

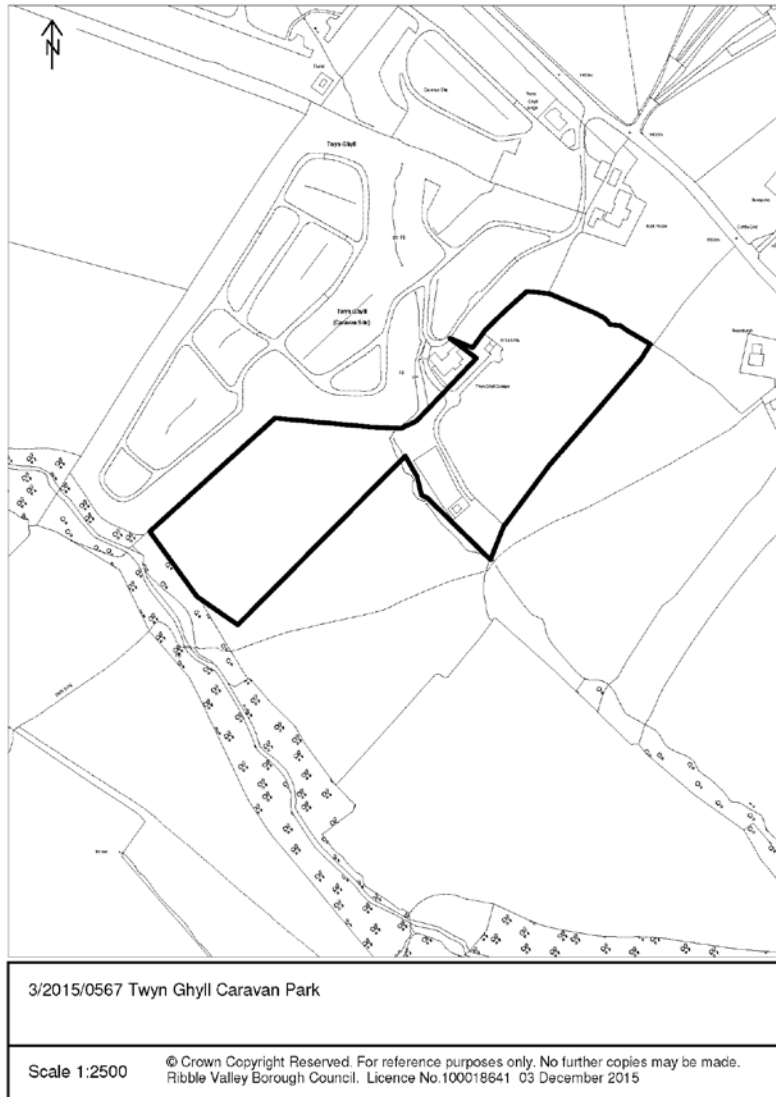
**RIBBLE VALLEY BOROUGH COUNCIL
REPORT TO PLANNING AND DEVELOPMENT COMMITTEE**

Agenda Item No

meeting date: THURSDAY, 11 FEBRUARY 2016
title: PLANNING APPLICATIONS
submitted by: DIRECTOR OF COMMUNITY SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION NO: 3/2015/0567/P (GRID REF: SD382579 451917)
CHANGE OF USE OF LAND FOR CREATION OF AN EXTENSION TO THE EXISTING
CARAVAN SITE TO ACCOMMODATE 30 ADDITIONAL UNITS, INFORMAL RECREATION
SPACE, LANDSCAPING AND ASSOCIATED ENGINEERING WORKS ON LAND ADJACENT
TWIN GHYLL CARAVAN SITE, SETTLE LANE, PAYTHORNE



PARISH COUNCIL:

Objects strongly to the application for reasons that are summarised as follows:

1. Condition number 3 of previous planning permission 3/2007/0010/P stated that 'the total number of static caravans on the site shall not exceed 295 and under no circumstances whatsoever shall the land edged red on the 'Landhouse Plan' annotated additional land accommodated sewage treatment plant received 6 June 2007 be used for the positioning of static caravans at any time'. The area edged red on that plan is the land now proposed in this current application to be developed into a further caravan site to accommodate 30 static caravans as well as a recreation area.
2. Condition 4 of the 2007 permission stated that the 75 caravans shown on a submitted plan "shall be used as holiday accommodation only and under no circumstances whatsoever shall they be occupied as a person's primary residence". There are people currently on the site who have sold their houses and who live on the site permanently. This has partly been made possible by the removal of condition number 3 on the 2007 planning permission granting a 12 month licence to this caravan park.
3. The existing site is visible in the winter from the hamlet. The proposed extension is closer to the hamlet and will therefore be even more visible.
4. Light pollution caused by illumination of the new internal site road.
5. Urbanisation of an otherwise rural landscape.
6. Highway safety problems as a result of increased traffic.
7. Problems caused by caravans being delivered to the site at peak times.
8. Damage to the bridge at the bottom of the village, a Scheduled Ancient Monument when caravans are delivered.
9. The demand for holiday caravans in the area is already satisfied by the numerous existing caravan sites in the locality such that there is no need to further extend Twyn Ghyll.

10. The proposal does not respect the character of the countryside.
11. Permission has recently been granted for 12 caravans/lodges on the opposite side of Settle Lane. A permission for this current application would bring the potential for 42 extra caravans/lodges in the hamlet.
12. Numerous signs in the locality advertising the caravan site are an eyesore on the countryside.
13. Existing problems of low water pressure in the hamlet will be exacerbated by the proposed extra 30 caravans.
14. Existing problems of slow broadband speed in the locality will be exacerbated by the proposed extra caravans.
15. The recreational amenities proposed in this application will be brought closer to the hamlet and could potentially increase the noise levels for residents of Paythorne. This will particularly affect dwellings close to the Buck Inn.
16. Existing problems of waste/litter and dog fouling in the hamlet will be exacerbated by the proposed increased number of caravans.
17. An increase in the number of visitors to the area will lead to an increased risk to the privacy and security of local residents.
18. If this development is allowed, how far will the caravan site be permitted to extend in the future. The existing 295 caravans already completely overwhelm the hamlet.

Any further comments to be verbally reported based on the additional details.

LCC (HIGHWAYS):

The County Highway Authority does not have any objections regarding the proposed additional 30 caravans and associated improvements and is of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

Following revised consultation retain their existing observations.

NORTH YORKSHIRE
COUNTY COUNCIL
HIGHWAYS:

Comment that they have received concerns from residents about increased traffic on the 'quiet lanes' in the area surrounding Twyn Ghyll in and around villages such as Rathmell, Wigglesworth and Halton West. However, having

visited the area they confirm that NYCC have no objection to the proposal. They consider that, as there are already approximately 300 units on the site, an additional 30 is not a significant increase in traffic volume. They are also aware that the majority of traffic will access the site via the A682 at Paythorne and as such any impact on minor surrounding roads within North Yorkshire will be minimal.

Following revised consultation retain their existing observations.

**ADDITIONAL
REPRESENTATIONS:**

Eight letters have been received from local residents. The letters are available on the planning file for viewing by Members but the objections raised in the letters (that differ from objections made by the Parish Council) are summarised as follows:

1. This is a large scale tourism development that is disproportionate in size to the hamlet's existing residential and rural business community and the needs of its other equally important visitors. It would be development for the sake of development and would not be sympathetic to the area, its environment or its existing community.
2. The area where the caravans are proposed is currently used as a dog exercising area by both locals and people owning caravans on the site. To lose this area to development would potentially cause problems on public footpaths and surrounding farmland and roadside verges with dog owners seeking the nearest alternative places to exercise their dogs.
3. The application relates to another development by a private company who have no other connection to the area other than commercial gain.
4. Permission would not be granted for 30 houses in this area so how can permission be granted for 30 caravans.
5. Harm to local wildlife including hedgehogs and barn owls.

Any further comments to be verbally reported based on the additional details.

Proposal

The application seeks full planning permission for an extension to the established caravan site utilising two fields that adjoin the south eastern boundary of the developed part of the site.

On the south western field, it is proposed to provide 30 additional caravan pitches with associated access roads and one parking space for each of the new pitches.

On the north eastern field, it is proposed to create a recreation area comprising a short mown playing field and an informal recreation area of meadow grass with wild flowers, cut grass paths, picnic tables and bench seats.

Site Location

The existing caravan site is located on the south western side of Settle Lane in a rural location on the northern edge of the hamlet of Paythorne.

Relevant History

There are a number of planning applications relating to the establishment and growth of a caravan site at this location dating from 1961. The more recent of those applications are as follows.

3/83/0624/P – Change of use from agricultural field to recreational area and touring caravan park for 40 caravans. Approved with conditions.

3/93/0335/P – Use of land for static holiday caravans. Approved with conditions.

3/2007/0010/P – Change of use from vacant agricultural land to accommodate an additional 75 static holiday caravan pitches and associated highway improvements and new sewage treatment plant. Approved with conditions.

3/2012/0920/P – Application to vary condition number 4 of planning permission 3/2007/0010/P to allow the entire caravan park to be used for 12 month holiday use. Approved with conditions.

Relevant Policies

Ribble Valley Core Strategy (Adopted Version)

Key Statement DS2 – Presumption in favour of Sustainable Development.

Key Statement EN2 – Landscape.

Key Statement EN4 – Biodiversity and Geodiversity.

Key Statement EC1 – Business and Employment Development.

Key Statement EC3 – Visitor Economy.

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DMG3 – Transport and Mobility.

Policy DME1 – Protecting Trees and Woodland.

Policy DME2 – Landscape and Townscape Protection.

Policy DME3 – Site and Species Protection and Conservation.

Policy DMB1 – Supporting Business Growth and the Local Economy.

Policy DMB3 – Recreation and Tourism Development.

National Planning Policy Framework (NPPF)

Environmental, AONB, Human Rights and Other Issues

Members may recall that a report recommending approval of this application subject to conditions was considered by Committee at its meeting on 16 April 2015. Committee resolved to be minded to refuse the application having regard to landscape and highway concerns but and

requested that both highway authorities be reconsulted in order to fully consider whether a highway reason for refusal could be substantiated.

The matters for consideration in the determination of this application relate to the principle of the development and its potential impacts upon visual amenity, wildlife/ecology/biodiversity, the amenities of nearby residents and highway safety.

Before looking at those matters, however, I consider it appropriate to set the context of the proposal by reference to the two most recent applications relating to this caravan park; and to explain a matter relating to certain conditions on those permissions that has been raised by the Parish Council and a number of local residents.

In 2007 permission was sought for an additional 75 static pitches plus a new sewage treatment plant and associated off-site highway improvements (3/2007/0010/P). That application was considered in relation to the relevant policies of the former Local Plan and was found to be acceptable both in principle and in relation to all relevant detailed considerations. Permission was therefore granted subject to a number of conditions.

One of those conditions (number 3 on 3/2007/0010/P and later repeated as number 2 on 3/2012/0920/P) was as follows:

“The total number of static caravans on site shall not exceed 295 and under no circumstances whatsoever shall the area edged red on the ‘Landhouse Plan’ received 6 June 2007 be used for the positioning of static caravans at any time”.

The land to which that condition relates is the two fields that are the subject of this current application. The condition appears to have been interpreted by the Parish Council and some local residents as a prohibition of further caravans on this particular piece of land for all time. This is not the case as any planning condition only relates to the planning permission to which it is attached. The condition was really imposed for the avoidance of any doubt because all of this land was included in the red edged application site for 3/2007/0010/P but only the proposed new sewage treatment plant was approved on this particular part of the site. The area approved in that application for the additional 75 static caravan pitches was a larger field to the north west of the then existing developed area of the caravan site.

Condition number 4 of permission 3/2007/0010/P restricted the period of occupancy of the holiday caravans to 1 March to 6 January. Condition number 5 stated that the caravans were to be used as holiday accommodation only and under no circumstances whatsoever should they be occupied as a person’s primary residence.

Application 3/2012/0920/P sought permission for the variation of condition number 4 of planning permission 3/2007/0010/P to allow the entire caravan park to be used for 12 month holiday use. That application had to be considered in accordance with Government guidance as comprised in the Good Practice Guide on Planning for Tourism 2006 which recognised that the nature of holidays in this country has become increasingly diverse in location, in season, and in duration. It acknowledges that demand for accommodation may occur in areas where the provision of permanent housing would be contrary to policies that seek to restrict development in order to safeguard the countryside but states that the planning system can reconcile these two objectives through the use of occupancy conditions designed to ensure that holiday accommodation is used for its intended purpose. In Annex B to the Good Practice Guide there is a model condition that local planning authorities are advised to use in order to achieve this

objective. Permission was therefore granted in respect of application 3/2012/0920/P subject to the imposition of the model condition as follows:

The terms of occupancy of the site should be as follows:

- (i) The caravans/cabins/chalets shall be occupied for holiday purposes only.
- (ii) The caravans/cabins/chalets shall not be occupied as a person's sole or main place of residents.
- (iii) The owners/operators shall maintain an up to date register of the names of all owners/occupiers of individual caravans/cabins/chalets on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Therefore, as a result of previous decisions that were made in accordance with relevant planning policies and government guidance, Twyn Ghyll is a caravan site of up to 295 units with planning permission for year round occupation for holiday purposes.

This current application for the use of one field adjoining the existing site to accommodate a further 30 units, and the use of another adjoining field for recreation purposes, falls to be determined against the requirements of NPPF and the relevant policies of the Council's now adopted Core Strategy.

With regards to the principle of the development, Section 3 of NPPF advises Local Planning Authorities to support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development including supporting sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. In the Core Strategy, Key Statements EC1 and EC3 and Policies DMB1 and DMB3 all express support in principle for tourism related developments in the rural parts of the borough in order to support the local rural economy. Overall, as an extension to an existing holiday caravan site, I consider the proposal to be acceptable in principle.

In order to satisfy all the relevant Core Strategy policies, however, the effects of the proposal upon visual amenity, wildlife/ecology/biodiversity, the amenities of nearby residents and highway safety all need to be assessed.

With regards to visual amenity, the external boundaries of the two fields to which the application relates, benefit from existing natural screening in the form of hedgerows and trees. These are all to be retained and managed for both screening value and biodiversity. The retention and appropriate future maintenance of existing boundary hedgerows and trees, with supplementary planting as necessary, would be ensured by conditions in the event that planning permission is granted.

The site is not within the AONB and it forms an existing feature in the local landscape. When viewed from outside the site, the proposed new caravans would be either screened from view by the existing developed site or would be viewed against the background of the existing site. It is not therefore considered that the proposal would create a discordant feature in the local landscape that would justify a refusal of the application. As previously stated, the development will also be screened by existing and proposed hedgerows and trees.

Overall, I consider the proposed development to be acceptable with regards to its effects upon the local landscape and visual amenities of the locality.

With regards to ecology/wildlife/biodiversity, a Preliminary Ecological Appraisal has been submitted with the application. The existing features of the site and potential impacts, mitigation and enhancement measures are summarised by the following points from the Appraisal:

- The site supports semi improved grassland, hedgerows, tall ruderal and scrub. A small watercourse flows adjacent to the southwestern boundary of one of the fields.
- No statutory or non-statutory nature conservation designations would be affected by the proposed development.
- The habitats on site are unlikely to support any protected species and the proposed development is unlikely to result in any adverse ecological impacts. No additional ecology surveys are required.
- The construction of the additional pitches will result in the loss of a small area of poor semi-improved grassland but the retention and management of wildflower grassland will compensate for this loss and no additional mitigation is required.
- Existing hedgerows will be retained and managed to maximise their function as both screening and wildlife habitat.
- Small areas of ruderal vegetation and scrub will be lost due to the proposed development but landscape planting of native species will compensate for this loss and no additional mitigation is required.
- The risks of impacts to the watercourses on and adjacent the site from pollution during construction works are assessed as being low due to the distance from the proposed construction but standard pollution prevention measures during construction would be sufficient to minimise the risks of pollution.
- No hedgerows or trees are proposed to be removed and the loss of grassland and small areas of scrub and ruderal vegetation would not affect any protected or priority species.
- The proposed development site layout has sought to retain the watercourse which will maintain its value as a wildlife corridor and the resource of for foraging and commuting bats.
- The creation of wildlife ponds is a beneficial measure to enhance biodiversity.
- A Management Plan would ensure that retained and created habitats within the site are managed to maximise their biodiversity value in the long term.

The Council's Countryside Officer has viewed the Appraisal and does not disagree with its findings, conclusions and recommendations. Subject, therefore, to appropriate conditions to ensure the implementation of the measures recommended within the Appraisal, the proposed development is considered to be acceptable in relation to its effects upon wildlife, ecology and biodiversity.

With regards to the effects upon the amenities of nearby residents, the field upon which the proposed new 30 caravans would be sited is approximately 230m away from the nearest residential property, from which it is separated by the field to be used for recreational purposes. It is not therefore considered that the proposed additional caravans would have any detrimental effects upon the amenities of that nearest dwelling or any other nearby residential properties.

The field to be used for recreational purposes is approximately 60m away from the same nearest dwelling. The submitted layout, however, shows the provision of the informal amenity area (meadow grass with wild flowers, trees and cut grass paths with picnic tables, bench seats and trim trail equipment) on the part of the field closest to that dwelling. The cut grass informal play area would be approximately 110m away from that property. The use of the recreation area would be a daytime activity that should not result in serious harm to the amenities of any nearby residents, but the layout has also been designed to put the 'quietest' part of the recreation area closest to the nearest dwelling.

Overall, I do not consider there to be a sustainable reason for refusal of the application relating to the effects of the proposed development upon the amenities of nearby residents.

With regards to highway safety, the Highway Authorities of both Lancashire and North Yorkshire have not expressed any objections to the proposal as they consider that it would not have any detrimental effects upon either highway safety or capacity on the local highway network. The proposed development is therefore considered to be acceptable in relation to this particular consideration.

In conclusion, both aspects of the proposed development are considered to be acceptable in principle and in relation to compliance with the detailed considerations as discussed in the report above. It is therefore considered that permission should be granted subject to the imposition of appropriate conditions.

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. Unless explicitly required by any condition within this planning permission, the development hereby permitted shall be carried out in accordance with the details shown on submitted drawing number H2/140902/3-Site Layout.

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

3. The number of additional static caravans hereby approved shall not exceed 30 and the total number of static caravans on the whole site shall not exceed 325. No caravans shall at any time be sited on the field shown on drawing number H2/140902/3 as a proposed recreation/amenity area unless a further planning permission has first been granted in respect thereof.

REASON: To comply with the terms of this application and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version) as the siting of caravans on this particular field would require further consideration to be given in relation to the potential impact upon visual amenity and upon the amenities of nearby residents.

4. The terms of occupancy of the additional caravans hereby permitted shall be as follows:
 - i) The caravans shall be occupied for holiday purposes only.
 - ii) The caravans shall not be occupied as a person's sole or main place of residence.
 - iii) The owners/operators of the site shall maintain an up to date register of the names of all owners/occupiers of individual caravans on the site and of their main home address and shall make this information available at all reasonable times to the Local Planning Authority.

REASON: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential accommodation in order to comply with Policies DMG1 and DMB3 of the Ribble Valley Core Strategy (Adopted Version).

5. The development hereby permitted shall be carried out in complete compliance with the mitigation and enhancement recommendations in the Preliminary Ecological Appraisal (Report Number 10036-R01-SH-LP dated 4 June 2015) that was submitted with the application. This shall include the submission for approval and subsequent implementation of a management plan to ensure that retained and created habitats within the site are managed to maximise their biodiversity value in the long term (as stated at paragraph 4.14 of the Appraisal).

REASON: In the interests of protecting local wildlife and ecology and including the implementation of measures to enhance biodiversity in order to comply with Policy DME3 of the Ribble Valley Core Strategy (Adopted Version).

6. The site shall be landscaped in accordance with the details of boundary tree and hedge retention and additional landscaping and screen planting shown on Drawing Number H2/140902/4 dated 11.01.16.

The approved detailed landscaping/screen planting scheme shall be implemented in the first planting season following either the siting of the first caravan on any of the approved new 30 static caravan pitches, or the use of the approved new recreation/amenity area. The planting shall be maintained thereafter for a period of not less than five years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of visual amenity and to comply with Policies DMG1 and DME2 of the Ribble Valley Core Strategy (Adopted Version).

7. Prior to the commencement of any ground preparation works, all existing trees and hedges that are shown for retention on approved Drawing Number H2/140902/4 dated 11/01/16, and that are close to any of the areas affected by those ground works, shall be protected with a route protection area in accordance with BS5837 (trees in relation to construction) precise details of which shall first have been submitted to and approved in writing by the Local Planning Authority. Details of a tree protection monitoring schedule shall also be

submitted to and agreed in writing by the Local Planning Authority before any ground works are commenced. The monitoring schedule shall then be implemented in accordance with the agreed details. The root protection area shall remain in place until all ground remodelling works have been completed and all excess materials have been removed from the site.

REASON: In order to ensure that all existing trees that are shown for retention, are afforded maximum physical protection from any possible adverse effects of ground works in order to comply with Policies DMG1, DME1 and DME 2 of the Ribble Valley Core Strategy (Adopted Version).

NOTES

1. The site owner is advised that a risk assessment into the safety two proposed ponds on the site should be undertaken. The owners attention is drawn to the ROSPA guide on preventing drownings in features of this type. <http://www.rospa.com/leisure-safety/water/advice/pond-garden-water/>
2. The developer/site owner is advised that the proposed development must comply with this Council's standard licence conditions for holiday caravan sites.

Update following 17 December meeting

Committee resolved on the 17 December 2015 to be Minded to Refuse the proposal on grounds of visual impact and highway implications but requested further consultation with the relevant Highway authority. As previously indicated in the report they remain consistent and do not consider there to be a highway issue. It is my strong advice that this should not be included in any reason and that if Committee insisted on such a reason there I would be a strong likelihood of a costs award against the Council should a planning appeal be submitted.

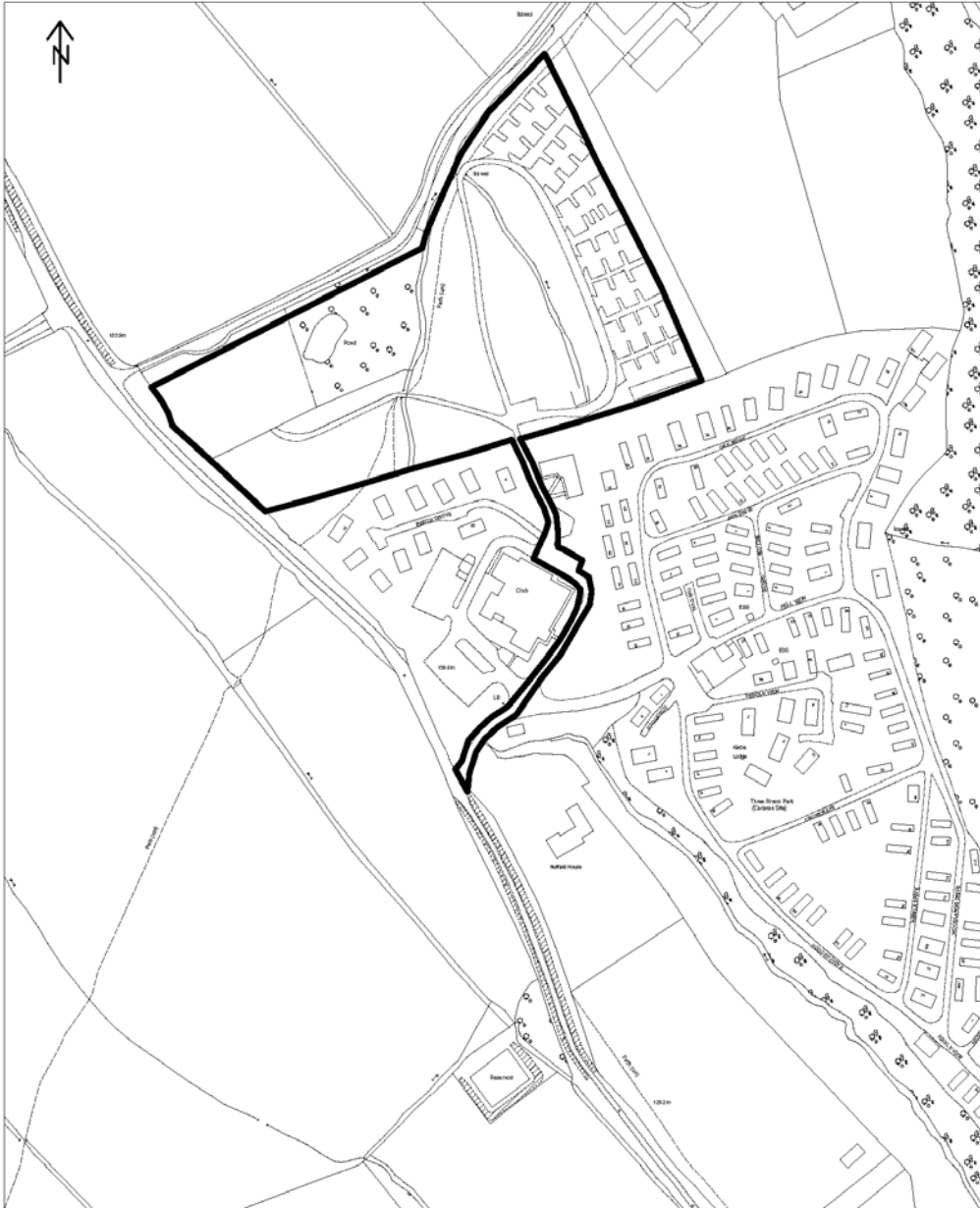
Since the last meeting an updated landscape report and a Landscape Visual Impact has been submitted by the applicant. This expands on previous details and includes details of the proposed landscaping. The Council's Countryside Officer has been asked to comment on the additional details and remains of the opinion that the proposals would not have an adverse impact on the landscape or visual amenity of the area. Members will be aware that the Council's Countryside Officer, the case officer and myself have commented and assessed numerous planning applications having regard to landscape and visual impact but if Members still consider there is visual/landscape harm, I suggest the following reason:

1. The proposed development, by virtue of its nature, scale, size and location would result in an unacceptable visual intrusion to the local landscape and would have an adverse effect on the character, appearance and visual amenities of the area. As such the proposal is contrary to Policy DMG1 of the Ribble Valley Core Strategy Adopted Version.

APPLICATION NO: 3/2015/0977/P

(GRID REF: SD373597 445408)

USE OF LAND TO ALLOW FOR THE SITING OF STATIC CARAVANS ON TOURING CARAVAN AREA AT THREE RIVERS CARAVAN PARK, EAVES HALL LANE, WEST BRADFORD



3/2015/0977 Three Rivers Caravan Park, Eaves Hall Lane, West Bradford, BB7 3JG

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PARISH COUNCIL:

Has no objections to this application providing United Utilities are satisfied that the effluent pumping station has the capacity for a further 56 dwellings and also that the surface water is correctly drained and piped into West Bradford Brook. The Council also asks if, in the interests of road safety, it would be possible to construct a hard standing footpath through the site adjacent to Mill Lane as part of the planning permission.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

No objections to the proposed siting of static caravans on the touring caravan area and is of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site. It is considered that adequate off road parking provision is proposed for this type and size of development. It is considered that the proposal would result in similar vehicle movements but significantly reducing the number of slow moving and wide caravans from the local highway.

ADDITIONAL
REPRESENTATIONS:

A total of 16 letters have been received from nearby residents and other interested parties. The letters are available on the planning application file for viewing by Members, but a summary of the comments and objections that they contain is as follows:

- There is insufficient detail within the application to properly assess whether the proposal complies with the Council's relevant policies and to assess any impact upon other matters such as the Water Framework Directive, the Flood Risk Directive and Biodiversity Action Plans.
- The proposal involves the removal of tracks, the construction of new tracks, hard standings and drainage but there is inadequate detail of these in the application.
- The proposal will increase run-off to a culvert but there is no evidence given as to whether the culvert has the capacity to cope with the external flows. This could possibly lead to water flowing down Moor Lane and entering properties.
- The ecology report is inadequate as it contains insufficient information on the suitability or otherwise of trees for overwintering bats; the brown hare survey was insufficient; insufficient detail of the methodology of the survey relating to invertebrates; the proposal will indirectly affect the River Ribble Biological Heritage Site.
- Objection on grounds of additional traffic on Eaves Hall Lane including the difficult delivery of 56 new static caravans to the site.

- Problems on the existing site with the electricity supply, water supply and drainage will be exacerbated by the proposed additional 56 caravans.
- The proposal will be detrimental to the 'residents only' part of the site.
- Detriment to the natural beauty of the Area of Outstanding Natural Beauty.
- Detrimental to the local wildlife.
- Increased noise nuisance.
- There should not be an increase in the number of caravans when the existing site has been neglected in recent years and is not properly maintained.
- Problems of light pollution.
- No open space provision for holidaymakers.
- The existing tree screening is not as dense as indicated in the submitted documents.
- Harm to the security of nearby residents.

Proposal

The application seeks full planning permission for development of 56 static holiday caravans including the necessary access roads, parking spaces and drainage/sewage disposal facilities.

Site Location

The existing Three Rivers Caravan Park is located on the eastern side of Eaves Hall Lane (Moor Lane) towards the northern end of the Lane and to the north west of the village of West Bradford. The site is within the open countryside and also within the Forest of Bowland Area of Outstanding Natural Beauty.

To the south of the site Eaves Hall Lane contains the Eaves Hall Hotel on its western side and residential properties on its eastern side. To the north of the site, the Lane serves more scattered farms/dwellings.

The main part of the caravan site is screened to both the east and west by an existing woodland that is protected by a Tree Preservation Order.

This application relates to the northern part of the site, the eastern part of which is presently in use as the touring caravan area of the overall site; and the western part, containing a pond, appears to be previously largely unused land.

The land to which the application specifically relates is adjoined to the west by Eaves Hall Lane; to the east by agricultural land; and to the north by an access road to the property Drake House Farm beyond which, to the north is agricultural land. There is existing hedge/tree screening on all three boundaries of the site.

Relevant History

Whilst there are other planning applications relating to the larger overall caravan park, the relevant planning history relating to the land that is the subject of this current application is as follows:

3/1996/0155/P – Application for a Certificate of Lawfulness for an existing use as a touring caravan and camping park. Refused.

3/1996/042/E – Enforcement Notice alleging change of use of land from mixed use of agriculture with touring caravans and an element of tented camping to a seasonal use of touring caravans and camping (with no remaining agriculture). Enforcement Notice quashed on appeal.

3/1998/0044/P – Use of land for touring caravans between 1 March and 31 October 2015 in any year. Certificate of Lawfulness for an existing use Granted.

3/2005/0937/P – Proposed extension of permitted use of field for use by touring caravans and tents between October and March in any year. Approved subject to a condition stating a maximum of 50 touring caravans to be on the site at any one time.

Relevant Policies

Ribble Valley Core Strategy (Adopted Version)

Key Statement DS2 – Presumption in favour of Sustainable Development.

Key Statement EN2 – Landscape.

Key Statement EN4 – Biodiversity and Geodiversity.

Key Statement EC1 – Business and Employment Development.

Key Statement EC3 – Visitor Economy.

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DMG3 – Transport and Mobility.

Policy DME1 – Protecting Trees and Woodland.

Policy DME2 – Landscape and Townscape Protection.

Policy DME3 – Site and Species Protection and Conservation.

Policy DME6 – Water Management.

Policy DMB1 – Supporting Business Growth and the Local Economy.

Policy DMB3 – Recreation and Tourism Development.

National Planning Policy Framework (NPPF)

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application relate to the principle of the development and its potential impacts upon existing trees and hedgerows and visual amenity; wildlife, ecology and biodiversity; the amenities of nearby residents; potential flooding/drainage matters; and highway safety.

With regards to the principle of the development, Section 3 of NPPF advises Local Planning Authorities to support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development including supporting sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. In the Core Strategy, Key Statements EC1 and EC3 and Policies DMB1 and DMB3 all express support in principle for tourism related developments in the rural parts of the Borough in order to support the local rural economy. Overall, as an extension to an existing static caravan site (using land, the majority of which is presently used for the siting of touring caravans) I consider the proposal to be acceptable in principle.

In order to satisfy all the relevant Core Strategy Policies, however, the effects of the proposal upon the detailed considerations mentioned above all need to be assessed.

With regards to the effects of the proposal on trees and hedgerows an Arboricultural Impact Assessment (AIA) has been submitted with the application. This indicates that trees and hedgerows on the external boundaries of the site will be retained; but that a number of trees within the site will be removed. The AIA concludes that the removal of the trees on the central part of the site would not have a significant impact upon the overall level of tree stock within the site, nor would it significantly impact upon habitat or wider landscape values.

It is also stated in the AIA that an element of tree planting is contained within the proposed layout and that this should serve to partially mitigate the removal of trees from the central part of the site. The AIA also includes a number of suggested tree protection and mitigation measures.

The Council's Countryside Officer has studied the AIA and concurs with its findings and recommendations. I also consider that, subject to appropriate condition relating to the retention and protection of existing trees and hedges on the boundaries of the site (as recommended in the AIA) and the planting of additional trees, the proposed development would not have any significant impact upon the visual amenities of the locality. Caravans already occupy part of the proposed development site, but they are touring caravans rather than permanent static caravans.

Overall, I therefore consider the proposed development to be acceptable in relation to its effects upon existing trees and hedgerows and the general visual amenities of the locality.

With regards to ecology, wildlife and biodiversity, an Ecological Appraisal has been submitted with the application. The existing features of the site and potential impacts, mitigation and enhancement measures are summarised by the following points from the Appraisal:

- There are no statutory or non-statutory sites which are connected to the site such that site development would directly affect the dispersal of species between them or directly impact on their integrity. The habitats on site do not represent or are linked to those found in any of the statutory or non-statutory sites locally.
- There are no statutory or non-statutory sites which are connected to the site such that site development would indirectly affect the dispersal of species between them or indirectly impact upon their integrity.
- With regards to vegetation, species recorded are all commonly found and undoubtedly occur elsewhere in similar habitats in the local area. The amenity grassland has a very low species diversity and ecological value. Semi improved grassland within the western part of the site has higher species diversity than amenity grassland.

- Woodland within the site is semi mature and has a limited understorey. The canopy is relatively species rich and this habitat may be used by a range of nesting bird species and is considered to be of moderate ecological value. Woodland will be maintained on site post development and therefore will maintain the ecological functionality of the site.
- The scattered trees that are to be removed to facilitate the development are generally of low quality. There is sufficient scope for mitigation and compensation such that the ecological value of the site will not be degraded by the loss of these trees.
- Himalayan Balsam, an invasive species, is present in the western part of the site. This species will need to be controlled and removed in order to ensure development does not facilitate its spread.
- With regards to amphibians, there are no records of any amphibians occurring within 3km of the site. There are two areas of standing water on the site. The pond to the east is a damp depression in which water levels were low at the time of the survey. The other pond on the western part of the site is surrounded by Willow trees. Both areas of standing water have been assessed as potential habitat for Great Crested Newts but the potential has been found to be low.
- Badger sets are not known to occur on site or within 30m of its boundaries and there were no indications of Badger feeding found on the site. Cautionary mitigation, is however considered appropriate during construction works.
- The site offers moderate potential for use by bats but more extensive areas of medium and high quality habitat occur locally including woodland and hedgerows. It is not considered that there would be significant degradation of foraging habitat as a result of the proposal provided that the existing woodland is retained in the scheme. Precautionary mitigation in relation to bats would therefore be appropriate in respect of ensuring the foraging habitat on site is at least maintained for use by bats during the development period.
- In respect of birds, the woodland and hedgerows on site of a potential habitat for a range of feeding and nesting birds; the amenity grassland has a low potential use by nesting birds as the grassland is mown and as such is usually short. Potential nest sites were located within the proposed development area and it is therefore appropriate that precautionary mitigation measures should be followed prior to and during development works.
- There is no indication of brown hares recorded on the site.
- Aquatic habitats on site generally have low water quality and support a low diversity of invertebrates.
- There is no indication of otters recorded at the site.
- There are no records for reptiles within 3km of the site but there are no areas within the development area which would be particularly favourable to reptiles. As reptiles do occur locally, however, precautionary mitigation would be appropriate during construction activities in order to ensure reasonable avoidance measures are taken to avoid killing all injury to these species.
- There were no signs of water voles on the site and it is considered that this species is likely to be absent at the site but, precautionary mitigation measures would be appropriate during development activities.

The Council's Countryside Officer has viewed the Ecological Appraisal and does not disagree with its findings, conclusions and recommendations. Subject, therefore, to appropriate conditions to ensure the implantation of measures recommended within the Appraisal, the proposed development is considered to be acceptable in relation to its effects upon wildlife, ecology and biodiversity.

With regards to the effects upon the amenities of nearby residents, the nearest dwellings to the north of the site are Drake House Farm (approximately 150m to the north-east) and The Croft (approximately 250m to the north-west), the nearest dwellings on Eaves Hall Lane to the south of the site (and therefore separated from the development site by the rest of the existing caravan park) are approximately 450m away. Given the separation distances and the proposed retention and enhancement of existing boundary screening, I do not consider that the proposed siting and static caravans on an area already used for touring caravans will have any discernible effects upon the amenities of any nearby residents.

With regards to highway safety, the LCC Highway Authority has not expressed any objections to the application. I also consider that the removal of cars towing touring caravans from the local highway network will represent an improvement in highway safety terms; and the car journeys made to and from the site by the occupiers of static caravans are likely to be similar in number to those made by the occupiers of touring caravans (when not towing the caravan). The delivery of static caravans to the site will cause some disruption on local roads but this will be a one-off event in respect of each caravan.

Overall, I can see no sustainable reason for refusal of the application based on the effects of the proposed development upon highway safety or the volume of traffic on the local highway network.

The Parish Council has asked questions about whether the effluent pumping station has the capacity for a further 56 caravans and whether the surface water will be correctly drained and piped into West Bradford Brook. A number of local residents have also expressed concern that surface water might not discharge to the appropriate watercourses/culverts and could possibly discharge on to residential properties 'downhill' on Eaves Hall Lane. There is of course existing sewage to be disposed and surface water run-off as a result of the existing use of the site for touring caravans. I consider that the concerns expressed about the current application can be satisfactorily addressed by the imposition of conditions requiring the submission for approval and subsequent implementation and permanent management of appropriate foul and surface water drainage systems. The Environment Agency, United Utilities and the LCC Local Lead Flood Authority will be consulted as appropriate in respect of the details submitted in order to discharge those conditions.

In conclusion, the proposed development is considered to be acceptable in principle and in relation to compliance with the detailed considerations as discussed in the report above. It is therefore considered that permission should be granted subject to the imposition of appropriate conditions.

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. Unless explicitly required by any condition within this planning permission, the development hereby permitted shall be carried out in accordance with the details shown on submitted Drawing Number D/0/1 Rev G - Site Layout.

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

3. The number of static caravans hereby approved shall not exceed 56 at any time unless a further planning permission has first been granted in respect of any additional caravans above that number.

REASON: To comply with the terms of this application and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version) as the siting of a higher number of caravans would require further consideration to be given in relation to the potential impact upon visual amenity and highway safety.

4. The terms of occupancy of the static caravans hereby permitted shall be as follows:
 - i) The caravans shall be occupied for holiday purposes only.
 - ii) The caravans shall not be occupied as a person's sole or main place of residence.
 - iii) The owners/operators of the site shall maintain an up to date register of the names of all owners/occupiers of individual caravans on the site and of their main home address and shall make this information available at all reasonable times to the Local Planning Authority.

REASON: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential accommodation in order to comply with Policies DMG1 and DMB3 of the Ribble Valley Core Strategy (Adopted Version).

5. The development hereby permitted shall be carried out in complete compliance with the mitigation and enhancement recommendations in the Ecological Appraisal (Report Reference 2998 dated 20 October 2015) that was submitted with the application.

REASON: In the interests of protecting local wildlife and ecology and including the implementation of measures to enhance biodiversity in order to comply with Policy DME3 of the Ribble Valley Core Strategy (Adopted Version).

6. Whilst the indicative details of boundary tree and hedge retention and additional landscaping and screen planting shown on Drawing Number D/0/1 Rev G are considered to be acceptable in principle, a more detailed scheme of landscaping/screen planting shall be submitted for the approval of the Local Planning Authority. This detailed scheme shall indicate the types and numbers of trees and shrubs, their location on the site, their size at planting and their spacings.

The approved detailed landscaping/screen planting scheme shall be implemented in the first planting season following the siting of the first caravan on any of the approved new 56 static caravan pitches. The planting shall be maintained thereafter for a period of not less than five years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of visual amenity and to comply with Policies DMG1 and DME2 of the Ribble Valley Core Strategy (Adopted Version).

7. Prior to the commencement of any ground preparation works, all existing trees that are shown for retention on the submitted plans and in the Arboricultural Impact Assessment (Reference AIA 17/11/15), and that are close to any of the areas affected by those ground works, shall be protected with a root protection area in accordance with BS5837 (trees in relation to construction) precise details of which shall first have been submitted to and approved in writing by the Local Planning Authority. Details of a tree protection monitoring schedule shall also be submitted to and agreed in writing by the Local Planning Authority before any ground works are commenced. The monitoring schedule shall then be implemented in accordance with the agreed details. The root protection area shall remain in place until all ground remodelling works have been completed and all excess materials have been removed from the site.

REASON: In order to ensure that all existing trees that are shown for retention, are afforded maximum physical protection from any possible adverse effects of ground works in order to comply with Policies DMG1, DME1 and DME2 of the Ribble Valley Core Strategy (Adopted Version).

8. Prior to the commencement of development (including the formation of any roads or hard surfaces) a detailed scheme for the disposal of foul and surface waters shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed and completed in accordance with the approved details prior to the siting of the first caravan on any of the approved new 56 static caravan pitches hereby approved; and, thereafter, shall be appropriately maintained and operated in perpetuity.

REASON: To ensure the satisfactory disposal of foul and surface waters and prevent the possibility of flooding in the locality in order to comply with Policy DME6 – Water Management – of the Ribble Valley Core Strategy (Adopted Version).

9. Any development works (including the formation of any roads or hard surfaces) within the Root Protection Area (RPA) of the oak tree identified as tree T4 in the submitted Arboricultural Impact Assessment (AIA) shall only be carried out in accordance with a Construction Method Statement (CMS) that has first been submitted to and approved in writing by the Local Planning Authority.

REASON: In order to ensure the retention and protection of this tree in the interests of visual amenity and to comply with Policies DMG1, DME1 and DME2 of the Ribble Valley Core Strategy (Adopted Version).

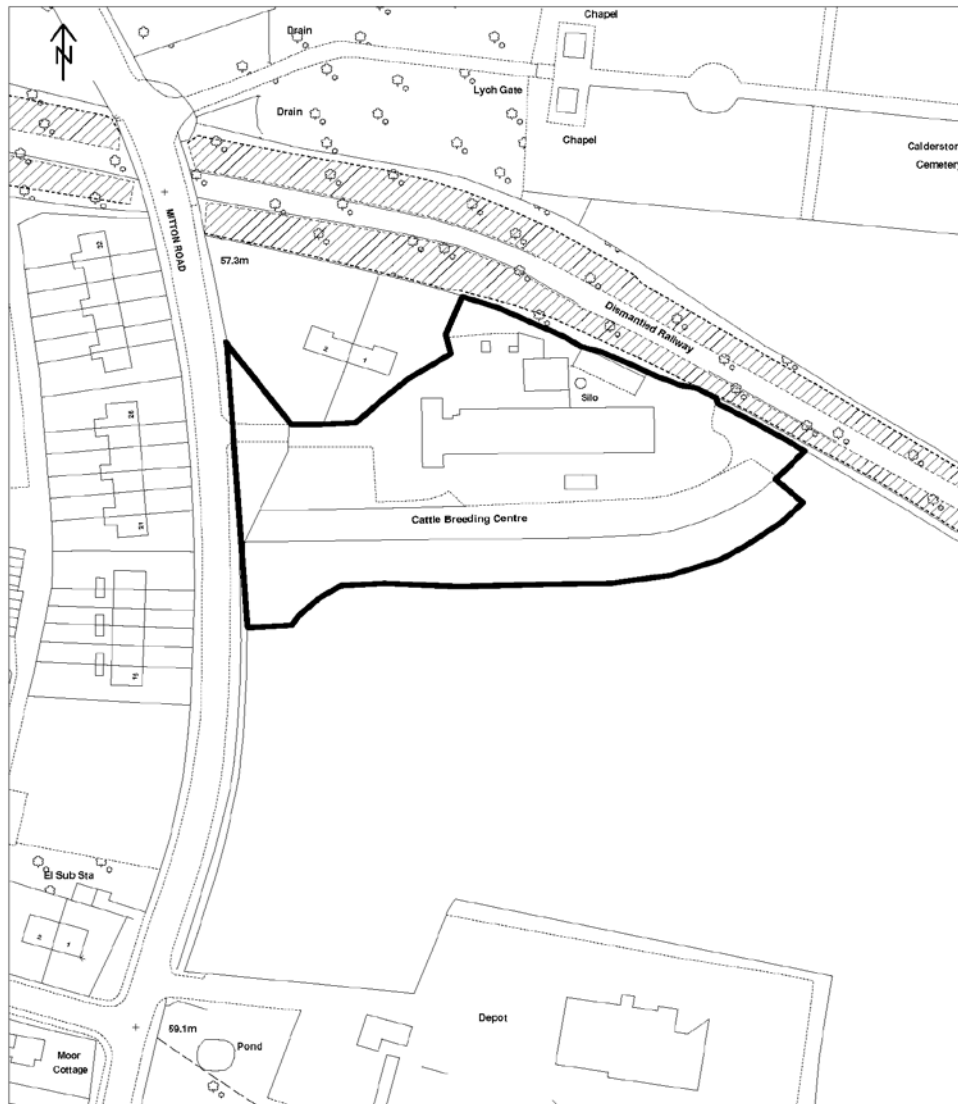
10. No part of the development shall be commenced until a non-native species removal and disposal method statement has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the eradication and removal from the site all Japanese Knotweed and Himalayan Balsam. The removal and disposal of these species shall then be carried out in accordance with the approved method statement to the satisfaction of the Local Planning Authority.

REASON: To ensure that there is no risk of further spread of a non-native plant species and to ensure that there are no residue non-native plant species parts remaining in the interests of protecting the native ecology of the site and to comply with Policies DMG1 and DME3 of the Ribble Valley Core Strategy (Adopted Version).

NOTES

1. The site owner is advised that a risk assessment into the safety retained pond on the site should be undertaken. The owner's attention is drawn to the ROSPA guide on preventing drownings in features of this type. <http://www.rospa.com/leisure-safety/water/advice/pond-garden-water/>
2. The developer/site owner is advised that the proposed development must comply with this Council's standard licence conditions for holiday caravan sites.
3. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act. Public footpaths 3-44-FP10 and 12 cross the application site.

APPLICATION NO: 3/2015/1034/P (GRID REF: SD 372767, 437496)
APPLICATION TO VARY CONDITIONS 2 (APPROVED PLANS), CONDITION 4 (ACCCOUSTICS REPORT) AND CONDITION 5 (SOUND PROOFING) OF PREVIOUSLY APPROVED SCHEME FOR DEMOLITION OF EXISTING COMMERCIAL PREMISES AND CONSTRUCTION OF 4 SMALL INDUSTRIAL BUILDINGS TO HOUSE 21 STARTER UNITS OF APPROXIMATELY 70SQ M PER UNIT, SITE ACCESS IMPROVEMENTS AND EXTENSIVE NEW TREE PLANTING AT THE FORMER GENUS SITE, MITTON ROAD, WHALLEY, BB7 9JY



3/2015/1034 Former Genus Site, Mitton Road, Whalley, BB7 9JY

Scale 1:1250

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PARISH COUNCIL: No comments or observations received at the time of writing this report, any comments received will be reported verbally.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR): The proposed amendments to conditions 4 and 5 of pp2015/0235 have no highway consequences and I would therefore raise no objection to the proposals on highway grounds

UNITED UTILITIES: No comments but previously had no objections subject to conditions being imposed requiring details of foul and surface water management to be submitted for approval.

ADDITIONAL
REPRESENTATIONS: No representations received

1. **Proposal**

- 1.1 The application seeks consent to vary conditions attached to previous detailed consent (3/2015/0235) granted on the 6 July 2015.
- 1.2 The application is made under Section 73 of the Town and Country Planning Act which allows applications to be made for permission to develop without complying with a condition(s) previously imposed on a planning permission or for applications to be made to vary the wording and content of previously imposed conditions. The local planning authority can grant such permission unconditionally or subject to different conditions, or they can refuse the application if they decide that the original condition(s) should be upheld.
- 1.3 Members will note that the original approval will continue to subsist whatever the outcome of the application under made under section 73.
- 1.4 The original approval was for 21 units all with the proposed units falling within the B1(c) (light industrial processes) use class. As a result of the changes there will be a total of 15 units which include 14 small starter units.
- 1.5 The revisions in relation to the plans result in the creation of one larger unit, Building D which will also have a mezzanine floor for office and storage purposes. This unit will no longer be subdivided and there are some minor design changes to the elevations as a result of the changes to Unit D.
- 1.6 The other changes relate to pre commencement conditions in relation to acoustic and soundproofing reports with a requirement that they can be discharged prior to occupation rather than before commencement.
- 1.7 Access to the units remains unaltered and would be along the existing access road from Mitton Road which currently serves two residential properties and the existing buildings on site. The parking for the business units would be located between the two groups of buildings in the centre of the site with a turning head proposed at the eastern extreme, and two waste disposal areas are proposed within the site.

2. **Site Location**

- 2.1 The application site is located within an area of open countryside on the east side of Mitton Road, Whalley, adjacent to the dismantled railway line to the north, a designated Biological Heritage Site, which separates the site from Calderstones Cemetery. To the south of the site is a field within the applicants' ownership and an LCC depot exists further to the south.

3. **Relevant History**

3/2014/0978/P - Outline application for residential development of 14 Residential units and 4 no. affordable dwellings with access to the site via the existing drive from Mitton Road, Whalley with all matters reserved. Refused.

3/2015/0235/P - Erection of 21 starter units and site access improvements. Approved with Conditions.

3/2015/0966 - Additional floor space and design changes to layout of Building D Mitton road Whalley. Approved with conditions.

3/2015/0975 - Discharge of conditions. Partial approval

4. **Relevant Policies**

Key Statement EN2 – Landscape.

Key Statement EN4 – Biodiversity and Geodiversity.

Key Statement EC1 – Business and Employment Development.

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DMG3 – Transport and Mobility.

Policy DME1 – Protecting Trees and Woodlands.

Policy DME2 – Landscape and Townscape Protection.

Policy DME6 – Water Management.

Policy DMB1 – Supporting Business Growth and the Local Economy.

National Planning Practice Guidance: Noise

National Planning Policy Framework

5. **Environmental, AONB, Human Rights and Other Issues**

- 5.1 The matters for consideration in the determination of this application relate to the amendments to the condition so predominantly concern noise and residential amenity and any resulting visual amenity or highway impact as a consequence of minor design changes.

5.2 **Highway Safety**

- 5.2.1 The Highway Authority has been consulted and raises no concerns.

5.3 Effects upon Visual Amenity

5.3.1 The effects of the development on the character appearance and landscape of the countryside as a result of the minor design changes which include the insertion of 3 full height roller shutter doors on the front elevation and one at the rear are minor given that the buildings are effectively screened by other new buildings and existing landscape. I am satisfied that there is no visual impact as a result of the elevational changes.

5.4 Effects upon Residential Amenity

5.4.1 The changes to Unit D with A roller shutter door at the rear may have the potential to increase the noise levels when the doors are open. However, the noise report and soundproofing would still need to be discharged so I do not consider this lessens any control. By allowing the condition to be modified it enables acoustics and sound proofing measures to be assessed according to the user of the building so I am satisfied that the condition should be modified. This is in accordance with advice of national guidance.

6. Conclusion

6.1 I am satisfied that there are no adverse implications. In relation to highway safety and residential amenity, as result of the changes and as this proposal will secure employment sites within the borough, it is welcomed.

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

Time Limits

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

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

Drawings and Details

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

Plan Ref:	Title:	Received On:
4487-02-14A	Location Plan	17 June 2015
4487-02-15A	Location Plan and New Landscaping	17 June 2015
4487-03-01E	Proposed Site Layout Plan	12 January 2016
4487-02-18B	Proposed Site Layout Plan showing Landscaped Areas	19 June 2015
4487-02-21B	Proposed Site Layout Plan showing position of Existing Buildings to be Demolished and Tree Belt to be Removed/Retained	19 June 2015
4487-02-19	Typical Construction Details, Unit A	17 June 2015
4487-02-23	Typical Construction Details, Unit B	17 June 2015
4487-02-24	Typical Construction Details, Unit C	17 June 2015

4487-03-05	Floor plans and elevations Unit D	12 January 2016
4487-02-06A	Fence and Furniture Details	17 June 2015
4487-02	Existing Site Plan;	
4487-02-07	Existing Elevations;	
4487-02-08	Plan;	
4487-02-09	Roof Plan (Existing);	

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

Amenity

3. Prior to commencement of development a Construction Method Statement/Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out otherwise than in accordance with the approved Construction Management Plan which shall include the following matters:
 - a) the parking and turning for vehicles of site personnel, operatives and visitors;
 - b) programme of works (including measures for traffic management and operating hours including times for deliveries or vehicles involved in construction);
 - c) loading and unloading of plant and materials;
 - d) storage of plant and materials used in constructing the development;
 - e) erection and maintenance of security hoarding and lighting;
 - f) wheel washing facilities and a programme for cleaning the access lane and for the deployment of a road sweeper on Mitton Road when necessary;
 - g) a Management Plan to control the emission of dust and dirt during construction identifying suitable mitigation measures;
 - h) a scheme for recycling/disposing of waste resulting from demolition and construction works (there shall be no burning on site);
 - i) a Management Plan to control noise and vibration during the construction phase (in accordance with BS:5228 (2009) code of Practice titled 'Noise and Vibration Control on Construction and Open Sites'). The Noise Management Plan for the development shall include details of acoustic heavy duty fencing and locations; location of site offices, compounds and storage and operation of the wheel wash.

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

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

4. Prior to occupation of each Building of the development hereby approved, two copies of an acoustics report shall be submitted to and approved in writing by the Local Planning Authority. The report shall detail present and future ambient noise levels in the area about the application site and where appropriate, the report shall identify any sound attenuation measures necessary to protect nearby affected parties. The scheme shall be implemented in accordance with the approved details and thereafter retained.

REASON: To prevent loss of amenity due to noise arising from the uses in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

5. Prior to occupation of each Building hereby approved a scheme for the suitable and sufficient soundproofing of the units for light industrial uses (Use Class B1(c)) has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details prior to the occupation of the development and shall thereafter be retained as such.

REASON: To safeguard the amenities of the occupiers of adjoining properties and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

6. No development shall take place until details of external lighting during both the construction phase and post completion of the development have been submitted to and approved in writing by the Local Planning Authority.

The external lighting shall be designed to meet Environmental Zone 1 standard and shall be designed so there is no overspill of lighting beyond the site boundaries.

The external lighting shall be installed precisely in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority. Furthermore, no additional external lighting shall be installed without the express written permission of the Local Planning Authority.

REASON: To safeguard the amenities of the area and to minimise the possibility of inconvenience to nearby residents in the interests of visual amenity, the ecology on and adjacent to the site, and highway safety, and to comply with Key Statements EN2 and EN3 and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy (Adopted Version).

Contaminated Land

7. Prior to the commencement of development, the following information shall be submitted to the Local Planning Authority for approval in writing:
 - (a) The recommendations provided on pages 10 and 11 within the Worms Eye Desk Study, dated 22 July 2014, shall be carried out and reported on to the Local Planning Authority which includes details of remediation. If the site investigation indicates remediation is necessary, a Remediation Statement detailing the recommendations and remedial measures to be implemented within the site shall be submitted to and approved in writing by the Local Planning Authority. The remediation shall be carried out in accordance with the agreed statement and on completion of the development/remedial works, the developer shall submit a Verification Report to the Local Planning Authority for approval in writing that certifies that all works were completed in accordance with the agreed Remediation Statement prior to the first occupation of the development.

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

Drainage

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

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

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

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

9. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

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

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

Ecology

10. Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall not be undertaken between March and July inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections approved by the Local Planning Authority.

REASON: In order to avoid adverse impacts on nesting birds and to comply with the Wildlife and Countryside Act 1981 (as amended)] and Key Statement EN4 and Policy DME3 of the Ribble Valley Core Strategy (Adopted Version).

11. No development shall take place until details of the provisions to be made for artificial bird nesting sites/boxes and artificial bat roosting sites/boxes have been submitted, and approved by the Local Planning Authority. The approved works shall be implemented in full before the development is first brought into use, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that bird and bat species are protected and their habitat enhanced, in accordance with the Wildlife and Countryside Act 1981 (as amended), Section 9 of the National Planning Policy Framework, Key Statement EN4 and Policy DME3 of the Ribble Valley Core Strategy (Adopted Version).

Highways

12. 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 Policies DMG1 and DMG3 of the Ribble Valley Core Strategy (Adopted Version).

Materials

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

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

Trees and Woodland

14. 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).

15. This permission does not grant or imply consent for the felling of any trees on the site with the exception of the trees within the area coloured brown and annotated as 1CB2 on the approved drawing number 4487-02-21A, received 17 June 2015.

REASON: For the avoidance of doubt as the trees on site are covered by a group Tree Preservation Order and are within a Biological Heritage Site, and in order to comply with Key Statements EN2 and EN4, and Policies DMG1, DME1, and DME2 of the Ribble Valley Core Strategy (Adopted Version).

16. Notwithstanding the landscaping details submitted on Drawing Numbers 4487-02-17A, 4487-02-18B and 4487-02-21B, prior to the commencement of development a satisfactory programmed landscaping scheme which shall include hard and soft surfacing, planting of the development and the replacement woodland and new woodland. Full details of how the new and replacement woodlands are going to be planted and maintained for a minimum of ten years by the developer or their successors in title should also be submitted and agreed in writing with the Local Planning Authority.

The scheme shall incorporate the recommendations of an Arboriculturalist and shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and specifications of all fencing.

The approved soft landscaping scheme shall be implemented in the first planting season following occupation or use of the development unless otherwise required by the reports above, whether in whole or part and shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

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

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

17. The approved scheme shall be implemented during the first planting season following the completion of Buildings A, B and C, or the occupation of any of the buildings on site, and any tree or shrub planted which dies or is felled, uprooted, willfully damaged or destroyed in the first five year period commencing with the date of planting shall be replaced by the applicants or their successors in title.

REASON: To ensure a satisfactory form of development and to enhance the visual amenities of the locality and local biodiversity habitat, and in order to comply with Key Statements EN2 and EN4 and Policies DMG1, DME1, DME2 and DME3 of the Ribble Valley Core Strategy (Adopted Version).

Construction traffic and hours of operation

18. 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).

Highways

19. The proposed access from the site to Mitton Road shall be constructed to a (minimum) width of 5.5 metres and this width shall be maintained for the full length of the access road through the site to the turning head at the easterly end of the site.

REASON: To enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users and to accord with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy (Adopted Version).

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

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

Amenity

21. The use of the units hereby permitted shall be used for light industrial uses falling within Use Class B1(c) of the Town and Country Planning (Use Classes) Order 1987 (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 accordance with Policies DMG1 and DME2 of the Ribble Valley Core Strategy (Adopted Version) as other uses may have an unacceptable impact on neighbour amenity and/or the character and appearance of the area.

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

REASON: To prevent an intensification in the use of the premises, in the interests of the visual amenities of the area and the amenities of local residents within the Borough in accordance with Key Statements EC1 and EN2 and Policies DMG1 and DME2 of the Ribble Valley Core Strategy (Adopted Version).

23. No externally sited fixed plant, machinery or equipment (including ventilation and extraction equipment); or internally sited fixed plant, machinery and equipment (including ventilation and extraction equipment) which communicates directly to the exterior of a building used in connection with the development shall be fitted without first obtaining planning permission from the Local Planning Authority.

REASON: In the interests of the amenity of the occupiers of neighbouring properties due to noise from such equipment, in accordance with Policy DMG1 of the of the Ribble Valley Core Strategy (Adopted Version).

24. The working hours within the premises shall be restricted to the period from 0800 to 1800 Mondays to Fridays and 0900 to 1300 on Saturdays only. No work shall in the buildings on Sundays, Bank or Public Holidays.

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).

25. The use hereby permitted shall not be open to customers except between the hours of 0800 to 1800 Mondays to Fridays and 0900 to 1300 on Saturdays only and not at any time on Sundays, Bank or Public Holidays.

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).

26. The doors to each unit shall be kept closed at all times when carrying out any 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).

27. 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).

28. 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).

Vehicular Maneuverability

29. The vehicular turning space indicated on Plan Reference Number 4487-02-17, received 16 June 2015 shall be kept clear of parked vehicles, storage containers, waste and any other items that could restrict the free movement of vehicles to and within the site, and be available for use at ALL times.

REASON: To comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version) to ensure highway and pedestrian safety is not compromised.

INFORMATIVES

1. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works.

The applicant/ developer is advised to contact the contact the Environment Directorate for further information by telephoning the Developer Support Section (Area South) on 0300 123 6780, or writing to Highways Development Control, Lancashire County Council (East) Burnley Highways Depot, Widow Hill Road, Burnley, BB10 2TJ email lhscustomerservice@lancashire.gov.uk.

For the avoidance of doubt the works to be included within this agreement will include the construction of the footway link, advertising and implementation of the waiting restrictions provision and erection of an interactive sign and the relocation of the southbound bus stop and its upgrade to quality bus standard (raised boarding kerbs and bus box road markings)

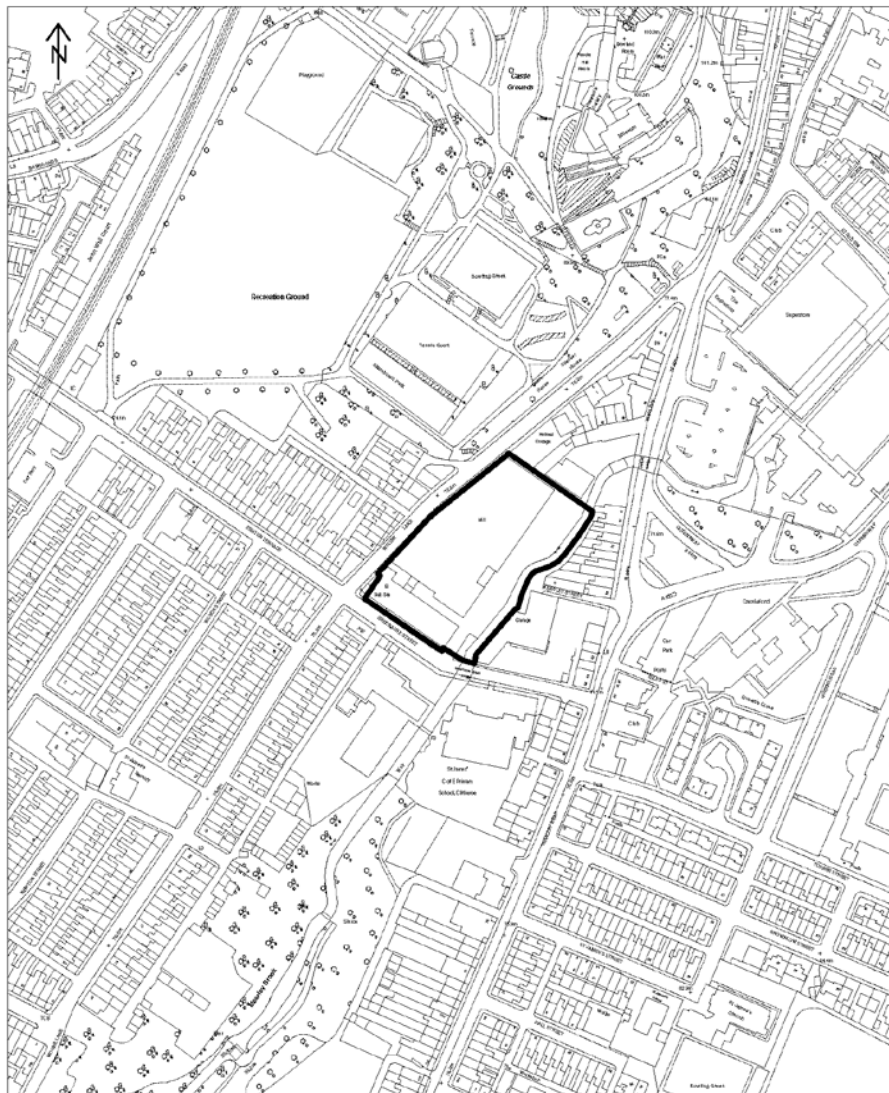
2. All bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats &c.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given the relevant contact number for Natural England, which is via the Bat Conservation Trust on 0845 1300 228.
3. The applicant/developer is advised that in terms of the foul water condition, the Local Planning Authority is unlikely to consider that the use of anything but being drained to the Mains Sewer acceptable or appropriate for a development for this use and scale.
4. The Local Planning Authority worked positively and proactively with the agent to identify solutions during the application process to ensure the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement on Paragraphs 186-187 of the NPPF.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0302

C APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL

APPLICATION NO: 3/2015/0943/P & 3/2015/0944/P (GRID REF: SD 374128 441359)
PLANNING PERMISSION AND LISTED BUILDING CONSENT FOR THE RENOVATION AND CONVERSION OF GRADE II LISTED BUILDING PROPERTY TO CREATE KITCHENS, RESTAURANT, BAR, 31 ROOM APARTMENT HOTEL ACCOMMODATION, BREWERY WITH RETAIL OUTLET, BAKERY, FUNCTION ROOM, OFFICES, RETAIL UNITS AND GYM AND SPA LEISURE COMPLEX AT HOLMES MILL, GREENACRE STREET, CLITHEROE



3/2015 0943 and 382015/0944 Holmes Mill, Greenacre Street, Clitheroe BB7 1EB

Scale 1:2500

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TOWN COUNCIL:

No objections. However expresses concern about the lack of a wall between the car park and the brook and the possibility of smells emanating from the brewery which could affect local residents and the need for adequate proximity to the car parking to be made for this development via Whalley Road car park.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

A detailed analysis of the parking arrangements and the delivery and servicing as well as the traffic impact analysis has been provided by Lancashire County Council. They conclude that the number of spaces provided should equate to 331 spaces and accept there may be some reduction on numbers caused by linked events. However, it is concluded that there is a serious shortfall in the number of parking spaces and this alone would warrant a recommendation of refusal. In relation to deliveries and servicing, more information is needed to enable a full assessment and this would need to include swept path analysis, catering for all vehicle types to ensure that access and egress is not affected.

In relation to traffic impact analysis, they remain of the opinion that the impact of a traffic generated by the site has been underestimated and that the junction capacity analysis needs to be re-calculated. To conclude the County Surveyor recommends refusal on highway grounds and also that the traffic generation of figures submitted are on the low side and depending on whether or not the applicant chooses to re-do the junction analysis based on revised figures, there may also be justification for a refusal due to junction capacity issues.

ENVIRONMENT
DIRECTORATE (LEAD
LOCAL FLOOD
AUTHORITY):

Object to the proposal on the grounds of inadequate flood risk assessment and that the submitted flood risk assessment does not provide a suitable basis for assessment to have been made of the flood risks for the proposed development.

ENVIRONMENT
DIRECTORATE
(ARCHAEOLOGY):

The building complex has been subject to the previous recording by Oxford Archaeology North. An overall assessment of the relative significance has been made and is included within the four conservation statements. This assessment is subjective to some degree and it would be possible to make a case for increase in the state of levels of significance of some elements. The proposed uses and level of proposed uses interventions seems to relate well to this assessment of significance and notes within the report and drawings show that efforts have been made to retain the most significant elements. Some intervention is still required however, but it is concluded that what is proposed is reasonable and acceptable given the need to make the complex viable in the long term. It is noted that specialist removal works will be required in and around the mill engine and it is suggested that the possibility of using compressed air as a driving medium is looked at rather than powering the engine with a hidden electric motor, as this would be more authentic.

The only other item of concern is the proposed works to the former hoist, tower of the 1823 block. The Oxford Archaeology North notes the existence of the hoist mechanism here along with the original door opening mechanism but these do not seem to be noted within the conservation statement or plans. Whilst these were properly altered in the 20th century, they are unusual survival and may be worth considering retaining if at all possible.

ENVIRONMENT AGENCY: Recommend refusal on the basis of the absence of an acceptable flood risk assessment.

UNITED UTILITIES: No objections subject to appropriate conditions regarding foul water and surface water.

HISTORIC ENGLAND: Recommend that the application be determined in accordance with national and local policy guidance on the basis of your expert conservation advice.

SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS: The mill section support the proposals to find a sustainable future use of this historically significant complex textile mill building. Do not wish to comment on the details of the application but appears generally sympathetic to the current repair needs of the building.

Although buildings have been largely stripped of their working parts, significant elements of the mills original industrial purpose survive and are of particular interest. These include the engine houses, a truncated chimney and intact horizontal engine with large fly wheel dated from the 1910/1911. The Mill Section is keen that surviving mechanical elements are retained and incorporated into plans for conversion of the buildings. The Structural Inspection and Appraisal by Reid Jones Partnership concludes that all of the key buildings are in reasonable or good condition and as such would respond to targeted repair. This report supports the improvement and retention of the historic architectural elements of the complex.

LCC CRIME IMPACT STATEMENT: Make the following recommendations

- In relation to a need for CCTV, glazed panels should be laminated to reduce the risk of damage or forced entry.
- The premises should have a comprehensive intruder alarm as well as internal security measures.

ADDITIONAL REPRESENTATIONS: Three letters of representation have been received which make the following comments:

There is general support for the principle and the retention of a derelict building to employment purposes, but concerns over parking and highway issues and possible water run-off as a result from the development.

Proposal

This application seeks detailed consent for the conversion of a grade ii listed building property to create kitchens, restaurant, bar, 31 room apartment hotel accommodation, brewery with retail outlet, bakery, function room, offices, retail units and gym and spa leisure complex.

Site Location

The building is located on the outskirts of the Town centre and comprises a mixed use area with retail and other employment uses including offices and residential properties in the vicinity. It has a road frontage on to both Woone Lane and Greenacre Street and is adjacent to the Clitheroe Conservation Area. The main site entrance is from Greenacre Street and there is also a proposed new vehicular access from Mearley Street and restricted vehicular and pedestrian access from Woone Lane.

Relevant History

3/2001/0564 Demolition and extension to create offices and manufacturing building Approved

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 EN5 – Heritage Assets

Key Statement EC1 – Business and Employment Development

Key Statement EC3 – Visitor Economy

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 DMB1 – Supporting Business Growth and the Local Economy

Policy DMB3 – Recreation and Tourism

Historic Environment Planning Practice Guidance (HEPPG)

National Planning Policy Framework

Technical Guidance to National Planning Policy Framework

National Planning Practice Guide

Clitheroe Conservation Area Appraisal and Management Guidance

Environmental, AONB, Human Rights and Other Issues

Principle

The principle of this development is acceptable given its location within the key settlement of Clitheroe which is regarded as a sustainable location. However, consideration needs to be given to all other Development issues which would include heritage impact, highway safety, economic regeneration and residential amenity which are all key issues. These are addressed elsewhere in the report but are fundamental in the decision making process

Highway Safety and Accessibility

The site is located within a central position of Clitheroe and whereas there is access to public car parks it is evident that there is a significant lack of parking spaces being provided by the scheme. The County Surveyor considers that this shortfall cannot be justified and would recommend refusal on grounds of highway safety.

LCC Highways conclude that the number of spaces provided should equate to 331 spaces and although they recognise accept there may be some reduction on numbers caused by linked events. The scheme only provides for 19 car parking spaces and 4 accessible spaces and I am of the opinion that given the resultant need for spaces by this mixed use development this shortfall, irrespective of its location within the settlement boundary and close to the town centre, would be likely to result to conditions detrimental to highway safety.

Flood Risk and Drainage

In relation to Flood Risk both the Environment Agency and the LCC LLFA consider that as submitted there is an absence of an acceptable Flood Risk Assessment and as such should be refused. I accept that the applicant may be able to overcome this issue in due course and so this may be unlikely to remain as issue but at this point of time I consider it would be wrong to either impose a condition or negotiate on this matter.

Design

The elements regarding the design are included within the Heritage section and I do have concerns regarding certain elements of the demolition as well as the introduction of a new wavy roof on part of the New Mill.

Heritage/Cultural

This proposal involves various alterations to Historic Mill to accommodate the mixed use development. The scheme includes elements of demolition both external and internal, window replacement and the creation of internal walls and the introduction of double glazing. Although I recognise the need to have regard to appropriate change it is clear from the advice of the Councils Principal Planning Officer in relation to heritage issues that he considers the changes to be excessive and damaging to the historic fabric.

The environmental role of the NPPF includes the need to protecting and enhancing the built and historic environment. Indeed conserving heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and

future generations are a core planning principle. Significance derives not only from a heritage asset's physical presence, but also from its setting.

Holmes Mill is a Grade II Listed Building The building is also adjacent to the Clitheroe conservation and the Historic Park and Garden of Clitheroe Castle.

In considering the heritage impacts of the proposal Members are reminded of the need to have regard to the statutory tests outlined earlier within this report.

Regard should also be had to paragraph 141 of the NPPF which advises LPA's should require developers to record in advance understanding of the significance of any heritage asset to be lost in a manner proportionate to their importance. The application has been submitted with an Archaeological Building Investigation and Heritage Assessment and the archaeological unit at LCC have been consulted on this application. They have not raised an objection to the development.

In respect of the proposed physical alterations to the buildings and the impact of such works are examined in this report.

Chapter 12 of the NPPF is specific to conserving and enhancing the historic environment with the following paragraphs key to the determination of this application:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance... (para 128)

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

In determining planning applications, local planning authorities should take account of:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness. (para 131)*

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Substantial harm to or loss of a grade II listed building, park or garden should be exceptional... (para 132)

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- *the nature of the heritage asset prevents all reasonable uses of the site; and*
- *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- *conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- *the harm or loss is outweighed by the benefit of bringing the site back into use. (para 133)*

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. (para 134)

Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution or to better reveal the significance of the asset should be treated favourably. (para 137)

Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted. (para 141)

The Council's Design and Conservation Officer has been consulted on these proposals and has the following concerns and comments.

It is difficult to undertake the Borough Council's statutory duties at s16, 66 and 72 of the Act and consider whether the proposals represent the optimum viable use (NPPG) as no pre application advice was sought to allow assessment of alternative schemes or detailed justification for the proposal. Whilst some loss of significance is inevitable and to be expected I am particularly concerned in respect to the following:

Weaving shed and warehouse

The loss of the north-light roof has reduced the significance of the weaving shed (and therefore the significance of the integrated site as a whole). However, this is an opportunity for

enhancement [NPPF 131; s72 P(LBs&CAs) Act 1990]. The extant structure “*still provide(s) physical evidence of an important development within the textile industry ... integration of spinning and weaving within the same complex ... Few weaving sheds of this date survive within the county, and that at Holmes Mill has unique ventilation grills unseen elsewhere*” (OAN) and “*retains its historic scale*” (List Description).

The list description Reasons for Designation identifies the building complex’s Intactness (the reference to the weaving shed relates only to its roof) and Integrated nature to be intrinsic to special architectural and historic interest. HE ‘Industrial Buildings’ also identifies that “*an exceptionally complete site ... may provide such an exceptional context that it raises the importance of buildings that might otherwise not be listable*”; “*In integrated mills these sheds surround the multi-storeyed mills sharing the same prime movers and are an integral part of the design*”; “*Warehouses were often important elements on integrated sites*” and in respect to enhancement opportunities/redevelopment “*an industrial building should normally reflect in its design (plan form and appearance) the specific function it was intended to fulfil*”.

The Clitheroe Conservation Area Appraisal identifies the prevalent use of local building stone (and very limited use of other materials), including use in traditional boundary and retaining walls, to be intrinsic to character and appearance and to give the area its distinct identity.

In my opinion, demolition of the important weaving shed and warehouse east elevation and substantial alteration/loss of integrity and scale (including the awkward break to the distinct trefoil detailing) to the west elevation is harmful. Furthermore, replacement with a largely glazed wavy roof building is intrusive, dominating, incongruous and lacks consideration to historic context (north-light weaving shed in integrated and otherwise intact mill complex; stone built and proportioned Georgian architecture; historic public park and grounds of former prestigious residence).

1823 Spinning mill

Consideration to the OAN report and conservation area appraisal suggests the following proposals are particularly harmful and require ‘clear and convincing justification’ (NPPF paragraph 132):

- (i) Adverts and building naming– prominent (high level), over intensive and intrusive (Georgian details and proportions); unnecessary if character of the site is retained;
- (ii) Privy Tower – loss of character and fabric in proposed use for kitchen flue (OAN page 25 and 96 refer to ‘rare survival’; ‘late nineteenth century ... technical school ... sealed the privy tower, preserving the extant fittings’ (OAN 4.5.1);
- (iii) Hoist Tower – loss of character and fabric. Drawings show doors and hoist beam to be removed (OAN Plate 36 identifies ‘double-door in hoist tower, with original mechanism intact’; discussed at 3.2.20);
- (iv) Hoist Tower – loss of character and fabric. Loss of stair and new fire stair introduced to this early addition to the mill. (Structural report suggests in poor state of repair; discussed at OAN 3.2.19);
- (v) Ground floor walling adjoining former engine house - loss of character and fabric i.e. concentration of ‘good evidence for the power transmission system’ (OAN 3.2.23; 4.2.6). Proposed new opening in this location – details/impact? ;
- (vi) Columns - loss of character and fabric i.e. ‘very unusual’ and ‘possibly unique’ fluted original columns doubled at ground floor and central rows of columns at first (oldest on floor) and second floors (OAN Summary; 4.2.2; 3.2.11; 3.2.12) to be lost to provide,

respectively, attic accommodation and hotel use at upper floors. Compounds harm from loss of characteristic open planform at first, second and attic floors and loss of ceilings/dry-lining of all walls /attic insulation and introduction of prominent roof lights from proposed use;

- (vii) New lift and stairs. Impact of lift lessened by location in former engine house – however, existing lift and a number of stairs and opening in floor for conveyor not to be re-used. Former office and technical school planform and fittings to be removed – OAN suggests significance.

1830 Spinning Mill ‘New Mill’, Engine House, Boiler House

Consideration to the OAN report and conservation area appraisal suggests the following proposals are particularly harmful and require ‘clear and convincing justification’ (NPPF paragraph 132):

- (i) Columns and flooring- loss of character and fabric (including some examples of fluted columns; OAN 3.3.6). Compounds harm from substantial loss of characteristic open planform at ground and first floors (loss of historic flooring and double-height space) and second floor (small room divisions) and loss to evidence for power transmission system (bolt holes and scars on timber beams denoting position of line shaft). ‘8” wide planked boards on the floors above possibly also original, given their substantial width, which is typical of the Georgian period’ OAN 3.3.7;
- (ii) Power transmission system - substantial loss to important elements e.g. to accommodate double-height space (OAN Plate 59 and 60) e.g. at second floor to accommodate a corridor (OAN Plate 69-71). See OAN Fig 4-6 ‘power feature’ and 3.3.10 to 3.3.16.

Site wide issues

- (i) Adverts and building naming– prominent (high level), over intensive and intrusive (Georgian details and proportions). However, alterations to mill gates follow character. The list description suggests building naming/dating to be unnecessary “Date threshold: much of the Holmes Mill complex is largely unaltered and is recognisably of pre-1840 date”;
- (ii) Fenestration – unauthorised insertion of double glazed windows of relatively recent and unsympathetic style – enhancement opportunity from reinstallation of Georgian small-paned windows (double-glazed versions available). Surviving fenestration (or non-fenestration) is characteristic/indicative of former use e.g. former beam engine house and boiler house at east elevation – scheme as a whole and weaving shed in particular has an uncharacteristic degree of glazing;
- (iii) Unauthorised works – full and very detailed information needs to be submitted before RVBC can consider the duties at s16, 66 and 72 – principal concern is the early C20 engine house and engine where asbestos removal works are understood to have been undertaken late 2015 . OAN states:

It is inevitable that some loss of fabric and compromise to historic and architectural special interest will result from the re-use of this site. However, legislation, policy and guidance requires this harm to be minimised and clearly and convincingly justified. NPPF (paragraph 134) and NPPG refer to the Optimum Viable Use (if there are a range of alternative ways in which an asset could viably be used, the optimum use is the one that causes the least harm to the significance of the asset) being of public benefit.

In my opinion, the proposals result in harm to key elements of listed building significance identified in the Holmes Mill list description and the designation listing selection guide 'Industrial Structures':

In my opinion, the proposals result in harm to key elements of listed building significance identified in the Holmes Mill list description and the designation listing selection guide 'Industrial Structures':

Architectural interest: "significant contribution to the local townscape" harmed by loss of weaving shed and warehouse walling, the prominence and incongruity of the glazed, wavy roof replacement building and site signage;

Intactness: "despite the loss of the weaving shed roof Holmes Mill remains a relatively intact textile mill complex" and Integrated site: "the mill complex comprises a range of buildings relating to the textile manufacturing process" identifies further loss to the significance of the weaving shed to be harmful;

Architecture and process: "An industrial building should normally reflect in its design (plan form and appearance) the specific function it was intended to fulfil" and Machinery – "The special interest of some sites lies in the machinery" identifies weaving shed replacement, loss of open and single storey planform, alteration and loss to surviving elements of the power transmission system, wholesale reconfiguration of the roof support systems (columns – some of which also integrate power transmission system evidence) and loss of original hoist doorways with beam and historic privies to be harmful. Furthermore, there is a need for close scrutiny of the works undertaken to the engine house and the engine.

A response has not been received in respect to the following initial questions (25 November 2015):

How necessary is the loss of flooring in the 'New Mill' to accommodate new taller brewery equipment – could the existing brewery equipment (c. 2m high) in the weaving shed be re-located to 'New Mill' and any necessary increase in brewery capacity be accommodated in the weaving shed? Is the steam engine and engine house the centrepiece of this element of the development?

Mindful of historic character and context, what is the justification for the design of the weaving shed roof?

The NPPG states "In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest". In my opinion and based upon available information, the proposals are of 'less than substantial harm' in respect to Clitheroe Conservation Area, the setting of 56-60 Moor Lane, the setting of Clitheroe Castle listed buildings, the setting of Clitheroe Castle Historic Park and Garden and the special architectural and historic interest of Holmes Mill. However, in respect to the latter consideration, harm is approaching 'substantial'.

The proposal has a harmful impact upon the special architectural and historic interest of Holmes Mill, the character and appearance of Clitheroe Conservation Area and the setting of 56-60 Moor lane (listed Grade II) and Clitheroe Castle Historic Park and Garden (listed Grade II). This

is because of: the loss or alteration of important historic fabric and planform intrinsic to the significance and understanding of the integrated mill complex, its functioning and evolution; the prominent and incongruent design of the new 'weaving sheds' building and the prominence and intrusion of advertisements.

Residential Amenity/ Noise

The issues in relation to residential amenity are predominantly noise related and traffic issues. At this point in time the Councils EHO considers that insufficient information has been submitted to allow a full assessment of noise generated by the proposal. There are some residential units close to the site so noise from the proposed businesses which could operate during unsociable hours could be problematic without adequate control.

On the basis of the submitted information I consider the scheme may have an impact on residential amenities. It is evident that there will be some associated noise from car parking, breakout from the commercial activities as well as servicing activities and mechanical services noise. I am of the opinion that given the previous unrestricted industrial use and a use that could operate without consent the new noise elements need to be balanced against the existing use.

I am of the opinion that it may be possible to reduce the impact of the proposal in relation to noise with the imposition of conditions regarding restricting delivery times, restricting hours of business and appropriate sound insulation of certain. However, this can only be fully assessed when additional information has been submitted

Benefits

It is clear that as result of the development there would be significant regeneration benefits that would include employment opportunities as well expenditure to the borough with visitors to the area. It is also the case that the scheme would help retain the Mill which is a Listed Building and a prominent structure situated in close proximity to the Conservation Area. The applicant has indicated that would expect to create at least 140 jobs resulting from the development and this does not take account of any employment resulting from the construction works. It is often the case that there is likely to be significant add on economic benefits resulting from the development but no figures have been included in any economic assessment submitted by the applicant.

Conclusion

I recognise the potential regeneration benefits that would accrue from this proposal as well as the benefit in safeguarding a Historic building but based on the plans as submitted consider that the changes to the historic fabric are excessive and inappropriate and the lack of adequate parking and vehicular activities emanating from the proposal make it unacceptable and as such recommend that the application be refused.

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

1. The proposal due to the lack of off street parking and likely traffic movements generated by the development would lead to conditions detrimental to Highway safety and as such be contrary to Policy DMG1 of the Core Strategy Adopted Version.

2. The proposal has a harmful impact upon the special architectural and historic interest of Holmes Mill, the character and appearance of Clitheroe Conservation Area and the setting of 56-60 Moor lane (listed Grade II) and Clitheroe Castle Historic Park and Garden (listed Grade II). This is because of: the loss or alteration of important historic fabric and planform intrinsic to the significance and understanding of the integrated mill complex, its functioning and evolution; the prominent and incongruent design of the new 'weaving sheds' building and the prominence and intrusion of advertisements. The proposal is therefore contrary to Key Statement EN5, Policies DME4 and DNG1 of the Core Strategy Adopted Version and NPPF paragraph 17 (conserve heritage assets in a manner appropriate to their significance), Paragraph 60 (reinforce local distinctiveness), Paragraph 131 (development sustaining and enhancing the significance of heritage assets and positively contributing to local character and distinctiveness), Paragraph 132 (great weight to conservation) and Paragraph 137 (new development should enhance or better reveal significance).
- 3 The proposal due to the lack of an adequate Flood Risk Assessment would lead to conditions detrimental to drainage management and as such be contrary to Policy DMG1 of the Core Strategy Adopted Version
- 4 The proposal based on the submitted details would result in conditions to the detriment of residential amenity by virtue of noise emanating from the proposed development and as such would be contrary to Policy DMG1 of the Core Strategy Adopted Version

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0943
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0944

APPLICATION NO: 3/2016/0016/P

(GRID REF: SD 362611 436681)

FIRST FLOOR EXTENSION OVER EXISTING GROUND FLOOR EXTENSION AT 7 HOSPITAL COTTAGES, RIBCHESTER ROAD, RIBCHESTER PR3 3YA



3/2016/0018 7 Hospital Cottages, Ribchester Road, Ribchester PR3 3YA

Scale 1:2500

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PARISH/TOWN COUNCIL: None received.

HIGHWAYS (LCC): None received.

ADDITIONAL REPRESENTATIONS: No representations have been received.

Proposal

Consent is sought for the erection of a first floor rear extension over the existing rear single storey extension at 7 Hospital Cottages, Ribchester Road, Ribchester. The existing rear extension projects around 4m beyond the rear wall of the main dwelling and extends the full width of the host property, around 8.3m. The proposed first floor extension would be built off the walls of the single storey element and would form a projecting rear gable with an eaves and ridge height to match the main dwelling. The proposed development would be constructed from materials to match those used in construction of the host dwelling.

Site Location

The application dwelling is a two storey semi-detached property located on the south-west side of Ribchester Road in an area of open countryside between the settlements of Longridge and Ribchester. The application dwelling forms part of a row of eight semi-detached dwellings which are characterised by their uniform design. The dwelling is separated from no.6 Hospital Cottage by associated driveways and has gardens to the front and rear. There is an existing flat-roofed single storey extension across the rear elevation of the original dwelling with a further single storey conservatory adjacent the common boundary with adjoining property no.8 Hospital Cottage.

Relevant History

3/2015/0549 - First floor extension over existing ground floor extension. REFUSED

Relevant Policies

Ribble Valley Core Strategy

Policy EN2 – Landscape

Policy DMG1 – General Considerations

Policy DMH5 – Residential and Curtilage Extensions

Policy DME3 – Site and Species Protection and Conservation

National Planning Policy Framework

Section 7 – Requiring Good Design

Environmental, AONB, Human Rights and Other Issues

This application is a resubmission of a previous application and has been 'called-in' to be determined by the Planning and Development Committee. The previous application at no.7 Hospital Cottages (3/2015/0549P) related to the erection of a first floor rear extension that was refused by virtue of its scale, size and massing and its overbearing impact on the amenities of the adjoining occupiers resulting in a sense of enclosure, overshadowing and loss of natural light. A planning application for a similar proposal at the adjoining property, no.8 Hospital

Cottages, has been submitted simultaneously and is also an item on this agenda (3/2016/0018P). Whilst the two applications have been submitted at the same time they cannot be assessed as a joint application. The applications have been submitted independently of each other and there would be no way for the Local Planning Authority to ensure that both developments would be built concurrently. As such, each application must be assessed independently against the existing site layout. In order for extensions to be considered jointly they should be submitted as one single application. In this scenario the Council can condition the proposals to be built as a single development which may mean that issues regarding loss of light, privacy and outlook of adjoining neighbours do not arise.

Design Matters

The development proposed would be situated to the rear of no.7 Hospital Cottages and would be a prominent feature in the context of the rear gardens of the immediate properties in the area. Furthermore, the proposed first floor rear extension would be visible to traffic travelling north-west along the B6245 and from public footpath no.27 approximately 70m south-east of the site. It should be noted that the proposals are almost identical to those previously refused and no amendments have been made to overcome the Council's initial concerns regarding the size, scale and massing of the development. Ribble Valley Core Strategy Policy DMG1 provides specific guidance in relation to design and states that '*extensions should be designed to complement the original dwelling in terms of its scale, massing, style, features and building materials*'. In addition, Policy DMG1 places '*particular emphasis on visual appearance and the relationship to surroundings*'. The proposed first floor rear extension would impact on the character of the host dwelling due to the significant increase in mass to the rear. The proposed extension would not be set down from the main dwelling at the eaves or ridge level nor would it be set in from the side gable elevation and would fail to respect the scale and massing of the application property as required by Policy DMG1. It would completely overwhelm and wholly dominate the application property on both side and rear elevations and taking account of previous extensions the cumulative increase in volume would be over 90% of the volume of the original dwelling.

The proposed development would be an incongruous and bulky addition which would be injurious to the appearance and character of the host dwelling, the semi-detached row and the surrounding area. It is also considered that approval of the scheme would create a harmful precedent for the acceptance of other similar unjustified proposals at other properties along this row. It is noted that there is an existing two storey extension to the rear of no.6 Hospital Cottages which was granted planning consent in the mid-1990s. This appears as a bulky and awkward mass and is considered detrimental to the appearance of the row; the approval of a similar scheme would exacerbate harm to the aesthetics of the area particularly when viewed from public footpath no.27 to the rear. Furthermore, the extension to the rear of no.6 Hospital Cottages was assessed against a different palette of planning policies that have now been superseded by the Ribble Valley Core Strategy and therefore the argument that a precedent has been set for development of this size and scale would hold little weight. In summary, the design, scale and mass of the proposals are considered contrary to policies DMG1 and DHM5 of the Core Strategy.

Residential Amenity

With regards to the potential impact on adjacent neighbours, the neighbouring dwelling to the east is no.6 Hospital Cottages. There are no windows proposed on the elevation facing this neighbour and the proposed development is unlikely to have an unacceptable impact on the

amenities of this occupant through loss of light, outlook or privacy. The proposed development would abut the common boundary with the adjoining dwelling, no.8 Hospital Cottages. The proposals would result in a blank two storey wall with an eaves height of 5.2m projecting 4m beyond the rear elevation of the application property and no.8 Hospital Cottage. This would fail the BRE standard and would result in a significant loss of light and outlook from the nearest rear habitable ground floor window of no.8 Hospital Cottages giving rise to an unacceptable sense of enclosure, overbearing impact and overshadowing of these neighbouring occupiers. I note that the living room of no.8 has windows to the front and rear of the house. However, the principle elevation of this row of dwellings faces north-north-east and, as such, the amount of sunlight reaching the front window would be somewhat limited. The proposals would seriously harm the amenity levels that householders might reasonably expect to enjoy.

Other Issues

A protected species survey has been submitted which found no evidence of bats using the property and concludes that the proposed works are unlikely to cause disturbance to bats, result in the loss of a bat roost or cause injury or death to bats. Furthermore, the proposed development will not be to the detriment of highway safety.

It should also be noted that there are concerns regarding the accuracy of the submitted plans with inconsistencies in the elevational and floor plans provided. The elevational drawings show the chimney in three different locations, the scale appears incorrect on elevational drawings and the drawings do not wholly match with those submitted with planning application 3/2016/0018P at the adjoining property.

In conclusion, the proposal, by virtue of its scale, design and mass, would result in a dominant, unsympathetic and incongruous scheme of development that would be harmful to the character and visual amenities of the existing building and the wider area. Furthermore, it would cause severe harm to the residential amenities of the occupiers of no.8 Hospital Cottage through loss of light and outlook resulting in an overbearing impact and sense of enclosure. Accordingly, it is recommended that the application be refused.

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

1. The proposal, by virtue of its scale, design and massing, is considered contrary to Policies DMG1 and DMH5 of the Ribble Valley Core Strategy. It would result in an incongruous addition that would dominate, overwhelm and detract from the original dwelling and impact adversely upon the visual amenities of the surrounding area.
2. The proposed development, by virtue of its scale, mass and proximity to the neighbouring property, would result in a development that would have an overbearing impact resulting in a sense of enclosure, overshadowing and the loss of natural light to the adjoining property of 8 Hospital Cottages. This would result in significant harm to the residential amenity of the adjoining property and its occupants and would be contrary to Policies DMG1 of the Ribble Valley Core Strategy.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0016

PARISH/TOWN COUNCIL: None received.

HIGHWAYS (LCC): The proposal will increase the number of bedrooms from 2 to 4 however there is adequate off-street parking retained on site and I would therefore raise no objection to the proposal on highway grounds.

ADDITIONAL REPRESENTATIONS: No representations have been received.

Proposal

The application seeks consent for the erection of a two storey rear gable extension at 8 Hospital Cottages, Ribchester Road, Ribchester. The proposed two storey rear extension would have a rearward projection of 4.2m and would have a width of 8.4m to cover the rear elevation of the main dwelling. The proposed extension would provide a sitting room and dining space at ground floor and two additional bedrooms at first floor level and would have an eaves and ridge height to match the main dwelling. The proposed development would be constructed from materials to match those used in construction of the host dwelling.

Site Location

The application dwelling is a two storey semi-detached property located on the south-west side of Ribchester Road in an area of open countryside between the settlements of Longridge and Ribchester. The application dwelling forms part of a row of eight semi-detached dwellings which are characterised by their uniform design. The property adjoins the neighbouring dwelling, no.7 Hospital Cottages and has gardens to the front and rear. The rear boundary of the site bounds agricultural land.

Relevant History

No relevant planning history.

Relevant Policies

Ribble Valley Core Strategy

Policy EN2 – Landscape

Policy DMG1 – General Considerations

Policy DMH5 – Residential and Curtilage Extensions

Policy DME3 – Site and Species Protection and Conservation

National Planning Policy Framework

Section 7 – Requiring Good Design

Environmental, AONB, Human Rights and Other Issues

This application has been ‘called-in’ to be determined by the Planning and Development Committee. A planning application for a similar proposal at the adjoining property, no.7 Hospital Cottages, has been submitted simultaneously and is also an item on this agenda (3/2016/0016P). Whilst the two applications have been submitted at the same time they cannot be assessed as a joint application. The applications have been submitted independently of each

other and there would be no way for the Local Planning Authority to ensure that both developments would be built concurrently. As such, each application must be assessed independently against the existing site layout. In order for extensions to be considered jointly they should be submitted as one single application. In this scenario the Council can condition the proposals to be built as a single development which may mean that issues regarding loss of light, privacy and outlook of adjoining neighbours do not arise.

Design Matters

The development proposed would be situated to the rear of no.8 Hospital Cottages and would be a prominent feature in the context of the rear gardens of the immediate properties in the area. Furthermore, the proposed two storey rear extension would be visible to traffic travelling north-west along the B6245 and from public footpath no.27 approximately 70m south-east of the site. Ribble Valley Core Strategy Policy DMG1 provides specific guidance in relation to design and states that '*extensions should be designed to complement the original dwelling in terms of its scale, massing, style, features and building materials*'. In addition, Policy DMG1 places '*particular emphasis on visual appearance and the relationship to surroundings*'. The proposed two storey rear extension would impact on the character of the host dwelling due to the significant increase in mass to the rear. The proposed extension would not be set down from the main dwelling at the eaves or ridge level nor would it be set in from the side gable elevation and would fail to respect the scale and massing of the application property as required by Policy DMG1. It would completely overwhelm and wholly dominate the application property on both side and rear elevations and would result in a cumulative increase in volume of around 80% of the volume of the original dwelling.

The proposed development would be an incongruous and bulky addition which would be injurious to the appearance and character of the host dwelling, the semi-detached row and the surrounding area. It is also considered that approval of the scheme would create a harmful precedent for the acceptance of other similar unjustified proposals at other properties along this row. It is noted that there is an existing two storey extension to the rear of no.6 Hospital Cottages which was granted planning consent in the mid-1990s. This appears as a bulky and awkward mass and is considered detrimental to the appearance of the row; the approval of a similar scheme would exacerbate harm to the aesthetics of the area particularly when viewed from public footpath no.27 to the rear. Furthermore, the extension to the rear of no.6 Hospital Cottages was assessed against a different palette of planning policies that have now been superseded by the Ribble Valley Core Strategy and therefore the argument that a precedent has been set for development of this size and scale would hold little weight. In summary, the design, scale and mass of the proposals are considered contrary to policies DMG1 and DHM5 of the Core Strategy.

Residential Amenity

With regards to the potential impact on adjacent neighbours, the proposed development is unlikely to result in any unacceptable loss of light or outlook for the occupants of Brookside Cottage to the north-west. However, two bedroom windows are proposed in the side elevation of the existing dwelling and the proposed extension. It is considered that the rearmost window would provide unrestricted views of the private amenity space of Brookside Cottage and would introduce an element of overlooking that does not currently exist resulting in detrimental harm to the residential amenity of these neighbouring through loss of privacy.

The proposed development would abut the common boundary with the adjoining dwelling, no.7 Hospital Cottages. The neighbouring property has single storey extensions to the rear which form a substantial brick wall along the shared boundary the extend rearwards from the rear wall of these dwellings. Taking into account the existing arrangement, it is considered that the erection of a two storey extension to the rear of no.8 Hospital Cottages would not result in any loss of light or outlook from the rear ground floor windows or conservatory of no.7. Additionally, whilst the proposals would cause some loss of light to the nearest first floor rear habitable room window of no.7 Hospital Cottages this would not result in sufficient harm to warrant refusal

Other Issues

A protected species survey has been submitted which found no evidence of bats using the property and concludes that the proposed works are unlikely to cause disturbance to bats, result in the loss of a bat roost or cause injury or death to bats. Furthermore, the proposed development will not be to the detriment of highway safety.

It should also be noted that there are concerns regarding the accuracy of the submitted plans with inconsistencies in the elevational and floor plans provided. The elevational drawings show the chimney in three different locations, the scale appears incorrect on elevational drawings and the drawings do not wholly match with those submitted with planning application 3/2016/0016P at the adjoining property.

In conclusion, the proposal, by virtue of its scale, design and mass, would result in a dominant, unsympathetic and incongruous scheme of development that would be harmful to the character and visual amenities of the existing building and the wider area. Furthermore, it would harm the residential amenities of the occupiers of Brookside Cottage by enabling the overlooking of the private rear garden resulting in an unacceptable loss of privacy. Accordingly, it is recommended that the application be refused.

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

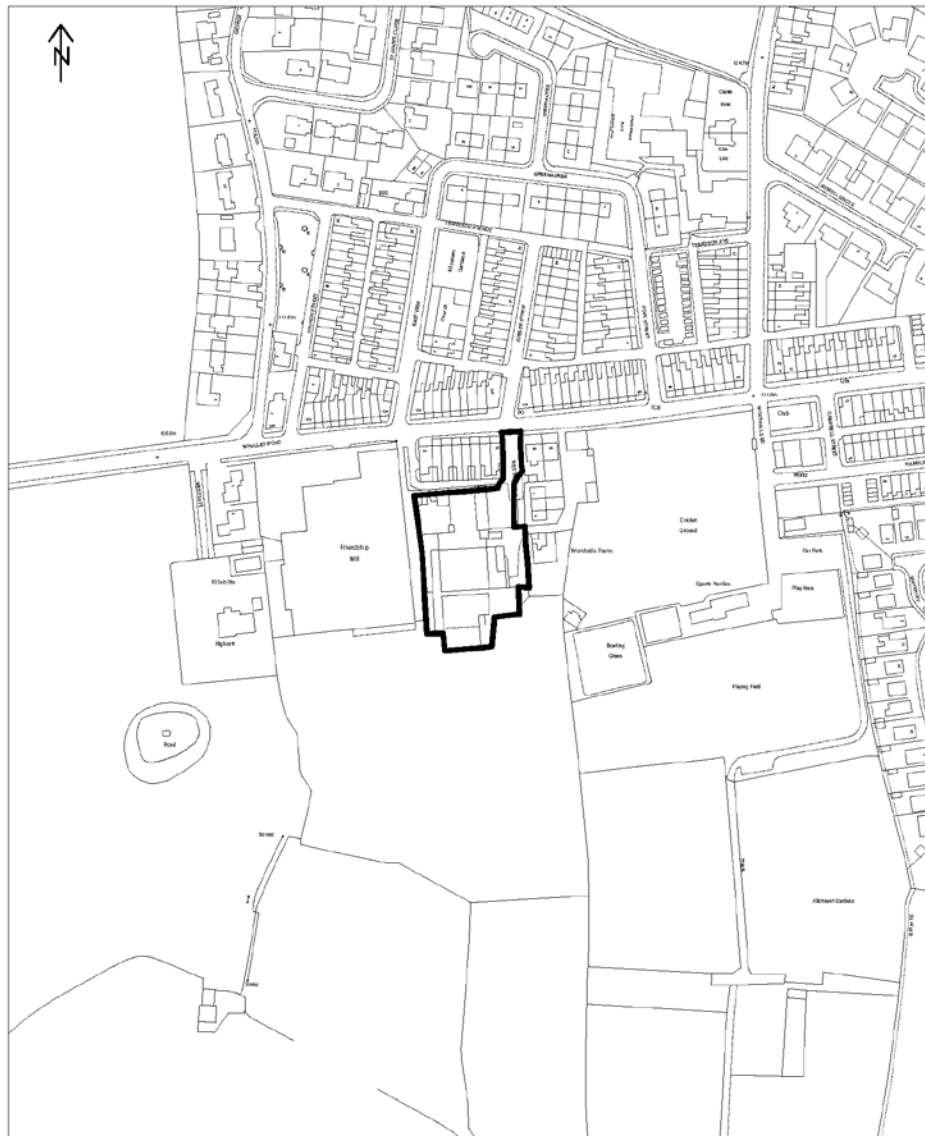
3. The proposal, by virtue of its scale, design and mass, is considered contrary to Policies DMG1 and DMH5 of the Ribble Valley Core Strategy. It would result in an incongruous addition that would dominate, overwhelm and detract from the original dwelling and impact adversely upon the visual amenities of the surrounding area.
4. The proposed development, by virtue of its design, would lead to overlooking of the rear garden area of Brookside Cottage resulting in a loss of privacy that would have a severely detrimental effect upon the residential amenities of these neighbouring occupiers. This would be contrary to Policies DMG1 and DMH5 of the Ribble Valley Core Strategy.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0018

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

APPLICATION NO: 3/2015/0495/P (GRID REF: SD 376641 434427)
OUTLINE APPLICATION (ACCESS ONLY) FOR THE ERECTION OF UP TO 15 DWELLINGS
ON LAND AT WORTHALLS FARM WITH ACCESS OFF WESTFIELD AVENUE, READ BB12
7PW



3/2015/0495 Worthalls Farm, Westfield Avenue, Read, BB12 7PW

Scale 1:2500

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PARISH COUNCIL: Read Parish Council have no objections to this proposal and have stated that they consider that this is a good development of redundant farm buildings.

LCC HIGHWAYS Lancashire county council Highways have stated that they are of the opinion that the proposed housing development would have a negligible impact upon highway capacity in the immediate vicinity of the site.

The Highways development Control section further state that the provision of new footpath and junction improvements at the site access on Westfield Avenue is fully supported by the Highway Development Control Section but note that this will remove parking for the adjacent terraced properties.

The applicant has indicated 6 off road parking space to replace the lost parkin on Westfield Avenue and this is fully support as it will remove parked cars from the access onto Whalley Road.

LCC Highways therefore has no objection to the proposal subject to the imposition of planning conditions.

LCC CONTRIBUTIONS: No response received.

LLFA: No response received.

UNTITLED UTILITIES: No objections subject to the imposition of planning conditions.

United Utilities have stated that a public sewer crosses this site and that they may not permit building over it. An access strip width of six metres, three metres either side of the centre line of the sewer will be required for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary.

Additionally United Utilities have stated that a water main/trunk main crosses the site and will not permit development in close proximity to the main. An access strip of no less than 5 metres, measuring at least 2.5 metres either side of the centre line of the pipe.

The applicant must comply with our standard conditions for work carried out on, or when crossing aqueducts and easements. This should be taken into account in the final site layout, or a diversion will be necessary, which will be at the applicant's expense. Any necessary disconnection or diversion required as a result of any development will be carried out at the developer's expense.

ADDITIONAL REPRESENTATIONS:

7 letters of representation have been received raising the following observations and objecting on the following grounds:

- The erection of new dwellings would exacerbate the existing poor highways safety and parking problems.
- No alternative parking arrangements for existing residents.
- Lack of footpaths.
- The application has been made on land that is not wholly in the control/ownership of the applicant.
- Increased traffic impact upon the area.
- Highways safety.
- The introduction of TRO's will result in existing residents losing parking provision.

Proposal

The application seeks outline consent (access only) for the erection of up to 15 dwellings on land at Worthalls Farm with access off Westfield Avenue, Read BB12 7PW.

The submitted details indicate primary vehicular and pedestrian access from Whalley Road off Westfield Avenue. The submitted layout proposes 15 dwellings, with the units being a mixture of detached, semi-detached and terraced forms. The layout proposes an informal cul-de-sac arrangement with parking provision for existing residents being provided towards the site entrance.

As the application is made in outline, layout is not a matter for which consent is sought at this stage and therefore cannot be assessed.

Site Location

The proposal site is Located off Whalley Road Read, accessed off Westfield Avenue. The area is predominantly residential in character with the southern extents of the site being bounded by green belt.

Relevant History

There is no recent planning history for the site that is directly relevant to the determination of the current application.

Relevant Policies

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy.

Key Statement DS2 – Presumption in Favour of Sustainable Development.

Key Statement EN3 – Sustainable Development and Climate Change.

Key Statement EN4 – Biodiversity and Geodiversity.

Key Statement H1 – Housing Provision.

Key Statement H2 – Housing Balance.

Key Statement H3 – Affordable Housing.

Key Statement DMI1 – Planning Obligations.
Key Statement DMI2 – Transport Considerations.

Policy DMG1 – General Considerations.
Policy DMG2 – Strategic Considerations.
Policy DMG3 – Transport and Mobility.
Policy DME5 – Renewable Energy.
Policy DME6 – Water Management.

Policy DMH1 – Affordable Housing Criteria.
Policy DMB4 – Open Space Provision.
Policy DMB5 – Footpaths and Bridleways.

Planning Practice Guidance National Planning Policy Framework

Environmental, AONB, Human Rights and Other Issues

Principle of Development

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

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

The Council is required to maintain a 5 year supply of housing land to ensure land supply is not a barrier to housing growth. Objectively assessed housing need identifies 280 units are required to be delivered in the Borough per year – these are minimum targets.

Using the October monitoring figures (Housing Land Availability Schedule October 2015), the Council can demonstrate a 5.67 year supply of housing land with an annual requirement of 280 units using the Sedgfield methodology.

The adopted core strategy, based on objectively assessed housing need, identifies the overall minimum housing target for Read and Simonstone is 19 dwellings over the plan period 2008-2028. As of December 2015 19 dwellings remain to be provided in Read and Simonstone over the plan period. The current proposal would contribute up to 15 dwellings to this objectively assessed need and the principle of the development in housing numbers terms is therefore considered to be in accordance with the adopted Core Strategy.

Given the site is located within the defined settlement boundary of Read/Simonstone the application is considered to be in broad accordance with the Development Strategy for the Borough and in principle, notwithstanding other material considerations, to be in accordance with Key Statement DS1 and Policy DMG2 of the adopted Core Strategy.

Highway Safety and Accessibility

The development proposal is made in outline with solely matters being applied for. The application seeks consent for the construction of a residential development of up to 15 dwellings which will be accessed off Whalley Road via Westfield Avenue. The submitted details propose that a 2m footway will be provided to the east and west of Westfield Avenue for the first 20 metres of the road.

It is noted that the applicant has proposed to provide 6 off-road car parking spaces within the site to replace those that would be lost on Westfield Avenue and this is fully supported as it will remove parked motor vehicles from the access point on to Whalley Road. The location and provision of the aforementioned replacement parking provision will be secured via planning condition that will require the submission of detailed information at the relevant reserved matters stage.

LCC Highways have made a number of observations in relation to the application but have raised no objection to the proposal subject to the imposition of planning conditions. The observations made are as follows:

- Westfield Avenue is a private road and is not subject to any future adoption agreement. The applicant should seek legal advice as to whether they have rights over this road to access the site.
- All off-road car parking spaces should be provided with a manoeuvring/reversing distance of 6m.
- All parking bays should be 2.4m wide by 5m in length.
- The shown highway layout is acceptable for all road users but has insufficient provision for services as such the highway as shown is not to minimum adoptable standards and as such highway safety and future maintenance may be jeopardised. The works required to bring the highway design up to an adoptable standard are listed below:
- A service verge is required on both sides of the new carriageway. A 2m wide service verge is required for locating statutory undertakes equipment and should be provided where buildings front onto the road. The minimum width of the remaining service verge can be reduced to 0.5m providing no street lighting is located within the aforementioned margin. If street lighting is required on the narrow service verge the minimum width is 800mm. Please note - the car parking spaces must not be over the service verge area.
- All trees should be removed from the service verge, as they are not permitted within the adoptable highway. From Lancashire County Council Residential Design Guide. The trees would only be permitted within the adoptable highway if a section 96 agreement of the 1980 Highways Act is entered with the district authority. The principle of the agreement would need to be agreed fully with the district authority before the section 38 agreement is entered.
- The full length of Westfield Avenue is not to an adoptable standard/layout as above.

The Highway Development Control Engineer has requested that should consent be granted, conditions relating to the following matters be attached:

- Wheel washing facilities be made available on site.
- Details of car parking provision to be provided.
- Details of highways works to be submitted.
- Road condition survey to be undertaken pre-commencement and post-completion.

- Construction Method Statement and Traffic Management Plan to be submitted.

It is therefore considered that subject to appropriate conditions, the proposal would be acceptable in respect of access, connectivity and highway safety in accordance with Policies DMG1 and DMI2 of the Adopted Core Strategy.

Legal Agreement/Planning Obligations

The applicant has submitted a S106 Agreement in respect of the development. Matters relating to the specific content of the S.106 agreement are currently under negotiation but it is envisaged that 30% of the units to be provided on site will be affordable in nature.

In accordance with Policy DMH1 of the Core Strategy it will be required that 15% of the units on site will be for older persons housing provision, 50% of which shall be included within the overall 30% affordable provision. The remaining 50% of older persons housing provision will be market housing, solely to be occupied by those over 55 years of age. It is the Local Authorities preference that the older persons provision be brought forward in the form of bungalows, this matter will be subject to on-going discussion.

At this stage No financial contributions have been requested in respect of education and sports/recreation. Should matters change they will be reported verbally.

Other Matters

As previously stated, the application is made in outline with all matters reserved save that of access. Matters of detailed layout therefore cannot be assessed at this stage, however it is imperative that the Local Planning Authority are assured that the level/amount of development proposed can be adequately accommodated on site without compromising the residential amenities of neighbouring occupiers or the visual amenities of the immediate and wider area.

I have a numbers of observations in respect of the indicative layout proposed, it is envisaged that these matters would be addressed through negotiation at the appropriate reserved matters stage. The following observations comments have been provided for the purposes of clarity/continuity and in light of the nature of a number of representations received.

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

- Concerns exist in relation to the potential impact upon existing residential amenities as a result of the orientation of a number of proposed the properties and their proximity to existing properties, in particular but not exclusively plots 1, 14, 15 and 11 to 13.
- Given a number of the units may be in terrace form, consideration will have to be given to a waste management strategy that allows for external provisions of a route that will allow refuse storage receptacles to be taken from the rear of the property to the frontage on collection day.
- The layout as proposed appears to fail to provide adequate manoeuvring for vehicles within the site.
- The dimensions of the replacement residents parking bays appear to be inadequate as do the required reversing manoeuvring distances.

A number of representations have been received in respect of the proposal raising issues of land ownership and that the access to the site does not fall within the ownership of the applicant. Members will note that matters of land ownership are a private legal matter and the LPA cannot consider such matters in the determination of the application.

A number of the representations received also raise concerns in relation to loss of existing parking provision. The applicant has provided a commitment that replacement parking provision will be provided on site, this matter will be addressed through planning condition that will require details of such provision to be submitted at the relevant matters stage.

SUMMARY OF REASONS FOR APPROVAL

Subject to further work being undertaken on the S.106 agreement, consider in principle, the development as proposed is not in direct conflict with the adopted Core Strategy and accords with the overall development Strategy for the Borough.

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

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Community Services for approval following the satisfactory completion of a Legal Agreement within 3 months from the date of this decision and subject to the following conditions:

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

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No more than 15 dwellings (Use Class C3) are hereby permitted within the application site.

REASON: For the avoidance of doubt to ensure there is no ambiguity in the decision notice over what amount of development has been approved. In accordance with Key Statements DS1 and DS2 and Policies DMG1 and DMG2 of the Ribble Valley Core Strategy, to ensure a satisfactory quantum and level of development given its location.

3. Applications for the approval of reserved matters shall include details of replacement parking provision for residents of Westfield Avenue and Whalley Road, for the avoidance of doubt the provision shall be adequate to accommodate 6 parked motor vehicles and shall not be made available for use by residents of the development hereby approved. The agreed parking provision shall be made available for use and completed in accordance with the approved details prior to first occupation of any of the dwellings hereby approved.

REASON: To secure satisfactory parking provision for existing residents in the area in accordance with Policies DMG1, DMG3 and DMI2 of the Ribble Valley Core Strategy.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, the dwelling hereby permitted shall not be altered or extended, no new windows shall be inserted, no alterations to the roof shall be undertaken and no buildings or structures shall be erected within the curtilage of the dwelling unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the immediate area or be of detriment to the residential amenities of neighbouring occupiers due to site constraints, in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

5. Unless otherwise agreed in writing and in line with the surface water manage hierarchy, 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, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing public 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 and DME6 of the Ribble Valley Core Strategy.

6. Applications for the approval of reserved matters shall include details of existing and proposed land levels and finished floor levels, including the levels of the proposed roads. The development shall thereafter be carried out in accordance with the approved details.

REASON: To secure satisfactory finished ground and floor levels in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

7. No development approved by this permission shall commence until a scheme for the on and off-site highway works, including timescales for implementation, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON: In the interests of highway safety and to mitigate the impacts of the development in accordance with Policies EN2, DMG1, DMI2 and DMG3 of the Ribble Valley Core Strategy.

8. No development shall take place, including any site preparation or demolition works, 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. For the avoidance of doubt the statement should provide details of:

- a) The location of parking provision for vehicles of site operatives and visitors
- b) The location for the loading and unloading of plant and materials
- c) The location for the storage of plant and materials used in constructing the development

- d) The erection and maintenance of security hoarding
- e) The location of wheel washing facilities that shall be made available during the construction phase of the development
- f) Measures to control the emission of dust and dirt during construction
- g) Routes to be used by vehicles carrying plant and materials to and from the site
- h) Hours of operation and the timing of deliveries
- i) Measures to ensure that construction and delivery vehicles do not impede upon access to existing properties
- j) Programme and timings of the road-sweeping of the adjacent highways network
- k) 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)

REASON: In the interests of protecting residential amenity from noise and disturbance and to satisfy the Local Planning Authority and Highway Authority that the development would not be of detriment to the safe operation of the immediate highway in the interests of highway safety and compliance with current highway legislation in accordance with Policies DMG1, DMG3 and DMI2 of the Ribble Valley Core Strategy.

9. Prior to the commencement of the development, including any demolition or site preparation works, a joint survey shall be carried out between the developer and the Highways Authority to determine the current pre-construction condition of Whalley Road. A similar repeat survey shall be carried out within six months of the completion of the last dwelling hereby approved; the findings of the surveys shall be submitted to and agreed in writing by the Local Planning Authority.

For the avoidance of doubt the submitted details shall specify any works to be undertaken, and their timings, to make good any damage to Whalley Road as a result of construction works, to return the highway to the pre-construction situation/condition. The development and any remediation/repair works shall be carried out in strict accordance with the approved details.

REASON: To maintain the safe operation of the immediate highway and to ensure no long-term damage to the highway as a result of the construction phase of the development in accordance with Policies DMG1, DMG3 and Key Statement DMI2 of the Ribble Valley Core Strategy.

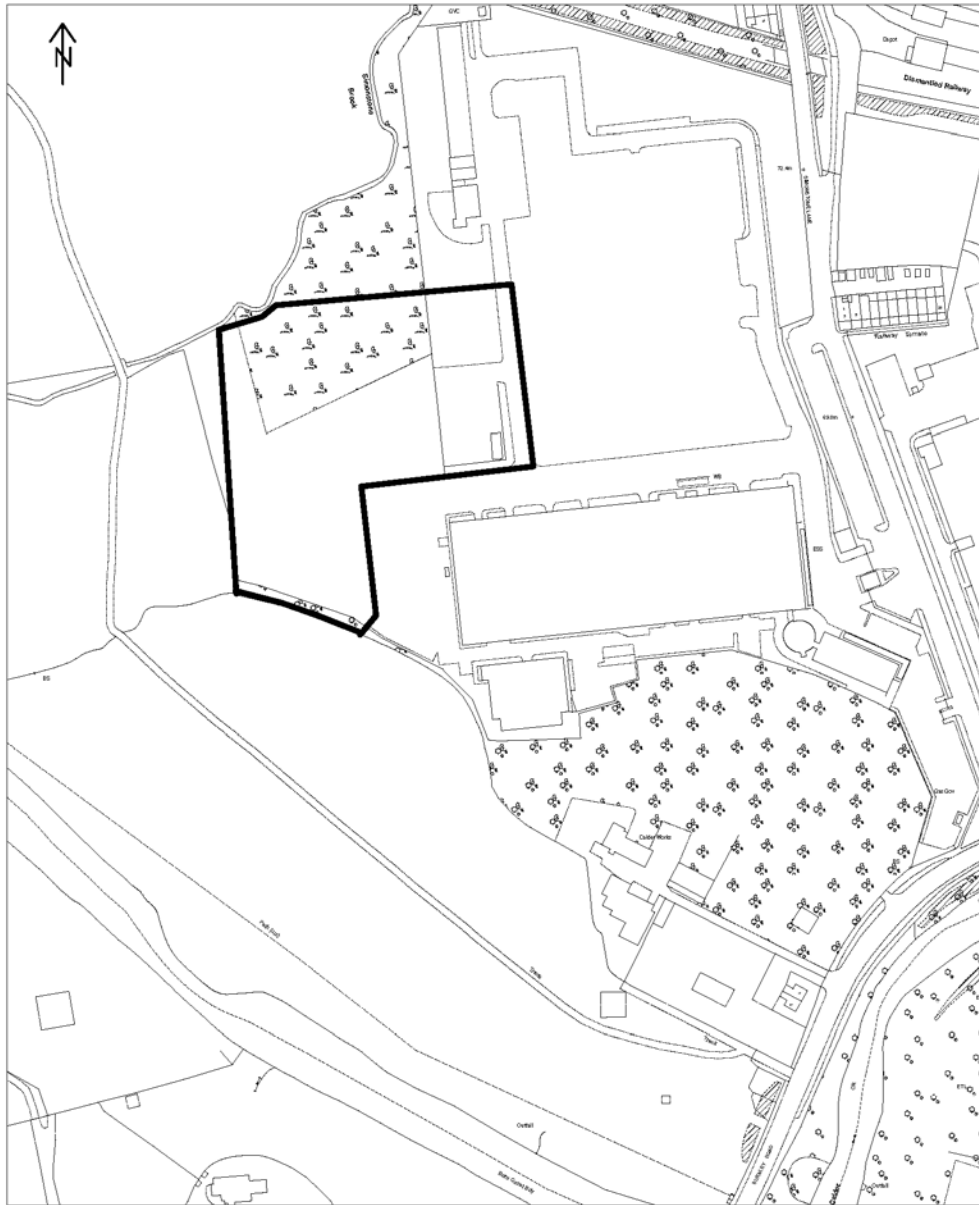
BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0495

APPLICATION NO: 3/2016/0040/P

(GRID REF: SD 377352 433552)

REDEVELOPMENT OF SITE OF INFILLED LAGOONS WITH ERECTION OF NEW INVESTMENT CASTING FOUNDRY AND STAFF SPORTS HALL BUILDING WITH ASSOCIATED ACCESS, PARKING PROVISION AND LANDSCAPING AT CALDER VALE PARK, SIMONSTONE LANE, SIMONSTONE



3/2016/0040 Fort Vale Engineering, Simonstone Lane, Simonstone BB12 7ND

Scale 1:2500

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PARISH COUNCIL:	No observations at time of preparing report
ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):	No comments received at time of report preparation.
HYNDBURN BOROUGH COUNCIL:	No comments received at time of report preparation.
BURNLEY BOROUGH COUNCIL:	No comments received at time of report preparation.
HEALTH & SAFETY EXECUTIVE:	Does not advise on safety grounds against the granting of planning permission in this case.
THE COAL AUTHORITY:	No comments received at time of report preparation but previously advised on a larger development that the site does not fall within the defined coal mining development referral area. If this proposal is granted planning permission it will be necessary to include the Coal Authority's standing advice within the decision notice.
ENVIRONMENT AGENCY:	No comments received at time of report preparation but previously advised on a larger scheme no objection in principle but recommend any subsequent planning approval is appropriately conditioned.
ADDITIONAL REPRESENTATIONS:	No comments received at time of report preparation.

Proposal

This full planning application seeks to secure permission for the erection of two buildings within the Calder Vale Park site of Fort Vale Engineering. The larger of the two buildings, is the Investment Casting Foundry. This will be located to the north and rear of the existing Building S, which is the main production facility onsite. Access to the foundry will be provided via the existing internal circulation road.

The second building will be a smaller sports and recreation facility for use by FVE staff only. This will be located to the west of the existing Calder Vale Park site, on the location of the former lagoons which were utilised when the Mullards development was operational. This application seeks to bring the foundry nearer to the rear elevation of Building S for operation and production reasons, whilst the sports and recreation facility is proposed to have frontage towards the open countryside.

The foundry building is 40m by 52m and approximately 9.2m high to the ridge of the roof and 7.8m to its eaves.

The foundry building replicates the design and appearance of the existing buildings within the Calder Vale Park site. It has a brick plinth with windows and doors inserted within that, along

with taller roller shutter doors on the north, east and west elevations whilst the upper floors will be finished in horizontally laid cladding. The roof will be finished with an aluminium-clad roof system in mid-grey colour.

The sports and recreation building is proposed to be constructed of buff brick and offers a more contemporary architectural approach. The sports and recreation building will include within it a multi-games sports hall designed to Sport England standards, along with a fitness suite, squash court alongside changing facilities and a modest reception area. At first floor, a social/activity space will be provided above the gymnasium. There is full floor-to-ceiling glazing on part of the building.

The sports hall will be 32.3m by 35.1m and have a height of 8.2m to the top of the masonry parapet, extending to 10.5m.

As a result of the development 29 new car parking spaces will be provided to the eastern end of the existing service yard to the rear of 'Building S.'

The proposal also includes elements of landscaping throughout the site.

Site Location

The application site forms part of a much wider area in the control of Fort Wilson Properties of which Fort Vale Engineering Ltd are the principal tenants. The majority of the site occupies land that is excluded from the green belt but part of this development falls within an area designated as Green Belt but could be regarded as former industrial curtilage.

To the north the boundary is demarcated by the embankment of the former railway. Beyond that lies the village of Simonstone. Open countryside lies to the south along with the Altham pumping station and the River Calder. Altham Industrial Estate lies beyond this. The land to the west of the application site is agricultural. The eastern boundary is demarcated by Simonstone Lane and beyond this is a collection of industrial buildings formerly Time Technology Park of varying quality and scale, many having been sub-divided from ageing factory buildings.

Access to the site is from Simonstone Lane.

Relevant History

3/2012/0007/P – Proposal to create 5 mounds on land in agricultural use to a maximum height of 4m using 26,000m³ of inert construction waste generated from the development at Calder Park – Observations to another authority (LCC). Yet to be determined.

3/2011/0662/P – Erection of research and development building. Approved with conditions 13 January 2011.

Application 3/2011/0649-Redevelopment of residual part of former Mullards/Phillips site (4.8 Ha) as Business Park including Fort Vale Special Projects Building. Total Floor area not to exceed 19,250m². Associated access and highways works (all other matters reserved) - Deemed withdrawn.

3/2011/0537/P – Erection of new investment casting foundry at rear of operational site including parking and servicing areas (re-submission). Approved with conditions 11 August 2011.

3/2011/0222/P – Proposed extension of building S. Erection of stand alone ancillary facilities building. Approved with conditions 27 May 2011.

3/2010/0564/P – Erection of new investment casing foundry at rear of operational site, including parking and servicing areas. Approved with conditions 11 April 2011.

3/2007/0983/P – New warehouse units. Approved with conditions.

3/2006/0924/P – External refurbishment of the first bay of buildings S and the erection of an extension together with creation of a new car park and works of landscaping. Approved with conditions 22 December 2006.

3/2006/0340/P – Manufacturing and development with ancillary storage Use Class B2 (Town and Country Planning Uses Classes Order 1987) in accordance with outline planning permission 7/7/1528 dated 5 February 1958. Decision not yet issued.

Relevant Policies

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 EC1 – Business and Employment Development.

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 DMB1 – Supporting Business Growth and the Local Economy.

Environmental, AONB, Human Rights and Other Issues

Matters for consideration in relation to this application are the principle of development, in particular the impact of the development on the green belt, matters of highway safety, visual and residential amenity and also issues associated with regeneration/impact on the local economy.

Principle of Development.

The site is on land which can be considered brownfield with only a small part where the proposed Sports building is to be located within the Green belt but even this can also be regarded as a former developed area. In considering the principle of this scheme, it is important to have regard to both national planning policies as well as the Core Strategy. The site is on an existing industrial land and given that it is an extension of an existing business and would continue to secure employment us e I am satisfied that the principle is compliant with the development strategy and further assist regeneration strategy.

Green Belt issues

It is evident that the building and service yards do represent a moderate incursion into the green belt and as such regard must be given to their impact and whether or not there are exceptional circumstances to justify this part of the overall scheme. In assessing whether or not the building would impinge on the openness of the green belt, it is important to have regard to the visual impact and assess not only the immediate built up area but the buildings in the local vicinity. Members may recall that consent has been granted recently for a Foundry Building to the south of the proposed Special Projects Building and that itself was proposed within the green belt and subject to departure procedures. I am satisfied that given the modest incursion and the previous recommendations that there is a negligible impact on either visual harm or purpose of the Green Belt in this instance.

It is my conclusion that the harm to the green belt by way of loss of openness and visual amenity will be limited as the proposed building will be seen in the context of a long established industrial site which has (in the context of the Simonstone Lane area) only been cleared for a short period of time.

Highway Matters

It is clear from previous comments relating to a larger scheme that the County Surveyor that had no objection in principle to this development on highway safety grounds. I am satisfied that given the limited nature of the proposal and that it is an expansion of an existing business and that that the leisure building is for staff only that there is only a limited impact in relation to traffic and highway safety issues.

I consider that as the Sports facility is not open to the public adequate parking facilities exist within this proposal.

Residential Amenity

The main impact in relation to residential amenity would be noise issues as a result of the development. A comprehensive noise report has been submitted and based on the information contained as well as recognition of the previous consents I am satisfied that the residential properties are located at a distance from the new buildings not to warrant any significant impact.

Noise conditions have been suggested as well as internal management guideline which should protect residential amenity.

Visual Amenity

The proposed business park will, for the most part, fall within the existing hard standing area of the former Mullards/LG Philips works site. I am satisfied that the scale, massing and design reflect the existing buildings and would not detract from general visual amenity, given the industrial nature of the land.

Conclusion

I am of the opinion that the scheme would not prove significantly detrimental to visual and residential amenity nor be to the detriment of highway safety. I do not consider the overall openness of the green belt would be significantly harmed by the development of the Special

Projects Building and its service yard areas. On this basis I consider the application should be sent to the relevant government office as a departure in order that issues in relation to green belt can be examined by the appropriate body.

SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant impact on nearby residential amenity, nor would it have an adverse visual impact, nor have a detrimental impact on the green belt designation.

RECOMMENDATION: That the Director of Community Services be MINDED TO APPROVE the proposal subject to the expiration of a consultation period and the satisfactory completion of departure procedures, which involves reference to the relevant Government Office in accordance with the Town and Country Planning (Green Belt) Direction 2005, and subject to the following conditions:

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

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

2. This permission shall be implemented in accordance with the proposal as detailed on the following drawings:

15022_PL100 Site Location Plan 1:1500@A1 A

15022_PL101 Proposed Site Plan 1:250@A1 A

Foundry

15022_PL01 Proposed GA Ground Floor Plan 1:100@A1 A

15022_PL02 Proposed GA Amenity Plans 1:100@A1 A

15022_PL03 Proposed GA Roof Plan 1:100@A1 A

15022_PL04 Proposed GA Elevations 1:100@A1 A

15022_PL05 Proposed GA Sections 1:100@A1 A

Sports & Recreation Facility

15026_PL01 Proposed GA Ground Floor Plan 1:100@A1 A

15026_PL02 Proposed GA First Floor Plan 1:100@A1 A

15026_PL03 Proposed GA Roof Plan 1:100@A1 A

15026_PL04 Proposed GA Elevations 1:100@A1 A

15026_PL05 Proposed GA Sections 1:100@A1 A

15026_PL06 External Views - Sheet 1

3. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

REASON: To reduce the increased risk of flooding in accordance with Policy DM G1 of the Core Strategy.

4. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

REASON: To reduce the increased risk of flooding in accordance with Policy DM G1 of the Core Strategy.

5. The development hereby permitted shall not be commenced until details of the landscaping of the site, including wherever possible the retention of existing trees, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development and shall be in general accordance with the submitted Landscape Framework dated August 2011 and landscape masterplan drawing 629.200A. It shall indicate as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of any fencing and screening as well as providing a phasing programme for planting and details of management/maintenance of the landscaped areas across the whole of the development site. The scheme shall include indications of all existing trees and hedgerows on the land, and details for their protection during the course of development.

The approved landscaping scheme in respect of the linear woodland belt to the eastern and northern site boundaries shall be implemented in the first planting season prior to commencement of the development unless otherwise agreed in writing by the Local Planning Authority, whether in whole or in part and shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted. In respect of the maintenance of the remainder of the landscaping scheme, this shall be carried out in accordance with details to be submitted to and agreed in writing by the Local Planning Authority as part of the phasing programme for planting across the whole of the development site.

REASON: In the interests of the amenity of the area and to comply with Policy DMG1 of the Ribble Valley Districtwide Local Plan.

6. No development shall take place until a construction method statement has been submitted to and approved in writing by the Local Planning Authority for that phase. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors
 - ii) loading and unloading of plant and materials
 - iii) storage of plant and materials used in constructing the development
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing where appropriate
 - v) wheel washing facilities
 - vi) measures to control the emission of dust and dirt during construction
 - vii) a scheme for recycling/disposing of waste resulting from construction works

REASON: In the interests of protecting residential amenity from noise and disturbance connected to construction in accordance with Policy DMG1 of the Core Strategy Adopted Version.

7. The level of noise emitted from the site shall not exceed the following limits at Railway Terrace, bank Terrace and River Bank Terrace:

Day (0700-1930)	51 dB $L_{Aeq, 1hr}$	at Railway Terrace
	48 dB $L_{Aeq, 1hr}$	at the rear of Bank Terrace
	50 dB L_{Aeqhr}	at River Bank Terrace
Evening (1930-2300)	49 dB $L_{Aeq, 1hr}$	at Railway Terrace
	45 dB $L_{Aeq, 1hr}$	at the rear of Bank Terrace
	45 dB L_{Aeqhr}	at River Bank Terrace
Night: (2300-0700)	42 dB $L_{Aeq, 15mins}$	at Railway Terrace
	38 dB $L_{Aeq, 15mins}$	at the rear of Bank Terrace
	41 dB $L_{Aeq, 15mins}$	at River Bank Terrace

REASON: In the interests of safeguarding residential amenity and to comply with Policy DMG1 of the Core Strategy Adopted Version.

8. Roller shutter doors on buildings shall be fitted with automatic closing devices and acoustic curtains and shall not be open between 1930hrs and 0700hrs.

REASON: In the interests of safeguarding residential amenity and to comply with Policy DMG1 of the Core Strategy Adopted Version.

9. Prior to commencement of development, full details of security lighting or floodlighting to be installed shall be submitted to and approved in writing by the Local Planning Authority. All such installations shall be provided in accordance with the approved scheme and thereafter retained.

REASON: In the interests of safeguarding residential amenity and to comply with Policy DMG1 of the Core Strategy Adopted Version

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0040

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>
3/2015/0681/P	Erection of milking parlour and dairy building	Yew Tree Farm Chaigley, Clitheroe
3/2015/0697/P	Replacement of dilapidated agricultural storage building	High House Farm Back Lane, Read
3/2015/0703/P	Single storey extension to rear and two storey extension to side (building over existing garage)	32 Hayhurst Road Whalley
3/2015/0716/P	Proposed extension of dormer to front elevation.	7 Clayton Court Longridge
3/2015/0769/P	Alteration of existing window to create a new front door. Alterations to existing cart opening to improve appearance including removal of double patio doors	Woodseave Barn Page Fold Off Cross Lane Waddington
3/2015/0753/P	Engineering works to form earth banked slurry lagoon	Closes Hall Farm Stump Cross Lane Bolton-by-Bowland
3/2015/0771/P	Extension and alteration of existing dwelling to create new ground floor bedroom and garage extension	Oaksmead Manor Road Copster Green
3/2015/0775/P	Proposed demolition of conservatory and construction of rear extension and roof alterations to the side	12 Moorland Road Langho
3/2015/0779/P	Proposed first floor side extension. Single storey rear sunroom extension. Porch extension to front including flat to pitch roof conversion	34 Bosburn Drive Mellor Brook
3/2015/0781/P	Proposed dormer to front	10 Langdale Avenue Clitheroe
3/2015/0787/P	Proposed single storey extension to the east elevation.	The Maples Stonygate Lane, Ribchester
3/2015/0795/P	Erection of an office building (Class A2) adjacent to existing B1/B8 buildings	Fairfield Business Park Longsight Road Clayton-le-Dale
3/2015/0798/P	Illuminated hanging sign, illuminated fascia sign and non-illuminated hoarding sign to front elevation	3B Inglewhite Road Longridge
3/2015/0803/P	Proposed single storey rear extension	Shenstone, Manor Road Copster Green

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0820/P	Change of use to a personal training/martial arts facility	Unit 7 - 8 Berry Lane Longridge
3/2015/0821/P	Demolition of existing single storey side extension and erection of two storey side and single storey rear extension / sun room	2 Pickering Fold Farm Bezza Lane, Balderstone
3/2015/0824/P	Single storey extension to rear	Dinckley Grange Barn Ribchester Road, Langho
3/2015/0828/P	Erection of dormers to SE and NW sides of roof	36 Eastfield Drive West Bradford
3/2015/0830/P	Erection of timber building for the storage of historical military vehicles	Meadow Top Farm Back Lane, Chipping
3/2015/0834/P	Non material amendment to planning permission 3/2012/0449 comprising alteration to canopy design, fenestration details and slight increase in length	Park Hey House Stoneygate Lane Knowle Green
3/2015/0838/P	Certificate of Lawfulness for a proposed detached flat roof garage	23 Windsor Avenue Longridge
3/2015/0840/P	Single storey garage extension to side	34 Mearley Syke Clitheroe
3/2015/0842/P	Application for retention of unauthorised extension to rear	20 Ribblesdale Road Ribchester
3/2015/0844/P	Retention of unauthorised elevated platform with 'tree house' overhanging adjacent woodland	18 Netherwood Gardens Brockhall Village
3/2015/0854/P	Proposed rear and side extensions, front porch and bay window	64 Branch Road Mellor
3/2015/0856/P	Variation of condition 2 of planning permission 3/2014/0445 to allow retention of unauthorised works - repositioning agricultural access	Clitheroe Road Whalley
3/2015/0871/P	Demolition of ancillary outbuildings to side and rear. Erection of single and two storey side extension with balcony and single storey rear extension. Insertion of new window openings at first floor level in gable wall and roof lights in rear roof slope	Hollin Hall Farm Whalley Old Road Billington
3/2015/0872/P	Dormer extensions to front and rear	60 Pasturelands Drive Billington
3/2015/0874/P	Single storey rear and side extension and internal alterations	4 Calfcote Lane Longridge
3/2015/0881/P	Roof to cover existing manure store	Braddup House Cross Lane, Bashall Eaves
3/2015/0884/P	Alterations and extension into integral garage including new access and drive	Sunningdale Garstang Road, Chipping
3/2015/0891/P	Conversion of garage to habitable room and erection of single storey extension to side and rear	2a Alderford Close Clitheroe

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0892/P	Proposed two storey and single storey extension to side. Addition of pitched roof to existing double garage	1 The Fields Sabden
3/2015/0896/P	Replacement windows with double glazed steel units and internal refurbishment	Longridge CE School Berry Lane, Longridge
3/2015/0897/P	Discharge of Condition(s) 3 (Tree Survey and Method Statement), 5 (Planting scheme), 8 (Archaeology) and partial discharge of 7 (Barn Owl Boxes) of planning permission 3/2013/0538	Cocklick End Farmhouse and Barn School Lane Slaidburn
3/2015/0908/P	Non material amendment to planning permission 3/2015/0637 to 1) Add chimney on the south gable of the original house. 2) To incorporate bi-folding doors in the proposed garden room in place of double doors and side light within the approved external opening. 3) To form small window in the rear wall to serve the WC	Orchard House Main Street Grindleton
3/2015/0909/P	Two storey / single storey rear extension with garage conversion	26 Hayhurst Road Whalley
3/2015/0912/P	Substitution of House types at Plots 3,4,5	6 Eden Gardens Brockhall Village, Langho
3/2015/0922/P	Single storey rear extension	27 Painter Wood Whalley Old Road Billington
3/2015/0955/P	Erection of a two and single storey extension at the rear and re-rendering of the building and fenestration alterations	Peels Cottage Eaves Hall Lane West Bradford
3/2016/0966/P	Additional floor space and changes to the layout of building D	Former Genus Site Mitton Road, Whalley
3/2015/1007/P	Discharge of conditions 3 Construction Management Plan, 4 Vehicular Access, 5 Visibility Splay, 6 Protected Species, 7 Landscaping, 8 Materials, 9 Obscure Glass Screens of planning permission for 1 dwelling	Land at Chapel Close Low Moor Clitheroe
3/2015/1009/P	Discharge of conditions 1 (timescale) and 7 (door and window paint) from planning permission 3/2015/0575 at land	Chapel Hill Longridge
3/2015/1035/P	Change of use from holiday let to bunk house and site reception facilities	Swinglehurst Cottages Garstang Road, Chipping
3/2016/0012/P & 3/2016/0013/P	Planning and Listed Building Consent for demolition of existing kitchen extension and replacement with larger extension, utility room and internal alterations and windows	Edisford Hall Farmhouse Edisford Bridge Pig Hill, Great Mitton

APPLICATIONS REFUSED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2015/0509/P	Demolition of existing poultry sheds and construction of new detached dwelling at land adjacent	Southport House Sawley Road Sawley	Prominent and incongruous development which is harmful to the character and appearance of Sawley Conservation Area, the setting of listed buildings and the cultural heritage of the AONB. Contrary to Core Strategy EN5, DMG1, DME4 and DMG2 and NPPF paragraph 17, 60, 115, 131 and 132. Creation of a new dwelling in the defined open countryside harming the development strategy for the borough. Unsustainable form of development in a location that does not benefit from adequate access to local services or facilities. Contrary to Core Strategy DS1, DS2, DMG2, DMG3 and DMH3.
3/2015/0823/P	Proposed removal of existing garage and the formation of a single storey extension to the rear and side of the existing house.	Hillcrest Barker Lane Mellor	Contrary to Key Statements EN1 and EN2 and policies DMG1, DMH5 and DME2 of the Ribble Valley Core Strategy and Section 9 of the NPPF.

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

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0937/P	Prior notification application for change of use of agricultural building to dwelling-house – Class Q(a)	Land off New Lane Withgill

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0947/P	Demolition of existing detached garage and erection of two semi-detached dwellings with garages, including two new vehicular accesses	Northlands Ribblesdale Avenue Clitheroe

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2015/0266	Primrose Works Primrose Road Clitheroe	20/8/15	18	With Applicants Solicitor
3/2015/0895	Land at Higher Standen Farm Clitheroe	17/12/15		With Legal

<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>
3/2015/0159	Twinbrook Clitheroe	12/11/15	N/A	N/A	Decision 14/1/16

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		Appeal withdrawn by appellant 18/12/15
3/2014/0697 R	29/06/15	Land adj Clitheroe Road West Bradford	WR		Awaiting decision
3/2015/0272 R	22/07/15	Curtis House Longridge	WR		Appeal dismissed 09/12/15
3/2014/0755 R	22/07/15	Mellor Lodge Gatehouse Mellor	WR		Appeal dismissed 18/12/15
3/2014/0846 R	12/08/15	Land at 23-25 Old Row Barrow	Hearing	18/11/15 20/01/16	Adjourned – further date to be set
3/2014/0183 R	13/08/15	Land at Malt Kiln Brow, Chipping	Hearing	Provisionally 15/03/16	Awaiting decision
3/2014/0226 R	13/08/15	Kirk Mill and Kirk House, Chipping	Hearing	Linked with 3/2014/0183	Awaiting decision

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3/2015/0200 R	23/09/15	Land rear of Beech Cottage Lovely Hall Lane Copster Green	Hearing	15/12/15	Awaiting decision
3/2015/0565 R	24/09/15	Coach House Main Street Bolton by Bowland	WR		Awaiting decision
3/2015/0566 R	24/09/15	Coach House Main Street Bolton by Bowland	WR	Linked with 3/2015/0565	Awaiting decision
3/2015/0517	07/10/15	Wolfen Hall Fish House Lane Chipping	WR		Awaiting decision
3/2015/0518	07/10/15	Wolfen Hall Fish House Lane Chipping	WR	Linked with 3/2015/0517	Awaiting decision
3/2015/0016	29/10/15	Cowley Brook Farm Higher Road Longridge	WR		Awaiting decision
3/2015/0333	30/10/15	2 Halstead Mews Rimington	HH		Appeal Dismissed 17/12/15
3/2015/0345	30/10/15	1 Halstead Mews Rimington	HH		Appeal Allowed 17/12/15
3/2015/0685	05/11/15	6 Woodcrest Wilpshire	HH		Appeal Allowed 21/12/15
3/2014/1025	18/11/15	Rattenclough Fm Wesley Street Sabden	WR		Statement due 23/12/15
3/2015/0711	16/11/15	19 Whalley Rd Sabden	HH		Appeal Allowed 31/12/15
3/2015/0578	24/11/15	Oakfield Longsight Rd Clayton-le-Dale	WR		Statement due 29/12/15
3/2015/0453	03/12/15	Cherry Tree Fm Chipping Rd Chaigley	WR		Statement due 08/01/16
3/2015/0211	30/11/15	Land between 52 and 54 Knowsley Road Wilpshire	WR		Statement due 04/01/15