential use and the structural integrity of the existing building are relevant

² Agent's covering letter to Council dated 15 October 2014

- to this case³. However, the guidance relates to building operations, which do not form part of the proposal at this stage as the appellant did not seek prior approval for building works under Class Q.(b).
13. In respect of Classes Q.1.(k), Q.1.(l) and Q.1.(m) the Council confirms that the site does not form part of a site of special scientific interest, a safety hazard area or a military explosives storage area, nor does it contain a scheduled monument and the building is not listed. Accordingly, there is no conflict in respect of these Classes.
 14. In the majority of the disputed Classes the appellant submits that the Council should have requested the relevant information necessary to reach its decision, whereas the authority argues that the application lacked the detail necessary for it to determine the proposal.
 15. Amongst other things, paragraph W.(3) of Schedule 2, Part 3 of the 2015 GPDO ('Procedure for applications for prior approval under Part 3') states that the local planning authority may refuse an application where, in the opinion of the authority, *'the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with any conditions, limitations or restrictions specified in this Part as being applicable to the development in question'*. However, paragraph W.(9) states that the local planning authority may require the developer to submit such information as the authority may reasonably require in order to determine the application.
 16. It seems to me therefore that both sides were at fault; the submitted information could have been more comprehensive and the Council could have requested additional information to enable it to consider the proposal.
 17. I have found the proposal compliant in respect of Classes Q.1.(d), (e), (h), (k), (l) and (m). However, whilst there may not be a statutory requirement for an applicant to indicate what constitutes the established agricultural unit when seeking prior approval for change of use of an agricultural building to a dwellinghouse, the term is used a number of times in Class Q and I would expect a professional agent to provide such information as part and parcel of the application.
 18. Although the Council did not seek clarification on this matter, its omission means that the proposal does not comply with the provisions of Class Q in its entirety. The provision of a plan detailing the extent of the land under the appellant's ownership submitted with the appellant's final comments is noted, but this was not before the Council when it reached its decision. Nevertheless, provision of this information now satisfies those Classes which refer to an 'established agricultural unit' and in this respect the proposal is compliant. However, it remains unclear whether the proposal would involve the external dimensions of the building extending beyond the external dimensions of the existing building at any given point, as described in Class Q.1.(g).
 19. As to other matters raised in the submissions, concerns regarding access to the site and highway safety are for consideration under the provisions of Class Q.(b) and paragraph Q.2. ('Conditions') and are not therefore before me in this appeal.

³ PPG Reference ID: 13-105-20150305

Conclusion

20. For these reasons, I conclude that insufficient information has been submitted to demonstrate that the proposal complies with the conditions, limitations and restrictions of the 2015 GPDO and therefore comprises permitted development. Accordingly, the appeal must fail.

Michael Moffoot

Inspector

Appeal Decision

Site visit made on 8 October 2015

by Louise Nurser BA (Hons) Dip UP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 October 2015

Appeal Ref: APP/T2350/D/15/3106028

4 Court Grove, Clayton le Dale, Blackburn BB1 9HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr John Birch against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2015/0216, dated 4 March 2015, was refused by notice dated 19 May 2015.
 - The development proposed is pitch roof dormer to front elevation to match the existing roof material and four low profile velux windows to the rear elevation.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The Council raises no issue with the low profile velux windows to the rear. I see no reason to disagree with its view. I therefore focus exclusively on the front dormer. The main issue is therefore the effect of the proposal on the character and appearance of the host property, and street scene.

Reasons

3. Court Grove is a small cul- de sac which forms part of the wider Yew Tree Drive estate. It is a relatively modern development characterised by detached properties. The designs of the properties vary. However, the houses are of a broadly similar scale and the same palette of materials is found throughout the estate.
4. The host property in common with many of the neighbouring houses has a visually subservient projecting gable feature to the front of the property. In this case it has a pitched roof. There are examples of pitch and hipped, and a mixture of both roof treatments found throughout the estate. However, from my site visit it appeared that a common design feature is for the barge boards to tie in with the eaves of the main body of the house.
5. The appeal proposal would extend the height of the gable feature in order to insert another flight of stairs to access the roof space. This would provide additional living accommodation. However, the ridge line of the gable feature would be at the same level as the ridge line of the roof of the main body of the house. The resultant front gable feature would appear to sit awkwardly on the front elevation and to be out of scale with the rest of the property. Moreover,

the half hipped dormer would appear just under the ridge line and be divorced from the eaves of the main roof.

6. This would result in an incongruent development. It would be highly visible from Court Grove due to the host property's prominent location at the end of the cul-de sac, and from the adjacent open space which provides a pedestrian link from Court Grove to Yew Tree Close. When viewed from the open space the side elevation would appear overly tall, and out of scale, whilst its roof would appear to dominate the property due to the length of the roof area.
7. I note that the appellant has offered to be flexible in the choice of materials to be used in its construction and I accept that were I be minded to allow the appeal that these could be controlled by condition. However, I consider that the proposed development would be overly dominant in the street scene and adversely impact on the character and appearance of the host property.
8. Consequently, although I appreciate that the appellant wishes to extend his home to provide additional living accommodation, the impact of the scale, bulk and position of the proposed development on the appearance of both the host property and the wider area would be unacceptable. This would run contrary to the design principles contained within both Policies DMG1 and DMH5 of the Ribble Valley Core Strategy adopted 2014 which promote good design that respects and enhances the existing character and appearance of an area.
9. For the reasons above the appeal should be dismissed.

L. Nurser

INSPECTOR

Appeal Decision

Site visit made on 25 August 2015

by **Matthew Birkinshaw BA(Hons) Msc MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 October 2015

Appeal Ref: APP/T2350/W/15/3128758

Little Dudlands Farm, Rimington Lane, Rimington, Clitheroe, BB7 4EA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr John Lund against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2014/1090, dated 26 November 2014, was refused by notice dated 20 May 2015.
 - The development proposed is the conversion of barns to two dwellings with garages, creation of garden areas, replacement garage for farmhouse and installation of package treatment plant.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr John Lund against Ribble Valley Borough Council. This application will be the subject of a separate Decision.

Main Issues

3. The main issues are:
 - Whether or not the barns would be suitable for conversion, having particular regard to their location and the development strategy for the area; and
 - The effect of the proposal on the character and appearance of the area.

Reasons

Location of Development

4. Little Dudlands Farm consists of the main farmhouse, two traditional stone barns, a large modern agricultural building and a collection of smaller outbuildings and extensions. To the east of the farmyard, but visually and physically associated with it, is a small workshop and yard. As part of the proposal the modern outbuildings and extensions would be demolished and the traditional stone barns converted into two dwellings with associated garden areas and garages.
5. Situated roughly 600m from the nearest settlement of Rimington the appeal site is located in the open countryside. Within the open countryside *Ribble*

Valley Core Strategy Policy DMG2 states that, amongst other things, where possible new development should be accommodated through the re-use of existing buildings. Core Strategy Policy DMH3 also limits new residential development in the open countryside to the appropriate conversion of buildings providing that they are suitably located and in keeping with their surroundings. This reflects the development strategy for the area, which seeks to focus the majority of new housing to principal settlements and villages. It is also broadly consistent with the National Planning Policy Framework ('the Framework').

6. In establishing whether or not the proposed development would be suitably located it is necessary to consider the requirements of Core Strategy Policy DMH4. Despite not being referred to in the Council's reasons for refusal this specifically relates to the conversion of barns and other buildings to dwellings. Criterion 1 confirms that planning permission will be granted for such works where *"the building is not isolated in the landscape, i.e. it is within a defined settlement or forms part of an already group of buildings..."*
7. Although Little Dudlands Farm is outside of Rimington and detached from any neighbouring development, the traditional stone barns proposed for conversion form part of an existing group of buildings. Even with the demolition of modern structures and extensions the barns would sit alongside the existing farmhouse and adjacent workshop. As a result, they would not be isolated in the landscape and the proposal accords with Policy DMH4(1).
8. In refusing planning permission the Council assert that the location of the appeal site would place reliance upon the private car, and is thus unsuitable by reason of its accessibility to local shops and services. Based on observations at my site visit I agree that the nearest facilities would be beyond a reasonable walking distance away. Core Strategy Policy DMG3 directs that considerable weight will be attached to the availability and adequacy of public transport and associated infrastructure to serve those moving to and from a development.
9. However, paragraph 55 of the Framework permits new isolated homes in the countryside where development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting. This is reflected in Core Strategy Policy DMH3 which allows for the appropriate conversion of buildings to dwellings in the countryside. Policy DMH4 also permits the residential conversions of barns, which, by their very nature are likely to be in rural areas.
10. It is also pertinent to consider the Examining Inspector's report into the *Ribble Valley Core Strategy*, dated 25 November 2014. This found that *"As submitted, Policy DMH4 appears to suggest that barn conversions will only be allowed where the building is in a defined settlement. This is not the Council's intention."* The remedy suggested, and taken forward in the adopted Core Strategy was the requirement that buildings are not isolated in the *landscape*. Despite attaching considerable weight to the availability and adequacy of public transport nearby, the proposal therefore accords with development plan policy concerning barn conversions and would not undermine the development strategy for the area.
11. I therefore conclude that having regard to their location and the development strategy for the area the barns would be suitable for conversion. As a result, there is no conflict with Core Strategy Policies DMG2, DMH3, DMH4 or the aims and objectives of Policy DS1. In this regard there is also no conflict with the presumption in favour of sustainable development in Core Strategy Policy DS2.

Character and Appearance

12. However, the supporting text to Core Strategy Policy DMH3 establishes that the protection of the open countryside from visually harmful development is seen as a high priority by the Council and is necessary to deliver sustainable patterns of development and the overarching Core Strategy vision. Similarly, the text associated with Policy DMH4 emphasises that conversions should be of a high standard of design and in keeping with local tradition. This includes recognising the importance of ensuring that garden areas and car parking facilities do not harm the appearance or function of the area.
13. With this in mind the curtilage associated with barn no.1 would be substantial, stretching from the northern site boundary to a point roughly level with the existing track to the south. Given the size of the dwelling proposed it is also likely to provide family accommodation, with glazed doors leading out from the dining room and living room into a large area of garden. Although the garage would provide some space for storage, I share the Council's concerns that the extent of curtilage would lead to a proliferation of domestic paraphernalia such as outdoor seating, washing lines and children's play equipment which could not be controlled by the removal of permitted development rights. Due to the footpaths which run through the site the excessive curtilage would be clearly visible, and lead to an overtly domestic, unsympathetic urban appearance.
14. This would also be exacerbated by the provision of a separate gravel track leading to the proposed double garage, which would be visually divorced from the main cobbled courtyard. Furthermore, whilst the proposed garages would be subservient additions and incorporate local materials, based on the plans provided they would be relatively unimaginative, domestic additions. Despite the natural fall of the site they would also be visible from public footpaths.
15. In the context of such a traditional, agricultural setting the area around barn no.1 would therefore be harmful to the character and appearance of the farmstead. With such a large, domestic curtilage this aspect of the proposal would fail to respect the rural appearance of the farm which forms part of the intrinsic character of the countryside. Rather than better revealing the historic significance of the original existing buildings, when read as a whole the alterations proposed would cause demonstrable harm to their traditional, functional setting.
16. In reaching this view I appreciate that various modern agricultural buildings and alterations would be demolished, some of which are in a state of disrepair. The converted barns, garden areas and garages would also be limited to the existing footprint of built development, and new areas of grassland would be formed. However, whilst the modern buildings have a utilitarian, functional appearance, they are nonetheless synonymous with their rural, agricultural surroundings. As a consequence, their removal does not justify granting planning permission for such an unsympathetic, overtly residential conversion.
17. Although not suggested by the appellant the possibility of granting planning permission subject to the use of conditions has also been considered. However, no evidence has been provided to indicate how the size of the curtilage associated with barn no.1 and its parking requirements could be amended in a way so as not to undermine the traditional farmyard setting. In the absence of any information it would therefore not be appropriate to rely on planning conditions, which may also materially alter the nature of the scheme.

18. I therefore conclude that due to the size of the curtilage associated with barn no.1, combined with the design and siting of double garages, the proposal would not be in keeping with the character and appearance of the area. As a result, it conflicts with Core Strategy Policy DMH3 which states that the appropriate conversion of buildings to dwellings will be permitted providing that, amongst other things, their form and general design are in keeping with their surroundings. For the same reasons it also conflicts with Core Strategy Policy DMG1 which requires development to be sympathetic to existing and proposed land uses, with particular emphasis placed on the visual appearance of buildings and the relationship to their surroundings. Finally, by failing to recognise the intrinsic character and beauty of the countryside the scheme is contrary to one of the Framework's core planning principles.

Other Matters

19. In reaching my conclusions against the main issues I have taken into account whether or not the barns could be converted into dwellinghouses under Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Whilst the appellant confirms that a scheme *could* be designed so as to meet the requirements of the GPDO, the proposal before me does not. The potential fallback position therefore does not justify granting planning permission for the appeal scheme.

20. It is also noted that the Council has not raised any concerns regarding access to the site, the effect of the proposal on the local public right of way network, the living conditions of local residents or ecology. Nevertheless, these are only neutral factors in the overall planning balance and do not overcome the harm that has been identified. Moreover, in the absence of any supporting evidence I have not given any significant weight to comments that the proposal would provide a viable use to secure the future of the buildings.

21. Finally, in refusing planning permission the Council has also raised concerns that the scheme would set an undesirable precedent for allowing further dwellings in unsustainable locations, to the detriment of the development strategy for the area. However, each case must be assessed on its merits. Whilst finding in favour of the principle of development in this instance, I find no evidence to suggest that it would undermine the development strategy for the area which focuses the majority of new housing towards principal settlements and villages.

Conclusion

22. The proposed conversions would be suitable having regard to their location and the local development strategy. However, the scheme would be unacceptable due to its adverse effect on the character and appearance of the area.

23. For this reason, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Matthew Birkinshaw

INSPECTOR