

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 18 MAY 2017  
title: PLANNING APPLICATIONS  
submitted by: DIRECTOR OF COMMUNITY SERVICES

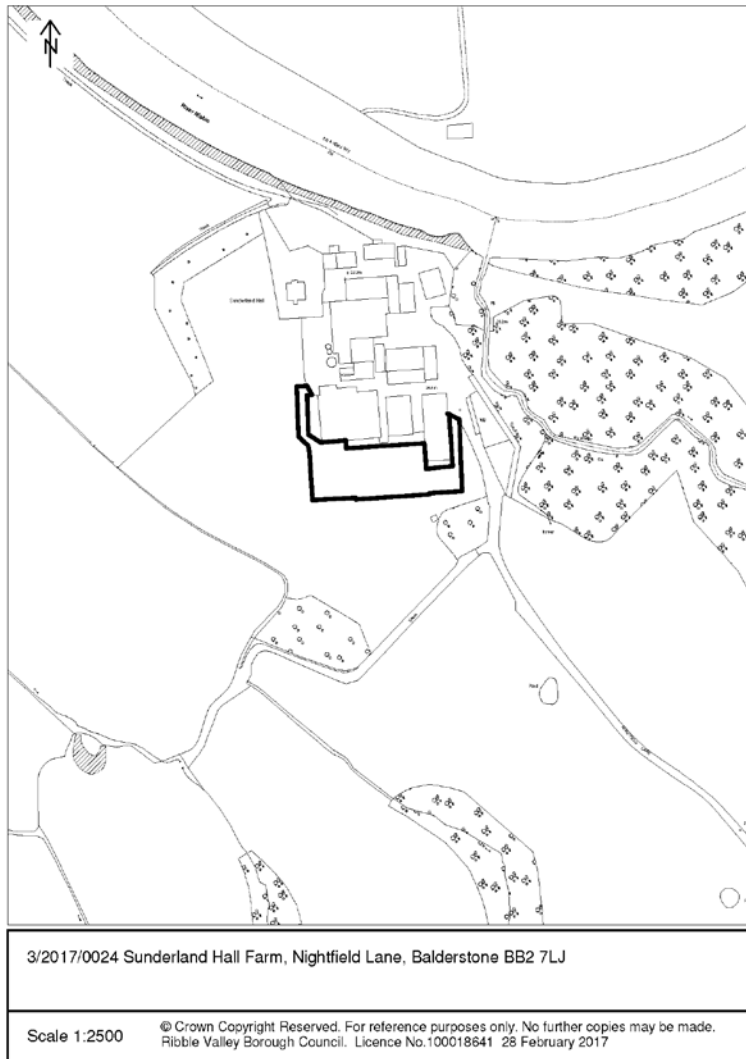
## PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

**APPLICATION REF: 3/2017/0024/P**

GRID REF: SD 362684 433530

### DEVELOPMENT DESCRIPTION:

PROPOSED ERECTION OF AN AGRICULTURAL BUILDING 30.48M X 50M AT SUNDERLAND HALL FARM, NIGHTFIELD LANE, BALDERSTONE.



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

### **PARISH COUNCIL:**

No objection to the actual building, however concerns are raised in respect of the infrastructure. The lanes/roads are inadequate for the volume and weight of traffic currently using them and this will only worsen if the application is approved.

The Parish are aware that no highway objection has been received, however local people know the road and LCC are aware of the Parish's views.

If the application is to be approved then the roads must be improved. It is not sufficient to reduce the vehicle weights as this would simply increase vehicle movements.

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

The new unit would not appear to result in an increase in vehicle movements to and from the site and hence there is no highway objection to this application. It is however recommended that the hours of delivery to the site be restricted via condition.

### **ENVIRONMENT AGENCY:**

No requirement to have been consulted on this application and hence no comment to make.

### **LANCASHIRE ARCHAEOLOGICAL ADVICE SERVICE:**

No archaeological issues on this site.

### **ADAS:**

The applicant is receiving/storing significantly greater amounts of cereal than is required to feed the number of cattle at Sunderland Hall Farm. It is therefore considered that the building is larger than what is needed to serve the needs of the beef enterprise at Sunderland Hall Farm.

### **ADDITIONAL REPRESENTATIONS:**

Seven letters of objection has been received and the points raised in these objections are summarised below:

- The site is becoming industrial in nature as opposed to agricultural;
- Concern in respect of the number of wagons accessing the site and the damage they are causing to the highway, hedges and grass verges;
- The existing roads are in need of serious repair;
- Highway safety and risk of accidents as a result of vehicle movements – accidents have already occurred on these roads;
- The vehicles accessing the farm are unsuitable for the surrounding highway network and currently this is four large lorries per hour (on average);
- The animal feed side of the business should be encouraged to move to a more suitable site;
- The application fails to mention the primary business activity carried out at this site – manufacturing and sale of animal feed;

- Restrictive conditions in respect of hours of operation and speed/weight/number of vehicles accessing the site should be imposed;
- Increase in traffic on surrounding network from the Enterprise Zone and new Thwaites development;
- Risk of diseases being spread to/from other farms.

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

- 1.1 The application relates to the working farm at Sunderland Hall Farm on Nightfield Lane in Balderstone, accessed off Woods Brow and the A59.
- 1.2 The applicant rents Sunderland Hall Farm on a long term tenancy and the farmstead consists of the farmhouse, a number of agricultural buildings and 254 acres of land. The applicant also owns and rents further land elsewhere. Sunderland Hall Farm operates as beef enterprise comprising 400 cattle, together with 10 suckler cows, and the applicant will be increasing the number of cattle at this site by approximately 50-60. The farm also stores and distributes grain/cereal from this site.
- 1.3 The application site occupies a relatively isolated location some 650m from the nearest dwelling at Nightfield Gate to the south, however in order to access the site vehicles have to travel a significant distance from the A59 via either Woods Brow and Jackson Bank Road, or Commons Lane. To the north of the site is the River Ribble however the river is set at a significantly lower level than the application site.

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

- 2.1 The application seeks consent to erect a steel portal frame agricultural building to be used for the storage of grain, farming machinery and equipment. At present Sunderland Hall Farm has a number of existing agricultural buildings, all of which are in use and currently farming machinery is being stored outside due to a lack of building space.
- 2.2 At present the land associated with Sunderland Hall Farm provides haylage for the cattle at the farm, however in order to improve efficiency the applicant wishes to produce silage instead and in order to facilitate this the silage needs to be stored within a building as it cannot be stored outside. Currently three buildings at Sunderland Hall Farm are used to store grain, however two of these buildings will now be used to store the silage, and the third would be used to house the additional 50-60 cattle the applicant intends to buy. The applicant therefore requires the proposed additional building in order to store the grain, as well as the farming equipment that is currently stored outside.
- 2.3 The proposed building would measure 50m x 30.5m (1525sqm), with approximately 1,000sqm used for the storage of grain and the remaining 500-600sqm for the storage of equipment (including manoeuvring space). With regard to height the building will measure 8.5m high to the eaves and 11.9m to the ridge, and would therefore be the tallest building at the farm. The application specifically details that the height is required to enable delivery wagons and machinery to access the building.
- 2.4 The proposed building would be sited directly to the south of the existing agricultural buildings currently used to store grain and due to the gentle sloping topography of the site a section of the existing land would need to be 'cut' in order to ensure the building is level. In terms of design the building would be clad in concrete panels up to 4.6m high with slate blue profile cladding above. The west facing side elevation would contain two large roller shutter doors and the east facing side elevation would contain one large

roller shutter door. Either side of the proposed building new areas of hardstanding would be created in order to provide vehicle access from the existing hardsurface areas within the farmstead to application building.

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

3/2009/0655 – *Proposed roof over the existing cattle collecting yard* – permission not required

3/2008/0339 – *An extension to an existing agricultural general purpose/storage building* - permission not required

3/2006/0938 – *Erection of a steel portal frame agricultural building to be used for calf housing* – granted

### 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

Key Statement EC1 – Business and Employment Development

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME2 – Landscape and Townscape Protection

Policy DMB1 – Supporting Business Growth and the Local Economy

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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

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

5.1.1 Paragraph 28 of the NPPF encourages LPAs to “*promote the development and diversification of agricultural and other land-based rural businesses*” and this accords with Core Strategy Policy DMB1 which also seeks to support business growth and the local economy.

5.1.2 The application is accompanied by a Planning Statement which clearly details the need for this building and the planned expansion of the farming activities on the site to justify the proposal. As detailed elsewhere in this report the applicant will be increasing the cattle at this site by 50-60, and requires indoor space for the storage of silage. Both the silage and the additional cattle will be stored within three existing buildings at the site which are currently used to store grain and consequently this grain would then be stored in the proposed building, along with farming machinery. The three buildings within which the grain is currently stored measure a total of 1,140 square metres, and this is the same floorspace that will be used within the proposed building for the storage of grain.

- 5.1.3 The LPA have consulted ADAS on this application and ADAS have confirmed that from the figures/calculations provided, it is their opinion that the applicant is storing more grain/cereal than is required to feed the existing cattle at Sunderland Hall Farm (including the proposed increase in cattle numbers as part of this application). The LPA must therefore consider whether the importation, storage and distribution of grain is an agricultural use or an industrial/storage and distribution (B8) use.
- 5.1.4 Lengthy discussions have taken place between the applicant and the LPA, and the applicant has stated that they do not simply “*buy grain off other farms*”, and have confirmed that they currently have contract farming agreements with three landowners to grow cereal/grain on land away from Sunderland Hall Farm. As such it is considered that the applicant (Taylor and Sons) have a responsibility for the farming of the grain/cereal that is brought to the site, it is simply grown and farmed elsewhere and then brought to Sunderland Hall Farm. This is not uncommon and contract farming agreements are utilised throughout the country where farmers rent or exchange land with each other. The LPA therefore accept that the growing and farming of cereal by the applicant off-site, which is then brought to Sunderland Hall Farm before being sold on, constitutes an agricultural activity and not an industrial/storage and distribution use (B8). The Council’s Chief Legal Officer has confirmed this understanding.
- 5.1.5 In view of the above, the proposed building would help sustain and grow a rural business/enterprise in accordance with national and local planning policies and consequently the principle of erecting a new agricultural building on a working farm such as this is considered to be acceptable, subject to compliance with other policies in the Core Strategy discussed below.

## 5.2 Impact upon Residential Amenity:

- 5.2.1 The nearest residential property to the proposed new building is the farm dwelling within the application site itself, however outside of the application site the nearest neighbouring property is some 650m to the south at Nightfield Gate. Whilst it is accepted that the proposed building is larger than the other agricultural buildings at this site, at such a distance (650m) it is not considered that the new building would have any adverse impact upon neighbouring land uses either by way of visual impact or noise/disturbance. In addition the Council’s Environmental Health Officer has raised no objection to this application.
- 5.2.2 Objections have been raised on the grounds that the proposal would result in unacceptable vehicle movements to and from the site, however these are discussed in the “Highway” section of this report.

## 5.3 Visual Amenity/External Appearance:

- 5.3.1 The proposed building would be sited at the southern end of the site, adjacent to the existing agricultural buildings. The proposed building would be large in size, measuring 11.9m high to the ridge (3m higher in comparison with the existing agricultural buildings on site), however the application seeks to justify this with an explanation that the additional height is required in order to provide vehicle access to the building, and that the existing buildings on site are not large enough for specific vehicles to access or be stored within.

- 5.3.2 With regard to the visual impact, the application site occupies an isolated location, at the end/terminus of Nightfield Lane, and hence the building would only be seen by visitors of Sunderland Hall Farm. Furthermore, Sunderland Hall Farm is located within a “dip” and the building has been located directly adjacent to the existing farm buildings on this site to ensure that the visual impact of the building, and the associated areas of hardstanding for access, is minimised.
- 5.3.3 In summary, whilst the proposed building would be larger than the existing buildings on site, it is considered that the applicant has justified this requirement and for the reasons mentioned above the visual impact of the new building on the landscape is limited. Notwithstanding this, the benefits of the proposal, in terms of the expansion/growth of an existing rural enterprise within the borough outweigh the limited visual impact.

#### 5.4 Highway Safety and Accessibility:

- 5.4.1 Objections have been received on the basis that the existing highway network is not suitable to accommodate the existing vehicles (trucks and lorries) that currently access this farm/business, specifically those associated with the storage and distribution of grain. In response to this, whilst such concerns are often raised in rural areas the LPA cannot control the amount or types of vehicles that use public highways and the issues raised by the objectors are existing problems and there is no justifiable evidence to suggest that the proposed development would worsen the situation. Sunderland Hall Farm has existed as a rural business in this location for a considerable period of time and it is considered to be unreasonable to expect a successful business such as this to relocate elsewhere as a result of objections from local residents.
- 5.4.2 Notwithstanding the above, it is considered that the proposed development would not result in a significant increase in vehicle movements to and from the site as the amount of grain being stored at Sunderland Hall Farm would not be significantly increased. As detailed earlier within this report the grain and machinery to be stored within the proposed building are already stored at Sunderland Hall Farm, however the buildings currently used to store the grain would be used to house the additional cattle and silage in conjunction with the beef enterprise of the site. As such the only significant increase in “goods” at the site would be the additional 50-60 cattle and the silage, which would not result in a substantial increase in vehicle movements to and from the site that would justify refusing the application.
- 5.4.3 The County Highway Officer was consulted on the application and raised no initial objection to the proposal. In view of the objections received on highways grounds, the LPA forwarded these objections/comments received to the Highway Officer and requested further consideration of the proposal. The Highway Officer considered the points raised and reviewed the application only to reiterate that there is no highway objection to the application as submitted as the proposal would not result in a significant increase in vehicle movements to and from the site and there have been no recorded injury accidents on either of the routes to Sunderland Hall Farm in the past five years. However, upon further consideration the Highway Officer has requested that the LPA consider restricting the times/hours that vehicles visit the site.

- 5.4.4 The applicant has also responded to the letters of objection stating that there has been one accident in the past 15 years involving a vehicle visiting Sunderland Hall Farm and this is the accident referred to in the objection letter. The applicant has also commented that there are a number of farms in the vicinity, including three dairy farms which involve regular visits from wagons/trucks. The applicant therefore concludes that it is not only them which have wagons and larger vehicles using single track roads in this area and that they currently operate a "one in, one out" policy which ensures that two wagons do not cross paths when visiting the site.
- 5.4.5 With regard to the request of the Highway Officer to restrict delivery times to and from the site, a condition has been attached restricting vehicle movements to and from the site (in association with the transportation of grain). Further conditions restricting the use of Commons Lane at the start and end of the school day have been attached to reduce conflict with school traffic and students. Other restrictive conditions include a restriction of the size/weight of vehicles and a limit on the number of vehicles on any day. After consultation with the applicant the restriction on the number of vehicles has been placed at 24 vehicles (48 vehicle movements to and from the site), however this is a maximum figure which covers the busiest harvest time for grain production and the applicant has confirmed that this is not the average number of vehicle movements per day. The applicant has commented that on average 10 vehicles per day would visit the site in relation to the transportation of grain.
- 5.4.6 In summary, given that the business has successfully operated from this site for a significant period of time and that there is no evidence to suggest that the proposal would result in an unacceptable increase in vehicle movements to and from the site, it is considered that there is no sustainable reason to refuse this application on highway safety grounds.
- 5.4.7 Objections have been raised in respect of damage being caused to the highway by vehicles accessing the application site, however any issues of such damage should be reported to LCC Highways and the necessary action taken by them. Damage caused to private roads or property is a private matter.

## 5.5 Other Matters:

- 5.5.1 With regard to restricting the hours of operation at the site, there are currently no restrictive conditions at the farm and it would be unreasonable to do so given the significant distance to the nearest neighbouring residential properties. As detailed above a number of restrictions have been placed on vehicle movements to and from the site in association with the transportation of grain.
- 5.5.2 An objector has raised a concern in respect of spreading of diseases as a result of vehicle movements to and from the site, however this is not a planning consideration and farming practices at the site would be controlled by separate legislation/regulations.

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

- 6.1 For the reasons outlined above the principle of the proposed development is considered to be acceptable in this location and provided that the recommended conditions are adhered to the proposal would share an acceptable relationship with surrounding land

uses. It is therefore considered that the benefits of the proposal outweigh any limited harm and the application is recommended for approval accordingly.

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

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

REASON: To comply with the requirements of 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 drawings:

Tay/070/2223/01  
Tay/070/2223/02

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

3. Unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall be carried out in complete accordance with the materials detailed within the submitted application forms and approved drawing Tay/070/2223/01.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Key Statement EN2, and Policies DMG1 of the Ribble Valley Core Strategy.

4. Notwithstanding the provisions The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the building hereby approved shall only be used for agricultural activities in association with Sunderland Hall farm.

REASON: In order to ensure the building is used for agricultural use only and to protect the landscape quality of the open countryside in accordance with Policy EN2.

5. There shall be no deliveries or collections to/from the site (in association with transportation of grain) except between the following hours:

07:00 – 19:00 Monday to Friday;  
09:00 – 17:00 Saturday, Sunday and Bank Holidays.

REASON: In order to protect the residential amenities of the occupiers of the nearby properties and to comply with Policy DMG1 of the Ribble Valley Core Strategy.

6. Notwithstanding the requirements of condition 5 of this approval, between the hours of 08:30 – 09:30 and 14:30 – 15:30 Monday to Friday inclusive, vehicles accessing and leaving the site (in association with transportation of grain) shall not use Commons Lane and shall access/leave the site via the Woods Brow access only.



REASON: In order to protect the residential amenities of the occupiers of the nearby properties and to prevent conflict with school traffic in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

7. The number of vehicles accessing and leaving the site on any day (in association with transportation of grain) shall not exceed 24 (a cumulative total of 48 vehicle movements to and from the site).

REASON: In order to protect the residential amenities of the occupiers of the nearby properties and to comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

8. The maximum size and weight of vehicle accessing and leaving the site (in association with transportation of grain) shall not exceed a 44 tonne articulated wagon/lorry.

REASON: In order to protect the residential amenities of the occupiers of the nearby properties and to comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

#### BACKGROUND PAPERS

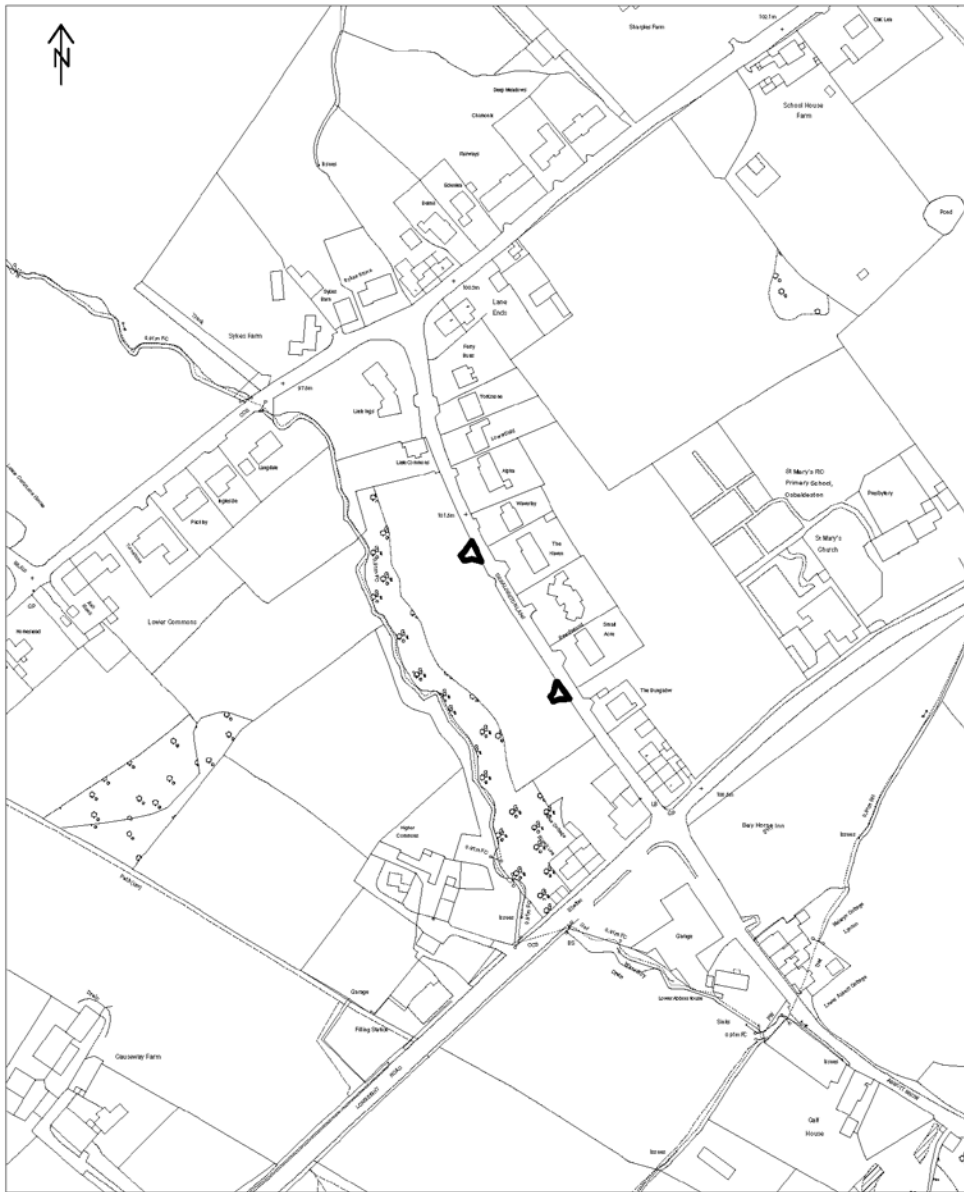
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0024](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0024)

**APPLICATION REF: 3/2017/0206**

GRID REF: SD 364722 431711

**DEVELOPMENT DESCRIPTION:**

CREATION OF TWO VEHICULAR ACCESS POINTS AT LAND TO THE REAR OF BAY HORSE INN, OSBALDESTON LANE, BB7 2HX.



3/2017/0206 Land to the rear of Bay Horse Inn Osbaldeston Lane BB2 7HX

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

### **PARISH COUNCIL:**

No representations have been received in respect of the proposed development.

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

The Highways Development Control Section has raised no objection to the proposal on highways grounds. The Highways Officer has questioned the need to introduce 2 access points into a single field and has recommended that in order to safeguard highway users only 1 access is permitted and the preference would be the northernmost access which offers better sightlines for emerging traffic.

### **ADDITIONAL REPRESENTATIONS:**

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

- Highway safety
- Poor visibility
- Limited passing space
- 2 access points is excessive and not justified
- Loss of hedgerow
- Negative impact on local wildlife
- Lead to the urbanisation of the site
- Future development on site

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

- 1.1 The application relates to an agricultural field located to the rear of the public house the Bay Horse Inn, Osbaldeston. The public house is located on the west side of Longsight Road (A59) on the corner of Osbaldeston Lane and opposite a car dealership. The site is located outside of the settlement of Osbaldeston on land designated as open countryside.
- 1.2 The application site is located directly to the rear of the public house, and is currently accessed via an existing access through the pub car park.
- 1.3 The site is currently used for grazing for the purposes of agriculture. The eastern boundary of the site runs along Osbaldeston lane, whilst the western boundary bounds a line of trees and agricultural fields. The northern extents of the site bound the curtilage of Little Commons which fronts onto Osbaldeston lane.

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

- 2.1 Consent is sought for the creation of two vehicular access points at land to the rear of the Bay Horse Inn, Osbaldeston Lane, Osbaldeston, BB7 2HX.
- 2.2 The two proposed access points would be located on the eastern boundary of the site onto Osbaldeston Lane.

- 2.3 The proposed access points would measure 12m wide and extend 7m into the existing field. A portion of the existing hedgerow along the eastern boundary will be removed and replaced with a 1.2m high timber post and rail fence around the edges of the access. The two access points will be surfaced in loose gravel and include the insertion of a timber five-bar gate measuring 1.2m high and 2.4m wide.
- 2.4 Justification has been provided by the applicant in regards to why two access points are required. The primary reason is to remove traffic associated with the field away from the pub car park. The applicant is concerned about the safety issues associated with these two conflicting uses utilising the same space. From a practical and safety perspective, I consider it practical to separate the access points. Currently, the field is let in its entirety to one party. However, there is a possibility that at some point in the future the field could be let to two separate parties. If this happened and there was only one access point, the applicant would be unable to rent out the second part of the field. To guard against this scenario the applicant wishes to achieve two access points proposed. The two access points would simply 'future proof' the applicants ability to rent the site in a flexible manner if the need arises.
- 2.5 The additional access points are not being sought to accommodate any planned increase in traffic associated with use of the site.

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

**3/2009/0641:** Car park extension to form additional parking spaces (Approved with conditions).

**3/2006/0404:** Car Park extension to form additional parking spaces (Refused).

### 4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement EN2 – Landscape

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME1 – Protecting Trees & Woodlands

Policy DME2 – Landscape and Townscape Protection

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 Paragraph 28 of the National Planning Policy Framework states that Local Planning Authorities should support proposals which “*promote the development and diversification of agricultural and other land-based rural business*”. The applicant considers the two access points to be essential to remove the traffic associated with the field away from the pub car park to ensure the safety of the

users and to ensure the site is adequately accessed for the purposes of agriculture

5.1.2 The proposed access points seeks to provide alternative access arrangements to the field as the present route is potentially dangerous for both the field traffic and the users of the public house. The application form states the field is currently used for grazing, it is noted from objector's letters that the field is currently vacant and is currently cut once or twice a year by the application to maintain the field. Therefore there is no guarantee that the land would be farmed or access required for the purposes of agriculture. However, it is considered that the two proposed access points would provide safer alternative access points to the field than the existing.

5.1.3 Taking into account the above, it is considered that the principle of the development is considered to be in broad accordance with policies DMG1 and DMG2 of the adopted development plan.

## 5.2 Impact upon Residential Amenity:

5.2.1 The proposed two access points would be located adjacent to the nearby residential properties which are located along Osbaldeston lane. It is considered that the creation of the two access points, which will only be used infrequently by agricultural vehicles accessing the site, would not have any undue impact on nearby residential amenities.

## 5.3 Visual Amenity/External Appearance:

5.3.1 Key Statement EN2 (Landscape) primarily deals aims to protect the Forest of Bowland Area of Outstanding Natural Beauty. Whilst it is recognised that the current application is not located within the protected landscape designation, it is clear that the remit of the policy extends beyond that of the AONB with the supporting text of EN2 which stating that:

5.3.2 *'Outside these statutory areas the borough comprises extensive areas of open countryside much of which has an intrinsic value that contributes to the quality of the landscape in the borough. In addition the founding principle of landscape character is that all landscapes have a value. The Council considers that it is important to ensure development proposals do not serve to undermine the inherent quality of the landscape. The Council will also seek to ensure that the open countryside is protected from inappropriate development. Developers should adopt a non-standardised approach to design which recognises and enhances local distinctiveness, landscape character, the quality of the built fabric, historic patterns and landscape tranquillity.'*

5.3.3 Policy DMG2 of the Ribble Valley Core Strategy requires that *'development within the open countryside 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. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build.'*

5.3.4 Policy DMG1 is used in the determination of planning applications in terms of their general design and appearance. Policy DMG1 also requires development to

be of a high standard of design and be sympathetic to existing and proposed land uses in terms of size, intensity and nature, as well as scale, massing, features and style.

- 5.3.5 In terms of visual impact, I am of the opinion that the proposed access points would not adversely impact upon the character and appearance of the application site, the immediate area or the open countryside.
- 5.3.6 The materials proposed are typical of this type of development. As such, it would not have any detrimental impact on the appearance of the surrounding landscape and would accord with Key Statement EN2 and Policies DMG1 and DME2 of the Ribble Valley Core Strategy.
- 5.3.7 The proposal includes the removal of around 5m of the hedgerow to facilitate the two access points. However, it is considered that though this may have a slight negative impact on the visual amenities of the area, the impact resultant from the removal of the hedge would not be so detrimental as to warrant a refusal given the rural location of the application site.

#### 5.4 Highway Safety and Accessibility:

- 5.4.1 The Highway Development Control Section have raised no objection to the proposed access points on highways grounds but have stated that they would prefer one access point as opposed to two.
- 5.4.2 A number of concerns have been raised by a number of residents on Osbaldeston Lane in relation to highways safety. The Lane is currently used as a thoroughfare and many vehicles use it to access farm, business, schools and church as well as private home. The proposed development would add additional safety issues along the lane.
- 5.4.3 An objector has also raised a concern that the proposed access points will increase vehicle usage of the lane, however this is the case on any new or existing access points and would not constitute a sustainable reason to refuse the application and no highway objection has been raised from the County Surveyor.
- 5.4.4 I am of the opinion that the applicant has provided sufficient justification to support their need for two access points.

#### 5.5 Landscape/Ecology:

- 5.5.1 The proposal includes the removal of approximately 5 metres of hedgerow. No Arboricultural Impact Assessment was submitted alongside this application however, the Countryside Officer has confirmed that landowners are allowed to remove up to 20 metres of important hedgerow without gaining permission under The Hedgerows Regulations Act 1997.
- 5.5.2 The Countryside Officer further confirmed that the Hedgerows Regulations Act 1997 states that "To make a new opening in substitute for an existing one which will give access to land, where such a removal is undertaken, the person responsible must fill the original opening by planting a hedge within 8 months of the making of the new opening." Should consent be granted a condition will be

attached requiring a maintenance schedule be submitted and approved to the Local Planning Authority. This will mitigate the habitat loss of the hedgerow which is to be removed.

- 5.5.3 It has been identified that there are trees within influencing distance of both proposed access points. The Countryside Officer has confirmed that the amount of Root Protection Area (RPA) to be compromised is either minimal or none at all.

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

- 6.1 Considering all of the above and having regard to all material considerations and matters raised, the application is considered to be acceptable and is subsequently recommended for approval, subject to conditions.

**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 drawings:

Location Plan – Drawing Number: GA/00  
Proposed Site Plan – Drawing Number: GA/01

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

3. The materials to be used for the proposed gate access points as indicated on Proposed Site Plan – Drawing Number: GA/01 shall be implemented as indicated unless otherwise agreed in writing by the Local planning Authority.

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 DME2 of the Ribble Valley Core Strategy.

## BACKGROUND PAPERS

[https://www.ribbonvalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0206](https://www.ribbonvalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0206)

**APPLICATION REF: 3/2017/0207**

GRID REF: SD 360185 437714

**DEVELOPMENT DESCRIPTION:**

DEMOLITION OF EXISTING GARAGES AND ERECTION OF ONE DWELLING AT LAND OFF DAVIS STREET, LONGRIDGE PR3 3NL



3/2017/0207 Land off Davis Street Longridge PR3 3NL

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

### **PARISH COUNCIL:**

No representations received in respect of the application.

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

No representations received in respect of the application.

### **UNITED UTILITIES:**

No response received.

### **ADDITIONAL REPRESENTATIONS:**

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

- Impact upon residential amenities
- Loss of parking and resultant increase in on street parking of vehicles
- Inadequate access
- Party wall issues
- Fumes from the proposed chimney
- Increase in noise and disturbance resultant from construction works

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

- 1.1 The application site relates to a 0.08 Ha parcel of land located to the rear of Davis Street Longridge. The site is a triangular piece of land which is bounded to the north by properties fronting Davis Street, to the west by those fronting Inglewhite Road and to the south by dwellings that front Crumpax Avenue.
- 1.2 The site current accommodates a number of lock up garages and two outbuildings that benefit from first floor level floor space with garages below. Vehicular and pedestrian access is provided at the north western extents of the site off Davis Street. The area is predominantly residential and largely typified by two-storey terraced dwellings of stone built construction. The site is located within the currently defined settlement boundary of Longridge and lies within the defined Longridge Conservation Area.

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

- 2.1 Consent is sought for the erection of a single storey bungalow style dwelling with associated private residential amenity space. The submitted details propose the demolition of all buildings on site save that of a proposed garage and existing two storey outbuilding, both of which are to be retained as part of the proposal.
- 2.2 It is proposed that the dwelling will provide two bedrooms with living area, kitchen, dining area and study all being accommodated at ground floor level.
- 2.3 The dwelling employs gabled roof forms throughout its entirety with the highest ridge point of the dwelling being a height of approximately 4.7m with an eaves height of approximately 2.1m.

- 2.4 The submitted details propose that the principal (West) elevation of the dwelling will be faced in random natural stone with cut stone window surround detailing, the remainder of the dwelling will be clad in horizontal timber cladding.
- 2.5 Dedicated parking provision is provided in the form of a garage that will be retained on site with provision also being provided to accommodate the parking of two vehicles externally in front of the garage. It is further proposed that an existing building will be retained on suite for the purposes of storage/workshop ancillary to the enjoyment of the household.

3. **Relevant Planning History**

None 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 DMI2 – Transport Considerations

Key Statement EN5 – Heritage Assets

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME4 – Protecting Heritage Assets

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 The site is located within the currently defined settlement Boundary for Longridge, being located approximately 140m to the north of Berry Lane/Towneley Parade, the defined Main Centre of Longridge as identified within DMR2 of the Adopted Core Strategy.

5.1.2 Key Statement DS1 of the Ribble Valley Core Strategy states that the majority of new housing development will be concentrated within an identified strategic site located to the south of Clitheroe towards the A59 and the principal settlements of Clitheroe, Longridge and Whalley.

5.1.3 The current outstanding residual housing need for Longridge as of the latest published monitoring position is 25 dwellings/units. However, I am mindful of the recent resolution passed by Planning Committee, to defer and delegate, for approval, application 3/2016/0974 for the erection of 275 Dwellings off Preston Road Longridge. Taking into account the aforementioned recommendation, it is likely that the impending future housing monitoring position will conclude that

there is no longer any outstanding residual housing need for Longridge. However it is important to be mindful that the outstanding residual need is a target to be met and not a ceiling for development. Any oversupply and its proportional/relative surplus over and above identified residual housing need would have to be assessed in relation to potential harm to the overall development strategy for the Borough and whether such an oversupply (where applicable) would preclude the ability for the LPA to plan for future sustainable growth.

5.1.4 In this respect, taking account of the latest monitoring position and the likely future revised position, I do not consider the quantum of development proposed would result in any demonstrable or quantifiable harm to the Development Strategy for the Borough.

5.1.5 Therefore given the sites proximity to existing services/facilities and its location within the defined settlement boundary for Longridge, notwithstanding other Development management considerations, the development is considered to be in broad accordance with the aims and objectives of the adopted overarching Development Plan and Development Strategy for the borough relating to the location and siting of new housing growth.

## 5.2 Impact upon Residential and Visual Amenity:

5.2.1 The proposed dwelling, whilst being located in close proximity to the existing shared northern and southern boundaries, is single storey in height with the proposed eaves height of the dwelling being comparable and in some cases lower than that of the existing boundary treatments. In this respect and in relation to direct physical impact it is unlikely that the proposed dwelling will have any significant undue effects upon existing residential amenity.

5.2.2 It is proposed that all windows to the north and south elevations will be obscure glazed save that of the windows serving a study and utility room located on the southern elevation.

5.2.3 Given the orientation of the aforementioned windows and taking account of the rooms which they serve I am satisfied that it is unlikely that there will be any significant general overlooking issues as a result. However, I recognise there may be some direct overlooking from existing properties at first floor level but on the basis of appropriate conditions relating to boundary walling I consider it to be acceptable.

5.2.4 Given the orientation of the proposed primary habitable room windows I do not consider the proposal will be of detriment to residential amenity. Furthermore, taking account of the solar orientation of the proposed dwelling and that the building is to be lower than that of all neighbouring properties, I do not consider the proposal would result in an undue detrimental impact upon the amenities of neighbouring occupiers by virtue of a loss of light or overshadowing.

5.2.5 In respect of the potential visual impact of the proposal, taking into account the overall scale of the dwelling, the materials proposed and elevational language, I do not consider that the proposal would be of detriment to the character or visual amenities of the area or the designated Longridge Conservation Area.

### 5.3 Highway Safety and Accessibility / Public Rights of Way:

5.3.1 At the time of writing this report no representation have been received from the Highway Development Control Section in respect of the proposal. The existing access off Davis Street is currently used by vehicles accessing the garaging, in this respect I do not consider that the proposal would be of any additional detriment to the operation of the immediate highway compared to that of the existing.

5.3.2 Given the access is currently utilised and taking into account the number of garages accommodated on site (12 garages), it is logical to conclude that the number of vehicular movements associated with a single dwelling are likely to be lesser in frequency and number than that of the existing use.

### 5.4 Landscape/Ecology:

5.4.1 The application has been accompanied by a Bat Survey that has identified that the existing buildings to be demolished contain no evidence of Bat roosting and concludes that the removal of the buildings will not result in the loss of any foraging or roosting habitat.

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

6.1 Given the separation distances between existing and proposed dwellings and taking account of the orientation of primary habitable room windows I do not consider that the proposal would result in any significant detrimental impact upon existing or future residential amenity.

6.2 The proposal is further considered to be of an appropriate scale and design when taking into account the character and designation of the immediate area and it is considered that the proposal will not result in any significant detrimental impact upon the character or visual amenities of the area.

6.3 It is for the above reasons and having regard to all material considerations and matters raised; the application is recommended for approval subject to the imposition of relevant planning conditions.

### **RECOMMENDATION: That the application be APPROVED subject to the following conditions:**

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 drawings:

Proposed Plans and Elevations: 5219-P01 Revision A

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

3. Notwithstanding the submitted details, 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 Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy.

4. Notwithstanding the submitted details, elevational details of the height and appearance of all boundary treatments, fencing, walling, retaining wall structures and gates to be erected within the development shall have been submitted to and approved by the Local Planning Authority prior to their installation. The development shall be carried out in strict accordance with the approved details.

REASON: To comply with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy, to ensure a satisfactory standard of appearance in the interests of the visual amenities of the area and to protect existing neighbouring residential amenity.

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 until full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall be submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the submitted information shall include existing and proposed sections through the site including details of the height and scale and location of the proposed housing in relation to adjacent existing development/built form (where applicable). The details shall clearly show the eaves and ridge heights of the proposed building/dwelling(s) relative to the eaves and ridge heights of existing neighbouring development/built form. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that proposed development responds appropriately to the topography of the site, is appropriate to the locality and to ensure the development does not result in any detrimental impact upon residential amenity in accordance with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy.

6. The garage(s) hereby approved shall be kept available for the parking of vehicles ancillary to the enjoyment of the dwelling hereby approved 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 in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

7. The existing outbuilding to be retained (as indicated on drawing 5219-Po1 Revision A) shall solely be used for workshop/storage purposes ancillary to the dwelling hereby approve and for no other purpose unless otherwise agreed in writing by the Local Planning Authority.

REASON: To clarify the nature of the consent hereby approved and in the interests of neighbouring residential amenity in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

8. 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 hereby approved 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 in accordance with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy.

9. The windows in the north and south elevations of the dwelling hereby approved indicated to be 'opaque glazed' (Drawing 5219-P01-RevisionA) 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.

BACKGROUND PAPERS

INFORMATION

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0207](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0207)

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2016/0974	Land West Preston Road Longridge	16/2/17	275	With Applicants Solicitor

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Time from First Going to Committee to Decision</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2016/0580	Spout Farm Preston Road Longridge	12/1/17	16 weeks	34	Decision 2/5/17

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2016/0990	Outline application for erection of 18 dwellings (all matters reserved except for access)	Land to north of Ribblesdale View, Chatburn
3/2017/0131	Erection of older persons bungalow within existing curtilage	St Luke's Mission Abbey Terrace, Barrow

APPEALS UPDATE

<u>Application No and reason for appeal</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>
3/2015/0393 R	10/08/16	Land west of Preston Road Longridge (Grimbaldeston Farm)	Inquiry	In abeyance	Bespoke timetable
3/2016/0279 R	11/04/17	Dove Syke Eaves Hall Lane West Bradford BB7 3JG	LB		Statement due 16/05/17
3/2015/0776 R	26/01/17	Land off Lambing Clough Ln Hurst Green	Hearing	9 <sup>th</sup> May 2017	Awaiting Hearing
3/2015/0780 R (enf)	26/01/17	Timothy House Farm Whalley Road Hurst Green	Hearing	9 <sup>th</sup> May 2017	Awaiting Hearing
3/2016/0369 R	30/11/16	Greengore Farm Hill Lane Hurst Green	WR		Awaiting Decision
3/2016/0370 R	30/11/16	Greengore Farm Hill Lane Hurst Green	WR		Awaiting Decision

<u>Application No and reason for appeal</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>
3/2016/0346 R	15/02/17	30 Barker Lane Mellor	WR		Awaiting Decision
3/2016/0366 R	07/03/17	Freemasons Arms Vicarage Fold Wiswell	WR		Awaiting Decision
3/2016/1152 R	27/03/17	132 Ribchester Rd Clayton le Dale	HH		Awaiting Decision
3/2016/1067 R	12/04/17	Westholme Longsight Road Copster Green	WR		Statement due 17/05/17