

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 18 AUGUST 2016  
title: PLANNING APPLICATIONS  
submitted by: DIRECTOR OF COMMUNITY SERVICES

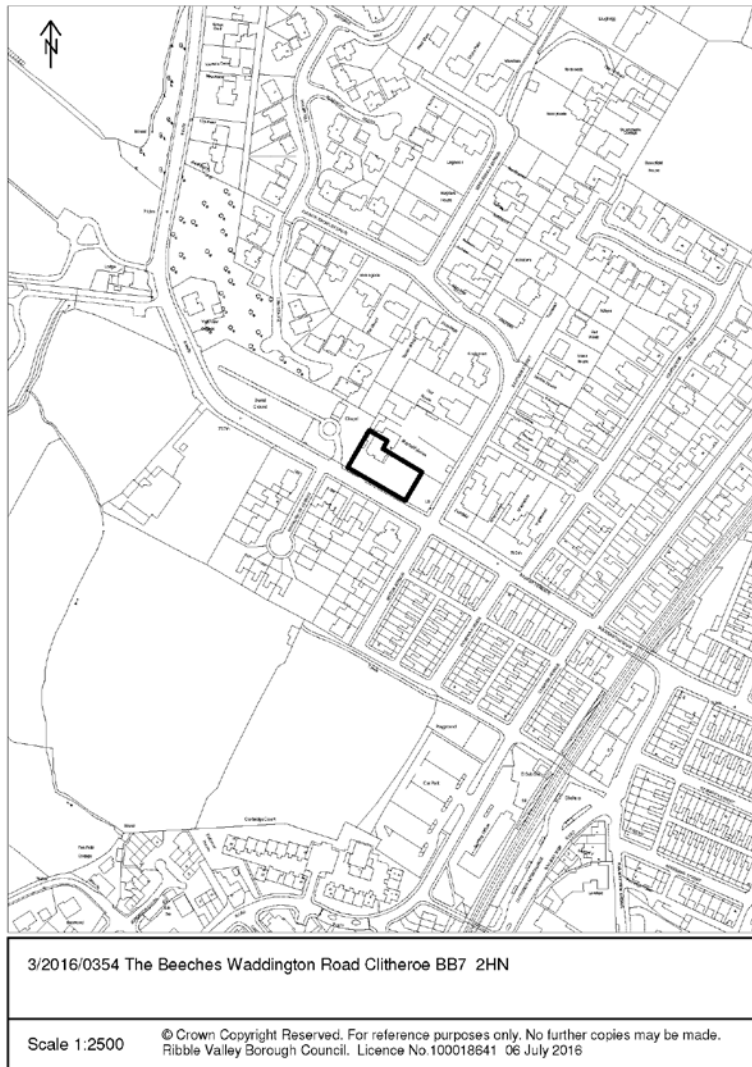
## PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

**APPLICATION REF: 3/2016/0354**

GRID REF: SD 374129 442357

### DEVELOPMENT DESCRIPTION:

KITCHEN AND SUN ROOM EXTENSION TO SIDES AT THE BEECHES, WADDINGTON ROAD, CLITHEROE



## **CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

### **PARISH COUNCIL:**

No objection.

### **HIGHWAYS:**

No objection.

### **ADDITIONAL REPRESENTATIONS:**

Letters of representation have been received from 2 individual households objecting to the application on the following grounds:

(Some of the comments relate to prior submission of the tree report)

- Closeness of proposed sun room to shared boundary
- Loss of outlook/view from bay window
- Noise pollution
- Threat to biodiversity
- Insufficient detail on the impact the proposed work would have on the tree
- Loss or damage to the boundary fence
- Threat to original features of a non-designated historical asset
- Loss of amenity due to overlooking, overbearing and loss of light issues.

#### **1. Site Description and Surrounding Area**

- 1.1 The application property is a substantial two storey semi-detached dwelling set within a large curtilage to the front and side of the property. The application site is located on the edge of the settlement of Clitheroe. The application property is faced with white render & red rosemary tile cladding, slate roof tiles and timber window frames and doors. It is noted that there are a number of semi-detached dwellings in the vicinity of varying design but similarly occupying large gardens.

#### **2. Proposed Development for which consent is sought**

- 2.1 The original planning application included details for the erection of a kitchen extension to the west (side) elevation and a sun room extension to the east (side) elevation of the application dwelling. The proposed kitchen extension has subsequently been removed from the proposed application as the works constitutes permitted development so can be constructed without the need for planning consent.

- 2.2 Consent is sought for the erection of a sun room extension to the east (side) elevation at The Beeches, Waddington Road, Clitheroe. This has also been amended in part to take into account the tree report. The proposed sun room extension will project outwards from the side elevation 3.550m and will have a width of 5.600m resulting in the proposed development sitting flush with the principle elevation. It will have a pitched roof with an eaves height of 2.950m and a ridge height of 4m. The proposal will be clad in cement render, solar/active tinted selfclean roof glass, cream grain PVC framework and Georgian gothic arches to lower window frames.

3. **Relevant Planning History**

N/A

4. **Relevant Policies**

Ribble Valley Core Strategy  
Policy DMG1 – General Considerations  
Policy DMH5 – Residential & Curtilage Extensions  
Policy DME1– Protecting Trees and Woodlands

National Planning Policy Framework

5. **Assessment of Proposed Development**

5.1 **Impact upon Residential Amenity:**

5.1.1 It is important to consider the potential impact the proposed development would have on the residential amenity of the occupiers of nearby dwellings.

5.1.2 The proposed sun room includes the insertion of windows to the north east elevation of the proposed extension. These would provide direct views over the private amenity space of Mayfield House. Following officer negotiation with the agent it has subsequently been agreed that these windows will be heavily obscured and non-opening. I note the objections but do not consider that the proposed development would result in any significant harm to the amenities of this neighbour through loss of light, privacy or outlook. Should consent be granted, the use of obscure glass shall be sought via a condition.

5.1.3 The objections which were raised related primarily to the overbearing size of the proposal and the impact the development would have on the adjoining property Mayfield House through loss of outlook and light, noise pollution and loss of outlook/view from bay window. It should be noted that the sun room has been moved away from the shared boundary by 0.8m and the proposed materials have been altered, due to the redesign it has resulted in a reduction of the roof pitch to 20 degrees. With this in mind it is considered that the proposed development would not have an unacceptable impact on the amenity of the occupiers. The proposed extension is modest in size and whilst it may result in some loss of light to the neighbour's bay window this would not warrant refusal.

5.1.4 The objections which were raised relating to loss of view of the castle, access to maintain the proposed development, loss/damage to boundary fencing, boxing in of shared drain pipe are not material considerations and should not be taken into account when assessing the application.

5.2 **Visual Amenity/External Appearance:**

5.2.1 Policies DMG1 and DMH5 of the Ribble Valley Core Strategy requires extensions to be in keeping with the existing house and the surrounding buildings in terms of scale, size, design and facing materials. Any extension should be well proportioned and sit comfortably with the original building. It should respect the scale and proportions of the original dwelling and should not overwhelm it. Furthermore, new development should make a positive contribution to the local

character and distinctiveness of the existing building. In terms of its design, the proposed extensions would be commensurate to the scale of the main dwelling; they would be set down considerably from the ridge line of the existing dwelling.

- 5.2.2 It is considered that the proposed development would not adversely harm the historical features of the existing dwelling nor would it result in any harm to the host dwelling or the surrounding area, the materials proposed would maintain coherence between the main dwelling and the proposed development and would accord with Ribble Valley Core Strategy Policies DMG1 and DMH5.

### 5.3 Landscape/Ecology:

- 5.3.1 In respect of trees, the application is accompanied by an Arboricultural Report. Three individual trees were surveyed in respect of the proposed development. The trees were allocated a high retention value (Category A), a moderate retention value (Category B) and to be unsuitable for retention (Category U), with the latter being recommended for removal as soon as is practicable for risk management reasons. The report concluded that T1 was offered a high retention value, T2 a moderate retention value and T3 was unsuitable for retention.

- 5.3.2 The submitted report found that the proposed extension would encroach 6.5% into the total Root Protection Area (RPA) of tree T1 a Cut-Leaf Beech. It is noted that Section 7.5 of BS5837:2012 states that: *“The insertion of specially engineered structure within RPAs may be justified if this enabled the retention of a good quality tree that would otherwise be lost (usually categories A or B)”* and that *“Root damage can be minimized by using:*

- *Piles, with site investigation used to determine their optimal location whilst avoiding damage to roots important for the stability of the tree, by means of hand tools or compressed air spoil displacement, to a minimum depth of 600mm; and*
- *Beams, laid at or above ground level, and cantilevered as necessary to avoid tree roots by side investigation.”*

- 5.3.3 It was concluded that in order to construct the extension in the proposed located it would be necessary to use a pile and beam foundation systems, with the beam sat at or above current ground levels and a void between the underside of the structures floor and the existing ground.

- 5.3.4 In view of the above, the Council's Countryside Officer has raised no objection to the planning application. Should consent be granted, a condition shall be attached to the permission to ensure that no development, including any site preparation, demolition, clearance or tree works/removal shall commence or be undertaken on site unless/until the details of a detailed specification drawing for a beam on a pile foundation in accordance with BS5837 Trees in Relation to Demolition, Design and Construction [special materials & working methods for proposed construction within root protection areas] has been submitted to and approved in writing by the Local Planning Authority.

## 6 Observations/Consideration of Matters Raised/Conclusion

- 6.1 The proposed development would not result in any significant harm to the character and appearance of the existing dwelling or the surrounding area, nor will it cause any

significant harm to the amenity of neighbouring residents. The proposal would not have an unacceptable impact on protected species or highways safety. Accordingly, it is recommended that the application be approved.

**RECOMMENDATION:** That the application be APPROVED subject to the imposition of the following condition(s):

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

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

Amended Design – Sun room/conservatory (Received 01/08/2016)

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

3. Notwithstanding the submitted details, precise specifications or samples of all external surfaces, including surfacing materials and their extents, of the development hereby permitted shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies DMG1 and DMH5 of the Ribble Valley Core Strategy.

4. The proposed windows which are to be introduced into the north east elevation of the sun room extension (Amended Design – Sun room/conservatory (Received 01/08/2016)) shall be fitted with obscure glazing (which shall have an obscurity rating of not less than 4 on the Pilkington glass obscurity rating or equivalent scale) and shall be non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The windows shall remain in that manner in perpetuity at all times unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect nearby residential amenity in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

5. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site unless and until the details of a detailed specification drawing for a beam on a pile foundation in accordance with BS5837 Trees in Relation to Demolition, Design and Construction [special materials & working methods for proposed construction within root protection areas] has been submitted to and approved in writing by the Local Planning Authority.

The details as submitted shall also include tree protection fencing in accordance with BS5837 (2012): 'Trees in Relation to Construction' for trees identified T1 and T3 in the Arboricultural Impact Assessment. Such fencing shall be erected in its entirety prior to any other operations taking place on the site. This fencing should not be breached or removed during development. Furthermore within the areas so fenced the existing ground level shall be neither raised nor lowered and there shall be no development or development-related activity of any description including the deposit of spoil or the storage of materials unless expressly agreed by the Local Planning Authority.

REASON: To protect trees/hedging of landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development in accordance with Policies DMG1 and DME1 of the Ribble Valley Core Strategy.

#### BACKGROUND PAPERS

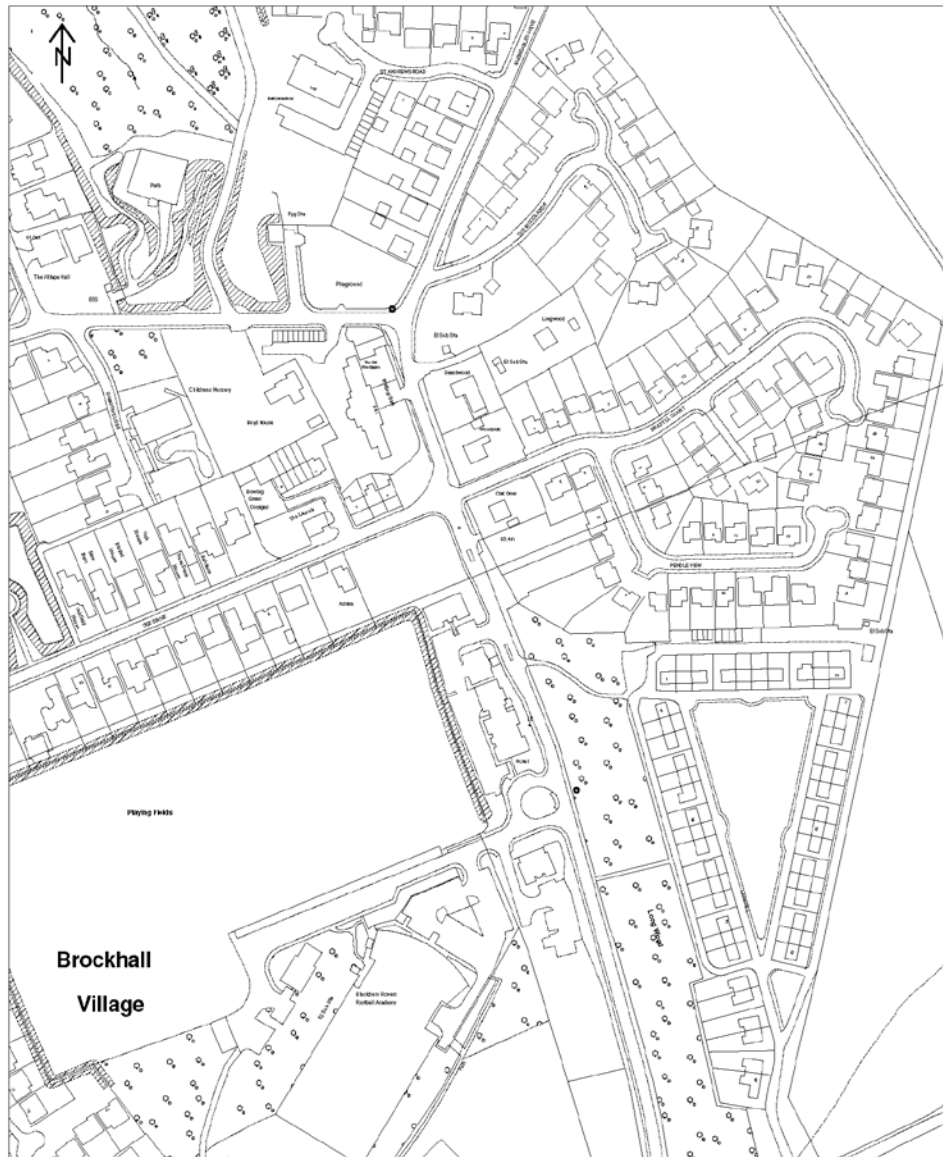
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2016%2F0354](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0354)

**APPLICATION REF: 3/2016/0445**

GRID REF: SD 370305 436402

**DEVELOPMENT DESCRIPTION:**

LAND AT THE JUNCTION BETWEEN CHERRY DRIVE AND GLENEAGLES DRIVE AND OPPOSITE THE ROUNDABOUT ADJACENT TO THE HOTEL ON GLENEAGLES DRIVE BROCKHALL VILLAGE OLD LANGHO BB6



3/2016/0445 land at Gleneagles Drive, Brockhall Village, Old Langho,.

Scale 1:2500

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## **CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

### **PARISH COUNCIL:**

The parish council wish to object to this application for the following reasons:-

- It overlooks the gardens, bedrooms and conservatories of a number of properties,
- Uses selected locations to provide wide angle views, when tighter positioning would better serve the stated purpose.
- The camera covering the roundabout is argued to be required for 'insurance purposes' by the management company. A CCTV camera overlooking the roundabout *may* be required, but this can be close to the roundabout rather than overlooking a wide residential area.
- The installations are planned without any consultation with the residents, particularly those residents most impacted upon.
- Residents have trimmed back tall screening hedges following their consultation with the management company. It transpires that the management company were already planning for these CCTV towers at the time, and residents would not have proceeded with the hedge reductions should they have been so aware.
- A substantial pine tree has very recently been removed (with planning consent) by HDAC or their agents which would have provided a physical screen to the residents at 1 'The Woodlands'.
- Promises of screening and/or collaring of the cameras carry no weight with the residents as there is a lack of confidence in the actions of the management company and their agents in this important area of privacy.
- The bases for the CCTV cameras have already been installed prior to any attempt to follow planning procedures.

### **ADDITIONAL REPRESENTATIONS:**

Letters of representation have been received from 30 individual households/addresses objecting to the application on the following grounds:

- Loss of privacy to as the cameras would provide views into the windows and gardens of nearby dwellings.
- There is no need to CCTV to be installed – the village is quiet with low crime rates.
- The applicant has not stated which areas will be masked.
- It would be against human rights.
- There has been no consultation with neighbours.
- Security measures are disproportionate.
- The development would be out of character with the rest of the street lighting.
- Risk of misuse of data.

There have been 9 letters of support from individual households/addresses stating the following:

- The CCTV camera at the roundabout would aid traffic management.
- The CCTV cameras would help to kerb anti-social behaviour on the park.



1. **Site Description and Surrounding Area**

- 1.1 The application seeks consent for the erection of two pole-mounted high-definition CCTV cameras at the junction between Cherry Drive and Gleneagles Drive and opposite the roundabout adjacent to the hotel on Gleneagles Drive, Brockhall Village. The village is located on the site once occupied by Brockhall Hospital and has been redeveloped into a gated residential community.

2. **Proposed Development for which consent is sought**

- 2.1 The application seeks consent for two high definition CCTV cameras mounted on 4.5m high poles. The first of the CCTV cameras would be located on the footpath at the corner of Cherry Drive and Gleneagles Drive to provide surveillance of the adjacent children's play area. The area surrounding this site is predominantly residential with the nearest dwelling to the proposed siting being located at a distance of 16m. The second camera would be positioned on the east side of the Gleneagles Drive opposite the roundabout adjacent to The Avenue Hotel. The mounting poles would have a maximum height of 4.5m and would have a square section with a width of 100mm. The CCTV camera would consist of a high-definition 1080p pan, tilt and zoom and would provide day/night functionality and built-in IR LEDs which illuminate up to 100m.

3. **Relevant Planning History**

None

4. **Relevant Policies**

Ribble Valley Core Strategy  
Policy DMG1 – General Considerations

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

5. **Assessment of Proposed Development**

5.1 **Impact upon Residential Amenity**

- 5.1.1 In determining this application the main considerations are the impact of the development on the residential amenities of neighbouring occupants and the impact on the visual appearance of the area. Core Strategy Policy DMG1 requires development to avoid adverse impacts on the amenities of an area including the residential amenities of the occupants of nearby dwellings. The proposed CCTV camera situated at the junction with Cherry Drive and Gleneagles Drive is located in a predominantly residential area with the nearest property, The Old Fire Station, located approximately 16m south-west. The camera would have the ability to be panned 360-degrees and, with a 100-metre range it would provide the ability to view residential gardens and windows. It is noted that the cameras can be programmed to limit how far they can pan in either direction and privacy masking zones can be used to blank out certain scenes. However, in this case due to the proximity of the camera to numerous residential properties there would have to be significant limitations put in place to avoid any loss of privacy for neighbours. I also consider that regardless of whether the cameras are programmed to blank out any views of private gardens

and windows there would remain a sense of overlooking that would be exacerbated by the cameras ability to be panned remotely. The applicant has subsequently agreed to a static camera focussing solely on the children's play area. This would satisfy the applicant's requirement to monitor use of the play area and also safeguard the privacy of neighbours.

5.1.2 With regards to the proposed CCTV camera opposite the roundabout adjacent to the hotel on Gleneagles Drive, this CCTV camera is required for traffic management purposes. There are residential properties located approximately 55m east of the camera location. The ability to move the camera to allow views along Gleneagles Drive to the north and south would be required to monitor traffic and I consider it acceptable to programme this camera to mask out all easterly views in this instance.

## 5.2 Visual Amenity/External Appearance

5.2.1 In terms of the visual appearance of development, Core Strategy Policy DMG1 requires development to be sympathetic to surrounds in terms of design and materials. Whilst I note reference to the visual appearance of the pole-mounted cameras in objection letters, it is considered that the proposals would not have a significant detrimental visual impact on the surrounding area to warrant refusal of the application. Should consent be granted, the mounting poles shall be painted black to match existing street lamps and reduce their prominence.

## 5.3 Other Matters:

5.3.1 Concerns have been raised regarding the safety and use of images recorded by the cameras. The cameras are password protected with a high level of encryption and shall be streamed to and from the security lodge. Recording equipment would be stored in a locked wall-mounted enclosure and would be protected by encryption. Notwithstanding the above, information and data security is covered by other legislation including the Data Protection Act and, as such, is not a material consideration in the determination of this application.

## 6. Conclusion

6.1 Taking into account the above, the proposed CCTV cameras would be acceptable subject to conditions restricting views of private residential gardens and windows. The proposals would not result in significant harm to the appearance of the area and it is recommended that the application be approved.

**RECOMMENDATION:** That the application be APPROVED subject to the imposition of the following condition(s):

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

CCTV Camera Positions (1906P01A)  
CCTV Camera Elevations (1906P02)

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

2. Notwithstanding the details shown on the approved plans, precise specifications of a static camera to be located at the junction between Cherry Drive and Gleneagles Drive hereby permitted shall have been submitted to and approved by the Local Planning Authority before its first use. The camera shall be restricted to visual surveillance within the boundaries of the play area only.

REASON: To ensure the protection of privacy for neighbouring occupiers, and in the interests of residential amenity, in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

3. The camera hereby permitted opposite the roundabout adjacent to the hotel on Gleneagles Drive shall be model Hikvision DS-2DE7186 as submitted with the planning application. The camera shall be permanently adjusted to restrict visual surveillance to Gleneagles Drive only.

REASON: To ensure the protection of privacy for neighbouring occupiers along Larkhill, and in the interests of residential amenity, in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

4. The mounting posts and brackets hereby approved shall be painted black to match the existing street lamps within one month of the CCTV cameras becoming operational.

REASON: To ensure that the visual appearance of the proposals are appropriate to the locality in accordance with Policies DMG1 of the Ribble Valley Core Strategy.

## BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2016%2F0445](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0445)

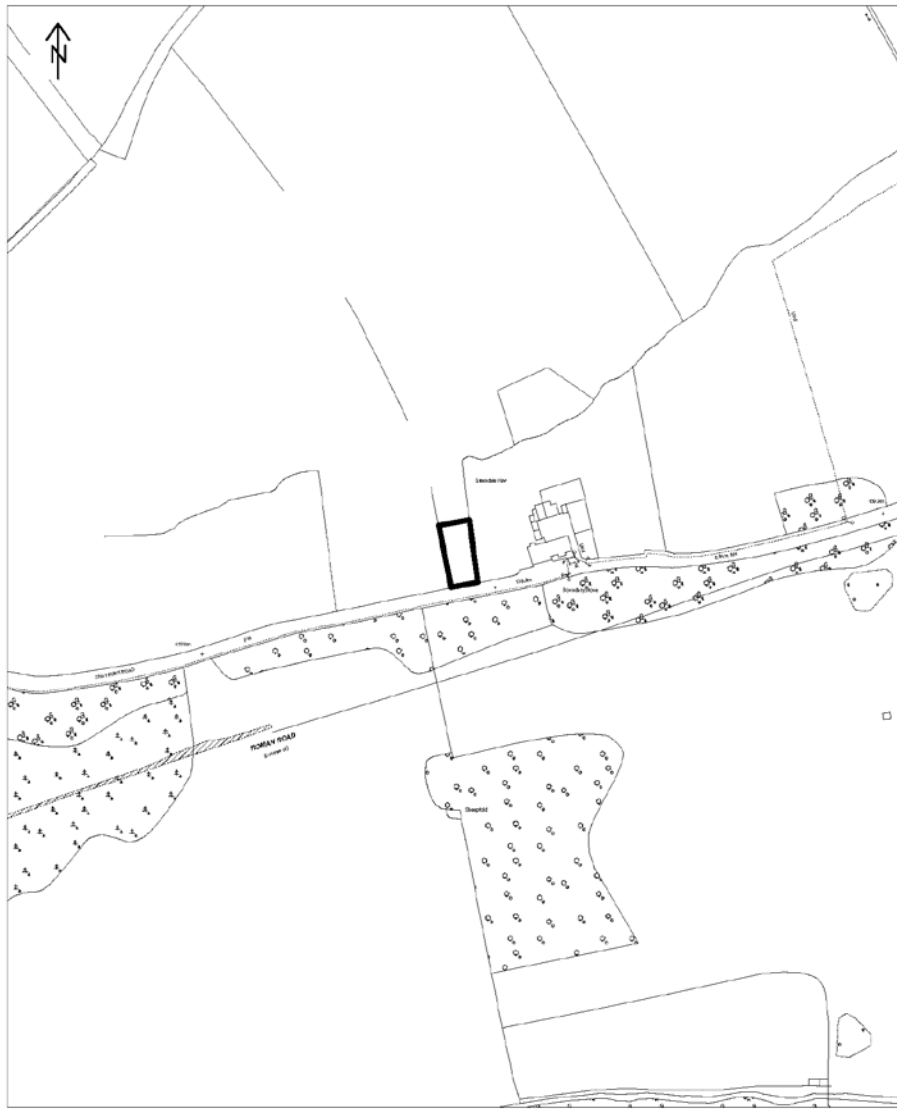
**C APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL**

**APPLICATION REF: 3/2016/0442**

GRID REF: SD 377848 444341

**DEVELOPMENT DESCRIPTION:**

CHANGE OF USE OF AGRICULTURAL LAND TO CAR PARK FOR GREENDALE VIEW CAFÉ AT LAND AT TOWNHEAD FARM, DOWNHAM ROAD, CHATBURN



3/2016/0442 Land at Townhead Farm Downham Road Chatburn BB7 4DL

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## **CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

### **PARISH COUNCIL:**

No observations to make.

### **ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):**

The Highway Development Control Section does not have any objections regarding the proposed Change of use of agricultural land to car park and are of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

It is also explained that the new vehicular access, within the adopted highway fronting the property will need to be constructed under a section 184 agreement of the 1980 Highways Act (Vehicle crossings over footways and verges) and 5 conditions are suggested as part of the formal planning decision.

### **HISTORIC ENGLAND:**

Do not consider it necessary for this application to be notified to Historic England.

### **LEAD LOCAL FLOOD AUTHORITY:**

No comment because LLFA Flood Risk Standing Advice should have been applied and the proposals are not listed in the 'When to Consult the LLFA' document or in the Development Management Procedure Order 2010.

### **UNITED UTILITIES:**

Consulted, no representations received at time of report writing.

### **LCC AONB OFFICER:**

Consulted, no representations received at time of report writing.

### **ADDITIONAL REPRESENTATIONS:**

None received.

#### **1. Site Description and Surrounding Area**

- 1.1 Greendale View is a late C19 stone built house now converted to a café. It lies at the top of a north-west facing escarpment in the open countryside between Chatburn and Downham (outside of both village boundaries shown in the 1998 Local Plan). The escarpment forms the north-western boundary of the Forest of Bowland AONB Pendle Hill outlier; local topography results in strong inter-visibility with the main body of the AONB to the north. The application site is immediately west of the existing Greendale View curtilage.
- 1.2 The boundary treatment of Greendale View and the proposed car park site with the road comprises traditional and more formal walling/gate posts and hedgerow. The site faces the continuous stone wall boundary to the gardens of Downham Hall (Grade II\* listed; 'Country house, 1835, by George Webster'- list description) which also forms the

northern boundary to Downham Conservation Area (the Conservation Area boundary extends to the west just beyond the application site before it returns to the south). The site is within the setting of and is inter-visible with Downham Conservation Area. The site may be considered to be within the setting of the listed building if the garden wall is considered to be a curtilage structure to the principal building [section 1(5) Planning (Listed Buildings and Conservation Areas) Act 1990.

- 1.3 The Downham Conservation Area Appraisal (The Conservation Studio consultants, 2005; subject to public consultation) identifies:

“Downham Hall and Parkland to the west”; “remarkable surviving historic appearance, with almost complete lack of 20th century alterations and accretions”; “spacious layout devoid of 20th century infill”; “rural setting of the village”; “trees, both in the surrounding landscape and beside the road”; “local details ... stone boundary walls” (Summary of special interest);

“The Conservation Area boundary encloses the whole of the village settlement and parkland west of Downham Hall which is important to its setting ... unlike many similar English villages, Downham has not suffered from loss of open space due to 20th century infill or construction of garages or off-road parking” (The character of spaces within the area);

“The prevalence of stone as a building material, not only in habitable buildings, but also for walls, gate piers ... unifies the Conservation Area, giving it a distinctive local identity and harmonising the many elements of the built environment” (Building methods, materials and local details);

“The Conservation Area is notable for its stone boundary walls ... stone gate piers are also a feature” (Local details and features);

“Picturesque rural village popular with tourists; dedicated tourist parking; exceptionally unspoilt character and appearance”; “absence of road markings” (Strengths);

“The current main threat to the character and appearance of the Conservation Area is traffic and the pressure of tourism” (Threats).

- 1.4 A line of mature trees runs north-south and approximates to the western boundary of the proposed car park.

## 2. **Proposed Development for which consent is sought**

- 2.1 Planning permission is sought for the change of use of agricultural (grazing) land and associated works to car park. The car park area is 575 m<sup>2</sup> and is proposed to provide 13 parking spaces (3 disability spaces).

- 2.2 A 2.4m x 60m visibility splay is shown necessitating the demolition/modification of boundary walling and gate posts. Macadam surfacing is shown between the edge of the public highway and a new gate which is indented 6.5m into the site.

- 2.3 A Tree Survey has not been submitted despite works obviously being within influencing distance of the development.

- 2.4 The Design and Access Statement suggests that the car park is required: to sustain the current tenant's business model (reliant on passing trade which may be dissuaded by number of roadside parked cars); allow safe movement of pedestrians from vehicles to café (no existing footpath and national speed limit applies); improve the visual amenity of the approach to the Conservation Area and provide improved safety for general users of the highway.
- 2.5 The Design and Access Statement suggests that locating a car park within the curtilage of Greendale View has been discounted because customers want to eat outside and enjoy their surroundings and views and the tenants will lose their personal space.
- 2.6 The application includes a letter of support from Councillor G. Scott (Chatburn Ward) which, in summary, is concerned at the National Speed Limit on this road and advocates the proposed car park because of the improved pedestrian and vehicular highway safety and help to securing the future of the café through removal of vehicles from the highway.

### 3. **Relevant Planning History**

- 3.1 Pre-application advice was provided in respect of the proposed development on 26 February 2016. Concern was expressed that the proposed roadside boundary modifications (loss of distinct walling and hedgerow) and car park would be incongruous, conspicuous and intrusive in the landscape and of harm to the character of the Forest of Bowland Area of Outstanding Natural Beauty and the character and appearance of Downham Conservation Area.
- 3.2 There is no planning record of a change of use of the site to a café suggesting the long-standing operation of the business.

### 4. **Relevant Policies**

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy  
Key Statement DS2 – Sustainable Development  
Key Statement EN2 – Landscape  
Key Statement EC1 – Business and Employment Development  
Key Statement EN5 – Heritage Assets  
Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport and Mobility  
Policy DME4 – Heritage Assets  
Policy DME2 – Landscape and Townscape Protection  
Policy DMB1 - Supporting Business Growth and the Local Economy  
Policy DMB3 – Recreation and Tourism Development  
Planning (Listed Buildings and Conservation Areas) Act 1990

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

## 5. **Assessment of Proposed Development**

### 5.1 **Land use**

5.1.1 The site lies within the open countryside outside the settlements of Downham and Chatburn. It is also within the Forest of Bowland Area of Outstanding Natural Beauty.

5.1.2 Key Statement DS1 of the adopted Core Strategy sets out the development strategy for the Borough. It seeks to direct the majority of new retail and leisure development toward the centres of Clitheroe, Longridge and Whalley. In addition, development will be focussed towards the Tier 1 villages (Chatburn) which are the more sustainable of the 32 defined settlements. In the remaining Tier 2 Village Settlements (Downham) development will need to meet proven local needs or deliver regeneration benefits. Considerations will include proposed small scale developments in the smaller settlements that are appropriate for consolidation and expansion or rounding off of the built up area.

5.1.3 Key Statement DS1 also states that the Council will have regard to the AONB in consideration to the scale, extent and form of development.

5.1.4 Policy DMG2 sets out further detail in relation to the strategic requirements of the plan. It effectively sets out exceptions which might be considered in relation to development within the Tier 2 villages and locations outside the defined settlement areas. These include:

*“1. The development should be essential to the local economy or social well-being of the area.*

*4. The development is for small scale tourism or recreational developments appropriate to a rural area.*

*5. The development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated”.*

5.1.5 In respect to such considerations, DMG2 also states:

“Within the open countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting” and

“In protecting the designated Area of Outstanding Natural Beauty the Council will have regard to the economic and social wellbeing of the area. However, the most important consideration in the assessment of any development proposals will be the protection, conservation and enhancement of the landscape and character of the area ... development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the AONB by virtue of its size, design, use of material, landscaping and siting”.

5.1.6 Furthermore, Key Statement EN2: Landscape identifies in respect to the AONB that “Any development will need to contribute to the conservation of the natural beauty of the area” and will be expected “to be in keeping with the character of



the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials”.

- 5.1.7 Policy DMB1 (Supporting Business Growth and the Local Economy) also emphasises the requirement of compatibility of new development with its landscape:

“The expansion of established firms on land outside settlements will be allowed provided it is essential to maintain the existing source of employment and can be assimilated within the local landscape”.

- 5.1.8 In my opinion, the proposed car park (which is outside a settlement and not in a suitable location for the rounding off of built development) and associated alterations to traditional walling and gateposts will be incongruous, conspicuous and intrusive in the landscape and of harm to the character of the Forest of Bowland Area of Outstanding Natural Beauty.

- 5.1.9 Policy DMG3 of the Core Strategy recognises that transport considerations are key to the delivery of sustainable development. Such considerations were a key part in defining the settlement hierarchy which now forms the basis of Key Statement DS1. In my opinion, the location could not be considered highly accessible by public transport and is likely to increase car borne journeys.

## 5.2 Setting of Downham Conservation Area and Downham Hall

- 5.2.1 The duties at section 72 and section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that ‘special attention’ and ‘special regard’ be given to the desirability of preserving (‘doing no harm’) or enhancing the character or appearance of a conservation area and the preserving of the setting of a listed building.

- 5.2.2 Policy DME4 (Protecting Heritage Assets) of the Core Strategy also relates to the setting and views into and out of conservation areas and considerations to the setting of listed buildings:

“Conservation Areas:

Proposals within, or affecting views into and out of, or affecting the setting of a conservation area will be required to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance. This should include considerations as to whether it conserves or enhances the special architectural and historic character of the area, as set out in the relevant Conservation Area Appraisal. Development which makes a positive contribution and conserves and enhances the character, appearance and significance of the area in terms of its location, scale, size, design and materials and existing buildings, structures, trees and open spaces will be supported

Listed Buildings:

“Alterations or extensions to listed buildings or buildings of local heritage interest, or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported”.

5.2.3 The Downham Conservation Area Appraisal identifies that Downham Hall and its Parkland, the lack of ostensibly modern development (including off-road parking and road markings), the village's rural setting, trees beside the road and local stone walling are key to its significance. In my opinion, the proposed roadside boundary modifications and car park will be incongruous, conspicuous and intrusive and of harm to the character and appearance of Downham Conservation Area.

5.2.4 The harmful impact of proposed development on the designated heritage asset should also to be considered in respect to the importance of the cultural heritage of the AONB (NPPF paragraph 115) which is described in the Forest of Bowland AONB Management Plan April 2014 - March 2019:

"The area was designated as a landscape of national significance due to a variety of factors, including... the landscape's historic and cultural associations ... the distinctive pattern of settlements".

"Collectively these historic and cultural elements of the environment serve to enrich the landscape's scenic quality, meaning and value".

5.2.5 The status of the Downham Hall parkland boundary wall is unclear and possible concerns as to the impact upon the setting of the listed building are therefore not reflected in the refusal recommendations.

### 5.3 Landscape/Ecology:

5.3.1 Policy DME2 (Landscape and Townscape Protection) states:

"Development proposals will be refused which significantly harm important landscape or landscape features including:

1. *traditional stone walls*
6. hedgerows and individual trees".

In my opinion, the proposed alterations to walling in order to meet safe access to the car park does represent significant harm to the landscape feature.

In the absence of a Tree Survey, the Borough Council's Countryside Officer is to undertake an amenity assessment of the trees within influencing distance of the proposed development. The results of the assessment and any recommendations will be reported verbally to Committee.

### 5.4 Highway Safety and Accessibility:

5.4.1 I am satisfied that the proposed development implemented in accordance with the conditions recommended by Lancashire County Council (Highways) would have an acceptable impact upon highway safety. I am mindful that one of these conditions requires:

"Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 6m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users”.

I am also mindful that whilst Lancashire County Council (Highways) does not have any objections to the scheme, its comments do not suggest any particular requirement for the proposed car park scheme.

#### 5.5 Impact upon Residential Amenity:

5.5.1 In my opinion, the proposals do not have a significant impact upon the amenity of adjoining or nearby residents.

### 6. Observations/Consideration of Matters Raised/Conclusion

6.1 Mindful of NPPG (“*In general terms, substantial harm is a high test, so it may not arise in many cases*”) I consider the impact to the character and appearance of Downham Conservation Area to be less than substantial harm. In my opinion, clear and convincing justification (NPPF paragraph 132) for the harm to the designated heritage asset has not been submitted and it is therefore difficult to assess and weigh the importance of public benefits (NPPF paragraph 134).

6.2 Therefore, in giving considerable importance and weight to the duties at section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in giving ‘great weight’ to the conservation of the designated heritage asset (NPPF paragraph 132) and in consideration to Key Statements DS1, DS2, EN2 and EN5 and Policies DMG1, DMG2, DMG3, DMB1, DME4 and DME2 of the Ribble Valley Core Strategy, I would recommend that planning permission be refused.

**RECOMMENDATION:** That the application be REFUSED for the following reasons:

1. The proposal is considered contrary to Key Statements DS1 and EN2 and Policies DMG1, DMG2, DMB1 and DME2 of the Ribble Valley Core Strategy Adopted Version in that the car park would be incongruous, conspicuous and intrusive in the defined open countryside within the Forest of Bowland Area of Outstanding Natural Beauty and harmful to the development strategy for the borough. It is further considered that the approval of this application would lead to an unsustainable form of development placing further reliance on the private motor-vehicle contrary to the NPPF presumption in favour of sustainable development.
2. The proposal is harmful to the character and appearance of Downham Conservation Area and the cultural heritage of the Forest of Bowland Area of Outstanding Natural Beauty because the car park and associated traditional boundary wall modifications are prominent, ostensibly modern and suburban in appearance and compromise the rural setting and important views with the Conservation Area. This is contrary to Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy and the National Planning Policy Framework Paragraph 17 (conserve heritage assets in a manner appropriate to their significance), Paragraph 60 (reinforce local distinctiveness), Paragraph 115 (conserve cultural heritage), Paragraph 131 (development sustaining and enhancing the significance of heritage assets and positively contributing to local character and distinctiveness) and Paragraph 132 (great weight to conservation).

#### BACKGROUND PAPERS

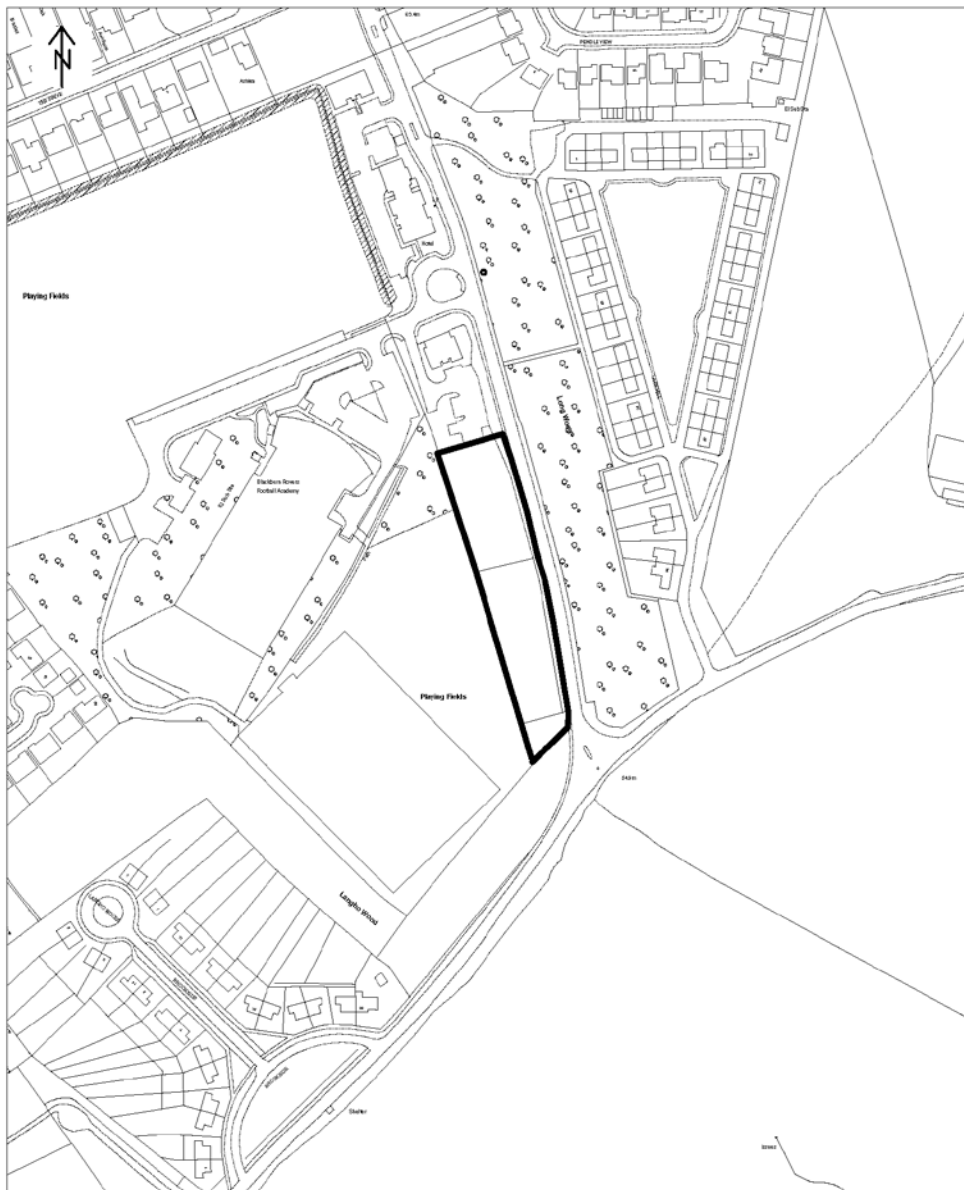
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2016%2F0442](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0442)

**APPLICATION REF: 3/2016/0464**

GRID REF: SD 370352 436225

**DEVELOPMENT DESCRIPTION:**

THE PROPOSED CONSTRUCTION OF FOUR ALL WEATHER PITCHES/COURTS AT LAND TO THE WEST OF GLENEAGLES DRIVE, BROCKHALL VILLAGE, OLD LANGHO



3/2016/0464 land to the west of Gleneagles Drive, Brockhall Village, Old Langho.

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## **CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

### **PARISH COUNCIL:**

The parish council object to this application for the following reasons:-

- It is a loss of amenity land specified as a kick around area for older children
- There will be spotlights on 10m poles which will cause light pollution
- Traffic increase with parking problems on the Avenue and surrounding roads
- There will also be increased noise for local residents as the pitches will be open until 10pm
- There will be a detrimental visual impact for local residents

### **ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):**

The proposal does not benefit from its own dedicated parking provision instead relying on the availability of spaces at the nearby businesses and pub, the latter is currently vacant. Should this facility reopen then there would be increased competition for the parking with the possibility of on street parking occurring on Gleneagles Drive (Old Langho Road) and the bus terminus. These roads are not adopted and are privately maintained. On the basis of these concerns I would recommend that the application be refused on highway grounds.

The levels of light spill on to the highway seem high and are lighting the road to a much higher level than would be expected in the area. This could lead to some disability glare for passing motorists.

It is also noted that the lighting levels are higher than the guidance given by the FA taken from the 'FA Guide to Floodlighting' available from the FA website. Consideration should be given to reducing the lighting levels which by default would also reduce the amount of light spill.

### **SPORT ENGLAND:**

No objection subject to a condition requiring further technical details of the Artificial Grass Pitches and lighting to be submitted.

### **UNITED UTILITIES:**

No objection subject to appropriate foul and surface water conditions.

### **ADDITIONAL REPRESENTATIONS:**

Letters of representation have been received from 69 individual households/addresses objecting to the application on the following grounds:

- Location is unsustainable particularly as it is to be primarily used by the Accrington and East Lancashire league members. They would be reliant of private transport to visit the site.
- Site is adjacent only access to Brockhall Village which is already at capacity along with surrounding roads. The application would encourage extra traffic from outside the area.
- There is no dedicated parking. The number of parking spaces quoted includes spaces which are already in use by other businesses. 25 vehicles behind the conference centre would have to pass through security barrier which would contravene security guidelines. The 20 spaces associated with the vacant 'Avenue Restaurant' would not be guaranteed as it could come back into use. The proposal would lead to on-street parking and a safety hazard.

- Proximity of pitches to highway would cause a safety hazard due to stray balls.
- Constant flood lighting would be out of character with the area, detrimental to wildlife and will cause light pollution and the use would lead to noise issues.
- No changing facilities/toilets provided
- Site is cramped and would result in overdevelopment alongside the main entrance to the village which would harm visual amenity.
- There are few spaces within the village for children to play.
- Negative impact on the trees adjacent to the site.

## 1. **Site Description and Surrounding Area**

- 1.1 The application relates to open land located to the west of Gleneagles Drive, the main access road into Brockhall Village and the Blackburn Rovers Senior Training Facility. The village is located on the site once occupied by Brockhall Hospital and has been redeveloped into a gated residential community. The site is currently used as an informal play area and is delineated by a recently erected timber post and rail fence. The eastern boundary of the site adjoins the tree-lined Gleneagles Drive. To the west of the site are all weather pitches associated with the Blackburn Rovers Training Facility and to the north is a currently vacant commercial building and associated parking areas. The commercial applicant, SoccerAp.com, reside in the Conference Centre building located around 180m to the north of the site. The area immediately surrounding the site has a mix of commercial and residential uses; however, the overwhelming predominant use in the wider area is residential. Brockhall Village is situated in rural surroundings and is located around 2.5 miles from the village of Langho.

## 2. **Proposed Development for which consent is sought**

- 2.1 The application proposes the creation of one 6-a-side 3g/4g all-weather pitch and three all-weather courts on the 0.4ha site. The all-weather facilities would be enclosed by a 3.5m high green powder coated weld mesh fencing which would raise to 4.5m behind the goals. Lighting would be provided by 18 LED floodlights providing 200 lumens of light affixed to the top of 10m high posts that would be positioned along the east and west sides of the pitches. There would be pedestrian and vehicular maintenance access off Gleneagles Drive and vehicular parking would be provided by 25 spaces associated with the Conference Centre and a further 20 to the front of and associated with the 'Avenue Restaurant' which is currently vacant. The application proposes opening hours of 16:00-22:00 on all days with extended opening hours during non-term time.

## 3. **Relevant Planning History**

3/2005/0315 - Redevelopment of remaining areas of former hospital to provide employment uses (B1, C1, C2, D1 and D2), 38 dwellings, village hall and associated open space, kick-about area, formal garden area and garden store (Approved with conditions).

3/1999/0198 - Outline application for development of remainder of village (with exception of sewage treatment plant) to provide 261 new homes and 10500sqm of employment space (Approved with conditions).

## 4. **Relevant Policies**

Ribble Valley Core Strategy  
Key Statement DS1 – Development Strategy

Key Statement DS2 – Presumption in Favour of Sustainable Development  
Key Statement DMI2 – Transport Considerations  
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 DMB1 – Supporting Business Growth and the Local Economy  
Policy DMB3 – Recreation and Tourism Development  
Policy DMB4 – Open Space Provision

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

## 5. **Assessment of Proposed Development**

### 5.1 **Principle of Development:**

5.1.1 The application site was earmarked for use as open space as part of the outline application 3/1999/0198 for the village development and was secured as part of the associated legal agreement that required the applicant to manage and maintain the land as such. A further application in 2005 sought to re-configure the remaining undeveloped parts of the site which included the provision of a children's kick about area on the land that is the subject of this application. The NPPF defines open space as 'All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity'.

5.1.2 The application site currently comprises open space which is used as informal 'kick about' space. Policy DMB4 relates specifically to open space and states "*The Borough Council will refuse development proposals which involve the loss of existing public open space, including private playing fields which are in recreational use. In exceptional circumstances and following a robust assessment where the loss of a site is justifiable because of the social and economic benefits a proposed development would bring to the community, consent may be granted where replacement facilities are provided, or where existing facilities elsewhere in the vicinity are substantially upgraded. These must be readily accessible and convenient to users of the former open space areas.*" Paragraph 74 of the Framework states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

5.1.3 The applicant has failed to provide any evidence that the existing recreational space is surplus to requirements nor have they identified a need for formal

football pitches in this area. Amongst the 65 letters of objection received from neighbours many state that the existing facility is well-used and much needed and I am of the opinion that development of this publicly accessible kick about area for the provision of commercial football pitches would not comply with Policy DMB4 of the Core Strategy as it would fail to be 'readily accessible and convenient to users' of the existing area as required by DMB4. The previous application requires this area of land to be maintained as public open space in order to provide adequate and usable open space for nearby residents. The proposed development would result in the loss of this open space and would fail to provide any social and economic benefits to the wider community. Whilst the application would provide replacement formal play pitches these would be provided as part of a commercial venture and would not be accessible to everyone. The applicant has offered to allow one of the courts to be available to residents of Brockhall Village free of charge, however; this fails to overcome my concerns.

- 5.1.4 In terms of its location, Brockhall Village is identified as a less sustainable Tier 2 Village in Key Statement DS1 of the Core Strategy where development will need to meet proven local needs or deliver regeneration benefits and directs new leisure development to the Principal Settlements of Clitheroe, Whalley and Longridge. Policy DMG2 'Strategic Considerations' provides additional advice on development in Tier 2 Villages stating that development must meet at least one of six criteria. In relation to this development it is not considered appropriate to a rural area and the proposals fail to satisfy any of the conditions in order for the proposed use to be acceptable development in this location.
- 5.1.5 There are also serious concerns regarding the sustainability of the location of the application site for a commercial leisure development. Key Statement DMI2 and Policy DMG3 of the Core Strategy require development to minimise the need to travel and have convenient links to public transport. The application site and Brockhall Village as a whole is located around 2.5 miles from the nearest Tier 1 settlement, Langho, which has some services and facilities. There is a bus stop located in close proximity to the proposed development; however this offers a limited hourly service to Longridge and there is no regular service to the other Principal Settlements in the Borough, Clitheroe and Whalley. In my opinion, the users of the proposed development would be highly reliant of the use of private motor vehicles to visit the site and would generate a notable increase of travel demand. The design and access statement submitted with the application states that the pitches would be predominantly used by members of the East Lancashire Alliance and Accrington Combination Leagues. This would result in a significant increase in mid-distance journeys along unlit country roads. This further highlights the unsustainability of this location.
- 5.1.6 Taking into account the above it is considered that the proposals would result in the loss of essential open space, would be inappropriate development in a rural area and would be unsustainable development by virtue of its location which would result in a significant increase in journeys by private car. The principle of development is unacceptable and contrary to Policies DMB4, DS1, DMG2, DMI2 and DMG3.



## 5.2 Impact upon Residential Amenity:

5.2.1 Regarding the impact of the proposed development on the residential amenities of nearby householders, the proposals would give rise to concerns relating to noise and disturbance and light pollution. The applicant proposes opening hours of 10.00-22.00 and it is likely that the greatest risk to residential amenity arising from the proposals would be during the evening after the time of around 7pm to 8pm. The nearest residential properties are those located on Larkhill with their rear elevations around 60m from the proposed development. There are trees on both sides of Gleneagles Drive between the development site and these dwellings which would provide some screening during the summer months. Based on the information submitted with the application, I am satisfied that the lighting proposed would not adversely impact upon the living conditions of the closest residential neighbours due to the limited light intrusion into windows and the hours of use could be controlled by an appropriately worded condition.

## 5.3 Visual Amenity/External Appearance:

5.3.1 Core Strategy Policy DMB3 'Recreation and Tourism Development' requires development proposals that extend the range of tourism and recreation facilities to '*respect the character, quality and visual amenity of the surrounding area*'. The development site is located in a prominent position alongside Gleneagles Drive which is an attractive tree-lined avenue that serves as the main entrance to Brockhall Village. It should be noted that there are existing pitch facilities to the south-west of the site that form part of the Blackburn Rovers Senior Training Facility. These facilities are flood lit and are surrounded by mesh fencing. However, this site is separated from Gleneagles Drive by a distance of 60m at its closest point and is significantly less prominent than the application site when viewed from Gleneagles Drive when entering and leaving the village. The application site contributes significantly to the character and appearance of the entrance to the village which has a feeling of openness on approach to the main site entrance. The development of the site for flood lit football pitches would result in significant harm to this attractive vista and existing trees would not provide any significant screening to avoid views of the proposed development. At its closest point the 3.5m high perimeter fencing would be 5m from the nearest edge of the footpath on Gleneagles Drive and the floodlights supported on 10m high posts would be clearly visible from Gleneagles Drive and when passing the site on Old Langho Road. It is considered that the proposals would undermine the character and qualities of the area by virtue of its siting in a highly prominent location and would be contrary to Policies DMG1, DMG2 and DMB3 of the Core Strategy.

## 5.4 Highway Safety and Accessibility:

5.4.1 Core Strategy Policy DMB3 requires recreation and tourism development to be well related to the existing highway network and should not create additional traffic movements of a scale and type likely to cause undue problems or disturbance. Proposals should be well related to the public transport network and the site should be large enough to accommodate the necessary car parking, service area and appropriate landscaped areas. The sustainability of the site in terms of its location in relation to the existing highway network, the public transport network and the larger towns and villages in the Borough is discussed in Section 5.1 of this report. It is considered that the proposals would result in a

significant increase in traffic movements by virtue of the reliance of patrons on private motor vehicles to visit the site due to its unsustainable location.

5.4.2 The site should provide adequate car parking facilities to ensure the proposed use would not prove detrimental to highway safety in the area. The application proposes to use parking areas associated with other uses nearby and does not include any dedicated parking. Vehicular parking would be provided by 25 spaces associated with the Conference Centre and a further 20 to the front of and associated with the 'Avenue Restaurant' which is currently vacant. This arrangement is considered to be entirely unacceptable particularly due to the nature of the development which would be a generator of travel demand. The Avenue Restaurant could be brought back into the existing or an alternative use at any time and there would be a crossover between proposed pitch opening times and the opening times of the Conference Centre of which the applicant, SoccerAP.com, is a tenant. The application is clearly contrary to Core Strategy Policy DMB3 which requires sites to be large enough to accommodate the necessary car parking and, should consent be granted, the proposed development would result in significant on-street parking to the detriment of highway safety and the visual appearance of the area. The County Surveyor has also raised concerns relating to the levels of light spill onto the highway which would light the road to a much higher level than would be expected in the area. This could lead to some disability glare for passing motorists. Having regard to the above, there is considered sufficient justification to refuse the application on highway safety grounds.

## 5.5 Other Matters:

5.5.1 The application is supported by a tree constraints plan that shows that the existing trees adjacent to the site on the west of Gleneagles Drive would be retained alongside the pitches. These trees are covered by the Brockhall Village Woodland Tree Preservation Order (TPO). However, I am not satisfied that the proposed pitches would not impact on the trees due to be retained and there is therefore a requirement for the applicant to provide an Arboricultural Method Statement to describe how construction works can be carried out close to trees without causing damage to the crown or the root system.

5.5.2 I note also that the proposed development would fail to provide appropriate changing or toilets facilities.

## 6. Conclusion

6.1 Taking into account the above it is considered that the proposed development would result in an unacceptable loss of public open space and would fail to provide any social and economic benefits to the wider Brockhall Village community. In terms of its location, the proposed pitches would be situated in a less sustainable Tier 2 Village and users of the proposed development would be highly reliant of the use of private motor vehicles to visit the site.

6.2 The proposals would undermine the character and qualities of the area by virtue of its siting in a highly prominent location and would be contrary to Policies DMG1, DMG2 and DMB3 of the Core Strategy. Moreover, the scheme would fail to provide the necessary parking and would result in light spill onto the highway which could lead to disability glare for passing motorists. Accordingly it is recommended that the application be refused.

**RECOMMENDATION:** That planning permission be REFUSED for the following reason(s):

1. The proposal, by reason of its location, would be poorly related to the existing highway and public transport network and would lead to an unsustainable form of development in a rural location placing further reliance on the private motor-vehicle contrary to Core Strategy Policies DS1, DMG2, DMI2 and DMG3 and the presumption in favour of sustainable development.
2. The proposed development would result in the loss of public open space without any sufficient justification contrary to Policy DMB4 of the Core Strategy and Paragraph 74 of the Framework.
3. The proposal, by virtue of its siting, appearance and scale, would result in unacceptable harm to the immediate context, being of detriment to the visual amenity and character of the area contrary to Policies DMG1, DMG2 and DMB3 of the Ribble Valley Core Strategy.
4. The proposal, by virtue of the applicant's failure to demonstrate any dedicated off road parking provision, would result in additional on street parking to the detriment of highway and pedestrian safety. As such, the proposal is contrary to Policies DMG1 and DMB3 of the Ribble Valley Core Strategy.

#### BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2016%2F0464](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0464)

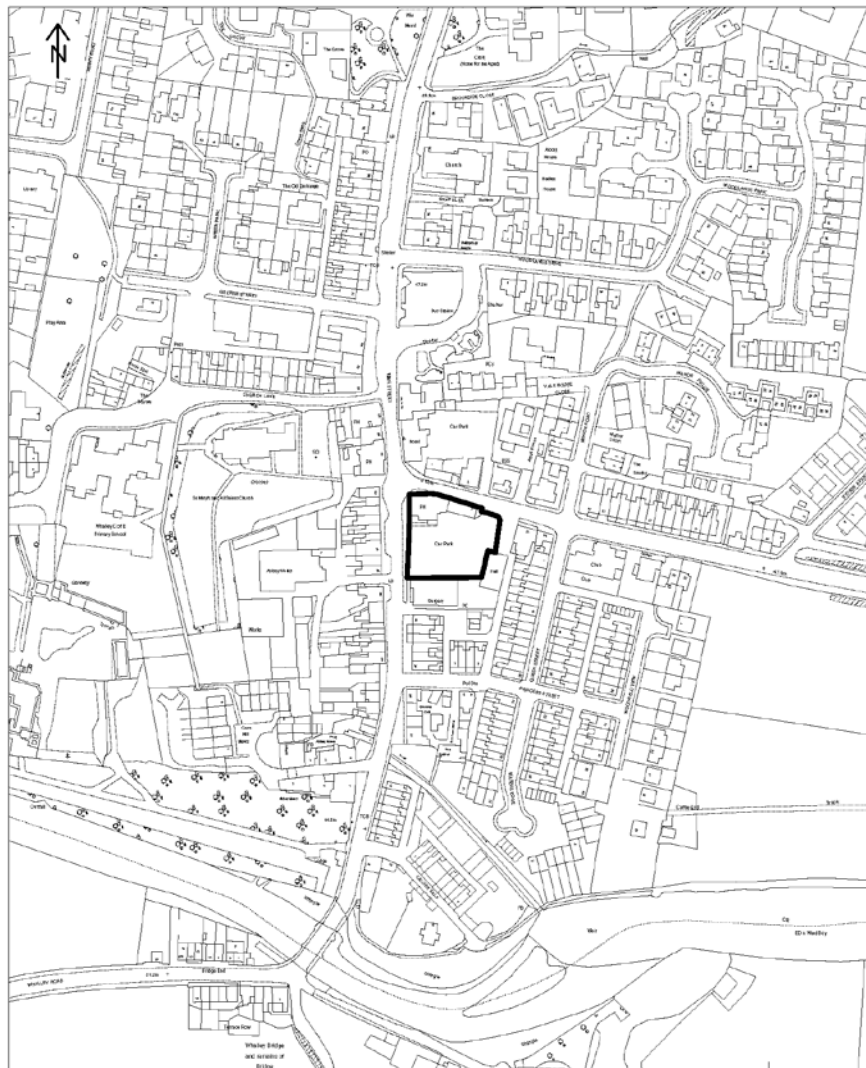
**APPLICATION REF: 3/2016/0522 and 3/2016/0523**

GRID REF: SD 373349 436145

**DEVELOPMENT DESCRIPTION:**

3/2016/0522 CHANGE OF USE OF PREMISES FROM USE CLASS A4 TO USE CLASS A1, INTERNAL AND EXTERNAL ALTERATIONS AND WORKS TO PUBLIC CAR PARK AREA WITH ASSOCIATED WORKS. WHALLEY ARMS, 60 KING STREET, WHALLEY, BB7 9SN.

3/2016/0523 LISTED BUILDING CONSENT EXTERNAL ALTERATIONS AND WORKS TO PUBLIC CAR PARK AREA WITH ASSOCIATED WORKS. WHALLEY ARMS, 60 KING STREET, WHALLEY.



3/2016/0522 Whalley Arms, 60 King Street, Whalley BB7 9SN

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## **CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

### **PARISH COUNCIL:**

The Parish Council does not object to the Whalley Arms development and are very pleased that the developers have appreciated the need for free parking access in the centre of Whalley, not just for the proposed Co-op but for other businesses as well. Sufficient, easy access parking is a major issue in Whalley. The developers suggest a free parking time of 1 hour. The Parish Council would wish this offer to increase to 1.5 hours with free parking after 6pm but whatever the final agreement we believe that it should form part of the planning consent.

### **HISTORIC ENGLAND:**

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

### **LANCASHIRE ARCHAEOLOGICAL ADVISORY SERVICE:**

Taken overall, the external changes are not excessive and do not appear to harm the significance of the building or its setting in the townscape.

Of more concern is the proposal to alter the interior by demolishing almost all internal walls (apparently including the staircase) and creating a single open space. The drawings supplied of the proposed ground floor raise a number of questions, not least of which is how the first floor is to be accessed, what division is proposed between the retail floor and goods storage area and where the staff rest areas and facilities are to be located.

The PHS states that the proposed changes are set out on the supplied plans. It does not describe the proposed internal changes further, nor does it assess the significance of any of the elements to be removed, simply stating (section 6.6) that no harm to the building will result. The demolition of the internal divisions between all of the elements is not simple removal of 'minor structural elements' and must be considered to be a significant change to the building. It has the potential to remove much, if not all, surviving evidence of the original layouts of the various parts of the buildings.

A more thorough and informed analysis of the building is required, along with the production of an appropriate record, before the conversion work is permitted to start.

### **CONSERVATION OFFICER:**

The Whalley Arms is in the Whalley Conservation Area and is a grade II listed building. Paragraph 128 of the NPPF states 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. As a minimum the relevant historic environment record should be consulted and the heritage assets assessed using appropriate expertise where necessary.

The Planning and Heritage Statement (PHS) does not supply sufficient information to describe the impact of the proposal on significance regarding the loss of a substantial part of the interior of the building and the loss of the A2 retail shop front. The loss of a significant interior from a listed building could suggest the principle of the change of use is perhaps ill founded. However, I note the change from A4 to A1 is a permitted change.

The A2 shop front at the rear is shown at 1:100 but there is no information on its detail or with which to assess significance. Given it is described as a recent introduction to the east end of the building presumably it can be accurately dated and described. Its loss and replacement with a masonry wall would seem unlikely to be an enhancement to the listed building nor the conservation area. The existing timber door onto King Street is proposed to be replaced with a grey aluminium glazed door. This will appear incongruous on the principal face of the listed building.

A section of wall adjoin the Whalley Arms is shown to be removed. The Whalley Conservation Area Management Guidelines refer to the car park as weakness. Removing this wall will reduce the already limited sense of enclosure of the car park. There is an existing boundary circa 1m high and associated paraphernalia within the car park. This would be removed and replaced with a close boarded fence 2.5m high. While the existing car park is identified as a weakness and an opportunity for enhancement in the Guidelines it would be difficult to describe this change as a positive one to either the setting of the listed building or the conservation area in general.

For the above reasons I am unable to support the application in its current form.

#### **HIGHWAYS:**

No objection in principle but would require more details regarding technical issues

**ADDITIONAL REPRESENTATIONS:** One letter of objection which raises concern about the loss of a pub and the inappropriate use of materials.

None received.

#### **1. Site Description and Surrounding Area**

1.1 The proposal site is The Whalley Arms and the adjacent car park. The Whalley Arms is a vacant public house, with a small part of the rear of the premises having been previously used for financial and professional services. The application site is located within the town centre of Whalley. It faces onto King Street at the corner junction with Accrington Road. Due to this corner location it has two prominent frontages, with the main entrance door being located on the King Street elevation. Adjacent to the application site to the south is the Whalley Medical Centre, and to the east is the Masonic Hall, beyond which are residential dwellings. Opposite the site to the west, north and south are commercial uses such as 'The Dog Inn', 'The Swan Inn', estate agents, restaurants, and retail units situated alongside and below residential dwellings.

1.2 The building itself is both one and two stories high, with rooms located in the roof space. It is stone built with pitched slate roofs. It is located within Whalley Conservation Area and is Grade II Listed.

#### **2. Proposed Development for which consent is sought**

2.1 Planning permission is sought for external works consisting of the following:

- Removal of the existing A2 shopfront towards the eastern end of the building on the southern facing elevation. The existing window and door openings are to be blocked up with materials to match the existing building.
- Construction of new ramp leading to the goods in door (southern/car park elevation).

- Demolition of boundary wall which adjoins the King Street elevation.
- Construction of 2.5m high closed boarded timber fence to enclose new service yard.
- Replacement of existing entrance door with on King Street elevation with new aluminium glazed entrance door.

2.2 The application description includes the change of use of the premises from Use Class A4 (drinking establishments) to Use Class A1 (retail). However, this change is permitted by virtue of the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016.

### 3. **Relevant Planning History**

3.1 3/2016/0523 – Application for Listed Building Consent for change of use of premises from use class A4 to use class A1, internal and external alterations and works to public car park area with associated works – pending decision

### 4. **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 EN5 – Heritage Assets

Key Statement EC2 – Development of Retail, Shops and Community Facilities and Services

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG3 – Transport and Mobility

Policy DME4 – Protecting Heritage Assets

Policy DMB1 – Supporting Business Growth and the Local Economy

Policy DMR2 – Shopping in Longridge and Whalley

Whalley Conservation Area Appraisal 2005 “WCAA”

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Planning (Listed Buildings and Conservation Areas) Act 1990

Technical Guidance to National Planning Policy Framework

### 5. **Assessment of Proposed Development**

#### 5.1 **Principle of Development:**

5.1.1 The NPPF states that the Government is committed to securing economic growth in order to create jobs and prosperity. Significant weight should be placed on the need to support economic growth through the planning system. The NPPF also states that local planning authorities amongst other matters should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality. It also states that local planning authorities should promote competitive town centres that provide customer choice, and should support existing business sectors.

- 5.1.2 The support expressed by the Parish Council for the retail unit and free parking is noted. However, as stated within paragraph 2.2, planning permission is not required for the change of use of the application site to a retail unit. In addition, the alterations proposed to the layout and operation of the car park do not require planning permission and therefore both of these elements of the scheme are not for consideration and cannot be controlled by way of this planning application. Although no formal comments have been received from Regeneration I am of the opinion that the reuse would offer significant benefits in relation to regeneration and that the principle is accepted/
- 5.1.3 The Local Planning Authority is also considering a separate application for Listed Building Consent for works to the interior and exterior of the building, this is running concurrently to this application for planning permission.
- 5.1.4 The principle of alterations to the external elevations of the host premises is acceptable. However, such works must also be acceptable in terms of their impact on the visual amenity of the host premises and the character and appearance of Whalley Conservation Area. In this case the proposed works are not considered acceptable in these respects.

## 5.2 Impact upon Residential Amenity:

- 5.2.1 The NPPF states that there are three dimensions to sustainable development; economic, social and environmental. The planning system needs to perform each of these roles. The environmental role contributes to protecting and enhancing our natural, built and historic environment, and as part of this, helping minimise waste and pollution.
- 5.2.2 Planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.
- 5.2.3 Due to their nature and location, the proposed alterations will have a minimal impact on the residential amenity of the occupants of neighbouring residential properties, in terms of loss of outlook, daylight and sunlight. The proposed 2.5m high fencing will enclose a new plant yard. In the interests of protecting surrounding residents from noise disturbance as a result of the new external plant, a condition could be attached to the planning permission to control this, and to require a background noise assessment to ensure that any plant noise does not exceed existing background noise levels at the nearest residential property.
- 5.2.4 In summary, the proposed external alterations are considered to be in accordance with Policy DMG1 of the Core Strategy and the NPPF in terms of their impact on residential amenity.

## 5.3 Visual Amenity/External Appearance:

- 5.3.1 The National Planning Policy Framework states that good design is a key aspect of sustainable development and that permission should be refused for development of poor design.



- 5.3.2 In respect of designated heritage assets the NPPF states that when determining the impact on the significance of a heritage asset great weight should be given to the assets 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.
- 5.3.3 Whilst it is noted that the Lancashire Archaeological Advisory Service have raised no objections to the proposed external works, the Conservation Officer has raised significant objections. Firstly, he has noted that the submitted Planning and Heritage Statement does not supply sufficient information to describe the impact of the proposal on significance regarding the loss of the A2 retail shop front. This is contrary to paragraph 128 of the NPPF, which states that 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. As a minimum the relevant historic environment record should be consulted by the applicant and the heritage assets assessed using appropriate expertise where necessary.
- 5.3.4 No information has been provided within the detail of the shop front to enable the LPA to assess its significance. The Conservation Officer has advised that the loss and replacement of the shop front with a masonry wall would neither enhance the appearance of the listed building or the conservation area. In addition, the proposed replacement of the existing timber door onto King Street with a grey aluminium glazed door will appear incongruous on the principal face of the listed building.
- 5.3.5 The removal of the section of wall adjoining the public house facing onto King Street is also considered to be unacceptable. As noted by the Conservation Officer, the removal of this section of wall will reduce the already limited sense of enclosure of the car park and would be in conflict with the Whalley Conservation Area Management Guidelines, which refer to the car park as a weakness. The introduction of a 2.5m closed boarded timber fence adjacent to the southern facing elevation of the building would also introduce a highly incongruous and alien feature which would result in harm to the setting of the listed building and the conservation area.
- 5.3.6 In summary, it is considered that that the proposed external works are contrary to advice contained in the NPPF in that they will result in the introduction of incongruous and discordant features which will cause harm to the significance of the Grade II Listed building, and the character of the conservation area. This is also contrary to policies DME4 and EN5 in that it will result in harm to the conservation and enhancement of the host site and Whalley Conservation Area. The heritage asset (Whalley Arms and the Conservation Area) would not be conserved and enhanced in a manner appropriate to its significance for its heritage value, and its important contribution to local character, distinctiveness and sense of place.

6. **Conclusion**

6.1 Taking account of the above observations and matters raised it is considered that the proposed works would result in harm and detriment to the visual amenity of the host premises and the character and appearance of the Conservation Area.

6.2 It is for the above reasons and having regard to all material considerations and material matters raised that the application is recommended accordingly.

**RECOMMENDATION:** That the application 3/2016/0522 be REFUSED for the following reason(s):

1. The proposal is considered contrary to the NPPF and Policies DME4 and EN5 of the Ribble Valley Core Strategy insofar that the proposed works would result in significant harm to the character and appearance of the host site and Whalley Conservation Area.

**RECOMMENDATION:** That the application for Listed Building Consent 3/2016/0523 be REFUSED for the following reason(s):

1. The proposal is considered contrary to the NPPF and Policies DME4 and EN5 of the Ribble Valley Core Strategy insofar that the proposed works would result in significant harm to the character and appearance of the host site and Whalley Conservation Area.

BACKGROUND PAPERS

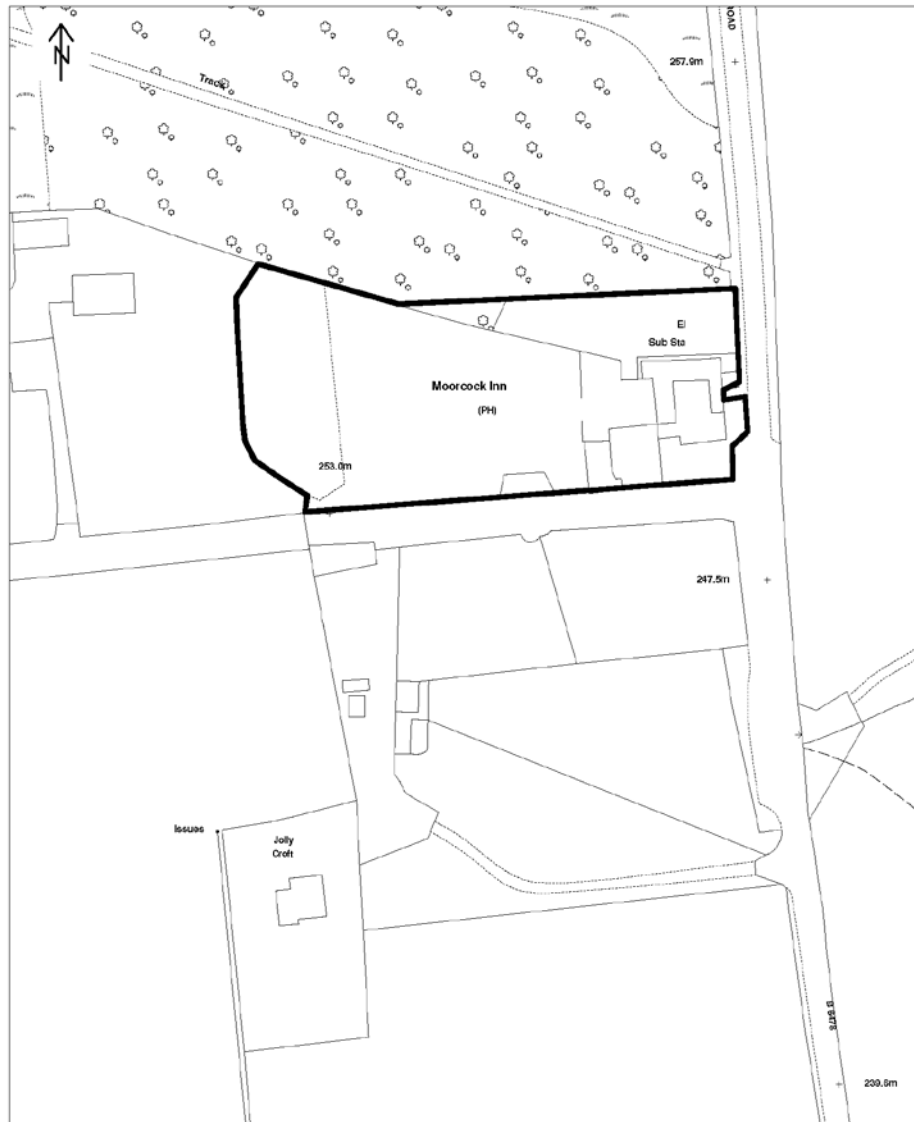
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2016%2F0522](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0522)

**APPLICATION NO: 3/2016/0587/P**

GRID REF: SD 371966 446630

**DEVELOPMENT DESCRIPTION:**

DEMOLITION OF THE MOORCOCK INN AND ERECTION OF FOUR DWELLINGS INCLUDING ASSOCIATED DRIVES, GARDENS AND EXTERNAL LANDSCAPING WORKS. CREATION OF WORK FROM HOME OFFICE/STUDIO SPACE AT THE MOORCOCK INN, SLAIDBURN ROAD, WADDINGTON BB7 3AA



3/2016/0587 The Moorcock Inn, Slaidburn Road, Waddington BB7 3AA

Scale 1:1250

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## **PARISH COUNCIL:**

Since The Moorcock Inn closed in 2010, the state of the site has continuously deteriorated and has been vandalised to such an extent that it has become an eyesore in an Area of Outstanding Natural Beauty.

Members of Waddington Parish Council have never objected to any previous plans for the site and indeed have welcomed plans to transform this location and make it an asset to the local area.

As the building is located on one of the main tourist routes, it is very visible for anyone travelling to and from the Trough of Bowland via Waddington. In its current state it does not give a good impression and any application which seeks to improve its aesthetics is to be welcomed.

The Parish Council has considered the proposal for four dwellings on the site, with associated drives, gardens and external landscaping and the creation of work from home office/studio space. As the new homes would be built on the curtilage of a site which already exists, services will already be in place. A precedent has already been set for the building on the site as it was, for many years, the location of a substantial and reputable Ribble Valley hotel.

Members of Waddington Parish Council are of the opinion that the new proposal would be an asset to the local area and they welcome any improvement that is made to the site. The Parish Council also believes the provision of new dwellings would contribute not only to Ribble Valley Borough Council's funds, but also to its housing target. For these reasons they strongly recommend that the application is approved.

## **ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):**

No comments received but previously advised on a larger scheme that the proposed parking provision for each dwelling is in accordance with the parking standards and comments that the proposal would result in considerably less traffic than the existing authorised use of this property. As such, there is no objection to the proposed development on highway grounds.

## **LCAS:**

No representation but previously advised that the 1<sup>st</sup> Edition Ordnance Survey (Yorkshire Sheet 182) surveyed in 1847 shows the site to comprise two much smaller buildings adjacent to the main road in the southeast corner of the site. Buildings of this date, if well preserved, might be considered to be of some limited archaeological interest where the preservation by record (building recording to English Heritage Level 2) would be appropriate. However in this instance, information contained in the Heritage Statement makes reference to the building having been badly damaged by fire in the 1970's and subsequently been rebuilt, and that little or no original features survived. Consequently LCAS has no objection to the proposed demolition nor does it consider it necessary to require the applicant to undertake any archaeological recording of the buildings.

## **PRINCIPAL AONB OFFICER:**

No comments but previously advised in relation to the 7 residential dwellings that are built to reflect the local building scale and stone vernacular. In order to facilitate the proposed development, the existing building and its car park would be removed – actions which, on their own, would have significant beneficial effects for the local landscape character. The building is relatively large scale, appearance, large car park in close proximity to Slaidburn Road

emphasise its presence in the landscape and combined to create significant unacceptable landscape character impacts.

By virtue of the domestic building scale, simple building design using materials and a style which mimics that of the area, alongside mitigation planting, the AONB Officer is satisfied that there would be no significant adverse effects on the landscape character of the AONB. In fact, removal of the Moorcock Inn and its car park, together with the reinstatement of previously lost landscape fabric are clear positive outcomes of the proposed scheme. The AONB Officer stated that two detailed aspects of the landscaping elements of the proposal needed to be amended. (Those points have been satisfactorily addressed on an amended landscaping scheme submitted to address the points made by the AONB Officer.)

With those changes having been made, the AONB Officer is of the opinion that the likely landscape and visual effects of the proposed scheme would be acceptable in landscape terms and that the purposes of AONB designation would not be compromised.

**UNITED UTILITIES:** No objection

**ADDITIONAL REPRESENTATIONS:**

Two letters have been received from nearby residents in which concerns and objections are raised about the proposal on grounds that are summarised as follows:

- 1, Pleased to see demolition of Moorcock but important to control design and materials of new build.
2. Concern regarding traffic and highway safety.
3. No objection to previous conversion and single dwelling but concern that the scheme involves creation of a small hamlet in a visible and isolated location.
4. Not sustainable.
5. Visual detriment to the AONB.
6. Still consider no change since previous refusal and dismissed appeal.

1. **Proposal**

- 1.1 The application seeks full planning permission for the demolition of the existing building and the redevelopment of the site (including the car park) to provide 4 detached dwellings with home studio office space, associated landscaping and garages.
- 1.2 The existing vehicular access will be used to gain access to the new dwellings with each unit having a separated gated entrance. One unit has an integral double garage and a first floor work unit with the others having double garages set into embankment which have grass flat roofs.
- 1.3 The buildings are two storey 5 bedroom units with 2 of the dwellings having the gable end fronting the site. One plot has a cat slide roof arrangement and another has a small 2 storey gable treatment at the front of the building. The maximum height of the buildings would be 10 m which allows for bedroom accommodation in the roof space.

- 1.4 The proposed external materials comprise a mixture of appearance and details including reclaimed natural stone for walls and new dressed stone for quoins and surrounds. Roofs would be finished with natural slate with grass roofs for the detached garages.

2. **Site Location**

- 2.1 The application relates to the former Moorcock Inn Public House and Hotel that is located on the northwest side of Slaidburn Road within the Area of Outstanding Natural Beauty approximately 2 miles north of Waddington Village. The buildings have not been in use since the business was ceased in the summer of 2010. The application site comprises the area upon which the buildings stand plus the large car park which, together, give a total area of approximately 1.8 acres. There are two dwellings relatively close to the application site, one to the west and one to the south west, otherwise there are few other buildings or properties within approximately 500m of the site.

3. **Relevant History**

3/2012/0356/P – Proposed conversion and redevelopment of the public house and hotel to form three private residential properties. Approved with conditions.

3/2012/0819/P – Proposed demolition of the redundant public house and hotel and the erection of three detached dwellings, three detached garages with annex accommodation over and the creation of garden and landscaped areas. Refused.

3/2013/0394/P – Proposed demolition of the redundant public house and hotel and the erection of three detached dwellings with three detached double garages with annex accommodation over and the creation of garden and landscaped areas (resubmission of 3/2012/0819/P). Withdrawn.

3/2014/0592 - Proposed demolition of the Moorcock Inn and the erection of 7 no. dwelling houses including associated drives, gardens and external landscaping works refused and dismissed on appeal

3/20141119 - Proposed demolition of The Moorcock Inn and the erection of one dwelling house including associated drive, garden and external landscaping works. Approved with conditions.

4. **Relevant Policies**

Ribble Valley Core Strategy (Adopted Version)

Key Statement DS1 – Development Strategy

Key Statement DS2 – Presumption in Favour of Sustainable Development

Key Statement EN2 – Landscape

Key Statement EN3 – Sustainable Development and Climate Change

Key Statement EN4 – Biodiversity and Geodiversity

Key Statement H1 – Housing Provision

Key Statement H2 – Housing Balance

Key Statement H3 – Affordable Housing

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME2 – Landscape and Townscape Protection

Policy DME3 – Site and Species Protection and Conservation  
Policy DMH3 – Dwellings in the Open Countryside and AONB.  
National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)

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

### 5.1 **Principle of Development**

- 5.1.1 In the determination of this application I consider it appropriate to look briefly at the recent planning history of the site and in particular the recent appeal decision and then to consider whether the proposal is acceptable in principle in relation to the sustainability requirements of NPPF and whether or not there is an exception policy.
- 5.1.2 The main issue is the effect of the proposal on the character and appearance of the open countryside, bearing in mind the need to conserve the landscape and scenic beauty of the Forest of Bowland Area of Outstanding Natural Beauty and whether or not it is contrary to sustainable development given its location outside of any main settlement. In assessing its impact it is right to consider the existing negative impact as well as the impact of any new development.
- 5.1.3 In protecting the designated Area of Outstanding Natural Beauty the Council will have regard to the economic and social well-being of the area. However the most important consideration in the assessment of any development proposals will be the protection, conservation and enhancement of the landscape and character of the area avoiding where possible habitat fragmentation. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build. Development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the AONB by virtue of its size, design, use of material, landscaping and siting. The AONB Management Plan should be considered and will be used by the Council in determining planning applications.
- 5.1.4 This policy assists the interpretation of the development strategy and underpins the settlement hierarchy for the purposes of delivering sustainable development. In establishing broad constraints to development the Council will secure the overall vision of the Core Strategy.
- 5.1.5 This proposal does not comply with the basic intentions of policy DMG2 of the Core Strategy.
- 5.1.6 In addition, paragraph 55 of the National Planning Policy Framework (NPPF) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.
- 5.1.7 It also states that Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. Whilst one of these circumstances is “where the development would reuse redundant or disused buildings and lead to an enhancement to the immediate setting” these proposals would see the complete demolition of the existing inn with no retention (whereas the extant permission retained the best part of the building). Therefore, this

proposal does not appear to be in compliance with the sustainability intentions of NPPF and the Core Strategy Development Strategy (policy DS1).

5.1.8 It is clear from the appeal decision in relation to 7 units that the Inspector considered there to be both visual harm to the AONB and that given its location considered the site to be in an unsustainable location. Although there is an introduction of a small work element I am firmly of the opinion that this reason for refusal remains. Furthermore this has recently been supported in an appeal for a single unit within Newton.

5.1.9 In relation to visual impact I recognise there has been some improvement and there has been an increase in the amount of open space and views of the AONB from within the site.

## 5.2 Highway Safety and Accessibility

5.2.1 Although no comments have been received I am of the opinion that given the previous representation on a larger development of 7 units that there would be no objections on this instance, irrespective of its location.

## 5.3 Landscape, Tree and Visual Impact

5.3.1 In relation to visual impact the intention of this application has been to create high quality development that would be appropriate to its AONB location. Having regard to the existing use and previous consents I am satisfied that the, the design and layout of the development is considered to be acceptable and that subject to appropriate landscaping would not have a harmful impact on the AONB. Previously the Countryside Officer considered the proposed landscaping to be appropriate and to a high standard; and the AONB Officer confirmed that he considers the proposal to be acceptable in relation to its landscape and visual effects.

## 5.4 Flood Risk and Drainage

5.4.1 There are no issues with regards to any drainage or flood issues.

## 5.5 Residential Amenity

5.5.1 I note the comments of the objectors but do not consider there to be any harmful impact on residential amenity.

## 6. Conclusion

6.1 I am mindful of all other considerations including issues regarding the viability of the previously approved schemes, dereliction of the existing building and previous consents but conclude that due to its location it would result in appropriate unsustainable development contrary to the settlement strategy of the Core Strategy.

**RECOMMENDATION:** That planning permission be REFUSED for the following reason(s):

1. The proposed development is contrary to Key Statement DS1 and Policy DMG2 and DMH3 of the Ribble Valley Core Strategy submission version as proposed to be modified as it would involve the construction of 7 dwellings in an isolated open



countryside location that do not meet an identified local need. As such, the proposal would cause harm to the Development Strategy for the Borough as set out in the emerging Core Strategy leading to unsustainable development.

2. Permission for the proposed development would create a harmful precedent for the acceptance of other similar proposals without sufficient justification which would have an adverse impact on the implementation of the Core Strategy of the Council contrary to the interests of the proper planning of the area in accordance with the core principles and policies of the NPPF.

## BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2016%2F0587](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0587)

**APPLICATION REF: 3/2016/0647**

GRID REF: SD 372139 435301

**DEVELOPMENT DESCRIPTION:**

RESUBMISSION OF PLANNING APPLICATION 3/2016/0435 TWO STOREY FLAT ROOF EXTENSION TO SIDE AND EXTENSIONS TO EXISTING FRONT AND REAR DORMERS AT 71 PASURELANDS DRIVE, BILLINGTON.



3/2016/0647 71 Pasturelands Drive, Billington BB7 9LW

Scale 1:2500

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## **CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

### **PARISH COUNCIL:**

No comments received

### **HIGHWAYS:**

Highways raise no objection to the proposal on highway grounds, the existing dropped crossing will need to be extended and a planning condition attached ensuring this should consent be granted.

### **COUNTRYSIDE OFFICER:**

No impact on protected species

### **ADDITIONAL REPRESENTATIONS:**

Members will note a letter of representation was received from 1 individual household objecting to the previous application, at the time of writing this report the 21 day consultation period has not expired, should any further representations be received these will be reported verbally. The objection previously received raised the following concerns:

- Loss of light to habitable rooms
- Closeness to boundary fence
- Closeness to side window of neighbouring property
- Plans are not accurate

#### **1. Site Description and Surrounding Area**

1.1 The application property is a semi-detached dormer bungalow which is situated on the south side of Pasturelands Drive. The rear garden of the application property lies adjacent to the Green Belt, within the settlement of Billington. The immediate area is typified by detached and semi-detached properties and is predominantly residential in character.

#### **2. Proposed Development for which consent is sought**

2.1 Consent is sought for the erection of a two storey extension to side elevation and extensions to the existing front and rear dormers at 71 Pasturelands Drive, Langho. The proposed side extension will project 1.3m from the side elevation and have a length of 6.4m, the proposed side extension will cover approximately 2/3s of the existing side elevation and be of a flat roof construction with a maximum height of 4.1m.

2.2 Extensions are proposed to both the front and rear dormers, the front dormer will extend across the proposed side extension and the rear will extend up the edge of the existing roofline. The application also proposes the insertion of a first floor window to the rear elevation and a ground floor window to the side elevation of the proposed side extension.

### 3. **Relevant Planning History**

**3/2016/0435:** Two storey extension to side and extensions to front and rear dormers (Withdrawn)

### 4. **Relevant Policies**

Ribble Valley Core Strategy  
Policy DMG1 – General Considerations  
Policy DMH5 – Residential and Curtilage Extensions

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

### 5. **Assessment of Proposed Development**

#### 5.1 **Impact upon Residential Amenity:**

5.1.1 It is important to consider the potential impact the proposed development would have on the residential amenity of the occupiers of nearby dwellings. The proposed two storey extension would be located on the west elevation of the application property and is not therefore considered to have any direct impacts upon the residential amenities of No. 69 Pasturelands Drive, to which the application property is attached.

5.1.2 The proposed extension would project 1.3m from the side elevation of the application property resulting in an offset distance of 1.4m off the shared boundary with number 73 to the south west and result in a side to side elevational offset distance of 4.2m.

5.1.3 It is considered that moving the side gable closer to number 73 would be of significant detriment to the amenities of the existing occupiers by virtue of an existing side gable window on the aforementioned property.

5.1.4 The proposed relationship is considered contrary to the aims and objectives of the NPPF which seeks to ensure that new development provides “a good standard of amenity for all existing and future occupants of land and buildings”. Policy DMG1 of the Ribble valley Core Strategy states that any new development must “*not adversely affect the amenities of the surrounding area*”, which the proposal is considered to be in direct conflict with by virtue of the detrimental impact upon the residential amenities of the occupier of No. 73 Pasturelands Drive as a result of its size and siting which would result in an overbearing over dominant impact and loss of outlook.

#### 5.2 **Visual Amenity/External Appearance:**

5.2.1 The increased mass to the side of the dwelling would be of detriment to the visual amenities of the host property. It is further considered that the size and design of the extension would introduce an alien and incongruous feature which would have a significant detrimental impact upon the visual amenities of the immediate street scene and existing dwelling contrary to policies DMG1 and DMH5 of the Ribble Valley Core Strategy.

5.2.2 Any extension should be well proportioned and sit comfortably with the original dwelling. It should respect the scale and proportions of the original dwelling and should not overwhelm. In order to emphasize a submissive relationship with the original dwelling extensions should be set back and set down from the house dwelling for an easy understanding of what is original and what is extension. The proposed two storey side extension would fail to be adequately subservient to the host dwelling. It is considered that the lack of setback would be detrimental given that the size and scale of the extension would over dominate the principle elevation of the original dwelling.

5.2.3 I am mindful that it may be considered that the neighbouring property has benefitted from unsympathetic additions in the past. However, the proposed development would further exacerbate the semi-detached buildings poor design. It is considered that the proposed development would be detrimental to the visual appearance of the existing dwelling and would be detrimental to the visual amenity of the surrounding area.

### 5.3 Landscape/Ecology:

5.3.1 A Bat survey was submitted as part of the application 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.

### 5.4 Other Matters:

5.4.1 Members will note that a previous planning application (3/2016/0435) was withdrawn for a similar proposal as a result of discussions whereby the agent was informed the application was likely to be recommended for refusal. The application was likely to be refused as it was considered that moving the side gable closer to No. 73 Pasturelands Drive would be of significant detriment to the amenities of the existing occupiers by virtue of the presence an existing side gable window on the aforementioned property and the detrimental impact the extension would have in terms of outlook and overbearing impact.

5.4.2 The current application is a resubmission of the withdrawn scheme. The applicant has amended the proposal as follows; the two storey side extension now incorporates a flat roof extension and has been reduced in height by around 500mm, however no amendments have been made to the width of the proposed extension, with the 1.3m projection from the side elevation being maintained and therefore there has been no changes to mitigate the previous concerns or perceived impacts upon residential amenities

## 6. Observations/Consideration of Matters Raised/Conclusion

6.1 Taking into account the above and all material matters raised, it is considered that the proposed development, by virtue of its siting and design, would result in the introduction of an incongruous addition that would be of detriment to the visual amenities of the area. It is further considered that approval of the proposal would result in a form of development that would be of detriment to the residential amenities of neighbouring occupiers directly affected by the proposed side extension.

**RECOMMENDATION:** That the application be REFUSED for the following reasons:

1. The proposed development, by virtue of its scale and siting, would have a detrimental impact on residential amenity for the adjacent occupiers by virtue of an overbearing impact, overshadowing and loss of outlook contrary to Policy DMG1 of the Ribble Valley Core Strategy.
2. The proposal is considered contrary to the provisions of Policy DMG1 and DMH5 of the Ribble Valley Core Strategy, by virtue of its form and design, in that approval would result in the introduction of an incongruous addition being of detriment to the character, appearance and visual amenities of the immediate area.

**INFORMATIVE:** This decision notice relates to and shall be read in conjunction with drawings:

Existing and Proposed Plans – No. 3211/01a

Existing and Proposed Elevations – No. 3211/02b

#### BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2016%2F0647](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0647)

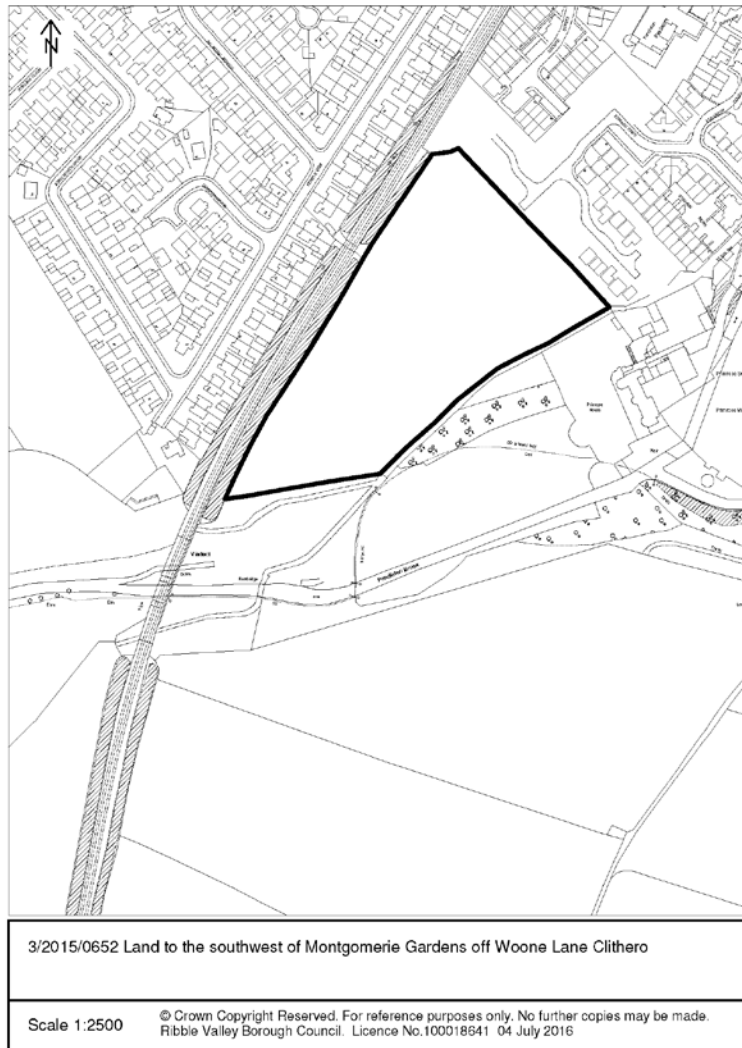
**D APPLICATIONS ON WHICH COMMITTEE 'DEFER' THEIR APPROVAL SUBJECT TO WORK 'DELEGATED' TO THE DIRECTOR OF COMMUNITY SERVICES BEING SATISFACTORILY COMPLETED**

**APPLICATION REF: 3/2015/0652**

GRID REF: SD 373521 440725

**DEVELOPMENT DESCRIPTION:**

APPLICATION FOR APPROVAL OF RESERVED MATTERS FOR THE OUTLINE PART OF PERMISSION 3/2011/1064 AS REQUIRED BY CONDITIONS 12, 13 & 14; NAMELY DETAILS OF SCALE, APPEARANCE, LANDSCAPING AND IMPLEMENTATION OF DEVELOPMENT (INCL PLANS INDICATING THE DESIGN AND EXTERNAL APPEARANCE OF BUILDINGS, LANDSCAPE AND BOUNDARY TREATMENT, PARKING AND MANOEUVRING ARRANGEMENTS OF VEHICLES, CONTOURED SITE PLAN SHOWING EXISTING FEATURES, THE PROPOSED SLAB FLOOR LEVELS AND ROAD LEVEL). LAND TO THE SOUTHWEST OF MONTGOMERIE GARDENS OFF WOONE LANE, CLITHEROE BB7 1BP



## **CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

### **PARISH COUNCIL:**

Clitheroe Town Council objects to this application on the following grounds:

- Concerns over the lack of improvements to the Woone lane/Primrose Road Junction.
- The lack of any proposals to improve the weir at Primrose Lodge.

### **ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):**

The Highway Development Control Section does not have any objections to the proposals but have offered some observations in relation to the internal practicalities of elements of the layout. These have been addressed through the submission of revised details.

### **ELECTRICITY NORTH WEST:**

No objection.

### **LEAD LOCAL FLOOD AUTHORITY:**

No objection.

### **ADDITIONAL REPRESENTATIONS:**

13 letters of representation have been received objecting to the application on the following grounds:

- Inadequate access from single point off Woone Lane
- Impacts upon residential amenity
- Impact upon the immediate Highways network
- Loss of view/outlook
- Disruption and disturbance on site as a result of ongoing and likely future construction operations
- Increase in vehicular movements within the site causing disturbance to existing residents
- Devaluation of property

#### **1. Site Description and Surrounding Area**

1.1 The proposal site is located directly to the west and adjoins Phase 01 of the Primrose Village development located at the southern extents of Woone Lane, Clitheroe. The site is bounded to the North West by the Clitheroe Rail Line and to the South East by Primrose Lodge and adjacent woodland.

#### **2. Proposed Development for which consent is sought**

2.1 Reserved Matters (Appearance, Landscaping, Layout and Scale) consent is sought for the erection of 81 dwellings pursuant to outline consent 3/2011/1064.

2.2 The proposed housing mix is as follows:

- 2 x 2 Bed Bungalows



- 2 x 2 Bed Semi/mews
- 6 x 1 Bed Apartments
- 6 x 2 Bed Semi-detached
- 8 x 3 Bed Semi-detached
- 17 x 3 Bed detached
- 40 x 4 Bed detached

### 3. **Relevant Planning History**

3/2011/1064: Proposed residential development schemes totalling 113 dwellings (81 market and 32 affordable units). Comprising 81 dwellings on land off Woone Lane adjacent to Primrose phase 1 site (Outline application including details of access, layout and scale) and 32 dwellings on land to rear of 59-97 Woone Lane (detailed application) plus related highway improvements at Whalley Rd/Primrose Rd junction. (Approved with conditions)

### 4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy  
 Key Statement DS2 – Sustainable Development  
 Key Statement H1 – Housing Provision  
 Key Statement H2 – Housing Balance  
 Policy DMG1 – General Considerations.  
 Policy DMG2 – Strategic Considerations.  
 Policy DMG3 – Transport & Mobility  
 Policy DME2 – Landscape and Townscape Protection.  
 Policy DME3 – Site and Species Protection and Conservation.  
 Policy DMH1 – Affordable Housing Criteria

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

### 5. **Assessment of Proposed Development**

#### 5.1 **Principle of Development:**

5.1.1 Members will note that the principle of the development of the site has been established as acceptable though the granting of outline consent 3/2011/1064.

5.1.2 Therefore, notwithstanding other development management considerations, it is considered that in principle there are no potential conflicts with the Development Strategy for the borough as embodied within Key Statement DS1 of the adopted Core Strategy.

#### 5.2 **Impact upon Residential Amenity:**

5.2.1 The originally submitted details proposed a number of 3 storey dwellings which have now been omitted in lieu of 2.5 storey units which will ensure the development accords with the original masterplan/scale parameters contained within the outline consent.

5.2.2 The proposed development interfaces with Phase 01 at its western extents, utilising an existing road/footway as the primary point of access. Plots 01 -07 (at the eastern extents of the development site) will be located directly to the west of existing dwellings constructed as part of Phase 01. Back to back offset distances of approximately 21m are maintained between the rear elevations of existing dwellings and those proposed.

5.2.3 Therefore, into account the proposed separations distances and the spatial relationships between adjacent existing/future dwellings and that of the proposed, it is not considered that the proposals would be of significant detriment to existing or future residential amenities by virtue of a loss of privacy, loss of light or direct overlooking.

5.3 Visual Amenity/External Appearance:

5.3.1 In respect of the appearance of the proposed dwellings, I consider that the overall scale and design of the properties represents an appropriate response to the immediate context and will be read well in the context of the existing development to the north east.

5.3.2 The house types proposed, whilst differing from that of what has already been approved/contracted as part of Phase 01, will be read positively in context given the likely synergy between the materials palette and overall form and scale of development.

5.3.3 I am therefore mindful of the design and appearance of the proposed dwellings in relation to the wider and immediate and consider the proposed housing-types acceptable.

5.4 Highway Safety and Accessibility / Public Rights of Way:

5.4.1 The Highway Development Control Section does not have any objections regarding the proposal given the principle of the quantum of development has been established as acceptable.

5.5 Affordable Housing Provision:

5.5.1 Members will note that affordable provision to be brought forward as part of the proposed development was originally intended to be accommodated on land adjacent to 97 Woone Lane. Following site investigations was ascertained that the aforementioned site has a number of issues which may preclude the site being development whilst bringing forward a viable form of development. It is for that reason that the affordable housing provision for Phase 02 is proposed to be provided on site as part of the current application.

5.5.2 Members will also note that a subsequent consent has also been granted for the erection of nine dwellings on the land adjacent 97 Woone Lane (3/2015/0649) which precludes the ability for the affordable housing provision to be brought forward on this site in any respect. Members will note that the Local planning Authority was fully aware of this situation at the time of the granting of this consent and the approach of affordable housing provision being brought forward within the main body of Phase 02 is considered to be a more preferential solution.

5.5.3 The affordable housing provision to be brought forward on site is still subject of negotiation with the Councils Housing Officer and it is anticipated that all matters will be resolved in respect of the precise nature of the affordable housing provision to be required within the Deed of Variation.

## 6. **Observations/Consideration of Matters Raised/Conclusion**

- 6.1 Representations have been received in respect of current disruption on site as a result of ongoing construction works and concerns have been raised that it is likely the further phase of development will exacerbate the ongoing issues. In this respect Members will be aware that condition 19 of the outline consent requires the following: *'No development shall take place on any phase of development until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority for that phase'*. It is not considered appropriate or necessary to add further conditions relating to this matter given the applicant will have provide a construction methodology, prior to commencement, which will be assessed at the relevant discharge of condition stage.
- 6.2 The applicant has submitted a Deed of variation which will ensure the requirements and financial obligations imposed under the previous S.106 agreement remain relevant to the current consent. The applicant has been in discussion with the Councils Strategic Housing Officer in relation to the mix and tenure of the affordable provision on site which has subsequently been agreed.
- 6.3 Taking into account the above matters and given the separation distances between existing and proposed/future dwellings and taking account of the orientation of primary habitable room windows it is not considered that the proposal would result in any detrimental impact upon existing/future residential amenities by virtue of direct over-looking.
- 6.4 I am satisfied that the external appearance, scale, layout and orientation of the proposed development would not be of detriment to the visual amenities and character of the area.
- 6.5 It is further considered that the site layout and spatial arrangements resultant from the proposed development are sufficient to ensure that the proposal would not be of detriment to existing/future residential amenities by virtue of a loss of light, over bearing or over dominant impact
- 6.6 It is for the above reasons and having regard to all material considerations and material matters raised that the application is recommended 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 following the receipt of acceptable landscaping proposals subject to the following condition(s):

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

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

2. Notwithstanding the submitted details, precise specifications or samples of all external surfaces, including surfacing materials and their extents, of the development hereby permitted shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict accordance with the approved details.

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

3. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites have been submitted to, and approved in writing by the Local Planning Authority.

For the avoidance of doubt the details shall be submitted on a dwelling/building dependent bird/bat species site plan and include details of plot numbers and the numbers of artificial bird nesting boxes and artificial bat roosting site per individual building/dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into those individual dwellings during the construction of those individual dwellings identified on the submitted plan and be made available for use before each such dwelling is occupied and thereafter retained. The development shall be carried out in strict accordance with the approved details.

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

4. The garage(s) hereby approved shall be kept available for the parking of vehicles ancillary to the enjoyment of the household(s) and shall not be used for any use that would preclude the ability for their use for the parking of private motor vehicles, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order.

REASON: To ensure to ensure that adequate parking provision is retained on site that limits the visual impact of the parked motor-vehicle in accordance with Policies DMG1, DMG2 and DMG3 of the Ribble Valley Core Strategy.

5. The soft landscaping scheme hereby approved 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 shall be implemented in accordance with the approved details prior to the first occupation of the development and retained thereafter at all times.

REASON: To ensure the proposal is satisfactorily landscaped and appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

#### BACKGROUND PAPERS

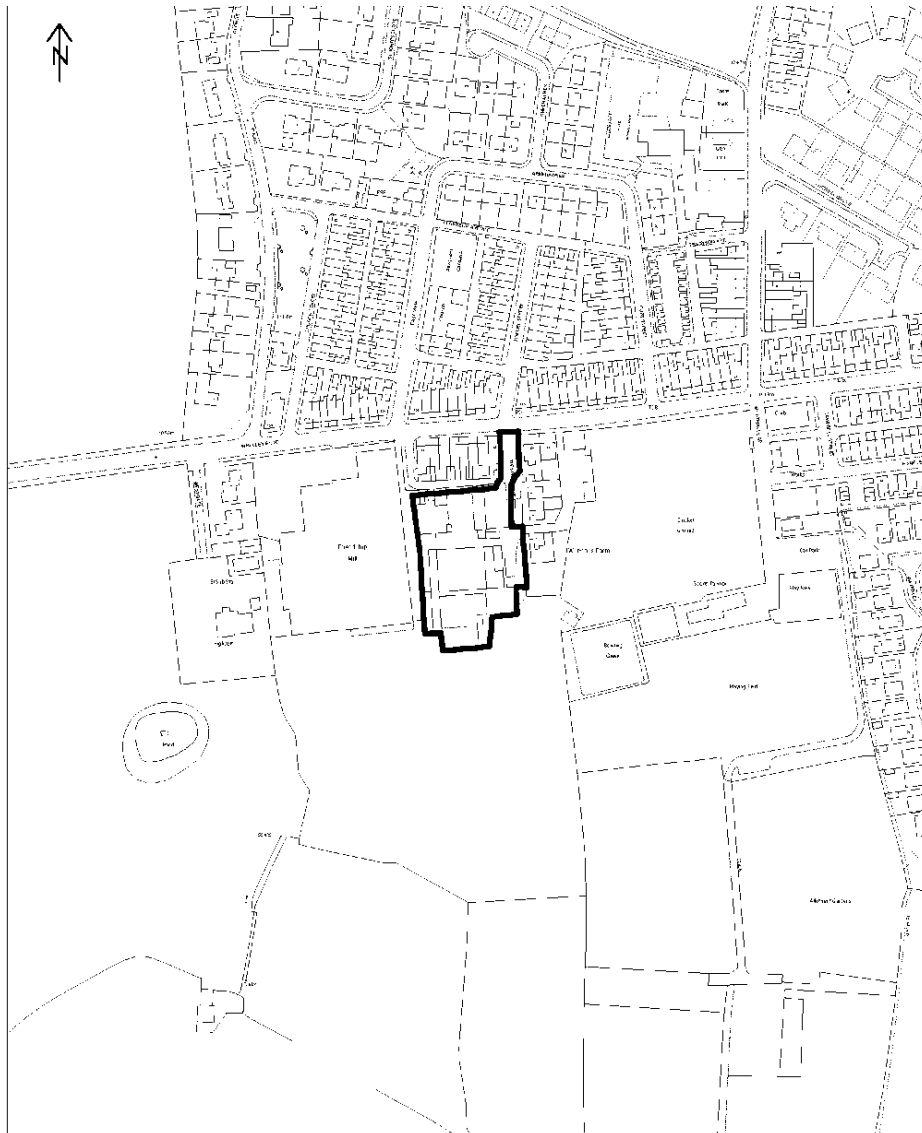
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2015%2F0652](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0652)

**APPLICATION REF: 3/2015/0495**

GRID REF: SD 376641 434427

**DEVELOPMENT DESCRIPTION:**

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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## **CONSULTEE RESPONSES/REPRESENTATIONS MADE:**

### **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.

### **ENVIRONMENT DIRECTORATE:**

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.

### **UNITED 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.

### **Application Update**

Members will note that the application is being brought forward to Planning & Development Committee due to the expiration of the originally agreed 3 month period whereby the application was 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 the original committee meeting of the 11th February 2016. A further 3 month extended period for delegation is therefore requested to allow for matters relating to the Legal Agreement to be resolved.

It is not considered that there have been any significant changes in relation to adopted Local or National Planning Policy that would require a reassessment of the proposal or principle of the development and consider for that reason, the original recommendation remain unchanged.

#### **1. Proposal**

- 1.1 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.
- 1.2 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.
- 1.3 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.

#### **2. Site Location**

- 2.1 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.



### 3. **Relevant History**

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

### 4. **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

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

#### 5.1 **Principle of Development**

- 5.1.1 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.
- 5.1.2 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.
- 5.1.3 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.
- 5.1.4 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.

- 5.1.5 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.
- 5.1.6 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.

## 5.2 Highway Safety and Accessibility

- 5.2.1 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.
- 5.2.2 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.
- 5.2.3 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.

5.2.4 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.

5.2.5 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.

### 5.3 Legal Agreement/Planning Obligations

5.3.1 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.

5.3.2 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.

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

### 5.4 Other Matters

5.4.1 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.

5.4.2 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.

5.4.3 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.

5.4.4 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.

5.4.5 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.

## 6. **Conclusion**

6.1 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.

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

**RECOMMENDATION:** That planning permission be DEFERRED AND DELEGATED to the Director of Community Services for approval following the satisfactory completion of a legal agreement(substantially in accordance the related requirements in the report) within 3 months from the date of this Committee meeting or delegated to the Head of Planning Services in conjunction with the Chairman and Vice Chairman of the Planning and Development Committee should exceptional Circumstances exist beyond the period of 3 months 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](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0495)

PLANNING APPLICATION STATISTIC REPORT

## APPLICATIONS DETERMINED

<u>Approved with conditions</u>	<u>Approved with no conditions</u>	<u>Applications Refused</u>	<u>Total Applications determined</u>	<u>Applications determined by Committee</u>
55	1	20	79	6

(This list does not include prior determinations, split decisions, observations to other Local Planning Authorities and other less frequent application types).

## SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2015/0495	Land at Worthalls Farm Westfield Avenue Read	11/2/15	5	With Agent
3/2015/1017	Land at Middle Lodge Road Barrow	21/7/16	8	With Legal

## APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0906/P	Proposed business park comprising 18 industrial units for B8 (storage and distribution) and B1 (offices and light industry) use	Land adjacent to Time Technology Park Blackburn Road Simonstone
3/2016/0078/P	Application to vary conditions 3 (café opening hours) and 4 (lecture room opening hours) of planning permission 3/2011/0838	Holden Clough Nursery Ltd Clitheroe
3/2016/0185/P	Construction of 8 light industrial units with associated parking, landscaping improvements	Land at Barrow Brook Enterprise Park Barrow
3/2016/0578/P	Retention of 3 unauthorised hard standings and creation of 5 hard standings for caravans, replacement of existing temporary facilities unit, wash facility and porta loo with wooden facilities building and wash room, planting with native species/shrubs and trees	Calder Farm Settle Road Bolton-by-Bowland
3/2016/0606/P	Proposed mono-pitch design extension to family accommodation	4 Barker Terrace Clitheroe
3/2016/0608/P	Ground floor extension – certificate of Lawfulness	3 Warrington Terrace Barrow
3/2016/0616/P	LDC single storey extension	11 Edisford Road Clitheroe



APPEALS UPDATE

<u>Application No</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Date of Inquiry/Hearing if applicable</u>	<u>Progress</u>
3/2014/0697R	29/06/15	Land adj Clitheroe Road, West Bradford	WR		Awaiting Decision
3/2014/0846R	12/08/15	Land at 23-25 Old Row, Barrow	Hearing	18/11/15 20/01/16 11/05/16 07/09/16	Adjourned until 07/09/16
3/2015/0647 R	16/02/16	Pinfold Farm Barn, Preston Rd, Ribchester	WR		Appeal Dismissed 14/07/16
3/2016/0050 R	22/02/16	Land adj Newton Village Hall, Main St, Newton	WR		Appeal Dismissed 22/7/16
3/2015/0873 R	05/04/16	The Paddocks Stoneygate Lane Knowle Green	WR		Appeal Allowed 12/07/16
3/2016/0095 R	20/04/16	Mayfield Ribchester Road	WR		Appeal Dismissed 12/07/16
3/2015/0159 C	13/05/16	Clayton le Dale Former Golf Driving Range Upbrooks Lincoln Way Clitheroe	WR		Appeal Allowed 14/07/15
3/2015/0074 R	13/05/16	Land adj Petre Arms, Langho	WR		Appeal Allowed 15/07/16
3/2016/0172 R	16/05/16	Stydd Garden Centre, Ribchester (Shed 2 - education)	WR		Appeal Dismissed 14/07/16
3/2016/0174 R	16/05/16	Stydd Garden Centre, Ribchester (Shed 1 – deli)	WR		Appeal Dismissed 14/07/16
3/2016/0022 R	21/04/16	1 & 2 Abbeycroft, The Sands Whalley	WR		Awaiting Decision
3/2016/0086 R	03/05/16	22 Simonstone Lane, Simonstone	HH		Appeal Dismissed 12/07/16

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3/2016/0091 R	13/05/16	Great Mitton Hall, Mitton Road, Mitton	WR		Awaiting Decision
3/2015/0605 R	03/05/16	Little Snodworth Farm, Snodworth Road, Langho	WR		Awaiting Decision
3/2016/0114 R	20/05/16	Blue Trees Copster Green BB1 9EP	HH		Awaiting Decision
3/2015/0959 Approved with Conditions 3/2016/0125 R	13/06/16	Lambing Clough Barn, Lambing Clough Lane, Hurst Green BB7 9QN	WR		Awaiting Decision
3/2016/0009 R	07/07/16	Salisbury Cottage, Newton in Bowland, BB7 3DZ	HH		Awaiting Decision
3/2016/0019 R	14/06/16	Broadhead Farm, Moorfield Avenue, Ramsgreave BB1 9BZ	WR		Awaiting Decision
3/2016/0241 R	15/06/16	Field Barn, Old Langho Road, Langho BB6 8AW	Submitted as HH appeal, but officer feels that it is not householder development. (Stable outside residential curtilage)		Awaiting Decision
3/2015/0509 R	23/06/16	Land adj Southport House, Sawley Clitheroe BB7 4LE	WR (to be confirmed)		Awaiting Decision
3/2016/0368 R	Awaiting start date from PINS	Fourwinds 54 Fairfield Drive Clitheroe BB7 2PE	WR		
3/2016/0393 R	13/07/16	Ellerslie House Ribchester Road Clayton le Dale BB1 9EE	WR		Statement Due 17/8/16

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3/2016/0178 R	06/07/16	22 St Peters Close Clayton le Dale BB1 9HH	HH		Awaiting Decision
3/2016/0286 R	12/07/16	Riverside Cottage Sawley Road Sawley BB7 4NH	HH		Awaiting Decision
3/2016/0284 R	12/07/16	Riverside Barn Sawley Road Sawley BB7 4NH	HH		Awaiting Decision
3/2016/0387 R	Awaiting start date from PINS	3 Accrington Road Whalley BB7 9TD	WR (to be confirmed)		
3/2016/0145 R	Awaiting start date from PINS	Thorneyholme Whalley Road Barrow BB7 9BA	WR (to be confirmed)		
3/2016/0260 R	Awaiting start date from PINS	The Hay Moo Mellor Brow Mellor BB2 7EX	WR (to be confirmed)		
3/2015/0393 R	Awaiting start date from PINS	Land west of Preston Road Longridge (Grimbaldeston Farm)	Inquiry (to be confirmed – LPA have asked for Hearing )		
3/2016/0195 R	Awaiting start date from PINS	The Pippins 248 Preston Road Longridge	WR (to be confirmed)		