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| <b>B</b>                                      | <b>APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR APPROVAL:</b>  |              |  |                 |                        |  |
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|   | <a href="#">3/2018/0500</a>  | 74           |  | AB              | DEFER                  | Land to the east<br>Clitheroe Road, Barrow       |
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| <b>E</b>                                      | <b>APPLICATIONS IN 'OTHER' CATEGORIES:</b>   |              |  |                 |                        |  |
|   |  |              |  |                 | NONE                   |  |

**LEGEND**

AC Approved Conditionally  
R Refused  
M/A Minded to Approve

AB Adam Birkett  
AD Adrian Dowd  
HM Harriet McCartney  
JM John Macholc

RB Rebecca Bowers  
RM Robert Major  
SK Stephen Kilmartin

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No 5

meeting date: THURSDAY, 4 OCTOBER 2018  
 title: PLANNING APPLICATIONS  
 submitted by: DIRECTOR OF COMMUNITY SERVICES

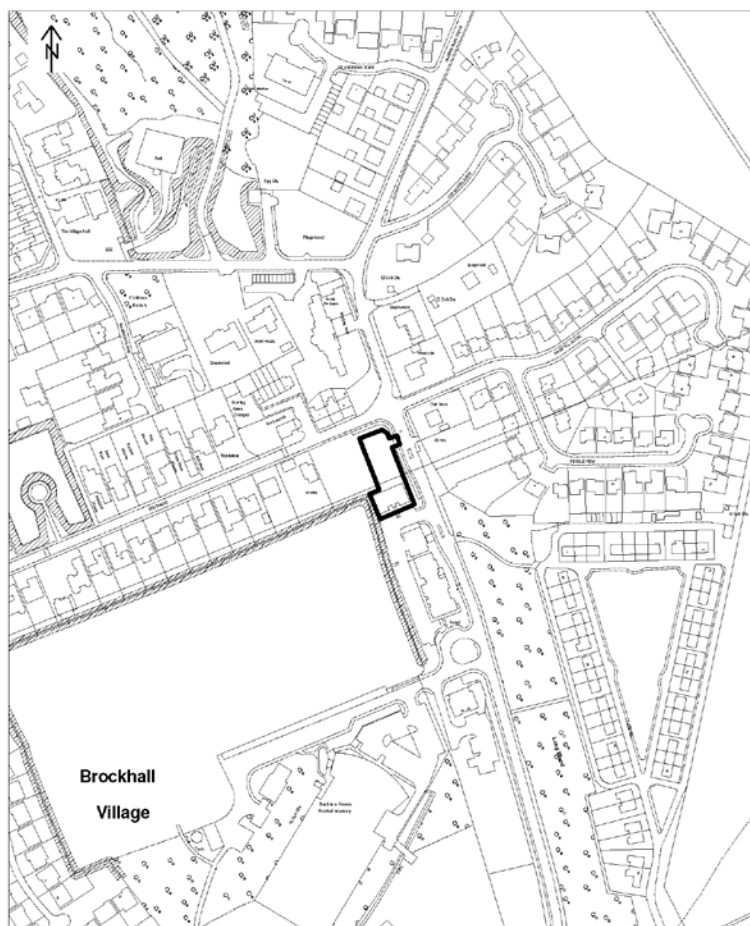
## PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

**APPLICATION NO: 3/2018/0300/P**

GRID REF: SD 370274 436468

### DEVELOPMENT DESCRIPTION:

TWO-STOREY EXTENSION OF EXISTING OFFICE BUILDING AT THE CONFERENCE CENTRE OFFICES, GLENEAGLES DRIVE, BROCKHALL VILLAGE BB6 8AY



3/2018/0300 The Conference Centre Offices Gleneagles Drive Brockhall Village  
 Old Langho BB6 8AY

Scale 1:2500

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## **PARISH/TOWN COUNCIL:**

Billington and Langho Parish Council: Following the meeting of the Billington and Langho Parish Council, we wish to raise the following objections to the planning application 3/2018/0300.

- The increase of traffic at the site
- The loss of green space
- The overdevelopment of this site

## **HIGHWAYS (LCC):**

The County Highways Surveyor has stated that there are no existing highway concerns in the vicinity of the proposed development and that there is sufficient off street parking provided to accommodate the anticipated demand. Consequently there are no grounds on which to raise a highway objection.

## **LEAD LOCAL FLOOD AUTHORITY:**

Raise no objection to the development.

## **ADDITIONAL REPRESENTATIONS:**

21 letters of objection representing 24 individuals have been received and raise the following concerns:-

- Highway Issues – the impact of increased traffic on the access gate and roundabout as well as a possible increase in noise and pollution. Also mentioned was both a lack of existing parking and that there is already enough parking on site.
- Loss of the Open Green Space – references to the original section 106 agreement, the loss of this space resulting in a loss of trees and a footpath. The proposal may impact badgers, bats and frogs.
- Visual Amenity- “any significant building will directly impact the visual amenity” The proposal is out of character of the area, and the layout and density are too large and overbearing. This proposal could be considered encroaching development in a residential area.
- Residential amenity such as loss of light, loss of privacy and possible overlooking.
- No economic justification or job creation, other sites are available in the area, the location could be considered isolated development.
- Once consent is given the LPA won't know what it's being used for, possible variation of condition to become a shop.
- Negative impact on heritage assets- the road (Gleneagles Drive) is the original from the hospital
- Doesn't meet any of the 6 criteria for strategic development in the Ribble Valley Core Strategy and will set an unsustainable precedent.
- Impact on the value of property in the area

### **1. Proposal**

- 1.1 Consent is sought for the extension of existing employment space by 336 square metres of employment floor space falling with the 'B' Use Class Order categories and associated access, car parking, landscaping and services infrastructure. The proposal would comprise an employment development of office use (B1a). As submitted the application site extends to an area of 0.11 hectares of land. The proposed access to the

site would be via a new vehicular entrance from Gleneagles Drive. The proposed extension will measure approximately 16.8m by 11.7m with an eaves and ridge height of approximately 5.8m and 8.6m respectively.

- 1.2 The proposal will provide additional parking for 10 Cars, including 1 Accessible space, a bike storage area and a refuse and recycling storage area.
- 1.3 Members will be advised that this application was withdrawn from a previous committee in order to seek clarification with regards to the original S106 agreement for the development at Brockhall, the Local Planning Authority's findings on this matter will be discussed later within this report.

## 2. **Site Location**

- 2.1 The application site is located within Brockhall Village, a small settlement approximately 2 miles to the north of the village, Langho. Brockhall Village itself is a predominantly a residential settlement developed on the site of the former Brockhall Hospital. The settlement also includes the existing conference centre office building, Blackburn Rovers training ground and a hotel.
- 2.2 The land associate with the development is located in the centre of Brockhall Village, to the north of the application property, the Conference Centre Offices. This land is currently a grassed open area that leads from the rear of the offices to the junction of Gleneagles Drive and The Drive.
- 2.3 The existing site consists of an open grassed area with a group of trees in the centre of the block of land, located to the west of the proposed office extension.

## 3. **Relevant History**

**3/2015/0128** - Proposed construction of one four bedroom detached house and formation of vehicular access drive. (REFUSED)

**3/2014/0623** - Outline application for proposed construction of three detached houses and formation of 2 no. vehicular access points. Consent sought for access, layout and scale - all other matters reserved for subsequent approval. (REFUSED)

**3/1999/0203** - Resubmission of application 3/1998/0614 for 2 self-contained office buildings. (APPROVED WITH CONDITIONS)

**3/1999/0198** - Outline application for development of remainder of village (with the exception of sewage treatment plant) to provide 261 new homes and 10'500m<sup>2</sup> of employment space. (Resubmission of 3/1998/0426) (APPROVED WITH CONDITIONS)

**3/1998/0614** - Erection of two office buildings. (REFUSED)

## 4. **Relevant Policies**

### **Ribble Valley Core Strategy**

Key Statement DS1 - Development Strategy

Key Statement DS2 - Sustainable Development

Key Statement EC1 - Business and Employment Development

Key Statement DMI1 - Planning Obligations

## 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

### **Other Material Considerations:**

National Planning Policy Framework (NPPF)

Technical Guidance to the National Planning Policy Framework

Planning Practice Guidance (PPG)

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

5.1 This is a full planning application for a proposed two storey extension to an existing business centre to provide additional B1 (a) office space to serve the existing and established business currently occupying the Conference Centre Offices. Matters of visual amenity, residential amenity, tree/ecological considerations, highway safety/traffic issues do have to be given some consideration. Each of these matters are discussed below.

### 5.2 **Principle of Development**

5.2.1 The principal planning policy considerations in this case are based around the Ribble Valley Core Strategy adopted December 2014. The Ribble Valley Core Strategy highlights the limited number of employment opportunities available in the Borough, which results in a high level of daily out commuting to access employment opportunities, and therefore this proposal would support the underlying strategic approach to align jobs with homes in key areas. Key Statement EC1 'Business and Employment Development' directs employment towards the main settlements of Clitheroe, Whalley and Longridge as the preferred locations to accommodate employment growth together with land at Barrow Enterprise Site, the Lancashire Enterprise Zone at Samlesbury and locations well related to the A59 corridor.

5.2.2 The proposal is located inside the settlement boundary for Brockhall which is defined as a Tier 2 Settlement within the Ribble Valley Core Strategy. Key Statement DS1 states that development within Tier 2 Village Settlements will have to meet proven local needs or deliver regeneration benefits with one of the main aims of DS1 being the creation of development opportunities for economic, social and environmental well-being.

5.2.3 Policy DMB1 'Supporting Business Growth' states that the expansion of existing firms within settlements will be permitted on land within or adjacent to their existing sites. Core Strategy Policy DMB1 supports business growth and the local economy in principle. The proposed extension is located on land directly to the rear of the existing premises within the settlement of Brockhall Village and will provide increased job opportunities within the rural area.

5.2.4 The National Planning Policy Framework paragraph 28 advises that planning policies should support economic growth within rural areas in order to create jobs

and prosperity by taking a positive approach to sustainable development, including supporting the sustainable growth and expansion of all types of business enterprises particularly in rural areas.

- 5.2.5 Taking into account the above, it is considered that the expansion of an existing business on land adjacent to existing premises accords with the general intentions of the Core Strategy policies when read as a whole.

### 5.3 Previous Planning Applications

5.3.1 There have been two previous planning applications on this land the first 3/2014/0623 proposed the erection of three detached houses and formation of 2 no. vehicular access points. This application was refused by reason of its location in an isolated village, at the time, Brockhall village had no recognised status as a settlement and the application was therefore considered on the basis that the proposed development was in the open countryside; the proposal thereby conflicted with Policy G5 of the Ribble Valley Districtwide Local Plan, which sought to prevent isolated new dwellings in the open countryside, the proposal did not meet any of the exceptions identified within paragraph 55 of the NPPF. Insufficient information was supplied at the time of the application so as to assess the potential impact of the development on the protected species in respect of tree pruning and felling. The three dwellings proposed were also considered to be out of character and appearance within the street scene, by virtue of the layout in respect of plots 2 and 3, and the issues this caused due to the existing trees and subsequent inadequate level of amenity to the future occupiers, in particular plot 3.

5.3.2 The second application 3/2015/0128 proposed the construction of one four bedroom detached house and formation of vehicular access drive. Policy DMG2 of the Ribble Valley core Strategy States that within Tier 2 villages, such as Brockhall, and outside defined settlement areas development must meet one of a list of five criteria's, the proposed dwelling did not fall within any of the criteria's. In addition the council at the time had a 5.59 year housing land supply, as such the application was considered unacceptable in principle, for essentially the same reasons as the 2014 application for three detached dwellings. The previous reason for refusal regarding the effects of the development on the protected species also remained relevant.

5.3.3 Policy DMG2 states that within the Tier 2 villages development must meet at least 1 of the following considerations:

1. The development should be essential to the local economy or social wellbeing of the area.

It is considered that the proposed extension meets criteria 1 of Policy DMG2, by providing an extension to existing businesses and the facility for new businesses to come into the area. The council wishes to increase employment opportunities within the borough and this extension of an existing employment area is considered to be a sustainable location.

## 5.4 Design and Visual Impact

- 5.4.1 The site lies within the settlement of Brockhall Village with a designated open space to the south west. The existing employment area lies to the south of the Conference centre, comprising of the application property, the Hotel and Restaurant.
- 5.4.2 The proposed extension will be constructed of corresponding materials and in a similar design to the existing office building and other buildings within close proximity to the proposed site. The proposal has ensured that the ridge of the proposed extension is below the ridge of the existing office building, the proposed ridge height being 8.6m from ground level and the existing ridge height being 9.8m from ground level. The eaves height proposed for the extension (5.8m) will match the eaves of the existing building. Despite being a significant addition, this reduction in ridge height allows for the proposed development to remain subservient to the existing building.
- 5.4.3 To the north of the proposed extension will sit the proposed car park. The car park will measure approximately 20m by 19m including the secure bicycle storage area and the refuse and recycling storage area. The proposal intends to maintain the existing tree cover on-site and include amenity landscaping around the car park to soften the hard appearance and reduce any impact on the surrounding area.
- 5.4.4 The proposed building will be constructed in a similar fashion to the existing conference centre; the suggested materials include facing brick, and slate tiles to match the existing building as required by Policy DMG1 of the Core Strategy. The built form will remain subservient from the existing building being marked by a section being set back from either side elevation where the extension meets the existing conference centre. The windows and surrounds will match those on the existing building and be corresponding with other buildings within the area. On basis of design and materials and although I note the objections raised I consider the scheme acceptable and in accordance with policies DMG1 and DMG2 of the Ribble Valley Core Strategy.
- 5.4.5 Many objections raised the fact that a building to the south of the conference centre, which used to be an Italian restaurant, now lies empty and that it would be more acceptable to convert that building to office use than construct the proposed extension. Notwithstanding the existence of a vacant unit in the locality, this planning application must be determined as submitted. The proposed extension is to allow the expansion of the existing business on site at the Conference Centre and the application site sits directly adjacent to it, as such the proposal accords with Policy DMB1 of the Ribble Valley Core Strategy which states that the expansion of existing firms within settlements will be permitted on land within or adjacent to their existing sites.

## 5.5 Effects upon Amenity

- 5.5.1 Policy DMG1 of the Core Strategy states that development must not adversely affect the amenities of the surrounding area. This includes residential properties, the closest being Oakdene located approximately 37m to the North West of the proposed building and Ashlea approximately 45m to the North East. While representations have been received with concerns over the loss of light and

privacy, these distances and the orientation between the proposed extension and the residential properties result in a development which is unlikely to have any significant impact on the residential amenity of the neighbouring properties, such as a loss of light or privacy or result in an overbearing impact.

5.5.2 In terms of its impact on the nearest residential dwelling, the distance from the nearest neighbouring property, Oakdene, to the edge of the development area is approximately 37m. It is considered that the site has created a layout that would ensure the development would not have a significant adverse impact on the residential amenity of the occupants of this property. Noise and disturbance from the proposed development must also be considered in the determination of the application. It is considered that uses within class B1 (office, research and light industrial use) can be carried out in a residential area without detriment to the amenity of that area.

5.5.3 Concerns were raised that the applicant intended to use some of the office space to provide a small scale retail unit. After discussing this with the agent it is apparent that while this may still be under consideration the applicant is aware that this would require further planning permission; at this stage the proposal only seeks consent for the increase in office floor space to accommodate the growth of the existing businesses. Any future application would be determined on its own merits.

## 5.6 Highway Safety

5.6.1 In respect of the proposed development, County Highways raised no objections to the development on highways grounds. There are no existing highway concerns in the vicinity of the proposed development, the proposal will be extending an existing commercial facility and providing sufficient off-street parking to accommodate for any increase in demand, due to the extension of the business.

5.6.2 A concern was raised with regards to the refuse collection waggon being unable to turn within the car park and collect the bins, from the proposed storage area. After discussing the application with the administrator at Salthill depot, it was agreed that the waggon would have to reverse into the car park from Gleneagles Drive, in order to collect the refuse from The Conference Centre. The county surveyor has commented on this detailing that the reversing manoeuvre whilst not ideal is something which frequently occurs. The refuse crews will be well versed in the manoeuvre and will have a banksman to assist. Therefore whilst not ideal the proposal is not considered to have any significant negative impact on the highway network.

## 5.7 Trees and Ecology

5.7.1 While there are 4 trees which have been recommended to be removed within the tree survey, these trees are considered to be of a low amenity value. The remaining trees onsite will be correctly protected during the construction phase as required by condition. It is also the intention of the applicant to introduce a landscaping scheme around the car park, to improve on both the visual amenity and the site biodiversity and ecology of the site.



5.7.2 The applicant also intends to install a bat box on the extension to better improve the biodiversity and ecology of the area. These details will be confirmed via a pre-commencement condition.

## 5.8 Section 106 Agreement and Open Space

5.8.1 Many of the representations received make reference to the original section 106 agreement for Brockhall Village, claiming that the land associated with the proposed development is designated as open space. After having looked at the section 106 agreements master plan, it has become apparent that the land in question was designated as open space as shown within the S106 illustrative master plan. However this designation failed to label the land as “public open space” and as such the land remains in private ownership meaning the proposed land cannot be for public or recreational use, as such the only community benefit this land has is for the “visual openness”.

5.8.2 The proposal seeks to utilise the land for an extension to the conference centre and the addition of a car park. It is considered that the proposed car park will ensure the land will remain ‘visually open’, with only a slight loss of this openness as a result of the two storey extension. The proposed car park is considered to increase the biodiversity of the land which currently is open grass, by introducing hedgerows and other planting, this gain in the biodiversity of the area is considered to outweigh any loss of visual open space that may occur due to the proposed extension.

## 6. Conclusion

6.1 In conclusion, the proposed development would result in the creation of additional local employment opportunities in accordance with the Core Strategy Key Statements DS1 and EC1 and Policies DMG2 and DMB1.

6.2 It is considered that the proposed development would not result in an unacceptable level of harm to the appearance and character of the surrounding landscape. The proposed development is not considered to result in an unacceptable level of harm on the residential amenity of any neighbouring properties. Taking into account the above, it is recommended that the application be approved subject to appropriate conditions.

RECOMMENDATION: That the application be APPROVED subject to the imposition of the following conditions:

### *Time*

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 Purchasing Act 2004.

### *Plans*

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

- Proposed Site Plan/ Roof Plan Drawing No P007
- Proposed Ground Floor Plan Drawing No P008
- Proposed First Floor Plan Drawing No P009
- Proposed Elevations Drawing No P010
- Proposed Elevations Drawing No P011

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

#### *Materials*

3. Notwithstanding the submitted details, details or specifications of all materials to be used on the external surfaces of the development hereby approved shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development.

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

4. No external lighting shall be installed on the external façade of the new extension, or elsewhere on the site, without the prior written approval of the Local Planning Authority. Details of any such lighting shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The approved details shall thereafter be fully implemented.

REASON: In order to ensure a satisfactory appearance in the interests of visual amenity and to prevent nuisance arising in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

#### *Highways*

5. No deliveries during the construction period shall be made before 9.00 am and after 3.00pm to avoid conflict with traffic (vehicular or pedestrian) entering/leaving the estate.

REASON: In the interest of highway safety and to comply with Policy DMG1 of the Core Strategy.

6. No Development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period.

It shall provide for:

1. The parking of vehicles of site operatives and visitors
2. The loading and unloading of plant and materials
3. The storage of plant and materials used in constructing the development
4. The erection and maintenance of security hoarding
5. The location of wheel washing facilities
6. Measure to ensure that construction and delivery vehicles do not impede access to the surrounding neighbouring properties.
7. The hours of operation for all construction works.

The approved statement shall be adhered to throughout the construction period of the development.

REASON: In the interest of protecting residential amenity from noise and disturbance and to ensure the safe operation of the highway in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

6. Notwithstanding the submitted details, precise details of the proposed refuse storage and cycle storage provision shall have been submitted to and approved by the Local Planning Authority prior to commencement of development. For the avoidance of doubt all proposed cycle storage shall be enclosed and lockable.

The development shall be carried out in strict accordance with the approved details. For the avoidance of doubt the approved details shall be made available for use prior to the use hereby approved first becoming operative. The agreed details/provision shall be retained for use at all times thereafter.

REASON: In order that the Local Planning Authority may ensure that the development provides adequate provision for the storage of domestic/commercial waste and adequate provision that encourages the use of sustainable means of transport in accordance with Key Statement DMI1 and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

#### *Use Classes*

7. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 (as amended or re-enacted) the area indicated as 'office space' on drawings P008 and P009 shall only be used for the purposes of office use (B1a) and for no other purpose, including any other purpose within Use Class B1.

REASON: For the avoidance of doubt and to ensure that the development remains compatible with the character of the area in accordance with Policies DMB1 and DMG1 of the Ribble Valley Core Strategy.

#### *Landscape and Ecology*

8. Notwithstanding the submitted details, no development, including any site preparation, shall commence or be undertaken on site until a scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing by the local planning authority. The scheme shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and specifications of all retaining structures (where applicable).

The approved soft landscaping scheme shall be implemented in the first planting season following 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 and DME2 of the Ribble Valley Core Strategy.

9. 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 a detailed construction specification and arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented wholly in accordance with the approved details unless otherwise and firstly approved in writing by the Local Planning Authority.

A tree protection monitoring schedule shall be agreed and tree protection measures inspected by the local planning authority before any site works are begun. The root protection/exclusion zone shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble. During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection/exclusion zone, in addition no impermeable surfacing shall be constructed within the protection zone.

REASON: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policies DMG1 and DME2 of the Ribble Valley Core Strategy.

10. Within two months of the development commencing on site, details of the provision of two bat boxes shall have been submitted to, and approved in writing by the Local Planning Authority. The details of the exact siting of the bat boxes shall be submitted on a site plan and the duly approved boxes shall be installed in accordance with the agreed details within two months of the offices hereby approved being first brought into use, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of biodiversity and to enhance roosting opportunities for species of conservation concern and protected species in accordance with Section 9 of the NPPF, and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

## BACKGROUND PAPERS

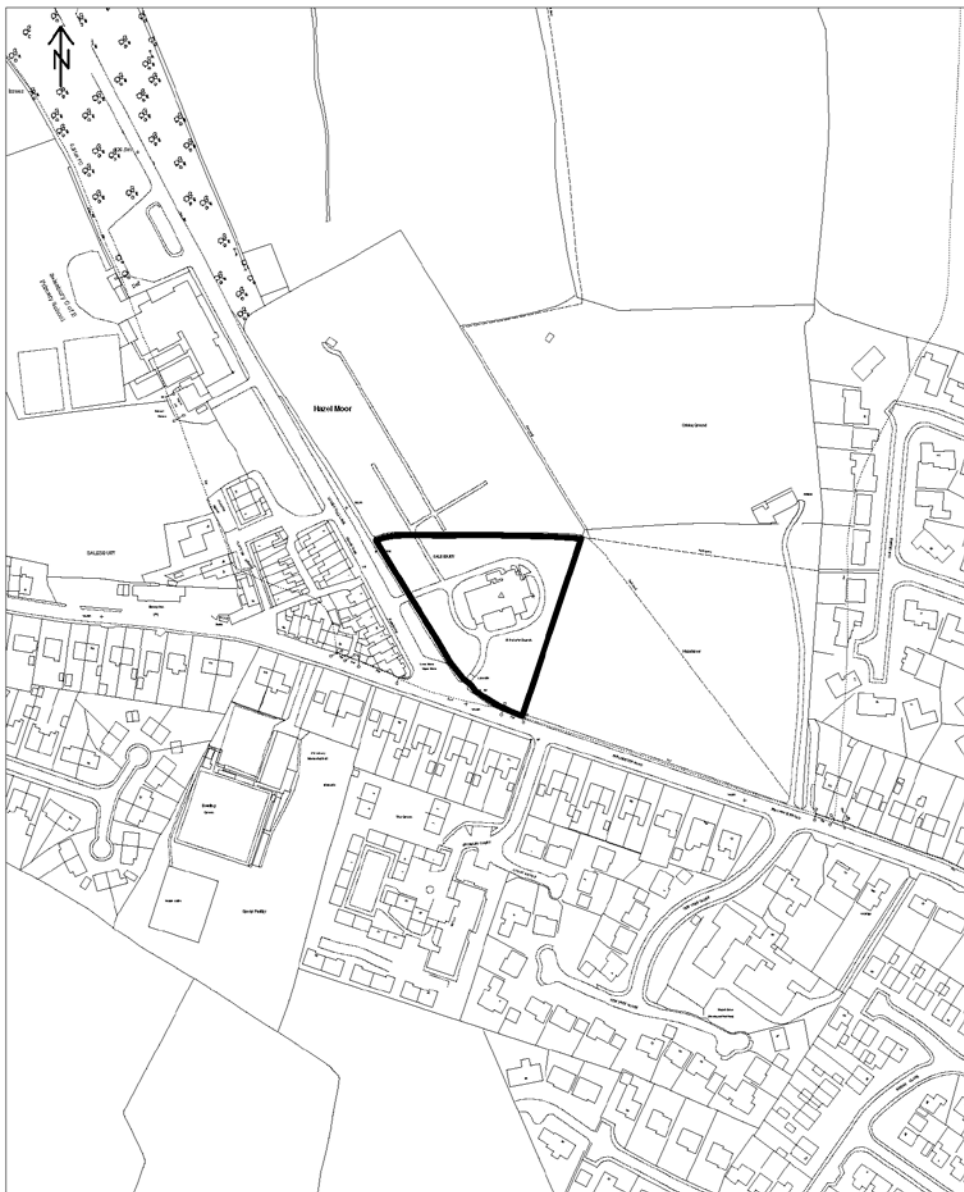
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0300](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0300)

**APPLICATION REF: 3/2018/0380**

GRID REF: SD 368134 432869

**DEVELOPMENT DESCRIPTION:**

PROPOSED EXTENSION TO THE CHURCH TO INCORPORATE NEW CAR PARKING FACILITY AT ST PETERS CHURCH, RIBCHESTER ROAD, CLAYTON LE DALE BB1 9EQ



3/2018/0380 St Peters Church Ribchester Road Clayton le Dale BB1 9EQ

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

### **PARISH COUNCIL:**

Clayton le Dale: Object to the development as the extension would detract from the beauty of the building and established graveyard.

Wilpshire: Happy with the appearance but have concerns about the economic impact on the nearby facilities at Salesbury Memorial Hall and Wilpshire Methodist Church. Also concerns about the parking.

Salesbury: No observations received.

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

The proposal raises no highway concerns and I would therefore raise no objection to the proposal on highway grounds subject to the imposition of appropriate conditions in relation to construction management issues

### **LAAS (LANCASHIRE ARCHAEOLOGICAL ADVISORY SERVICE)**

The only strictly archaeological issue with the proposed development is with regard to the existence of burials within the development footprint, as no earlier remains are considered likely to exist here.

With regard to the design of the proposed new structures themselves, we note that there has been significant pre-application discussion with the council, including the drawing up of a (rejected) draft scheme. We also note that the proposed scheme only requires the removal of the 1968 choir vestry and the conversion of a single window to a doorway (extant tracery and leaded light to be re-used in the new fanlight). The detail of the junction between the present building and the new extension has not been provided, but there seems to be no reason to suppose that this will be particularly difficult or damaging to the older structure. As such we are content to leave comment on the architectural merits and potential impact on the existing church and its setting to your Conservation.

LAAS have raised no objection to the proposal.

### **ADDITIONAL REPRESENTATIONS:**

12 letters of objection have been received as well as a petition with 129 signatures and separate letters attached to the petition. The issues raised in the petition include highway safety, overbearing design, visual amenity and the usage of the building.

The points raised in the objection letters include the following:

- Highway safety issues as a result of lack of off-street parking would cause congestion to the local highway network which is predominantly residential and also reduces the capability of emergency vehicles on the highway network.
- Loss of trees and green open space would cause visual harm.
- Visual impact of the building and that it is an inappropriate design.
- Adequate facilities already exist in the locality.
- The design of the extension would have an adverse impact on the relationship with the local church to the visual detriment.

- Would lead to loss of community cohesion due to the weakening of links between the church and the school and in the memorial hall.
- Pollution and noise issues as a result of the activity.
- The proposal does not comply with the remit of the parochial church Council of St Peter's.
- Loss of privacy caused by visual intrusion and parking issues.

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

- 1.1 The proposal is on the edge of the settlement boundary of Wilpshire but within the Parish of Salesbury. It is within the defined Green Belt. Access to the site is from Lovely Hall Lane. The site itself is bounded to the north by a graveyard. Residential properties are adjacent to the site on the opposite side of Lovely Hall Lane.

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

- 2.1 Consent is sought for an extension to the existing church to create a church lounge and 11 parking spaces. The extension is single storey and located to the north of the existing church building and is attached to the building with direct access to the main church by a doorway being created by extending and altering one of the existing 3 paned stone tracery windows as well as the existing doorway from the choir vestry.
- 2.2 The total new floor space created is approximately 400m<sup>2</sup> with a projection northwards from the church towards the graveyard by 22m. The extension is staggered with a minimum set back of 4m from the main church building where it fronts towards Lovely Hall lane. The flat roof link has a maximum height of 4m with highest point of the stone fronted mono pitch building being 6.5m and the glazed lean to building being approximately 5m.
- 2.3 The proposed extension is attached to the main church building by a flat roofed glass link which itself is then attached to a mono pitched stone building and to the north of this element is a predominantly glazed structure. The materials as a consequence of the design are glass and stone with the roof constructed of glass and standing terne seam coated steel.
- 2.4 The proposed parking area has access from Lovely Hall lane and includes 11 spaces. The trees fronting the site are to be retained but there will be some trees removed to accommodate the extension.

## 3. **Relevant Planning History**

The site has no planning history 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 EN1 - Greenbelt.

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 proposal is located in the defined Green Belt and as such it is appropriate to have regard to Green Belt policies in assessing the principle. Paragraph 145 bullet point C accepts the extension and alteration of a building provided it does not result in disproportionate additions over and above the size of the original building. I am of the opinion that although the footprint of the extension is in the region of 400m<sup>2</sup> I consider that given its single storey nature it is still subservient to the main church building and as such would comply with the NPPF.

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

5.2.1 I note the concerns raised in the objection letters regarding amenity issues but I consider that given the existing use and although recognising that this proposal may lead to more activities resulting from the new lounge I do not consider that any noise as a result of the extension would be significant to warrant refusal. The extension itself is approximately 50 m from the nearest dwelling. I do not consider that the proposal would lead to any significant privacy issues resulting from the development due to the separation distance between the extension and the windows of the nearest properties.

5.2.2 In relation to parking issues and the associated amenity concerns this proposal offers some off street parking which is currently unavailable so may actually reduce the need to park on the adjacent highway. Taking account of the above and the non-objection from the Highway authority I am satisfied that the proposal would not lead to a significant adverse impact on the residential amenity of the neighbouring dwellings.

### 5.3 **Matters of design/Visual Amenity:**

5.3.1 The application has been subject to pre-application discussion and significant engagement during the course of the application with various design options considered. As a result the proposal has been modified and is a combination of a traditional language and contemporary language with a mixture of materials including stone and glass as the dominant material. The extension despite its footprint given its single storey nature remains subservient and does not compete with the architectural language of the main church.

5.3.2 The fenestrational language of the new building is contemporary with elements of asymmetry and integrated. I am satisfied that that the proposal would not have an adverse impact on the visual amenity of the locality or character of the



existing building but accept that the car park and the building would result in a built development in what is current an open space.

#### 5.4 Heritage Issues

- 5.4.1 The building itself is not statutorily listed the building must be considered as anon designated heritage asset. It is therefore important that any proposal seeks tom ensure that significance of the Church is conserved.
- 5.4.2 The proposed extension is on the northern side of the building which has already been altered by the addition of a choir vestry which in my opinion detracts from the aesthetic and visual of the building. The choir vestry is to be demolished as part of the proposal. I consider that the proposal is in the correct location and the extension would not harm the most important elements of the building.
- 5.4.3 In assessing any impact regard must be given to the scale and height of any proposal and its subsequent visibility. As previously indicated the extension has a large footprint but has been designed as low rise with 3 specific sections that assist in reducing the visual impact. The use of materials such as glass allows visual permeability and also allows direct views through the building. I note the concerns expressed regarding its design but I am of the opinion the building conserves the visual dominance of the main church building and does not compete with the existing architectural language.
- 5.4.4 The design of the extension is a modern addition to a historic building and can be interpreted as an addition. However the extension also makes some reference to the architectural style of the church with the design of the lean to central portion which echoes the aisle abutting the church with the introduction of stone and a lean to roof. I am satisfied that the design has a satisfactory relationship to the host building.
- 5.4.5 In relation to the NPPF guidance is given in Section 16 paragraph 197 regarding consideration of proposals on non-designated heritage assets. It advises that a balance judgement should be made having regard to the scale of any harm and the significance of the heritage asset. In this case the only loss to the building would be the removal of the modern choir vestry. I am of the opinion that given the possible benefits associated with the extension to the church and the wider community that any impact on the non-designated heritage asset is not significant to warrant a refusal.

#### 5.5 Highway Safety and Accessibility:

- 5.5.1 I Note the concerns raised by the objectors but is clearly evident from the advice of LCC Highways that they do not have any concerns regarding the proposal.as they Section have raised no objection to the proposal subject to conditions being imposed in relation to construction management.

#### 5.6 Landscape/Ecology:

- 5.6.1 The application is accompanied by a Bat Survey that has found no evidence of bats within the buildings affected by the proposal. The report also finds that the location is also considered to provide suitable foraging habitat. The report recommends a follow up survey be carried out.

5.6.2 The application has been supported by the submission of an Arboricultural Impact Assessment for the whole site including areas outside of the application site. The proposal results in the removal of 9 small trees located adjacent to an existing internal pathway. I do not consider that the loss of these trees have any significant impact on the landscape or are of any specific arboricultural value. I am of the opinion that the proposal would not have an adverse impact on the local landscape or ecology. A construction management plan which includes details of tree protection and siting for a site compound which is located at off Lovely Hall Lane where the proposed car park is to be sited. The plan shows the compound outside of the Root Protection Area of the trees with a Herras fence along the perimeter.

5.6.3 The submitted scheme also includes additional planting adjacent to the proposed new car park which itself would have the parking bays as reinforced grass.

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

6.1 Taking account of the above matters and all material considerations it is considered that the proposal will not have a detrimental impact on the building nor residential amenity and as such is in broad accordance with the aims and objectives of the adopted development plan and NPPF and I do not consider that there are any reasons that would warrant the refusal to grant planning permission.

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

### *Time*

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

REASON: Required to be imposed 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.

### *Plan related*

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 ref. 5115-0782 (01)001\_2.2)  
Existing site plan (drawing ref. 5115-0782 (01)002\_2.2)  
Existing ground floor plan (drawing ref. 5115-0782 (02)001\_2.2)  
Existing roof plan (drawing ref. 5115-0782 (02)002\_2.2)  
Existing section A-A (drawing ref. 5115-0782 (04)001\_2.2)  
Proposed site plan (drawing ref. 5115-0782 (06)001\_2.2)  
Proposed ground floor plan (drawing ref. 5115-0782 (07)001\_2.2)  
Proposed roof plan (drawing ref. 5115-0782 (07)002\_2.2)  
Proposed elevations (drawing ref. 5115-0782 (08)001\_2.2)  
Proposed section A-A (drawing ref. 5115-0782 (09)001\_2.2)  
MLD\_18129\_001 RevA – Landscape masterplan  
MLD\_18129\_002 – Planting plan

Construction Management Plan (drawing ref. 51/2015/0782/18)  
Proposed new double door (drawing ref. 51/2015/0782/17)

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

### *Materials*

3. Precise specifications or samples of all external surfaces, including surfacing materials including details of the glazing, windows/door framing and details of the proposed extension of the development hereby approved shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality and to protect the character and appearance of the building with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy.

### *Detailing*

4. Notwithstanding the submitted details, prior to the commencement of the development section details at a scale of not less than 1:20 of each elevation of the buildings/alterations hereby approved shall have been submitted to and approved by the Local Planning Authority.

For the avoidance of doubt the sections shall clearly detail all eaves, guttering/rain water goods, soffit/overhangs, window/door reveals and the proposed window/door framing profiles and materials. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality and to protect the character and appearance in accordance with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy.

### *Highways*

5. No development shall take place until a Construction Method Statement for the relevant phase has been submitted to and approved in writing by the local planning authority. For the avoidance of doubt the submitted statement shall provide details of:  
The location of parking of vehicles of site operatives and visitors  
The location for the loading and unloading of plant and materials  
The location of storage of plant and materials used in constructing the development  
The locations of security hoarding  
Days and hours of operation for all construction works  
Contact details for the site manager

The approved statement shall be adhered to throughout the construction period of the development.

REASON: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

- 6 The car parking area shown on the submitted plan Proposed site plan (drawing ref. 5115-0782 (06)001\_2.2) shall be fully implemented to the satisfaction of the LPA before occupation of the new building and there after retained in perpetuity.

REASON: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

#### *Landscaping/Ecology*

7. The landscaping proposals 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.

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

8. All tree works/tree protection shall be carried out in strict accordance with the submitted drawing Construction Management Plan received on 17/8/18. The specified tree protection measures shall remain in place throughout the construction phase of the development and the methodology hereby approved shall be adhered to during all site preparation/construction works.

REASON: To ensure the adequate protection of 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 and Policies DMG1 of the Ribble Valley Core Strategy.

9. Prior to commencement of development notwithstanding the submitted details a repeat bat survey for the presence of bats on the site and surrounding habitat shall be submitted to and approved in writing by the Local Planning Authority in consultation with specialist advisors. Site work operation shall be carried out in accordance with the survey and all mitigation conservation measures implemented as approved otherwise agreed in writing by the Local Planning Authority. The development shall be carried out within strict accordance of the approved details.

REASON: To protect any bats that may be present on or adjacent to the site in accordance with Key Statement EN4 and Policy DME3 of the Ribble Valley Core Strategy.

#### **UPDATE FOLLOWING 6th SEPTEMBER 2018 PLANNING AND DEVELOPMENT COMMITTEE MEETING:**

Committee resolved on the 6th September 2018 to be minded to refuse the application and was Deferred to the Director of Economic Development and Planning for appropriate refusal reasons relating to the lack the impact on the Green Belt and visual impact on the character of the existing building.

Should Committee be minded to refuse the application it is suggested that the application be refused for the following reasons:

1. The proposal due to the size and footprint of the extension would result in a disproportionate addition above the size of the existing building and as such be harmful, to the Green Belt and contrary to NPPF Paragraph 145(C) and Key Statement EN1 of the Core Strategy.
2. The proposed extension by virtue of its size and footprint would have a detrimental visual impact on the character of the existing building by creating a visual imbalance and harmful appearance and such be contrary to Policies DMG1 and DME4 of the Core Strategy.

## BACKGROUND PAPERS

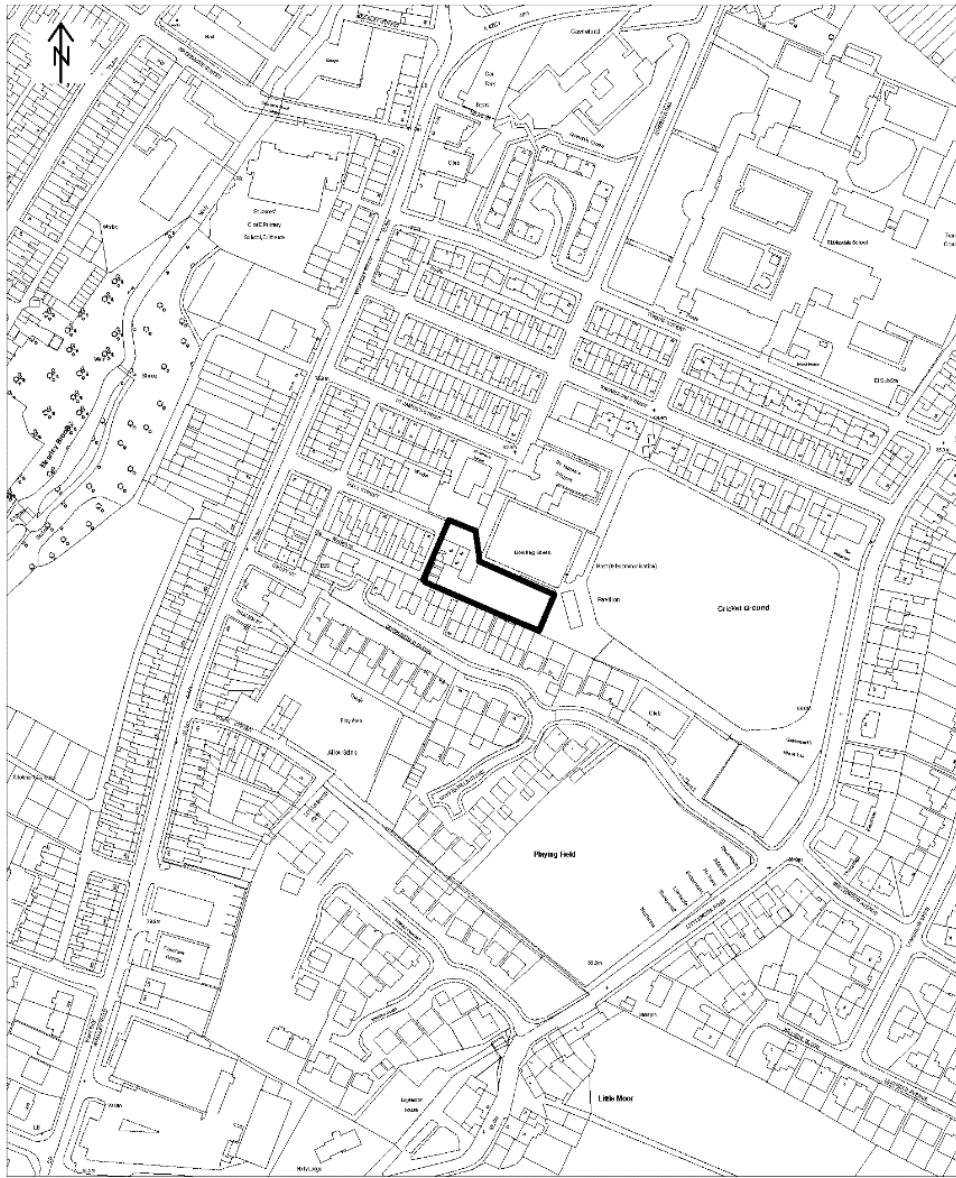
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0093](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0093)

**APPLICATION REF: 3/2018/0435**

GRID REF: SD 374247 441101

**DEVELOPMENT DESCRIPTION:**

DEMOLITION OF EXISTING PROPERTY AND ASSOCIATED OUTBUILDINGS AND  
ERECTION OF SIX DWELLINGS AT 32 HALL STREET, CLITHEROE, BB7 1HJ



18 0435 32 Hall Street Clitheroe BB7 1HJ

Scale 1:2500

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

### **PARISH COUNCIL:**

Clitheroe Town Council objects on the grounds of over-intensive development of the location. Access along Hall Street is already considered difficult. The proposed layout would result in new properties up against the gardens of Copperfield Close and 30 Hall Street could lose access to the garage at the rear of the property.

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

With respect to this application the County Surveyor does not wish to raise any objections. There are however a number of concerns regarding the development. These can be allayed by way of further submissions prior to planning permission being granted or the can be suitably conditioned. There are concerns regarding:-

- The access from Hall Street, this should be widened to allow 2 cars to pass through the opened gate and beyond for a distance of at least two car park space lengths (9.6m).
- There appears to have been no provision made for pedestrians or cyclists to access the development without opening the main gate across the carriageway
- Nor does there appear to be any provision for pedestrians within the development.
- There is no provision for access to the rear of the plot at the gable of 30 Hall Street without passing through the dwelling.
- Nor has there been any indication regarding the provision of any street lighting or surface water drainage.
- A swept path analysis should be undertaken to ensure that a refuse collection vehicle can enter and exit the development in a forward gear.
- With the exception of the plot with the garage, suitable covered and secure storage should be provided for at least 2 cycles per dwelling.

Following consideration of this application at Planning and Development Committee in August the plans have been amended to address some of the concerns raised by LCC Highways this is addressed within the body of the report.

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

No comments.

### **CLITHEROE CIVIC SOCIETY:**

Though somewhat outside the general remit of our Society, we do have concerns about the implications of further residential development within the Civil Parish of Clitheroe. The proposed redevelopment of 32 Hall Street, with six new dwellings, is above and beyond the most recent approved targets for residential development in accordance with the conditions of the Adopted Core Strategy.

Further residential development approval beyond that approved in the adopted Core Strategy and its revised targets, and the potential for 12 additional vehicles which could be associated with the development, will inevitably have further adverse effects on the historic town centre and the conservation areas which it contains. For this reason this application should be refused in our opinion.

## **ADDITIONAL REPRESENTATIONS:**

Neighbouring residents have been notified of the application on three separate occasions following the submission of amended plans. A total of 32 letters of objection have been received including objections from 17 separate residential properties. The comments received are summarised as follows:

- Over-development of the site with high density housing contrary to NPPF and DMG1.
- Scale, mass and proximity to the boundary with neighbouring properties would have an adverse impact on residential amenity of neighbours; loss of light, loss of privacy, noise and disturbance.
- Overbearing impact and sense of enclosure within rear gardens of properties on Copperfield Close.
- Gardens on Copperfield Close are north-facing but all benefit from a good deal of morning sunlight. This would be lost and the gardens overshadowed.
- The proposals would not provide sufficient parking – there is no visitor parking which would make parking on Hall Street or Whalley Road worse.
- As existing, already unacceptable parking of vehicles on public footway.
- Additional traffic would increase congestion.
- Adverse impact on natural local environment – bat foraging in the area is high.
- A number of trees have been felled prior to the tree survey.
- Only the fronts of the proposed buildings are of stone/stone brick with the gable ends and rears being of render.
- No mention of drainage is mentioned in the application.
- The proposals would restrict access to the rear garage of 30 Hall Street.
- No pedestrian or cycle access is provided.
- Disruption to residents during building phase.
- Drains from the bowling green must not be compromised.
- Leyland Cypress tree is causing damage to the bowling shelter and needs to be removed.
- Height of the development would cast shadows on the bowling green.
- Previous applications have been refused on Hall Street due to highways concerns.
- Emergency services struggle to gain access.
- Refuse wagons only come a short distance into Hall Street and bins have to be wheeled down to them by residents.

In response to amended plans, the following observations have been made:

- Revised plans move the gable end of the development closer to the properties at 32-35 Copperfield Close and the distance between the gable and the properties is very small resulting in an overbearing impact
- Overlooking from the dormer windows that have been moved to the rear
- No provision for visitor parking within the site
- The bin store has been removed
- Swept path analysis for refuse collection not acceptable
- No indication of lighting within the site
- Cosmetic alterations do not address concerns
- Will result in the development of a greenfield site.
- Concerns over additional vehicles exiting Hall Street onto Whalley Road.
- Oblique overlooking from proposed windows.
- No opportunity for permanent screening of the black gable wall of plot 4.



- This could be a potential development for Houses of Multiple Occupancy making the parking inadequate.
- Noise, car fumes and light pollution from vehicle movements.
- The tight nature of the site and access from Hall Street will create vehicular movement and parking issues- access issues for emergency vehicles.
- Gates will cause obstructions and access issues.
- The gates will create a social divide.
- Conflict of interest in respect of the sellers of the site
- Previous refusal at the site on the grounds of increase in traffic
- The development is greedy and unnecessary
- Parking already does and will overflow onto Hall Street.

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

- 1.1 The development site is located within the settlement of Clitheroe in an established residential area. The site is accessed via Hall Street which adjoins the east side of Whalley Road, Clitheroe. As existing, the application site comprises a single detached residential property and its associated gardens and outbuildings.
- 1.2 The site adjoins Ribblesdale Wanderers Cricket and Bowling Club to the north. To the south are residential properties along Copperfield Close which have their rear elevations and gardens facing the application site.

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

- 2.1 The application proposes the demolition of the existing buildings and the erection of 6.no three-bedroomed houses. The proposed dwellings would be arranged in two blocks of three each comprising a detached and two semi-detached dwellings. The properties would have an eaves height of 4.8m and a ridge height of 7.9m. The front façade of the buildings would be constructed using random natural stone with stone detailing. The side and rear elevations would have a render finish, with the exception of the south-facing gable end of unit 4 which would be faced with stone. The dwellings would provide a kitchen and lounge at ground floor, two bedrooms and family bathroom at first floor and a master bedroom with en-suite would be provided in the roof space. In order to accommodate the master bedroom the scheme, as submitted, included dormers windows. These have now been removed completely from the development.
- 2.2 The site would be accessed from the eastern end of Hall Street. Parking space would be provided within the site to accommodate 2no. vehicles per dwelling. Each property would benefit from rear gardens which would be bounded by 1.8m high close boarded timber fencing. There are a number of low quality trees on site some of which would require removal should the site be developed as proposed.

## 3. **Relevant Planning History**

3/2013/0913 - Outline application for nine dwellings including three affordable units following demolition of existing dwelling. Withdrawn.

## 4. **Relevant Policies**

**Ribble Valley Core Strategy**  
Key Statement DS1 – Development Strategy

Key Statement DS2 –Sustainable Development  
Key Statement EN2 – Landscape  
Key Statement H1 – Housing Provision  
Key Statement H2 – Housing Balance  
Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport and Mobility  
Policy DME1 – Protecting Trees and Woodland  
Policy DME2 – Landscape and Townscape Protection  
Policy DME3 - Site and Species Protection and Conservation

**Other Material Considerations:**

National Planning Policy Framework (NPPF)  
Technical Guidance to the National Planning Policy Framework  
Planning Practice Guidance (PPG)

5. **Assessment of Proposed Development**

5.1 In determining this application the main considerations are the principle of development, its visual appearance, its effect on the residential amenities of neighbouring occupiers and its impact on highway safety, trees and ecology.

5.2 **Principle of Development**

5.2.1 The Development Strategy put forward in Key Statement DS1 of the Core Strategy seeks to direct the main focus of new house building to the Strategic Site, the Principal Settlements of Clitheroe, Longridge and Whalley. The application site is located in the settlement of Clitheroe where residential development is acceptable in principle.

5.2.2 It is considered that the provision of six dwellings within the settlement of Clitheroe would not result in any harm to the development strategy nor would it result in any undue pressure on the services, facilities and infrastructure of the settlement itself to warrant refusal of the application. It is considered therefore that the proposal would contribute to the Council's supply of housing land and would be acceptable in principle subject to other development management considerations.

5.3 **Design and appearance**

5.3.1 The area is characterised by a mix of house types and a palette of materials including stone and render. The terraced housing on Hall Street is faced predominantly with stone, as are the dwellings on Copperfield Close. There have been some objections raised in relation to the proposed use of render on the side and rear elevations of the dwellings. However, it must be noted that the existing building at the site is finished with render as are other properties in the local area including buildings on Hall Street, St James' Street and Brownlow Street. As such, the use of render on the side and rear of the dwellings does not raise any concern.

5.3.2 In terms of the size and scale of the proposed dwellings, they would reflect the surrounding buildings. The three dwellings closest to the east of the gable elevation of no.30 Hall Street would be set back from the established building line

of the existing terraced row. Boundary treatments to the site as existing comprise evergreen hedgerows, close boarded fencing and a high stone wall along the sites boundary with St James's House. The stone wall is considered to be a traditional feature that is worthy of retention in accordance with Core Strategy Policy DME2.

- 5.3.3 Whilst objections have been raised regarding the density of the site, it is considered to be in keeping with the urban grain of the area. The proposed development will be served off Hall Street and 'read' as part of the residential development along this street. Whilst there are open spaces to the north and east of the site in the form of the bowling green and Cricket Ground the residential development to the south and west is high density terraced and semi-detached housing. The immediate area is predominantly residential in nature and it is considered that the site's density would be in keeping with the character of the area. Taking account of all of the above, the proposals would not result in any adverse harm to the visual appearance of the area and would comply with Key Statement H2 and policies DMG1, DME2.

#### 5.4 Impact on neighbouring residents

- 5.4.1 The application site is bound by existing houses along its southern and western boundaries. The rear elevations of 25-35 Copperfield Close face the application site with the rear gardens of these properties ranging in length from 8.5m to 11.5m. It is important to ensure that the privacy, outlook and light enjoyed by the occupants of these dwellings is not unduly affected by the proposed development.
- 5.4.2 The development would maintain a 21m gap between facing windows on the rear elevations of 25-27 Copperfield Close and the proposed dwellings. This is the accepted interface distance at which point there is no significant adverse impact on privacy. There is a ground floor extension at the rear of no.27 Copperfield Close but the proposed boundary treatment of 1.8m high close boarded fencing would ensure privacy is maintained and the proposed site plan also denotes boundary planting will be undertaken. The dormer windows originally proposed on the new dwellings, whilst not considered to be of detriment to neighbour amenity, have been removed on amended plans and this would improve privacy levels for existing residents. It is noted that there would be some overlooking of the rear gardens of the proposed dwellings from first and second floor windows of 25-27 Copperfield Close due to the short rear gardens of these existing properties but this would not in my opinion justify refusal of the application given it would be no different to the current arrangement insofar that the rear windows of Copperfield Close already facilitate some overlooking of the private garden of 32 Hall Street.
- 5.4.3 The proposed development would result in the two-storey gable elevation of plot no4 facing the rear elevations of 32-33 Copperfield Close. There would be a separation distance of around 13m which is considered as an acceptable distance from a blank two storey gable elevation to avoid any undue loss of light and outlook from facing habitable room windows. It is noted that the rear windows of properties along Copperfield Close currently provide views over the garden of no.32 Hall Street towards the bowling green and St James Church. However, the loss of a private view is not a material planning consideration.

- 5.4.4 The layout of some of the 3-storey dwellings at Copperfield Close that back onto the application site are such that the main living space is at first floor level and the ground floor, originally approved as internal garaging, has been converted to other uses. The fact that the main living area for these properties is at first floor does in fact mean that the impact of the proposed development, specifically the proximity of the gable of plot no4, is reduced due to their elevated outlook. Concern has also been raised in relation to the relationship between the rear windows of plots 4-6 and windows of the rear of 34-35 Copperfield Close. The viewing angle here would be at an oblique angle and would not, in my opinion, facilitate any unacceptable loss of privacy.
- 5.4.5 A space of around 3.5m would be retained between the gable wall of the proposed dwelling and the rear garden boundary of 32-33 Copperfield Close. It is noted that there is a single storey conservatory to the rear of 32 Copperfield Close which projects closer to the boundary with the development site however conservatories are not classed as habitable rooms. In terms of any overshadowing of private gardens, applications will only be refused where a development would seriously overshadow private amenity space. Objections have been raised in relation to overshadowing of the private rear gardens of dwellings along Copperfield Close. However, these gardens are north-facing and whilst they may benefit from some limited morning sunlight the proposals would not result in overshadowing of large areas of garden for prolonged periods of the day to warrant refusal.
- 5.4.6 There is a small first floor window on the gable end of 30 Hall Street which faces the application site and appears to serve the landing. Whilst the gable wall of unit no1 may result in some loss of light and outlook from this window the relationship would not raise any concern given it serves a non-habitable space.
- 5.4.7 Objections have been received which raise issues including noise disturbance from future occupants and increased traffic. The site is located in an established residential area where residents will already experience the noise from vehicular movements and the use of private gardens that is associated with residential use. Whilst noise from the development may slightly affect the acoustic character of the area this would not be to the extent that there would be a perceived change in quality of life. The proposed use of the site for residential development is completely compatible with the established use in the area and residential use does not generate significant levels of noise.
- 5.4.8 Should consent be granted there would be a requirement for the developer to provide a construction management plan to ensure that the impact on the amenity of the area is limited during the construction phase.

## 5.5 Effects on Wildlife/Ecology/Trees

- 5.5.1 The application is supported by a Bat Scoping Survey Report. No evidence was recorded to suggest bats were roosting within the existing buildings and no bats were observed using the buildings for roosting. As such, there would be no direct impact on bats arising from the proposed development.
- 5.5.2 Neighbours have commented that bats have been seen foraging in the area and the survey acknowledges that the foraging potential for bats can be considered moderate to low. Should consent be granted, a landscaping and lighting scheme

would be required to be submitted to the Council which must take into account any key flight lines identified. Taking into account the requirements of the NPPF and Policy DME3 of the Core Strategy, in order to conserve and enhance biodiversity it is recommended that bat roosting features be incorporated into the dwellings and maintained thereafter.

- 5.5.3 In relation to trees, those existing on site are low quality with limited amenity value. Objections indicate that tree felling has taken place prior to the submission of this planning application. None of the trees that are alleged to have been removed were protected by tree preservation orders nor are they located within a Conservation Area and, as such, the LPA cannot prevent their removal. The Bowling Club have asked that T1 (Leyland Cypress) be removed as it is causing damage to the bowling shelter. The removal of T1 is not relevant to the development, however; the applicant has agreed to its removal. Should consent be granted, a scheme of hard and soft landscaping would be required to ensure the provision of a satisfactory re-planting and enhancement of visual appearance. This would include the planting of replacement trees and shrubs.

## 5.6 Highways Safety

- 5.6.1 The proposed site plan indicates the provision of two parking spaces for each dwelling as required by Lancashire County Council parking standards. Residents have raised concerns in relation to the restricted amount of on-street parking available on Hall Street and at the junction with Whalley Road, including cars parked illegally. In relation to alleged illegal parking, the Highway Authority can impose parking restrictions to improve the safety of road users using a Traffic Regulations Order if considered necessary.
- 5.6.2 The development will provide sufficient vehicular parking to serve the proposed dwellings and the County Surveyor has raised no concerns in relation to its impact on parking availability along Hall Street and Whalley Road. However, the County Highways Surveyor did raise some concerns relating to the lack of accessibility of the garage provided for plot no1 and the proximity of the parking space to the front door of plot no2.
- 5.6.3 Following consideration of the application at the 2<sup>nd</sup> August 2018 Planning and Development Committee meeting the site layout has been amended to seek to address the concerns raised. An amended plan was submitted on 21<sup>st</sup> September in this regard (please note that neighbours have not been formally re-notified of the proposed amendments as it is not considered that the amendments would have a greater impact on the neighbours when compared to the previous scheme). The amended scheme results in the removal of the garage to Plot 1 gaining access to the back street, removal of the forecourt parking to Plots 1 and 2 and the replacement with garaging and parking spaces accessed from the internal turning head to the scheme.
- 5.6.4 This amended plan has been reviewed by the County Surveyor who still raises no objection to the proposed development. He has commented as follows:

*This plan provides for garages for Plots 1-2, and the removal of the parking spaces to the front of the properties. All of the proposed garages are sufficiently large enough to be counted as parking spaces and should remain as such for the perpetuity of the development.*

*The parking space in front of plots 4-6 have also been altered from the initial submission access, although it is expected that they will still function.*

- 5.6.5 LCC Highways have raised concerns about the lack of indication of water drainage, street lighting and to include the alternative direction of the swept path analysis however such concerns can be addressed by suitable worded conditions.
- 5.6.6 The site layout does include the provision of a turning head within the development site which could accommodate a refuse wagon; there is no turning area available at the end of Hall Street at present and this would enable a refuse vehicle to enter and leave the site in a forward gear. The amended layout also includes the provision of a pedestrian footway into the development. The applicant would be required to enter into an appropriate legal agreement to provide off-site highway works including a new pedestrian dropped kerb at the gable of no.30 Hall Street to allow prams etc. to cross to the new dwellings.
- 5.6.7 The County Surveyor has stated that the layout of the development would not be to an adoptable standard and there would a conditional requirement for the submission of details confirming funding, management and maintenance regimes to ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential and highway safety.
- 5.6.8 The NPPF states that paragraph 109 that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'* The County Surveyor has raised no objection to the proposed development and subject to planning conditions, it is considered that the development complies with the transport related policies of the Core Strategy, Key Statement DMI2 and Policy DMG3, insofar that is it in a highly sustainable location close to Clitheroe town centre and provision has been made for access to the development by pedestrians.

## 5.7 Drainage

- 5.7.1 Concerns have been raised about drainage and the impact of the development on the adjacent gardens. United Utilities have been consulted on the proposals and raised no objection to the proposed development. They have commented that in accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. This is addressed via condition to ensure that the development does not adversely impact on surface water in the area.

## 6. Conclusion

- 6.1 Taking into account the above, the proposed development is in a highly sustainable location and would contribute to housing land supply in the Borough. No objection has been raised from the Highways Authority in relation to highway safety and it is considered that the proposals would not have an undue adverse impact on the

appearance of the area or the residential amenity of neighbouring occupants. As such it is recommended that the application is approved subject to conditions.

RECOMMENDATION: That the application be approved subject to the following conditions:

*Timings and Commencement*

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

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

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 SITE PLAN GRAHA/01 Dwg 01C received 21.09.2018

PROPOSED PLANS AND ELEVATIONS FOR PLOT 1-3 GRAHA/01 Dwg 02C received 30.08.2018

PROPOSED PLANS AND ELEVATIONS GRAHA/01 Dwg 03

LOCATION PLAN GRAHA/01 Dwg 04

PROPOSED PLANS AND ELEVATIONS FOR PLOT 4-6 GRAHA/01 Dwg 07C received 05.09.2018

PROPOSED DOUBLE GARAGE PLANS AND ELEVATIONS GRAHA/01 Dwg 10 received 20.09.2018

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

*Matters of Design*

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 be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground development. The 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.

4. Before the development hereby permitted is first commenced, full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

REASON: In the interests of the amenity of the area and to ensure that the adopted highway is not obstructed. To comply with Policy DMG1 of the Ribble Valley Core Strategy.

5. The existing stone wall on the northern boundary of the site to St James House shall not at any time be demolished in whole or in part, nor shall it be altered in any way.

REASON: In order to ensure the protection of this historic feature of the locality, in the interests of visual amenity and the amenities of existing nearby residents and in order to comply with Policies DMG1 and DME2 of the Ribble Valley Core Strategy (Adopted Version).

6. Notwithstanding the provisions of Classes A to H of Part 1 of the Town and Country Planning (General Permitted Development) Order 2015, or any Order revoking and re-enacting that Order, the dwellings hereby permitted shall not be altered or extended and no buildings or structures shall be erected within the curtilage of the new dwellings 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 development and residential amenity in accordance with Policies DMG1 and DME2 of the Ribble Valley Core Strategy.

#### *Landscape and Ecology*

7. Notwithstanding the submitted details, prior to the commencement of the development, full details of the proposed landscaping shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the landscaping details shall indicate all trees and hedgerows identified to be retained or how those adjacent to the proposed development and/or application area/boundary will be adequately protected during construction, in accordance with BS5837; 2012 'Trees in relation to design, demolition and construction' equivalent unless otherwise agreed. The agreed protection measures shall be put in place and maintained during the construction period of the development.

The approved landscaping scheme shall be implemented in the first planting season following first occupation or use of the development and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those original planted.

REASON: To protect trees and hedges on and adjacent to the site and to ensure the proposal is satisfactorily landscaped and appropriate to the locality in accordance with Policies DME1 and DME3 of the Ribble Valley Core Strategy.

8. No development shall take place until details of the provisions to be made for artificial bat roosting (in the form of bricks/tiles/boxes) have been submitted, and approved in writing by the Local Planning Authority. The details shall identify the actual wall and roof elevations into which the above provisions shall be incorporated. These shall be incorporated into the building during the actual construction and before the development is first brought into use and shall be permanently maintained and retained at all times thereafter.



REASON: To safeguard the favourable conservation status of the bat population in accordance with Policy DME3 of the Ribble Valley Core Strategy

### *Drainage and Flooding*

9. Foul and surface water shall be drained on separate systems.

REASON: To secure proper drainage and to manage the risk of flooding and pollution.

10. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

### *Highways*

11. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The development shall, thereafter, be constructed in accordance with the approved details.

REASON: In the interest of highway safety and to ensure a satisfactory appearance to the highways infrastructure serving the approved development in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

12. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

REASON: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential/ highway safety and to safeguard the visual amenities of the locality and users of the highway in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

13. No part of the development hereby approved shall commence until a scheme for the off-site works of highway improvement has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

14. The parking and garaging and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).

REASON: In the interests of visual amenity and to facilitate adequate vehicle parking and/or turning facilities to serve the site in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

15. The garages hereby approved shall be kept available for the parking of vehicles ancillary to the enjoyment of the households 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 that adequate parking provision is retained on site in accordance with the Core Strategy Policy DMG3.

#### *Further Control over Development*

16. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:

- i) The parking of vehicles of site operatives and visitors
- ii) The loading and unloading of plant and materials
- iii) The storage of plant and materials used in constructing the development
- iv) The erection and maintenance of security hoarding
- v) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii) Details of working hours
- ix) Routing of delivery vehicles to/from site

REASON: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway during the construction phase of the development in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

17. Unless otherwise agreed in writing by the Local Planning Authority, no building or engineering operations within the site or deliveries to and from the site shall take place other than between 07:30 hours and 18:00 hours Monday to Friday and between 08:30 hours and 14:00 hours on Saturdays, and not at all on Sundays or Bank Holidays.

REASON: In order to protect the amenities of existing residents in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

## INFORMATIVES

1. This consent requires the construction, improvement or alteration of an access to the public highway and other of site works such as street lighting improvements. Under the Highways Act 1980 Section 278, the County Council as Highway Authority must specify the works to be carried out, Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any works can start you must complete the online quotation form found on Lancashire County Council's website using the A-Z search facility for vehicular crossings. For multiple vehicular crossings please ring 0300 123 6780 and ask for a bespoke quotation.
2. The developer should be aware that the any works on, or immediately adjacent to the adopted highway network, would require the appropriate permits from Lancashire County Council's Highways Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on [lhsstreetworks@lancashire.gov.uk](mailto:lhsstreetworks@lancashire.gov.uk) or on 01772 533433
3. The applicant is advised that to discharge condition 12 that the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

### **UPDATE FOLLOWING 2 AUGUST 2018 PLANNING AND DEVELOPMENT COMMITTEE MEETING:**

Committee resolved on the 2<sup>nd</sup> August 2018 to be minded to refuse the application and was deferred to the Director of Community Services for appropriate refusal reasons relating to matters of residential and visual amenity and highway safety and parking. Further advice has been sought from the highway authority and they are unable to support a refusal reason relating to highway safety and/or parking. It should be noted that following the meeting on 2<sup>nd</sup> August 2018 the applicant submitted amended plans. The officer's report above has been amended to take into account the revised details and the recommendation remains that the application should be approved subject to conditions.

Should Committee be minded to refuse the application it is suggested that the application be refused for the following reasons:

1. The proposed development, by virtue of its design and density, would result in an unsympathetic and incongruous scheme of development that would be harmful to the character, setting and visual amenities of the wider built environment. This would be contrary to Policy DMG1 of the Ribble Valley Core Strategy.
2. The proposed development, by virtue of its scale, design, mass and proximity to the neighbouring properties, would result in a development that would have an overbearing impact resulting in loss of natural light and outlook. This would be detrimental to the residential amenity of the occupants of neighbouring properties and would be contrary to Policy DMG1 of the Ribble Valley Core Strategy.

## BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0435](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0435)

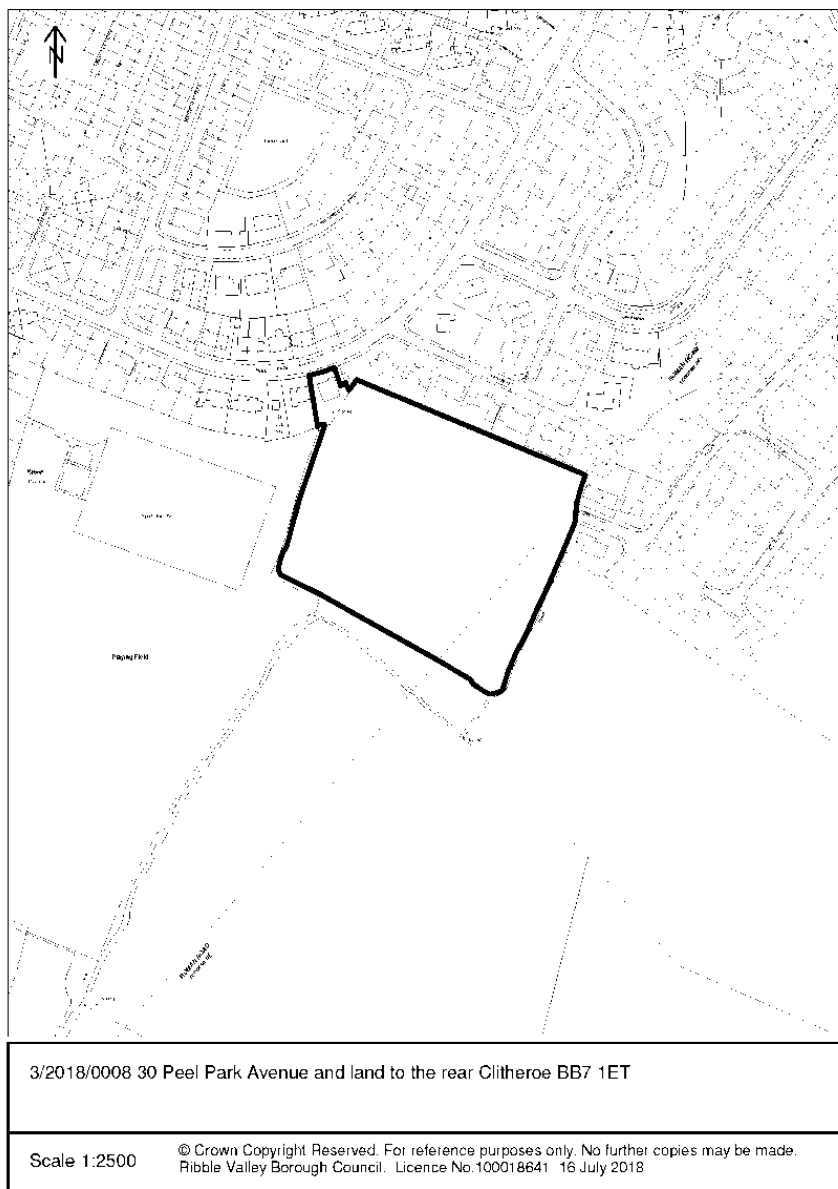
**D APPLICATIONS ON WHICH COMMITTEE 'DEFER' THEIR APPROVAL SUBJECT TO WORK 'DELEGATED' TO THE DIRECTOR OF COMMUNITY SERVICES BEING SATISFACTORILY COMPLETED**

**APPLICATION REF: 3/2018/0008**

GRID REF: SD 374748 441061

**DEVELOPMENT DESCRIPTION:**

DEMOLITION OF EXISTING DWELLING AND ERECTION OF 34 BUNGALOWS FOR THE OVER 55S WITH ASSOCIATED ACCESS, PARKING, LANDSCAPING AND OPEN SPACE AT 30 PEEL PARK AVENUE, CLITHEROE BB7 1ET AND LAND TO THE REAR



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

### **TOWN COUNCIL:**

Object on grounds of over intensification of the site and poor site access

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

Initially raised no objections but requested amendments so that the road would be capable of adoption. Following further correspondence with the developer accepted the original layout subject to technical conditions relating to road specifications, access details, lighting requirements and construction method statement. Following submission of further information from the applicants highways consultant no amendments were secured in relation to the requests relating to changes to the internal road layout. Following confirmation of the layout advises that as the road layout proposal is unlikely to be adopted by LCC that a condition be imposed in relation to the management of the road layout.

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

The Lead Local Flood Authority originally objected due to the absence of an acceptable Flood Risk Assessment (FRA) but following receipt no longer raise any objections subject to appropriate conditions. These are incorporated in the report.

### **UNITED UTILITIES:**

Following our review of Flood Risk Assessment, we can confirm the proposals are acceptable in principle to United Utilities. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment (Ref No. B2030 Peel Park Avenue, Dated 07/12/17) which was prepared by Michael Lambert Associates. No surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed 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. Also recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

### **ENVIRONMENT AGENCY:**

Not required to be consulted on this application.

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

No objection and recommend imposition of a recording brief condition.

### **ADDITIONAL REPRESENTATIONS:**

17 letters of objection have been received; these include one letter with a petition from 90 signatures many of which have also sent separate objection letters, 13 letters from individual households which raise the following concerns:

- The impact the development would have on the local habitat and loss of wildlife.
- Concern over drainage and flooding impact.
- If approved there would need to be a mechanism to control development for the bungalows only and restrict any further extensions.
- Concern over traffic implications and in particular the generation of vehicular traffic as a result of the development on the existing highway network as well as the new access point.
- The site is not identified as a development site in the Core Strategy or in the housing and economic document and was rejected as a SHLA site and therefore is inappropriate.
- There are more than enough houses that have already been granted in Clitheroe in excess of the Core Strategy figure and this would result in further loss of greenfield sites.
- The scheme makes no reference on how to address sustainability issues.
- Loss of privacy as a result of development caused by construction traffic, noise and overlooking if the development was to go ahead.
- There is an environmental impact.
- There is a lack of support in infrastructure to facilitate a development and in particular schooling, doctors surgery, shops and access to a reasonable bus service.
- There is concern that this is just a money grabbing exercise by Clitheroe Grammar School.
- The morality of such a decision is questioned.
- There is concern over the red line on the plan that is inaccurate and in particular the maintenance of a local ditch.
- Consider the revised FRA to be incomplete.

Following the discussion at Committee a letter has also been received which raised concern and states that the land belongs to Clitheroe Royal Grammar School Foundation which is a separate entity from the school.

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

- 1.1 The land is agricultural land of 1.97 hectares and situated in the south east part of Clitheroe and within the main settlement boundary of Clitheroe. It is bound by residential development to the north and west and to the south by open fields which forms part of y the Strategic Mixed Use development site Standen. There is also a sports pitch that borders the site.

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

- 2.1 The application seeks full planning consent and is for 34 bungalows that would be specifically for over 55's of which 4 would be Affordable bungalows.
- 2.2 In terms of materials the bungalows would be finished in natural stone and render with the properties beyond being finished in artificial stone and render.
- 2.3 Vehicular access to the residential development would be provided via a new access point to be taken off Peel Park Avenue which is facilitated by the demolition of number 30 Peel Park Avenue.
- 2.4 Each dwelling would be provided with at least two designated car parking spaces with some properties having integral garages and/or cycle sheds in the rear garden.

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

None

### 4. **Relevant Policies**

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy  
Key Statement DS2 – 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 DMI1 – Planning Obligations  
Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMH1 – Affordable Housing Criteria  
Policy DMG3 – Transport and Mobility  
Policy DMB4 – Open Space Provision  
Policy DME3 – Site and Species Protection and Conservation

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 is located within the Settlement Boundary of Clitheroe, which is categorised as one of the principal settlements in Key Statement DS1 of the Ribble Valley Core Strategy. Key Statement DS1, along with Policy DMG2, seeks to ensure new housing is located within either the three principal settlements of Clitheroe, Whalley or Longridge, the strategic site or the nine Tier 1 Villages which are considered to be the more sustainable of the 32 defined settlements.
- 5.1.2 The application site is adjoined by the Strategic Mixed Use development site Standen and existing residential development and sports pitch. As such the site is considered to be located within a sustainable location and the principle of residential development on this site would accord with the fundamental aims of the Development Strategy within the adopted Core Strategy.
- 5.1.3 With regard to housing land supply, at the time of writing this report it is considered that the latest published figures (March 2018) the Council has a 5.3 year housing land supply. In light of the fact that the Council can demonstrate completions above our annual requirement for the past 4 years it is of the opinion that the 5% buffer is applied for the purposes of calculating our 5 year supply (as per paragraph 73 of the new NPPF).

- 5.1.4 In respect of residual need, the Core Strategy proportions a total of 1280 houses to be built in Clitheroe during the plan period (2028). Whilst the housing requirement for Clitheroe has already been exceeded by I do not consider such an over provision would not cause harm to the development strategy, particularly given that the application site is located within the settlement boundary of one of the principal (most sustainable) settlements in the borough, and the proposed development would further add to the borough's housing land supply, including the provision of both a housing mix comprising of 1,2 and 3 bedroom bungalows for the over 55's including market and affordable units. Additionally the residual need figures are expressed as a minimum requirement as opposed to a maximum.
- 5.1.5 In view of the above, it is considered that the broad principle of developing this site for residential use, within the Settlement Boundary of Clitheroe, complies with Key Statements DS1 and DS2, along with Policy DMG2, of the Core Strategy.

## 5.2 Viability Assessment in respect of affordable housing contribution.

- 5.2.1 In relation to Affordable Housing the proposal does not offer the minimum of 20% Affordable Housing. Viability assessments have been carried out and it has been concluded that given the nature of the development being bungalows it can provide for 4 units which is approximately 10% and therefore sits below the minimum threshold. One option would be to simply refuse the development on that basis and anticipate other sites will come forward to meet the provision or the existing site could be altered in its housing mix to promote a higher density development incorporating 2 storey dwellings which would allow for a different financial return to make the site more viable. A meeting has took place between the applicant, the LPA, and the Independent Surveyor in order to consider a on a scheme that would be viable and seek to obtain the maximum amount of financial contributions and affordable housing, whilst still being acceptable in all other aspects of planning. After these lengthy discussions and negotiations the applicant has agreed to provide the following as part of this application:
- 4 Affordable Bungalows
  - Off site sport and recreation contribution of £14,000;
  - Ecology Contribution of £3,000;
- 5.2.2 Discussions and negotiations have taken place throughout the application process and the above offer from the applicant is considered to be the maximum/best that is financially viable having regard to the submitted scheme. In assessing the overall scheme it should be recognised that the scheme is for 34 bungalows and would be only one of a few sites of this size for bungalows only and the applicant has also agreed to allow the marketing scheme to allow for Clitheroe residents to have the first option during an initial marketing of the site. A similar condition worked successfully on a smaller bungalow development at barrow.
- 5.2.3 It is evident from the response of the Regeneration and Housing section that there is no objection in principle to the scheme but is not supported by the Housing Strategy Officer as it under delivers in relation to Affordable Housing as it only provides 10 % rather than the minimum 20%. In relation to the revised NPPF Paragraph 64 states that Major applications should provide a minimum of



10 % of homes should be for affordable home ownership. However one of the exemptions relates to specialist accommodation which may include purpose built accommodation for the elderly.

### 5.3 Impact upon Residential Amenity:

5.3.1 I note the concerns of the local residents with regards to highway issues and privacy on the basis of the advice from LCC highways do not consider it significant enough to warrant a refusal and in terms of privacy I consider there is adequate distance between the proposed dwelling that face towards the rear gardens of Claremont Drive and fencing or landscaping could further reduce any impact.

5.3.2 With regard to the relationship between the proposed dwellings within the development site, the proposal would accord with the Council's recommended separation distances so as to ensure that acceptable levels of amenity are provided for proposed residents.

5.3.3 In view of the above it is considered that the proposed dwellings would result in an acceptable relationship with existing neighbouring properties/uses, and mitigation measures can be included to ensure the future occupiers of the proposed dwellings are not unduly affected by neighbouring land uses, in accordance with the relevant sections of Core Strategy Policy DMG1.

### 5.4 Layout/Visual Amenity/External Appearance:

5.4.1 In respect of the proposed dwellings there is a mixture of detached, semi detached as well as two blocks of 3 bungalows. The larger 3 bedroom detached bungalows have integral garages and the smaller detached bungalows have individual garages. The semi detached units have individual driveways with the "terraced blocks" having parking at the front. I consider the layout itself to be acceptable as it offers a mixture of design features and given the nature of the proposal does not dominate the surrounding landscape. It does not offer the same amenity space as the immediate dwellings that border the site I am satisfied that the layout itself is visually acceptable.

5.4.2 It is considered that the layout and design/appearance of the proposed development is in keeping with the surrounding area and would provide a range of different bungalows with different design features including small gabled bay windows and brick and timber detailing at the eaves of the units. The proposal therefore complies with Policy DMG1 which requires all proposals to be sympathetic to existing land uses in terms of scale, style, features and materials.

### 5.5 Highway Safety and Accessibility:

5.5.1 The County Highway Officer has raised no objection to the application and requested certain changes to the internal road layout. Although these have not been secured I consider the additional requirements to be unreasonable. including the creation of the new vehicle access point off peel Park Avenue.

## 5.6 Landscape/Ecology/Trees:

- 5.6.1 The submitted application includes a detailed arboricultural report and landscape proposals
- 5.6.2 The proposal includes the retention of the trees and hedgerow on the site boundary. The landscaped areas within the site are private lawned areas. The applicant has agreed to an off site contribution of £3,000 as biodiversity offset which could be used at Primrose or elsewhere such as the local wildlife reserves.
- 5.6.3 The submitted application also includes an extended Phase 1 Habitat Survey and a Protected Species Survey. The Countryside Officer has reviewed these documents and raised no objection, subject to the imposition of conditions. A condition has also been included requiring habitat connectivity boundary treatments and details of bat and bird boxes to be installed throughout the site.

## 5.7 Flood Risk and Drainage:

- 5.7.1 The application site is not located within Floodzone 2 or 3, however given the scale of development a Flood Risk Assessment and drainage strategy has been submitted with the application. As part of the consultation process the LPA have consulted with United Utilities. Following re-consultation the LLFA have raised no objection, subject to the imposition of recommended conditions to any approval.

## 5.8 Developer Contributions:

- 5.8.1 The applicant has agreed make a financial contribution of towards the installation/improvement/maintenance of an area of Public Open Space and sports provision facilities (off-site).
- 5.8.2 The application site is located within proximity of two Nature Reserves (Salt Hill and Cross Hill) as well as Primrose Lodge and the Council's Countryside Officer has requested that the applicant make a contribution towards biodiversity on these sites, as an off-set to the works taking place on the application site which has some biodiversity value. The applicant has accepted this request and a sum of £5,000.

## 5.9 Other Issues:

- 5.9.1 In terms of heritage issues the location of a roman road within the site has been noted and an appropriate condition has been imposed in accordance with the advice of LAAS.

## 6. Conclusion

- 6.1 I recognise the concern expressed by the Strategic Housing Officer but consider the other benefits including the provision of bungalows for over 55's, an element of affordable housing, biodiversity offset contribution, Off site recreational financial contribution and the associated economic benefits from the development and given its suitability in terms of location render the scheme acceptable.

**RECOMMENDATION:** That the application be DEFERRED and DELEGATED to the Director of Community Services for approval subject to the satisfactory completion of a Legal Agreement,

within 3 months from the date of this Committee meeting or delegated to the Director of Community Services in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and the following conditions:

*Timings and Commencement*

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

REASON: Required to be imposed 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 – OS-01
- Site Layout – 17-15-SK01 A
- Street Scenes – 17-15-S01
- Garage Detail – GD-01
- Materials Plan – 17-15-SK02
- Boundary detail – 17-15-SK01
- House Type booklet
- Design and Access Statement

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

*Matters of Design*

3. All materials to be used in the elevations and roof of the proposed development shall be as stated on the application form and approved drawings and shall not be varied without the prior written permission of the Local Planning Authority.

REASON: The proposed materials are appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

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

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

*Landscape*

5. The development hereby permitted shall be carried out in accordance with the boundary treatment proposals as detailed on approved drawing no. 17-15-SK01.

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

6. No development including any site preparation, scrub/hedgerow clearance shall commence until the measures to protect the trees identified in the approved Arboricultural Impact Assessment prepared by Ascerta and shown in Appendix 2, drawing no. P.904.17.02A have been carried out in accordance with BS5837 (2012): 'Trees in Relation to Construction'. 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 DME2 of the Ribble Valley Core Strategy.

#### *Drainage and Flooding*

7. Foul and surface water shall be drained on separate systems.

REASON: To secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy DME6 of the Ribble Valley Core Strategy.

8. No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.

Those details shall include, as a minimum:

- a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) The drainage strategy should demonstrate that the post development surface water run-off rate will not exceed the pre-development greenfield run-off rate for the corresponding rainfall event. The maximum surface water run-off rate from the development will be no greater than 10.6l/s. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing watercourses (open or culverted) and headwalls or removal of unused culverts where relevant);

- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include a site investigation and test results to confirm infiltrations rates. If infiltration is shown to be a viable option for the disposal of surface water, then this should then be used as the primary method for disposing of surface water from the site. Disposal via an ordinary watercourse will only be considered where infiltration is proved to be unsuitable.
- g) Details of water quality controls, where applicable.

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

REASON: To ensure that the proposed development can be adequately drained and to ensure there is no flood risk on or off the site resulting from the proposed development in accordance with Policy DME6 of the Ribble Valley Core Strategy.

9. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
- b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
  - i. on-going inspections relating to performance and asset condition assessments
  - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) Means of access for maintenance and easements where applicable.  
The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

REASON: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development. To reduce the flood risk to the development as a result of inadequate maintenance and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system in accordance with Policy DME6 of the Ribble Valley Core Strategy.

10. No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

REASON: To ensure that the proposed development can be adequately maintained and to ensure there is no flood risk on or off the site resulting from the proposed development in accordance with Policy DME6 of the Ribble Valley Core Strategy.

### *Highways*

11. Prior to any building work commencing on site a scheme for the provision of facilities to charge electric vehicles within at least 30% of the dwellings hereby approved shall have been submitted to the Local Planning Authority for approval. The development shall be carried out in strict accordance with the approved details and the charging facilities shall be made available for use prior to the occupation of each dwellings house within which they will be installed.

REASON: To ensure that provision is made for electric powered cars and to support sustainable methods of travel in accordance with Key Statement DMI2 and Policy DMG3 of the Core Strategy.

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

REASON: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

13. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. It shall provide include:

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials used in the construction of the development;
- Storage of such plant and materials;
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made);
- Routes to be used by vehicles carrying plant and materials to and from the site;
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.
- Details of working hours
- The method of demolition for the existing property
- The erection and maintenance of security hoarding
- Contact details for the site manager

REASON: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway during the construction phase of the development in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

14. The new estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least

base course level up to the entrance of the site compound before any development takes place within the site and shall be further extended before any development commences fronting the new access road.

REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

15. The parking, garaging and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved Site Layout Drawing prior to the occupation of any of the dwellings. Such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).

REASON: In the interests of visual amenity and to facilitate adequate vehicle parking and turning facilities to serve the site in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

16. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) Order 2015 and the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2015, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.

REASON: In the interests of visual amenity and to facilitate adequate vehicle parking and/or turning facilities to serve the dwelling in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

#### *Ecology and Trees*

17. The development hereby approved shall be carried out in complete accordance with the recommendations and mitigation measures detailed within the submitted Protected Species Survey (Dec 2016) and Phase 1 Habitat Survey (Dec 16).

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.

18. No clearance of any vegetation in preparation for or during the course of development shall take place during the bird breeding season (March - August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of any vegetation shall take place during the bird breeding season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

REASON: To ensure that there are no adverse effects on the favourable conservation status of birds and to protect the bird population from damaging activities and reduce or

remove the impact of development in accordance with Key Statement EN4 and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

*Residential Amenity*

19. Unless otherwise agreed in writing by the Local Planning Authority, no building or engineering operations within the site or deliveries to and from the site shall take place other than between 07:30 hours and 18:00 hours Monday to Friday and between 08:30 hours and 14:00 hours on Saturdays, and not at all on Sundays or Bank Holidays.

REASON: In order to protect the amenities of existing residents in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

*Archaeology and Heritage*

20. No development shall take place until the applicant or their agent or successors in title have secured the implementation of a programme of archaeological investigation and recording works. This must be carried out in accordance with a written scheme of investigation which shall first be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the safeguarding of recording of any items of archaeological importance associated with the site and in accordance with Policy DME4 of the Ribble Valley Core Strategy.

21. No development shall be commenced until details of proposed arrangements of future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

REASON: In to ensure safe access for residents of the estate and to comply with Policy DMG1 of the Ribble Valley Core Strategy.

INFORMATIVES:

1. The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer.
2. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Environment Directorate for further information by telephoning the Developer Support Section on 0300 123 6780, or emailing the Developer Support Section, Lancashire County Council, Environment Directorate, at [lhscustomerservice@lancashire.gov.uk](mailto:lhscustomerservice@lancashire.gov.uk)
3. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.



**UPDATE FOLLOWING 6th SEPTEMBER 2018 PLANNING AND DEVELOPMENT COMMITTEE MEETING:**

Committee resolved on the 6th September 2018 to be minded to refuse the application and was Deferred to the Director of Economic Development and Planning for appropriate refusal reasons relating to the lack of affordable housing provision.

Should Committee be minded to refuse the application it is suggested that the application be refused for the following reason:

1. The proposed development, by virtue of the insufficient proportion of affordable housing is considered contrary to Key Statements H2 and H3 and Policy DMH1 of the Ribble Valley Core Strategy in that the development would not meet the minimum threshold of affordable provision on the site, thus undermining the core aims of the development strategy for the borough in ensuring adequate affordable housing provision.

**BACKGROUND PAPERS**

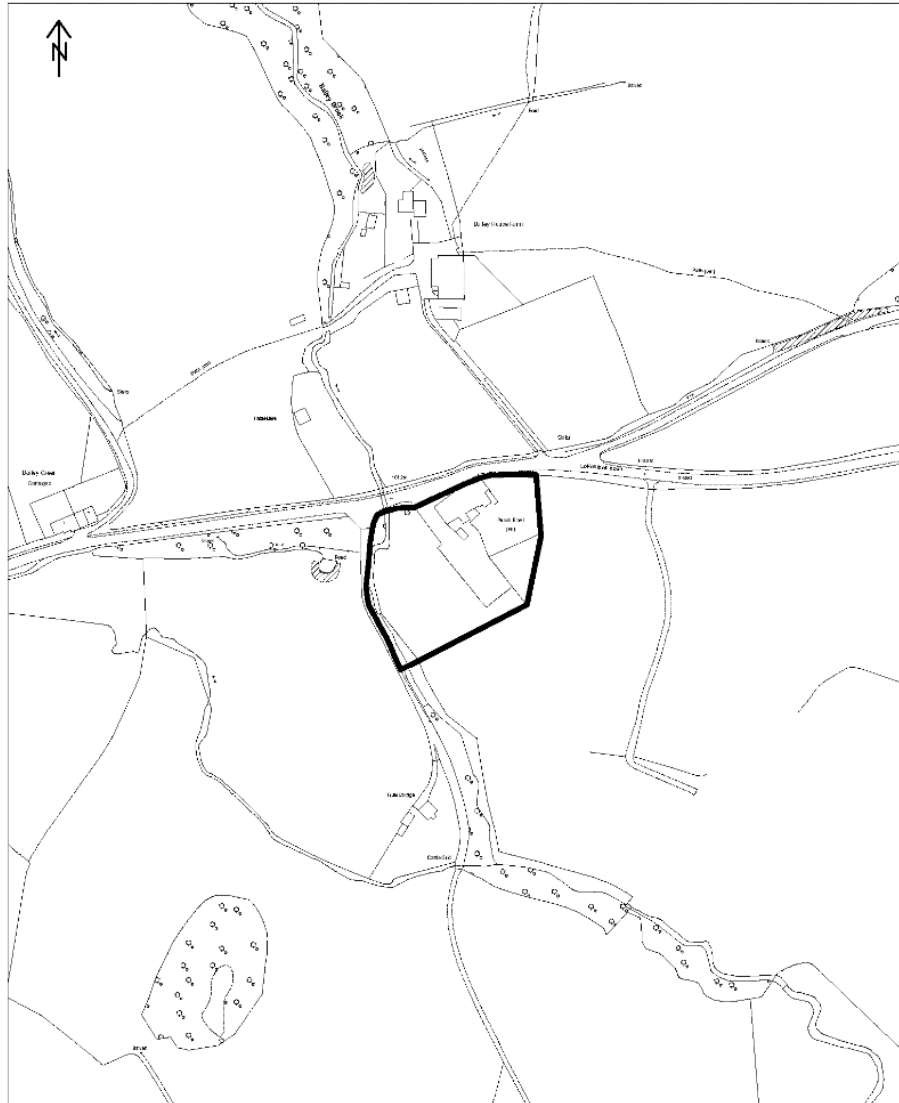
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0008](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0008)

**APPLICATION REF:** 3/2018/0362 (Full Planning Application)

**GRID REF:** 367396 437862

**DEVELOPMENT DESCRIPTION:**

CONVERSION OF THE FORMER PUNCH BOWL INN (GRADE II LISTED) INTO FIVE HOLIDAY LETS AND STORAGE AREA INCLUDING DEMOLITION AND EXTENSIONS. NEW PITCH STATIC CARAVAN HOLIDAY PARK WITH 15 UNITS WITH CURTILAGE AT FORMER PUNCH BOWL INN, LONGRIDGE ROAD, HURST GREEN BB7 9QW



3/2018/0362 and 3/2018/0363 Former Punch Bowl Inn Longridge Road Hurst Green BB7

Scale 1:2500

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

### **PARISH COUNCIL:**

The Parish Council's concerns have not changed from the previous application. Objection on Highways (dangerous) and over development.

### **COUNCIL'S COUNTRYSIDE OFFICER:**

This will require planning conditions for bats and trees in accordance with the recommendations of the survey findings.

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

The Lead Local Flood Authority (LLFA) has no comment to make on the above applications for the following reason:

- LLFA Flood Risk Standing Advice should have been applied; and
- It is not listed in the 'When to Consult the LLFA' document or in the Development Management Procedure Order 2010.

### **LANCASHIRE ARCHAEOLOGICAL ADVISORY SERVICE (LAAS):**

Do not object to the proposed development but raise concerns that the comments made previously (on previous applications) do not appear to have been addressed.

The response also recommends that should planning permission be granted a condition relating to the formal archaeological recording and analysis the building is compiled prior to any development work on site.

### **UNITED UTILITIES:**

Drainage Comments In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the applicant to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

No objections subject to imposition of conditions.

### **LANCASHIRE COUNTY COUNCIL (LCC) HIGHWAYS:**

Initially objected and recommended refusal but based on the amended plan which deleted the café area and substituted it for a storage no longer object on the basis that the traffic generated by the scheme would not be materially different from the previous use as a public house.

## **ADDITIONAL REPRESENTATIONS:**

Four additional representations have been received from members of the public and the grounds for objection (3) and support (1) are included below:

### Objection:

- Continue to object to this series of applications - all very similar - for this site.
- The parking allowed remains totally inadequate for the proposed café, staff, and overflow for the residents.
- Any parking on the road would be very dangerous. The traffic safety survey is for a period when the pub was often closed or had very little business.
- The plan, as with previous applications, is an over-development of the site. A more imaginative, less intensive development is required for this site.
- The area proposed is too small for the number of static units and all people using these facilities will have more than one vehicle.
- It will increase the probability of road traffic accidents.
- The site also threatens to encroach on the overall village environment of Hurst Green.
- No need for the development due to the existing café and holiday homes within Hurst Green.

### Support:

- I support this application with the reduced number of static caravans.
- This is the last chance to save this property and everything should be done to embrace the commitment shown by the developer.
- The condition of this listed building is now in a very poor state and will only get worse.
- Having read the attached reports it appears compromises have been made. This application should be approved.

It should be noted that no formal reconsultation of the objectors has been carried out since the receipt of the amended plans.

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

- 1.1 The application relates to the 'former' Punch Bowl Inn on Longridge Road, Hurst Green. The property is a Grade II Listed Building located in the open countryside and directly adjacent to the Forest of Bowland Area of Outstanding Natural Beauty (AONB). The southern boundary of the AONB is located on the opposite side of Longridge Road (B6243).
- 1.2 The application site measures 0.69 hectares and comprises of the main building and its associated land which includes the former car parking area. The Punch Bowl Inn was previously a Public House, but has been unused for a number of years (approximately five years).
- 1.3 The former Public House building fronts directly onto the highway of Longridge Road with the car parking area to the rear. Access to the car park is obtained via an existing access point directly to the west of the building. The building itself comprises a pitched roof section at the western end with a taller, more recent, section at the eastern end which has a hipped design. The front elevation facing the highway is finished in natural stone, the side and rear elevations have a render finish, with the exception of part of the east facing side elevation which is also stone.

1.4 To the west of the site runs Bailey Brook and there are a number of trees on the site protected under the Ribble Valley Borough Council Punch Bowl Tree Preservation Order (TPO) 2016 (198). This TPO covers six individually protected trees and one group.

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

2.1 The application seeks consent to convert the former Public House into five holiday lets, storage area and 15 static caravans/lodges, with associated car parking and access roads, to the side and rear of the building.

2.2 The proposed conversion of the building to storage area and holiday lets (five units) would include the demolition of single storey sections of the building at the rear. Other alterations include the re-opening of a number of blocked up openings in the front elevation, including the opening of the former arched barn entrance that would be glazed.. To the front of this new opening the application includes the installation of entrance steps/ramp and associated handrails.

2.3 In terms of the static caravans/lodges, these would occupy the external area associated with this former public house and the application includes the access roads and turning areas. Each caravan/lodge would be provided with its own designated car parking space and the plans detail a further 24 parking spaces to the rear of the former public house. However it is likely that this car parking provision will change as 19 of the spaces were allocated for the café which has been removed from the scheme. This is addressed by condition. Access would continue to be obtained via the existing point off Longridge Road to the west of the building.

## 3. **Relevant Planning History**

3/2017/0607 – (LBC) - Conversion of the former Punch Bowl Inn (Grade II listed building) into 5 Holiday Lets and Café, including demolition and extensions. New pitch holiday lodge park with 15No units within curtilage – Withdrawn, dated 14.09.17;

3/2017/0606 – (FULL) - Conversion of the former Punch Bowl Inn (Grade II listed) into five holiday lets and cafe including demolition and extensions. New pitch static caravan holiday park with 15 no units – Withdrawn, dated 14.09.17;

3/2017/0295 – (LBC) - Conversion of former Punch Bowl Inn into five holiday lets and cafe including demolition and extensions. Creation of new caravan park with fifteen units – Withdrawn, dated 19.06.17;

3/2017/0294 – (FULL) - Conversion of former Punch Bowl Inn into five holiday lets and cafe including demolition and extensions. Creation of new caravan park with fifteen units – Withdrawn, dated 19.06.17;

3/2016/0057 – (LBC) - Conversion of the former Punch Bowl Inn (Grade II Listed) into 5 no. holiday lets and cafe including demolition and extensions. New pitch static caravan holiday park with 20 units – Refused, dated 26.05.16; and

3/2016/0056 – (FULL) - Conversion of the former Punch Bowl Inn (Grade II Listed) into 5 no. holiday lets and cafe including demolition and extensions. New pitch static caravan holiday park with 20 units – Refused, dated 26.05.16.

#### 4. **Relevant Policies**

Ribble Valley Core Strategy:

Key Statement DS2 – Sustainable Development

Key Statement EN2 – Landscape

Key Statement EN4 – Biodiversity and Geodiversity

Key Statement EN5 – Heritage Assets

Key Statement EC1 – Business and Employment Development

Key Statement EC3 – Visitor Economy

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME1 – Protecting Trees and Woodlands

Policy DME3 – Site and Species Protection and Conservation

Policy DME4 – Protecting Heritage Assets

Policy DMB1 – Supporting Business Growth and Local Economy

Policy DMB3 – Recreation and Tourism Development

Policy DMG3 – Transport and Mobility

National Planning Policy Framework (NPPF) (July 2018)

National Planning Practice Guidance (NPPG)

Planning (Listed Building and Conservation Areas) Act 1990

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

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

5.1.1 In relation to the principle Core Strategy Policy DMG2 states that development proposals outside the defined settlement boundary must meet at least one of six considerations. Of these considerations point 4 states “the development is for small scale tourism or recreational developments appropriate to a rural area”.

5.1.2 Additionally, Core Strategy Policy DMB1 generally seeks to support business growth and the local economy, and Policy DMB3 relates specifically to recreation and tourism uses. Policy DMB3 requires new tourism development to be physically well related to an existing main settlement or village; or to an existing group of buildings, except where the proposed facilities are required in conjunction with a particular countryside attraction.

5.1.3 In this respect the application site is not located within an existing main settlement or village, and when traveling along the B6243 (Longridge Road), however the site is approximately 1 kilometre from the edge of the Hurst Green Settlement Boundary and therefore it can be argued that the site is reasonably well located to a settlement/village.

5.1.4 It is the opinion that on balance the site could be suitable for a tourism use in accordance with the relevant “principle” sections of Policies DMG2, DMB1 and DMB3 and therefore the proposal is considered to be acceptable, subject to compliance with other policies of the Core Strategy.

## 5.2 Visual impact on the surrounding area:

- 5.2.1 It is acknowledged that the representations received raise objection to the proposal in relation to visual impact of the proposal, the impact upon the surrounding area and the considered over-development of the site.
- 5.2.2 Paragraph 172 of the NPPF considers the potential impact of development within an AONB and notes that “great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads.” It should be noted that this site is adjacent to the AONB and not within it.
- 5.2.3 Paragraph 127 of the NPPF encourages good design by stipulating that planning policies and decisions should aim to ensure that developments:
- a) “will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
  - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>46</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”
- 5.2.4 Key Statement EN2 (Landscape) states “The landscape and character of the Forrest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area. As a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials.”
- 5.2.5 Additionally, Policies DMG1, DMG2 and DMB3 of the Ribble Valley Core Strategy all seek to ensure development is in keeping with the character of the landscape and surrounding area by virtue of scale, siting, layout, design and materials.
- 5.2.6 Whilst the application is not located within the AONB, it is located only a matter of metres away from the southern boundary of the AONB which starts on the opposite side of Longridge Road. The site itself is including in the Forest of Bowland AONB Landscape Character Area Appraisal which categorises this specific area as a Undulating Lowland Farmland with Wooded Brooks. Such

areas are characterised by a pasture fields deeply incised by wooded troughs and gorges, hedgerows and stone walls delineate field boundaries, scattered cottages and clustered villages.

- 5.2.7 More specifically the New Row area, within which the application site is located, is described within the Character Appraisal as a small area which extends beyond the southern edge of the AONB and encompasses several patches of mature mixed woodland, which contribute to an intermittent sense of enclosure within views across the landscape. The area consists of matured deciduous woodland which is a feature of this landscape and contributes to recognisable sense of place within views.
- 5.2.8 The application site is surrounded by open fields and pasture land, and is located within a small dip/valley as a result of the adjacent brook. At present the building and rear car parking area is well screened by a row of mature/tall conifer trees along the eastern boundary. It is noted that the previous application (3/2016/0056) included the removal of these trees however, the proposals have since been amended and the trees along the eastern boundary are to remain. It is also noted that the majority of the existing landscaping/boundary treatment to the west and southern boundary of the site would remain and that there is no proposals to remove any trees covered by a tree protection order.
- 5.2.9 It is also acknowledged that the previous application (3/2016/0056) included the erection of 20 static holiday caravans/lodges and the Council indicated that this would represent an overdevelopment of the site and introduce an incongruous form of development within the open countryside, which would have a significant negative impact on the visual quality of the adjacent AONB and the surrounding area in general. However, in addition to the proposed changes to retain the boundary treatment mentioned above it is noted that the proposed development has been reduced to now include 15 static holiday caravans/lodges.
- 5.2.10 Members must determine whether they consider there would be any significant adverse impact upon visual amenity, the character of the area or the ANOB in relation to the proposal. Officer advice is that the surrounding area displays the key landscape characteristics defined in the Forest of Bowland AONB Landscape Character Area Appraisal and these characteristics should be protected. The proposal has also been amended with the extension that was to form part of the café being deleted. It is officer opinion when taking into account the location, the changes in topography of the application site, level of development, the screening which would now be retained that it is considered that the proposed development complies with Key Statement EN2 and Policies DMG1, DMG2 and DMB3 of the Ribble Valley Core Strategy.

### 5.3 Listed Building and external alterations to the building:

- 5.3.1 The applicant has also submitted an application for Listed Building Consent for the same proposed development. In support of both applications a Historic Building Impact Assessment and a Heritage Statement, have been submitted. It should be noted that the Heritage statement is incomplete and it is view of the Conservation Officer that it is inadequate to allow a proper and detailed assessment of the heritage implications. The applicant has been asked to supply additional information but this has not been forthcoming.



5.3.2 The application relates to a Grade II Listed Building and the proposal must therefore be assessed in relation to Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990. This section places a duty on the local planning authority in considering whether to grant permission for development that affects a listed building or its setting, to have special regard to the desirability of preserving the building and any features of special architectural or historic interest. Furthermore, the Court of Appeal has held that decision-makers should give considerable importance and weight to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise.

5.3.3 The listing description is as follows:

“C Public House, '1793 R E, on plaque above door, with mid C19th addition to the east. Possibly originally a pair of cottages with a barn to the west now converted to form part of the pub. Squared watershot sandstone with slate roof. 2 storeys. The C18th portion comprises 2 bays with end stacks having sashed windows with glazing bars in plain stone surrounds, and 2 central plain stone door surrounds, the right-hand one being blocked. To the right is the possible former barn, with a double sash in plain stone surround with a similar single sash to its right. At the left is a taller bay which appears to be of the same build, with sashed windows with glazing bars in plain stone surrounds and a blocked doorway to the left. At the far left is the C19th addition, of larger sandstone blocks with moulded cornice. The left-hand bay has blank plain stone window surrounds, the right-hand bay having a door and 1st floor window, both with similar surrounds, the window being sashed with glazing bars. The left-hand return wall, visible from the road, is of 2 bays with plain stone surrounds to sashed windows with glazing bars, except for the central 1st floor window which is modern.”

5.3.4 The NPPF states within paragraph 189 “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 have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”

5.3.5 National guidance in the NPPF requires that local planning authorities take into account the particular significance of the heritage asset when considering the impact of a proposal to avoid or minimise conflict between the heritage asset and its conservation (paragraph 190).

5.3.6 Paragraph 192 indicates that when local planning authorities are determining planning applications, they should take account of:-

- *“The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

- *The desirability of new development making a positive contribution to local character and distinctiveness.”*

- 5.3.7 Paragraph 193 of NPPF establishes that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification (paragraph 194).
- 5.3.8 The NPPF sets out that harm can either be ‘substantial’ or ‘less than substantial.’ Where a development proposal will lead to ‘less than substantial harm’ to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 196)
- 5.3.9 Case law has established that there can be degrees of less than substantial harm. There will also be cases where development affects heritage assets but from which no harm arises; in such cases as no harm has been identified, there is no requirement to assess this against any public benefits of the proposals.
- 5.3.10 The duties of the Listed Building and Conservation Area Act and the NPPF are also incorporated into the Ribble Valley Core Strategy.
- 5.3.11 Policy DMG1 sets out the general consideration which must be taken into account in the determination of all planning applications. Such considerations include the enhancement of heritage assets and their settings.
- 5.3.12 Key Statement EN5 states that there will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits.
- 5.3.13 Policy DME4 states that alterations or extensions to listed buildings or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported. In addition, any proposals involving the demolition or loss of important historic fabric from listed buildings will be refused unless it can be demonstrated that exceptional circumstances exist.
- 5.3.14 The Lancashire Archaeological Advisory Service do not object to the application however, they have raised concerns and requested further information regarding the following areas:
- The loss of the rear barrel Vaulted Cellar (unless this can be shown to be modern);
  - The loss of much of the rear wall of the right-hand former barn section and partial demolition of the outshut under the catslide roof;
  - The loss of the rear stair in the former cottages and the subsequent changes to the circulation pattern; and

- The works required to eradicate and repair the dry rot and other damage that has occurred to the building.

5.3.15 The concerns from the LAAS are noted however it is considered that externally the application proposes to demolish more recent rear extensions to the building (including the rear barrel Vaulted Cellar). It is considered that the recent rear extensions are not of high quality design and do not enhance the significance of the listed building. The applicant has submitted a “Historic Building Impact Assessment” and a “Heritage Statement” in relation to the proposed development which indicates history of the listed building and the current condition stating that the building is of “dilapidated, but visually sound condition.” The assessment states that “the rear of the buildings is architecturally without merit, being a conglomeration of rendered extensions of various dates.” The assessment furthers this by stating “there is virtually nothing left of any features and fittings (etc.) inside any of these buildings that is of architectural or historical interest” and that, “the proposals to convert the property to holiday let accommodation would replace and replicate the original cellular plan, retain the front elevations as existing and remove some of the existing extensions to the rear and replace them with a more orderly an less impactful arrangement.” It is also proposed to “open up a previously blocked arched entrance doorway into the front elevation of the former barn element to convert this to formerly proposed Café use now shown as a storage area. The structure of this is still evident in the front elevation.” The proposed reinstatement of arched entrance doorway would be constructed of timber framing windows and doors.

5.3.16 With regard to the setting of the listed building, it is considered that the siting of 15 static caravans/lodges, with associated parking may not be harmful but more information should be obtained to enable a more comprehensive assessment. It is recognised that due to the positioning of the listed building, the topography and the boundary treatment of the site the static caravans/lodges would be partial screened from view from the surrounding public highways and footpaths.

5.3.17 it is important to assess whether there would be any substantial harm in relation to the proposed development and the heritage asset of the former Punch Bowl Inn. It is clear that the listed building is in a poor condition and when taking into account the level of development, the changes in topography of the application site and the screening provided by the boundary treatment, the development would have less than significant harm upon the designated heritage asset and due to the building being brought back into use there would be a public benefit to the development. The proposal is therefore considered to be compliant to Key Statement EN5, Policies DME4 and DMG1 of the Ribble Valley Core Strategy and the national guidance contained within the NPPF, NPPG and Listed Building Act 1990.

#### 5.4 Impact Upon Residential Amenity:

5.4.1 The application site occupies open countryside within an isolated location, away from neighbouring residential properties.

5.4.2 Due to its location the development would not have any undue impact upon the amenity of neighbouring land users. The proposal is considered to be acceptable and the proposal complies with Policy DMG1 of the Ribble Valley

Core Strategy in relation impact upon residential amenity of neighbouring properties.

#### 5.5 Highway Safety and Accessibility:

- 5.5.1 It is now evident based on the changes and the additional information that there are no longer any concerns in relation to highway matters.
- 5.5.2 Paragraph 109 of the NPPF states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”
- 5.5.3 Policy DMG1 of the Adopted Core Strategy states that “in determining planning applications, all development must:
  - 1. Consider the potential traffic and car parking implications.
  - 2. Ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated.
  - 3. Consider the protection and enhancement of the public rights of way and access.”
- 5.5.4 Policy DMG3 of the Adopted Core Strategy states that in making decisions on development proposals the Local Planning Authority attach considerable weight to “the relationship of the site to the primary route network and the strategic road network.”
- 5.5.5 The access to and from the site would continue to be obtained via the existing point off Longridge Road to the west of the building and would retain the existing visibility splays.
- 5.5.6 Based on the additional information and amended plan and whilst noting the concerns expressed by the local representations there is no longer any objection from LCC as the Local Highway Authority on highway safety grounds.

#### 5.6 Landscape/Ecology:

- 5.6.1 The application is accompanied by an Arboricultural Assessment and a Phase 1 Habitat Survey. There are a number of trees on the site protected under the Ribble Valley Borough Council Punch Bowl Tree Preservation Order 2016 (198). This TPO covers six individually protected trees and one group. The application has been amended since the previous decision (3/2016/0056), it is noted that none of the trees under the TPO are proposed for removal and the majority of the trees on site are now to be retained. The Council’s Countryside Officer has provided a response in relation to the application and confirms that planning conditions relating to tree protection measures should be included within any potential grant of planning permission.
- 5.6.2 The application is also accompanied by a Phase 1 Habitat Survey. In terms of ecology, the submitted phase one report states that the building has a moderate-high bat roost potential and the appendices to the bat survey indicate evidence of bat activity during the surveys. The Council’s Countryside Officer has provided a response in relation to the application and confirms in accordance with the

submitted survey, planning conditions relating to bats should be included within any potential grant of planning permission.

- 5.6.3 It is considered that subject to the requested conditions in relation to bats and tree protection measures the proposal would not have significant adverse impact upon Landscape/Ecology. Therefore the proposal is considered to be in accordance with Policy DME3 of the Core Strategy.

Other Matters:

5.7 Drainage and Flood Risk:

5.7.1 The consultation responses received from the LLFA and United Utilities raise no objection to the application subject to appropriate conditions being attached to any potential grant of planning permission.

5.7.2 It is considered that subject to suitable conditions, the proposal would not represent unacceptable risk of flooding or exacerbate flooding elsewhere therefore it would accord with Policy DME6 of the Ribble Valley Core Strategy.

6. Observations/Consideration of Matters Raised/Conclusion

6.1 Members may be aware that the reason this application is to be determined by Planning and Development Committee is because of a Member call in. It is clear that many of the issues have been resolved to address concerns on highway matters however Officers consider that insufficient information has been submitted to enable a full heritage assessment.

6.2 If Members are satisfied that the information is adequate it is an option for them to approve this application. However it is also an option to defer and delegate the application to the Director of Economic Development and Planning on the basis of receipt of an updated Heritage Statement and consideration of its details justifying the proposal as well as suitable conditions which is included in the following recommendation.

**RECOMMENDATION:** That the application be DEFERRED and DELEGATED to the Director of Economic Development and Planning for approval subject to the satisfactory completion of a revised Heritage Assessment and satisfactory justification and the following conditions:

1. The works to which this application relates shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:

- Application form, including materials, dated 13.03.18;
- Site Location Plan, Ref. SD6737NW, dated 21.12.15 (1:1250);
- Proposed Site Plan, dated 21.03.17 (1:500);
- Proposed Side Elevations, dated 06.04.17 (1:100);
- Proposed Front / Side Elevations, dated 19.09.18 (1:100);

- Proposed Ground Floor Plan Rev C, dated 17.09.18 (1:100)

REASON: To ensure that the development as carried out does not vary from the approved plans.

- 3 Notwithstanding the submitted plans prior to commencement of development further details of the Proposed Elevations of the South Elevation and First Floor Plan showing the omission of the extension to incorporate a café area shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved plans.

REASON: For avoidance of doubt since no amended elevations have been submitted to reflect the submitted alterations.

- 4 The proposed storage area shown on approved Floor Plan, dated 17/09/18, shall only be used in connection with the holiday let and holiday lodge park the subject of this application and for no other purpose.

REASON: In the interest of highway safety and to comply with Policy DMG1 of the Core Strategy.

5. Notwithstanding the submitted Site Plan prior to the commencement of the development a revised parking layout shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the parking and associated manoeuvring facilities shown on the approved plans shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation development hereby approved; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).

REASON: Due to the changes in the nature of the application following the removal of the café element from the scheme, or avoidance of doubt and in the interest of visual and highway amenity. To comply with Policy DMG1 of the Core Strategy.

- 6 Notwithstanding the submitted Heritage Statement prior to the commencement of the development a further Heritage Statement shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with any agreed mitigation measures set out within the approved Statement.

REASON: In order to assist the Local Planning Authority as the submitted Heritage Statement was considered inadequate to allow a full and proper assessment.

7. Precise specifications of proposed windows and doors including elevations cross – sections, glazing type, opening mechanism and surface finish shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. The approved windows 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 detailed design of the proposal safeguards the special architectural and historic interest of the listed buildings, the character and appearance of the conservation area and that the detailed

design of the proposal is appropriate to the locality area in accordance with Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy.

8. Prior to commencement of the development a phasing plan shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall incorporate measures to safeguard the Listed Building at an early stage of the programme and shall be completed prior to commencement of use of any holiday caravans the subject of this application.

REASON: In the interest of safeguarding the integrity of the Listed Building and in accordance with Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy.

9. The landscaping proposals 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.

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

10. 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 a scheme for protective fencing for trees within and adjacent to the site, has been submitted to and approved in writing by the Local Planning Authority.

Such fencing shall be in accordance with BS5837 (2012): 'Trees in Relation to Construction'. 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 DME3 of the Ribble Valley Core Strategy.

11. 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 a European Protected Species Mitigation Licence has been submitted to and obtained from Natural England. A copy of the licence obtained shall then be submitted to and agreed in writing by local planning authority in consultation with Natural England.

The actions, methods & timings included in the mitigation measures identified and the conditions of the Natural England Licence shall be fully implemented and adhered to throughout the lifetime of the development.

REASON: To ensure the protection of species/habitat protected by the Wildlife and Countryside Act 1981 (as Amended) and in the interests of biodiversity and to enhance habitat opportunities for species of conservation concern/protected species and to minimise/mitigate the potential impacts upon protected species resultant from the development in accordance with Key Statement EN4 and Policy DME3 of the Ribble Valley Core Strategy.

12. 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 / artificial bat roosting sites have been submitted to, and approved in writing by the Local Planning Authority.

For the avoidance of doubt these details shall be in accordance with Paragraph 5.9 of the Bagshaw Ecology report dated 9/06/17 submitted with the application and identify the nature and type of the nesting boxes/artificial roosting sites and the location(s) on the trees into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated before the development is first brought into use.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and to minimise/mitigate the potential impacts upon protected species resultant from the development in accordance with Key Statement EN4 and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

13. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in National Planning Practice Guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

REASON: To secure proper drainage and to manage the risk of flooding and pollution and to comply with Policy DMG1 of the Core Strategy.

14. No development, site clearance, preparation, strip-out or demolition shall commence until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site and to comply with Policy DME4 of the Core Strategy.

## BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0362](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0362)

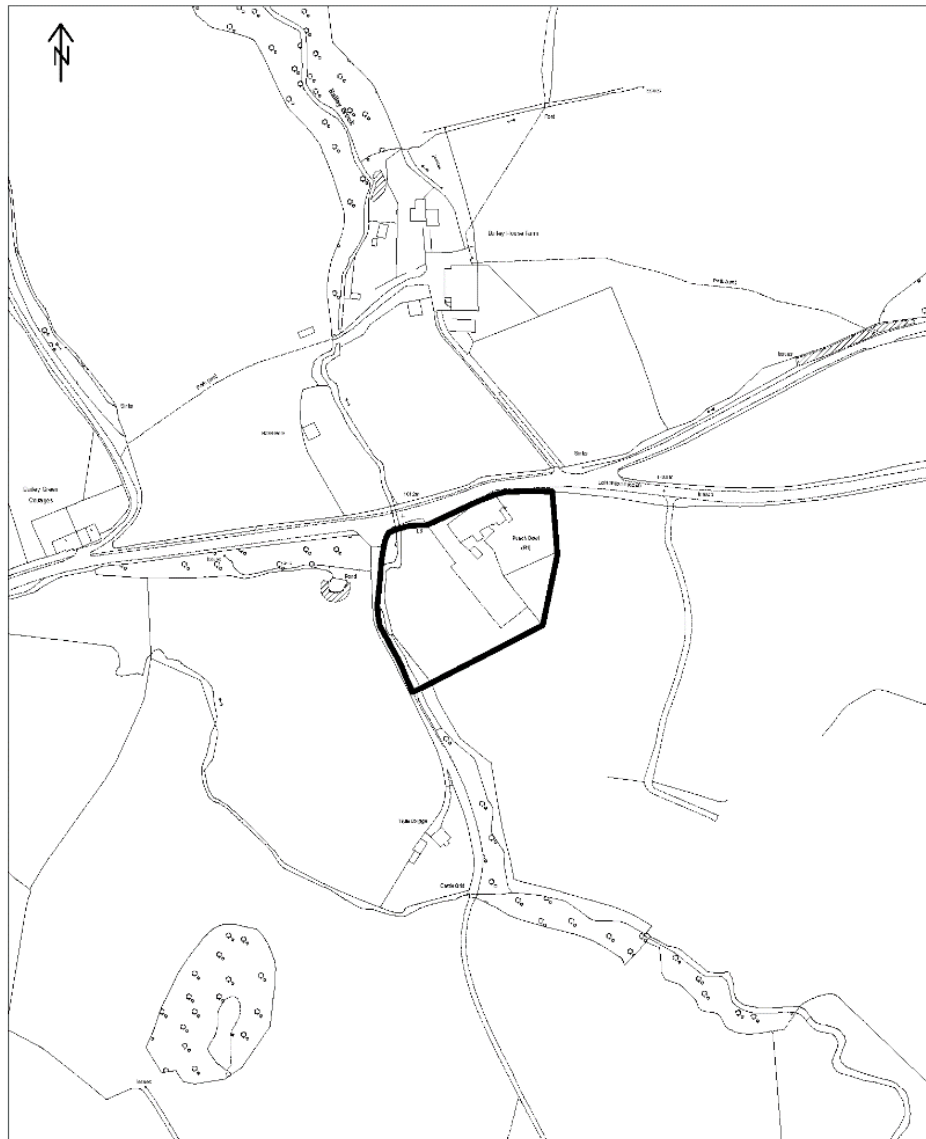


**APPLICATION REF:** 3/2018/0363 (Listed Building Consent)

**GRID REF:** 367396 437862

**DEVELOPMENT DESCRIPTION:**

CONVERSION OF THE FORMER PUNCH BOWL INN (GRADE II LISTED) INTO FIVE HOLIDAY LETS AND STORAGE AREA INCLUDING DEMOLITION AND EXTENSIONS. NEW PITCH STATIC CARAVAN HOLIDAY PARK WITH 15 UNITS WITH CURTILAGE AT FORMER PUNCH BOWL INN, LONGRIDGE ROAD, HURST GREEN BB7 9QW



3/2018/0362 and 3/2018/0363 Former Punch Bowl Inn Longridge Road Hurst Green BB7

Scale 1:2500

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

### **PARISH COUNCIL:**

The Parish Council's concerns have not changed from the previous application. Objection on Highways (dangerous) and over development.

### **COUNCIL'S COUNTRYSIDE OFFICER:**

This will require planning conditions for bats and trees in accordance with the recommendations of the survey findings.

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

The Lead Local Flood Authority (LLFA) has no comment to make on the above applications for the following reason:

- LLFA Flood Risk Standing Advice should have been applied; and
- It is not listed in the 'When to Consult the LLFA' document or in the Development Management Procedure Order 2010.

### **LANCASHIRE ARCHAEOLOGICAL ADVISORY SERVICE (LAAS):**

Do not object to the proposed development but raise concerns that the comments made previously (on previous applications) do not appear to have been addressed.

The response also recommends that should planning permission be granted a condition relating to the formal archaeological recording and analysis the building is compiled prior to any development work on site.

### **LANCASHIRE COUNTY COUNCIL HIGHWAYS:**

Initially objected and recommended refusal but based on the amended plan which deleted the café area and substituted it for a storage no longer object on the basis that the traffic generated by the scheme would not be materially different from the previous use as a public house.

### **ADDITIONAL REPRESENTATIONS:**

Four additional representations have been received from members of the public and the grounds for objection (3) and support (1) are included below:

#### **Objection:**

- Continue to object to this series of applications - all very similar - for this site.
- The parking allowed remains totally inadequate for the proposed café, staff, and overflow for the residents.
- Any parking on the road would be very dangerous. The traffic safety survey is for a period when the pub was often closed or had very little business.
- The plan, as with previous applications, is an over-development of the site. A more imaginative, less intensive development is required for this site.
- The area proposed is too small for the number of static units and all people using these facilities will have more than one vehicle.

- It will increase the probability of road traffic accidents.
- The site also threatens to encroach on the overall village environment of Hurst Green.
- No need for the development due to the existing café and holiday homes within Hurst Green.

Support:

- I support this application with the reduced number of static caravans.
- This is the last chance to save this property and everything should be done to embrace the commitment shown by the developer.
- The condition of this listed building is now in a very poor state and will only get worse.
- Having read the attached reports it appears compromises have been made. This application should be approved.

1. **Site Description and Surrounding Area**

- 1.1 The application relates to the ‘former’ Punch Bowl Inn on Longridge Road, Hurst Green. The property is a Grade II Listed Building (first listed: 22.11.83).
- 1.2 The application site is located in the open countryside and directly adjacent to the Forest of Bowland Area of Outstanding Natural Beauty. The southern boundary of the AONB is located on the opposite side of Longridge Road (B6243).
- 1.3 The application site measures 0.69 hectares and comprises of the main building and its associated land which includes the former car parking area. The Punch Bowl Inn was previously a Public House but has been unused for a number of years (approximately five years).
- 1.4 The former Public House building fronts directly onto the highway of Longridge Road with the car parking area to the rear. Access to the car park is obtained via an existing access point directly to the west of the building. The building itself comprises a pitched roof section at the western end with a taller, more recent, section at the eastern end which has a hipped design. The front elevation facing the highway is finished in natural stone, the side and rear elevations have a render finish, with the exception of part of the east facing side elevation which is also stone.
- 1.5 To the west of the site runs Bailey Brook and there are a number of trees on the site protected under the Ribble Valley Borough Council Punch Bowl Tree Preservation Order 2016 (198). This TPO covers six individually protected trees and one group.

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

- 2.1 The application seeks consent to convert the former Public House into five holiday lets and a storage area along with the siting of 15 static caravans/lodges, with associated car parking and access roads, to the side and rear of the building.
- 2.2 The proposed conversion of the building to a storage area and holiday lets (five units) would include the demolition of single storey sections of the building at the rear. Other alterations include the re-opening of a number of blocked up openings in the front elevation, including the opening of the former arched barn entrance that would be glazed and used as the access to the storage area. To the front of this new opening the application includes the installation of entrance steps/ramp and associated handrails.

- 2.3 In terms of the static caravans/lodges, these would occupy the external area associated with this former public house and the application includes the access roads and turning areas. Each caravan/lodge would be provided with its own designated car parking space and a further 5 car parking spaces would be provided for the five holiday units and a further 19 spaces. Access would continue to be obtained via the existing point off Longridge Road to the west of the building.

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

3/2017/0607 – (LBC) - Conversion of the former Punch Bowl Inn (Grade II listed building) into 5 Holiday Lets and Café, including demolition and extensions. New pitch holiday lodge park with 15No units within curtilage – Withdrawn, dated 14.09.17;

3/2017/0606 – (FULL) - Conversion of the former Punch Bowl Inn (Grade II listed) into five holiday lets and cafe including demolition and extensions. New pitch static caravan holiday park with 15 no units – Withdrawn, dated 14.09.17;

3/2017/0295 – (LBC) - Conversion of former Punch Bowl Inn into five holiday lets and cafe including demolition and extensions. Creation of new caravan park with fifteen units – Withdrawn, dated 19.06.17;

3/2017/0294 – (FULL) - Conversion of former Punch Bowl Inn into five holiday lets and cafe including demolition and extensions. Creation of new caravan park with fifteen units – Withdrawn, dated 19.06.17;

3/2016/0057 – (LBC) - Conversion of the former Punch Bowl Inn (Grade II Listed) into 5 no. holiday lets and cafe including demolition and extensions. New pitch static caravan holiday park with 20 units – Refused, dated 26.05.16; and

3/2016/0056 – (FULL) - Conversion of the former Punch Bowl Inn (Grade II Listed) into 5 no. holiday lets and cafe including demolition and extensions. New pitch static caravan holiday park with 20 units – Refused, dated 26.05.16.

### 4. **Relevant Policies**

Ribble Valley Core Strategy:  
Key Statement EN5 – Heritage Assets

Policy DMG1 – General Considerations  
Policy DME4 – Protecting Heritage Assets  
Policy DMB1 – Supporting Business Growth and Local Economy

National Planning Policy Framework (NPPF) (July 2018)  
National Planning Practice Guidance (NPPG)  
Planning (Listed Building and Conservation Areas) Act 1990

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

5.1.1 The applicant has also submitted an application for planning permission for the same proposed development. In support of both applications a Historic Building Impact Assessment and a Heritage Statement, have been submitted. The main issue for consideration as part of this application is the impact of the proposal on the designated heritage asset. It is considered that the submitted

statements are inadequate and more details should be provided in relation to the impacts of the heritage asset.

5.1.2 The application relates to a Grade II Listed Building and the proposal must therefore be assessed in relation to Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990. This section places a duty on the local planning authority in considering whether to grant permission for development that affects a listed building or its setting, to have special regard to the desirability of preserving the building and any features of special architectural or historic interest. Furthermore, the Court of Appeal has held that decision-makers should give considerable importance and weight to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise.

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“C Public House, '1793 R E, on plaque above door, with mid C19th addition to the east. Possibly originally a pair of cottages with a barn to the west now converted to form part of the pub. Squared watershot sandstone with slate roof. 2 storeys. The C18th portion comprises 2 bays with end stacks having sashed windows with glazing bars in plain stone surrounds, and 2 central plain stone door surrounds, the right-hand one being blocked. To the right is the possible former barn, with a double sash in plain stone surround with a similar single sash to its right. At the left is a taller bay which appears to be of the same build, with sashed windows with glazing bars in plain stone surrounds and a blocked doorway to the left. At the far left is the C19th addition, of larger sandstone blocks with moulded cornice. The left-hand bay has blank plain stone window surrounds, the right-hand bay having a door and 1st floor window, both with similar surrounds, the window being sashed with glazing bars. The left-hand return wall, visible from the road, is of 2 bays with plain stone surrounds to sashed windows with glazing bars, except for the central 1st floor window which is modern.”

5.1.4 The NPPF states within paragraph 189 “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 have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”

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- *The desirability of new development making a positive contribution to local character and distinctiveness.”*

5.1.7 Paragraph 193 of NPPF establishes that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification (paragraph 194).

5.1.8 The NPPF sets out that harm can either be ‘substantial’ or ‘less than substantial.’ Where a development proposal will lead to ‘less than substantial harm’ to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 196).

5.1.9 Case law has established that there can be degrees of less than substantial harm. There will also be cases where development affects heritage assets but from which no harm arises; in such cases as no harm has been identified, there is no requirement to assess this against any public benefits of the proposals.

5.1.10 The duties of the Listed Building and Conservation Area Act and the NPPF are also incorporated into the Ribble Valley Core Strategy.

5.1.11 Policy DMG1 sets out the general consideration which must be taken into account in the determination of all planning applications. Such considerations include the enhancement of heritage assets and their settings.

5.1.12 Key Statement EN5 states that there will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place; and to wider social, cultural and environmental benefits.

5.1.13 Policy DME4 states that alterations or extensions to listed buildings or development proposals on sites within their setting which cause harm to the significance of the heritage asset will not be supported. In addition, any proposals involving the demolition or loss of important historic fabric from listed buildings will be refused unless it can be demonstrated that exceptional circumstances exist.

5.1.14 The Lancashire Archaeological Advisory Service do not object to the application however, they have raised concerns and requested further information regarding the following areas:

- The loss of the rear barrel Vaulted Cellar (unless this can be shown to be modern);

- The loss of much of the rear wall of the right-hand former barn section and partial demolition of the outshut under the catslide roof;
- The loss of the rear stair in the former cottages and the subsequent changes to the circulation pattern; and
- The works required to eradicate and repair the dry rot and other damage that has occurred to the building.

5.1.15 The concerns from the LAAS are noted however it is considered that externally the application proposes to demolish more recent rear extensions to the building (including the rear barrel Vaulted Cellar). It is considered that the recent rear extensions are not of high quality design and do not enhance the significance of the listed building. The applicant has submitted a "Historic Building Impact Assessment" and a "Heritage Statement" in relation to the proposed development which indicates history of the listed building and the current condition stating that the building is of "dilapidated, but visually sound condition." The assessment states that "the rear of the buildings is architecturally without merit, being a conglomeration of rendered extensions of various dates." The assessment furthers this by stating "there is virtually nothing left of any features and fittings (etc.) inside any of these buildings that is of architectural or historical interest" and that, "the proposals to convert the property to holiday let accommodation would replace and replicate the original cellular plan, retain the front elevations as existing and remove some of the existing extensions to the rear and replace them with a more orderly and less impactful arrangement." It is also proposed to "open up a previously blocked arched entrance doorway into the front elevation of the former barn element to convert this to area used for storage. The structure of this is still evident in the front elevation." The proposed rear extension would be constructed of stone and would have an aluminium framed, glazed element. The proposed roof to the rear extension would be a hipped pitch and would be of natural slate. The proposed reinstatement of arched entrance doorway would be constructed of timber framing windows and doors.

5.1.16 With regard to the setting of the listed building, it is considered that the proposed 15 static caravans/lodges, due to the positioning of the listed building, the topography and the boundary treatment of the site, would be partially screened from view from the surrounding public highways and footpaths.

5.1.17 Members must determine whether they consider there would be any substantial harm in relation to the proposed development and the heritage asset of the former Punch Bowl Inn. Officer advice is that the listed building is in a current dilapidated condition and when taking into account the level of development, the changes in topography of the application site and the screening provided by the boundary treatment, the development would have less than significant harm upon the designated heritage asset and due to the building being brought back into use there would be a public benefit to the development. The proposal is therefore considered to be compliant to Key Statement EN5, Policies DME4 and DMG1 of the Ribble Valley Core Strategy and the national guidance contained within the NPPF, NPPG and Listed Building Act 1990.

## 5.2 Other Matters:

5.2.1 It is acknowledged that consultation responses and additional representations have been received regarding a number of areas of development. It is considered that other than the matters discussed above in relation to the listed

building the other areas of discussion are outside of the scope of a listed building consent application and therefore will be discussed and considered within the submitted full planning application reference 3/2018/0362.

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

- 6.1 Having regard to the above, the proposed development is considered to be acceptable in terms of the impact on the historic and architectural interest of the listed building. The proposal is therefore considered to be compliant to Key Statement EN5, Policies DME4 and DMG1 of the Ribble Valley Core Strategy and the national guidance contained within the NPPF, NPPG and Listed Building Act 1990.
- 6.2 Members may be aware that the reason this application is to be determined by Planning and Development Committee is because of a Member call in. It is clear that many of the issues have been resolved to address concerns on highway matters however Officers consider that insufficient information has been submitted to enable a full heritage assessment.
- 6.2 If Members are satisfied that the information is adequate it is an option for them to approve this application. However it is also an option to defer and delegate the application to the Director of Economic Development and Planning on the basis of receipt of an updated Heritage Statement and consideration of its details justifying the proposal as well as suitable conditions which is included in the following recommendation.

**RECOMMENDATION:** That the application be DEFERRED and DELEGATED to the Director of Economic Development and Planning or approval subject to the satisfactory completion of a revised Heritage Assessment and satisfactory justification and the following conditions:

1. The works to which this application relates shall be begun before the expiration of three years from the date of this consent.  
  
REASON: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. The development to which the permission relates shall be carried out in complete accordance with the following approved plans and specifications:
  - Application form, including materials, dated 13.03.18;
  - Site Location Plan, Ref. SD6737NW, dated 21.12.15 (1:1250);
  - Proposed Site Plan, dated 21.03.17 (1:500);
  - Proposed Side Elevations, dated 06.04.17 (1:100);
  - Proposed Front / Side Elevations, dated 19.09.18 (1:100);
  - Proposed Ground Floor Plan Rev C, dated 17.09.18 (1:100)REASON: To ensure that the development as carried out does not vary from the approved plans.
3. Notwithstanding the submitted plans prior to commencement of development further details of the Proposed Elevations of the South Elevation and First Floor Plan showing the omission of the extension to incorporate a café area shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved plans.



REASON: For avoidance of doubt since no amended elevations have been submitted to reflect the submitted alterations.

4. The proposed storage area shown on approved Floor Plan, dated 17/09/18, shall only be used in connection with the holiday let and holiday lodge park the subject of this application and for no other purpose.

REASON: In the interest of highway safety and to comply with Policy DMG1 of the Core Strategy.

5. Notwithstanding the submitted Site Plan prior to the commencement of the development a revised parking layout shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the parking and associated manoeuvring facilities shown on the approved plans shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation development hereby approved; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).

REASON: Due to the changes in the nature of the application following the removal of the café element from the scheme, or avoidance of doubt and in the interest of visual and highway amenity. To comply with Policy DMG1 of the Core Strategy.

6. Notwithstanding the submitted Heritage Statement prior to the commencement of the development a further Heritage Statement shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with any agreed mitigation measures set out within the approved Statement.

REASON: In order to assist the Local Planning Authority as the submitted Heritage Statement was considered inadequate to allow a full and proper assessment.

7. Precise specifications of proposed windows and doors including elevations cross – sections, glazing type, opening mechanism and surface finish shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. The approved windows 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 detailed design of the proposal safeguards the special architectural and historic interest of the listed buildings, the character and appearance of the conservation area and that the detailed design of the proposal is appropriate to the locality area in accordance with Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy.

8. Prior to commencement of the development a phasing plan shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall incorporate measures to safeguard the Listed Building at an early stage of the programme and shall be completed prior to commencement of use of any holiday caravans the subject of this application.

REASON: In the interest of safeguarding the integrity of the Listed Building and in accordance with Key Statement EN5 and Policy DME4 of the Ribble Valley Core Strategy.

#### BACKGROUND PAPERS

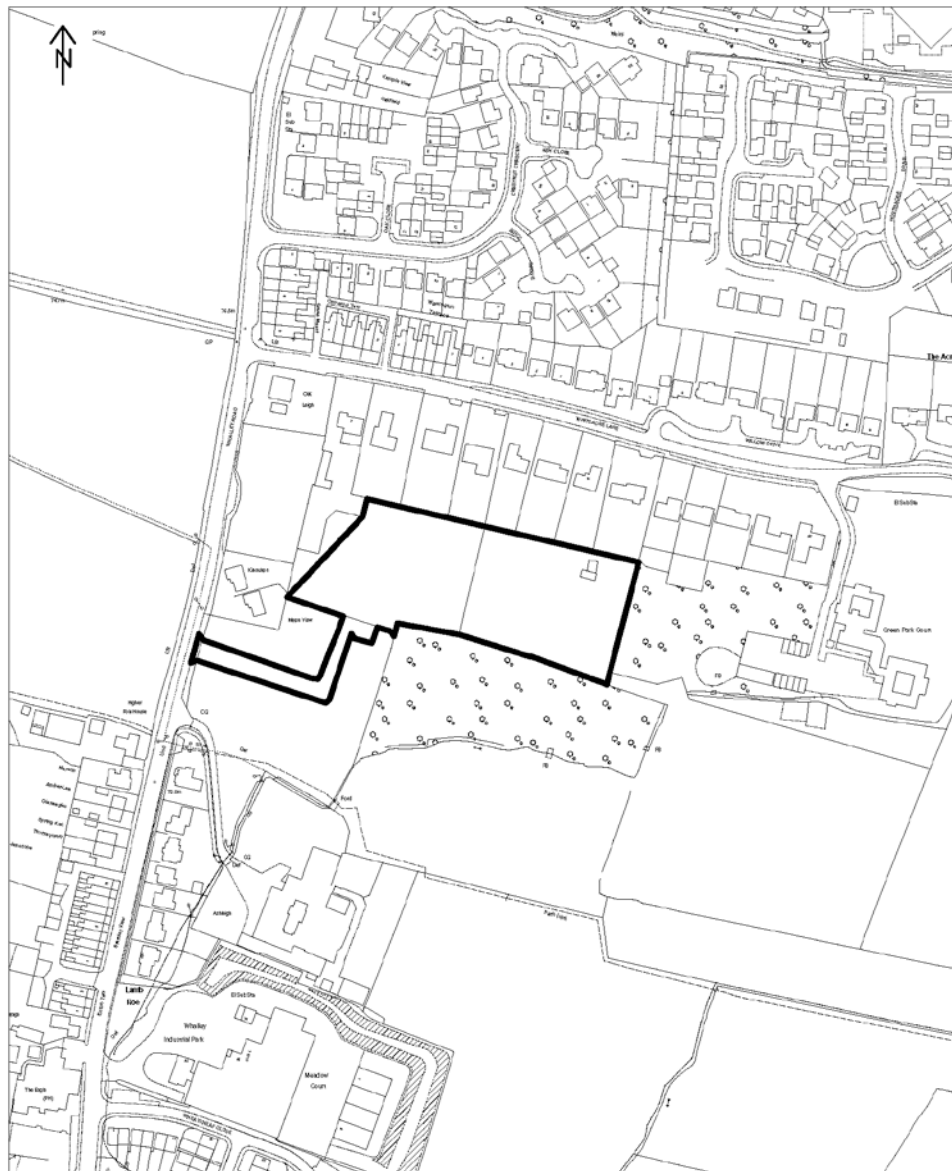
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0362](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0362)

**APPLICATION REF: 3/2018/0500**

GRID REF: SD 373731 437844

**DEVELOPMENT DESCRIPTION:**

**ERECTION OF TEN BUNGALOWS FOR THE OVER-55S AND ASSOCIATED WORKS AT LAND TO THE EAST OF CLITHEROE ROAD, BARROW BB7 9BN**



3/2018/0500 Land to the East of Clitheroe Road Barrow BB7 9BN

Scale 1:2500

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

### **PARISH COUNCIL:**

Barrow Parish Council strongly objects to the proposal for the following reasons:

- Approval would lead to the creation of new residential dwellings in the open countryside contrary to key statements and policies of the Core Strategy.
- Proposal cannot be classed as infill development.
- Zero residual need for additional housing in Barrow. Whilst housing numbers do not represent upper limits, additional housing should only be considered in areas that have not already been exploited for residential development, disproportionate to other targeted areas in the borough.
- Granting consent to the proposed development would create a harmful precedent for the acceptance of other similar unjustified proposals.
- The infrastructure plans do not demonstrate that additional housebuilding in Barrow is sustainable.
- Planning consents granted on appeal in other parishes do not mean that the same development principles should be applied to this application. Each application should be considered on its own merits and the threat of an appeal should be disregarded.
- The application should be placed on hold until legal action regarding the felling of trees covered by Tree Protection Orders is fully investigated. The parish council understands that trees were felled without the appropriate permissions to provide access to the site and this is unacceptable.
- The residential amenity of the properties on Whiteacre Lane is compromised by the proposals.
- The proposal would increase traffic flow onto Clitheroe Road, causing even more chaos on a narrow section of road that was not built for the current heavy traffic.
- Lancashire County Council's Flood Team must be fully consulted in order to minimise the flood risk of building yet more housing in the open countryside. The parish council understands that surface water is intended to be discharged into the beck. There have been many flooding incidents over the years where the beck has overtipped and flooded the area around the entrance to Whalley Industrial Park and Whalley Road. The application form incorrectly states that the site is not within 20 metres of a watercourse.

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

Whilst the County Surveyor raises no objection to the scale and location of the proposed development there are a number of design issues that will require further attention for the proposed layout to be acceptable. Amended plans have been received and a turning head issue remains unresolved.

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

Further information regarding surface water drainage has been requested by the LLFA before they provide representations.

### **UNITED UTILITIES:**

The proposals are acceptable in principle to United Utilities.

## **LCC CONTRIBUTIONS:**

As the development is for 'over 55's' we would not claim a contribution towards education provision.

## **ADDITIONAL REPRESENTATIONS:**

12 letters of objection have been received from neighbouring residents and raise the following:

- Acceleration of larger housing developments in the borough shows good progress towards housing land supply target.
- Justification of housing need is not robust.
- Need for over 55s properties refers to assessment from 2013.
- Proposed site lies outside the settlement area for Barrow.
- Granting this application on the back of Longridge appeal will create a precedent.
- Deliberate flouting of a tree protection order prior to removal of two mature poplar trees to create the site access. Granting consent would be tantamount to rewarding this practice.
- Tree Impact Assessment does not recognise the existence of these two trees as part of the original site. A request to plant two new trees is not a proportionate penalty for the offence.
- Building close to trees increases risk of serious damage or injury should branches fall.
- Development is bounded to the east by Green Park retirement apartments where elderly residents will be subjected to noise and dust nuisance.
- Council should carry out its duty with regard to the removal of protected trees, which was a premeditated wilful destruction of trees to facilitate access for residential development directly resulting in substantial financial gain.
- Two replacement black poplar trees have been planted and have been sited to allow vehicles to pass from Phase 2 to the application site.
- The tree preservation order and planning application should be treated separately. And the tree scenario is still ongoing at the time the Planning Committee hear the application, it should be postponed.
- In the last couple of years 17 bungalows have been built within 5 minutes of the application site.
- 30% of the bungalows would need to fall under the affordable housing category.
- Barrow and Whalley schools have no more capacity to take further students.
- Existing TPOs about the land and there is a limitation to how near any construction can go.
- Barrow is overloaded in terms of its infrastructure and has lost its character as a small village.
- Overlooking of gardens.
- The application site is full of wildlife – request a habitat survey and bat survey be carried out.
- TPO should be placed on all trees around the boundaries, irrespective of application outcome.
- The parish already offers a diverse range of housing options – terms 'for the elderly' and 'for the over 55s' are classifications being used by developers to improve their chances of obtaining planning permission.

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

- 1.1 The site which is the subject of this planning application lies within the open countryside on the edge of the settlement of Barrow and comprises grassland with mature tree planting along the southern and eastern boundaries. The land is located to the east of Clitheroe Road, Barrow. To the north is an established hedge beyond which are the rear gardens of dwellings along Whiteacre Lane. The existing access to the site is in the north western corner of the land and passes through the residential garden of the landowner, no.2 Whiteacre Lane.
- 1.2 The adjoining land to the south/south west is being developed for residential use for 10 bungalows (referred to as Phase 2) approved under planning consent 3/2017/0603. This application (referred to as Phase 3) is submitted by the same developer and would be accessed from Clitheroe Road through the Phase 2 development site. There are also two additional residential properties that bound the site to the immediate west. To the east, beyond the mature tree planting, is Green Park Court, a development of over 55s accommodation.

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

- 2.1 It is proposed to develop the application site to provide ten 2 and 3 bedroom detached bungalows, similar to those approved as part of the previous phase. The site takes direct access from the previous phase of development which is being built out presently.
- 2.2 The layout incorporates 10no. bungalows arranged around a cul-de-sac layout. The proposed dwellings would be built using stone and render and the roofs would be constructed in artificial slate. There would be a requirement to provide affordable housing in accordance with the relevant policies of the Core Strategy.
- 2.3 It should be noted that the Council was notified of the removal of two protected mature trees at the application site in February 2017. The position where the two trees previous stood now forms the point of access for the application site. The landowner has provided 2no. replacement black Poplar trees as requested by the Council's Countryside Officer but the details submitted with the application indicate that the replacement trees plus one additional black Poplar tree need to be removed for access. The impact of the development proposals on trees will be considered below.

## 3. **Relevant Planning History**

### (Phase 1)

3/2014/0725 - Proposed erection of 7 no. dwellings and associated works. Approved with conditions.

3/2012/0617 - Outline application for a proposed residential development of seven dwellings. Approved with conditions.

### (Phase 2)

3/2017/0603 - Erection of nine dwellings and associated works. Approved with conditions.

3/2016/0374 - Erection of 9 dwellings and associated works. Approved with conditions.

3/2013/0511 - Outline application for residential development (nine dwellings). Approved with conditions.

#### 4. **Relevant Policies**

##### **Ribble Valley Core Strategy:**

Key Statement DS1 – Development Strategy

Key Statement DS2 – Sustainable Development

Key Statement EN2 –Landscape

Key Statement EN4 – Biodiversity and Geodiversity

Key Statement H1 – Housing Provision

Key Statement H3 – Affordable Housing

Key Statement DMI1 – Planning Obligations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME1 – Protecting Trees and Woodlands

Policy DME2 – Landscape and Townscape Protection

Policy DME6 – Water Management

Policy DMH1 – Affordable Housing Criteria

Policy DMH3 – Dwellings in the Open Countryside and the AONB

Policy DMB4 – Open Space Provision

Policy DMB5 – Footpaths and Bridleways

##### **National Planning Policy Framework (NPPF)**

##### **National Planning Policy Guidance (NPPG)**

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

5.1 The main considerations in determining this application are the principle of the development, the impact of the development on the visual appearance of the surrounding area, its effect on the residential amenities of neighbouring occupiers, the ecological impact of the proposals, flooding and site drainage and its effect on highway safety.

#### 5.2 **Principle of Development**

5.2.1 As Members will be aware, Key Statement DS1 of the Adopted 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.'*

5.2.2 In addition to the strategic site at Standen and the borough's principal settlements, development will be focused towards Tier 1 Villages, which are the more sustainable of the 32 defined settlements. Key Statement DS1 identifies Barrow as a Tier 1 Village and therefore some development will be directed towards the settlement. Key Statement DS1 confirms 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.'*

- 5.2.3 It is relevant at this stage to note that the settlement boundaries for the Borough have been reviewed and are contained on the emerging Proposals Map that was formally submitted, alongside the Council's Housing and Economic Development (HED) DPD, to the Secretary of State on 28 July 2017. Prior to this the settlement boundaries used for Development Management purposes pre-dated the Core Strategy and were part of the District Wide Local Plan (Adopted June 1998). These settlement boundaries were not amended during consideration of the Core Strategy.
- 5.2.4 As part of the plan preparation for the HED DPD the settlement boundary for Barrow has been reviewed in accordance with the Interim Settlement Boundary Definition Topic Paper (March 2016) which formed part of the HED DPD evidence base.
- 5.2.5 The proposal site lies immediately adjacent to the emerging settlement boundary of the village of Barrow. In terms of the sites proximity to services, the site could be deemed to be a sustainable location. The provision of 10 additional dwellings adjacent to the settlement of Barrow would reflect the existing population size and would not result in any quantifiable or measurable harm to the Development Strategy presented by Key Statement DS1 of the Core Strategy, particularly given that it seeks to focus some new housing development towards the tier 1 settlements.
- 5.2.6 The revised National Planning Policy Framework was published on 24 July 2018 and introduced changes to how local planning authorities calculate housing land supply. Paragraph 73 of the revised NPPF states that "*local planning authorities should identify and update annually a supply of specific deliverable site sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies...*

*The supply of specific deliverable site should in addition include a buffer (moved forward from later in the plan period) of:*

- a) 5% to ensure choice and competition in the market for land*
  - b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or*
  - c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply*
- 5.2.7 The latest five year supply calculation is published in the Housing Land Availability Schedule July 2018. This takes into account the changes introduced by the revised NPPF in terms of housing requirements and deliverability. Based on a baseline date of 30<sup>th</sup> June 2018 the Council can demonstrate a 5.3 year supply of housing land with a 5% buffer.



- 5.2.8 Table 4.12 of the Core Strategy illustrates the expected distribution of housing development in the Borough over the plan period including the residual number of houses needed in each settlement based on the requirement for 5,600 houses over the plan period. Table 4.12 apportions 710 dwellings to Barrow over the plan period (2008-2028). It is acknowledged that the figures contained with table 4.12 represent a minimum housing requirement. In the settlement of Barrow, the Council's position in terms of the combined number of dwellings with planning permission and homes completed since 2008 has fluctuated as a result of changes to house numbers on individual development sites. The Authorities internal monitoring of residual requirements for both the Principal and Tier 1 settlements as of 12th September 2018 confirms that the residual remains unmet in Barrow by 43 units.
- 5.2.9 The settlement boundary of Barrow as shown on the current proposal maps shows that the opportunity for available land to come forward to meet any unmet need within the main settlement is somewhat limited and as such, on balance, the proposed development, on the edge of the main settlement, is considered to be acceptable in principle
- 5.2.10 The application site lies outside the Barrow settlement boundary in an area defined as open countryside where Core Strategy Policies DMG2 (Strategic Considerations) and DMH3 (Dwellings in the Open Countryside & the AONB) apply. In order to satisfy policies DMG2 and DMH3 in principle residential development in the open countryside or AONB must meet an identified local housing need or one of the other criteria. Providing affordable homes and housing for older people are priorities within the Council's Housing Strategy and the Strategic Housing Market Assessment (SHMA) supports the need for bungalows in the Borough. However, the boroughwide shortfall in affordable homes and 55 years plus accommodation is expressly addressed through the housing policies in the Core Strategy. Despite the submission of a '*Summary of support for the delivery of new bungalows*' the applicant has failed to provide sufficient justification that a local need exists within the village for the provision of open market over 55s accommodation and therefore the proposed development meets none of the criteria in policies DMG2 and DMH3 in this case.
- 5.2.11 Although the Council can demonstrate a 5 year supply of housing (HLAS 31st March) there remains an outstanding residual requirement for housing in the settlement. The addition of 10 bungalows and scale of growth generated from this site is considered to be modest overall and there is limited land available within the settlement to accommodate the requirement for 43 dwellings. On balance, taking the above material considerations into account, it is considered that the benefits of the scheme outweigh the conflict with policies DMG2 and DMH3 in this case.

### 5.3 Design and visual appearance

- 5.3.1 The site is well-related to existing built form. It bounds residential development to the north and west. To the east is Green Park Court, an over-55s development. The site is bound along its southern boundary by an existing development site (Phase 2) and woodland. From the public highway along Clitheroe Road and Whiteacre Lane the proposals would be seen in the context of existing development including the established residential properties along Whiteacre Lane. A public footpath (FP17) runs to the south of the site at a distance of

approximately 150 metres but given the intervening dense woodland and single storey height of the development the proposals would be well-screened. Having regard to the above, the proposals would not be detrimental to the character of visual appearance of the countryside.

- 5.3.2 The design of the proposed dwellings would reflect those granted at the adjoining development site. The dwellings would be faced in stone and render with artificial slate roofs. The density of the site and the proposed house type designs are considered to be acceptable.

#### 5.4 Impact on amenity of neighbouring residents

- 5.4.1 It is important to consider the impact of the development on the residential amenities of existing and future residents. The proposed development would bound existing residential plots to the north and west. Separation distances proposed between the new dwellings and existing properties on Whiteacre Lane are an average of around 35m which is sufficient to protect the privacy of residents. Whilst the rear gardens of plots 19-23 fall short of 10m, given the absence of first floor windows there would be no overlooking of the private gardens of properties along Whiteacre Lane. In the event that the application is approved, it would be recommended that permitted development rights be removed from plots 19-23 so that the Local Planning Authority retains control over future extensions/ alterations to the proposed dwelling-houses which may affect privacy.

- 5.4.2 The site layout would provide front separation distances of 14-17m. This accords with the recommendations of Manual for Streets. The gardens of plots 24-27 exceed 10m in length. There are therefore no concerns relating to the site layout insofar as it relates to residential amenity.

#### 5.5 Effect of the development of trees and ecology

- 5.5.1 The application is supported by a Phase 1 Ecology Survey by Leigh Ecology Ltd. The majority of the site is improved grassland with a damp marshy area within the centre south area. Along the south and eastern boundary trees overhang the site. There are a number of small wooden structures within the site and two mature trees in the eastern section but neither the buildings nor trees contain potential roost features for bats. The adjacent woodland could offer some commuting and foraging habitat for bats and this should be considered in the landscape proposals for the site. Additionally, potential bird nesting habitat occurs within the hedgerows and a bird nest check and reasonable avoidance measures should be employed in work to be undertaken within the bird breeding season.

- 5.5.2 The survey concludes that the site is of low importance from a nature conservation perspective. Consideration must be given to potential bat usage of trees and the impact on foraging bats. This should be reflected in the landscaping proposals and artificial lighting schemes. Core Strategy Policy DME3 and the NPPF seeks to secure biodiversity enhancement and it is recommended that bat and bird nest/roost features be incorporated within the site and be secured by planning condition.

- 5.5.3 As noted earlier in the report, this application is submitted following the illegal removal of two protected Black Poplar trees at the site. The trees were subject to TPO 71-1984 Whitacre School, Barrow. The Council reached an agreement with the landowner and developer to plant replacement trees at a ratio of 1:1. The Council's Countryside Officer has confirmed that the replanting has been undertaken to his satisfaction.
- 5.5.4 The proposed access road would result in the removal of 3no protected trees including the 2 recently planted Poplars in the south-west corner of the site. In other areas of the site hard surfaces would encroach slightly into the RPA of trees T2 and G2. In these circumstances, the work would be completed using 'no-dig' methods and materials. The proposed garage of plot 23 would encroach into the RPA of tree T6 and would be constructed using specially engineered foundations. The provision of a specification drawing detailing an appropriate foundation design could be conditioned, as would the submission of a suitably detailed arboricultural method statement and tree protection plan to describe and detail the procedures, working measures and protective measures to be used in relation to retained trees.
- 5.5.5 As denoted on the submitted landscaping plan, five areas within the site would be allocated for new tree planting and would result in the planting of a total of 31no trees. The Council's Countryside Officer is satisfied that, subject to minor changes to the proposed landscaping plan, the proposals would be acceptable. Amendments would include the substitution of tree species and alterations to the proposed garden areas to ensure that the canopies of protected trees do not overhang private residential gardens so avoiding the possibility of tree resentment issues which could potentially involve future tree applications being submitted which would affect the amenity value and balance of the retained trees. In addition, it is recommended that a landscape management plan setting out long-term design objectives, management responsibilities and maintenance schedules be submitted to the Council.

## 5.6 Affordable Housing and Developer Contributions

- 5.6.1 The application proposes the erection of 10 dwellinghouses and therefore there is a requirement for the development to provide affordable housing in accordance with the Council's affordable housing policies contained in the Core Strategy. Key Statement H3 of the Core Strategy requires 30% of dwellings to be affordable units. Providing for older people is a priority for the Council within the Housing Strategy and 15% of units would need to provide for older people in accordance with the Council definition of over 55s accommodation which includes accommodation with the specifications and requirements of category 2 housing as defined in M4(2) of Approved Document M (volume 1 2015) of The Building regulations 201.
- 5.6.2 The development scheme as proposed included the offer of a financial contribution toward off-site affordable housing which has been calculated as £185,760. An off-site contribution was accepted by the Council on Phases 1 and 2 of the development based on the advice of the Council's Strategic Housing Officer who confirmed there was no need for affordable housing units in Barrow at the time of determination.

5.6.3 However, circumstances have since changed and evidence collated from a neighbouring site has demonstrated that there is still an unmet need for discount sale bungalows. Key Statement H3 of the Core Strategy states that unless an agreement is reached between the Council and the developer that it is preferable to make a financial contribution, developers will be expected to provide affordable housing on site. As such, the developer has agreed to provide 3no bungalows (30% of the units) for discount sale and 50% of the affordable units would be secured for occupation by older people only. There remains a requirement for design of the discount sale units to be amended to accord with the Council's bungalow definition and also to ensure that the units would meet the affordability criteria.

5.6.4 The proposal would place pressure on existing sports and open space infrastructure in the Borough. Contributions would be necessary to mitigate the impact of the development and this has been calculated at £5,119.

5.6.5 Lancashire County Council (education) have confirmed that an education contribution is not required in regards to this development.

## 5.7 Other Considerations

5.7.1 The County Surveyor (Highways) has raised no objections to the development in principle. However, he has requested minor alterations to the site layout which the applicant has generally complied with. There remains the requirement for the applicant to provide amended plans which show a turning head to allow a refuse vehicle to enter and leave the cul-de-sac in a forward gear.

5.7.2 A drainage strategy has been provided which proposes to connect the development to the foul and surface water drainage systems provided in the Phase 2 development site. Surface water run-off from Phase 2 will discharge into a watercourse along the eastern and part of the southern boundary of the site which ultimately discharges into the River Calder. The drainage strategy for Phase 2 identified a discharge rate of 3l/s and there was a conditional requirement for the submission of final details of the design of the surface water drainage scheme including the requirement that it should not exceed run-off of 3l/s. The drainage strategy submitted with this application confirms that the surface water drainage for Phase 2 has been designed to accept a surface water discharge of 5l/s from Phase 3. The Lead Local Flood Authority (LLFA) have requested the submission of a detailed drainage strategy for Phases 2 and 3 to ensure that the development proposals would not result in flooding or flood risk from surface water, groundwater or from ordinary watercourses.

## 6. Conclusion

6.1 Having considered all of the above, it is recommended that the application be deferred and delegated for approval. The principle of the development is considered to be acceptable however there remains the need to secure minor changes to the layout, design and landscaping of the site as described above. Further drainage details are also required to establish whether the proposed surface water drainage provisions are acceptable and a legal agreement is required in order to secure affordable housing and a financial contribution towards sports and open space infrastructure.

RECOMMENDATION: That the application be DEFERRED AND DELEGATED to the Director of Community Services for approval subject to the receipt of acceptable highway and drainage details, amended plans and following the satisfactory completion of a legal agreement and subject to the following conditions:

*Timings and Commencement*

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

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

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:

Drawings TBC

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

*Matters of Design*

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

REASON: To ensure that the materials to be used are appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

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

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

*Landscape*

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 details of the alignment, 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 in writing by the Local Planning Authority. For the avoidance of doubt the submitted details shall include the precise nature and location for the provision of measures to maintain and enhance wildlife

movement within and around the site by virtue of the inclusion of suitable sized gaps/corridors at ground level. The development shall be carried out in strict accordance with the approved details.

REASON: To comply with Key Statement EN4 and Policies DMG1, DME3 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 minimise the potential impacts of the development through the inclusion of measures to retain and enhance habitat connectivity for species of importance.

6. The approved soft landscaping scheme (drg. no. TBC) shall be implemented in the first planting season following occupation or use of the development 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 Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

7. 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 a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

REASON: To ensure the proper long-term management and maintenance of the landscaped areas in the interests of visual amenity and biodiversity enhancement, in accordance with Policies DMG1, DME1 and DME3 of the Ribble Valley Core Strategy.

### *Highways*

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

REASON: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

9. Each dwelling shall incorporate provision to charge electric vehicles and a scheme to provide these facilities shall be submitted to the local planning authority for approval prior to any building work commencing on site. The development shall be carried out in strict accordance with the approved details..

REASON: To ensure that provision is made for electric powered cars and to support sustainable methods of travel in accordance with Key Statement DMI2 and Policy DMG3 of the Core Strategy.

10. No development approved by this permission shall commence until a Construction Method Statement/Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Statement/Management Plan shall be adhered to throughout the construction period and shall provide for:
- i) the routing of construction and delivery vehicles including 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)
  - ii) parking of vehicles of site operatives and visitors within the site;
  - iii) loading and unloading of plant and materials;
  - iv) storage of plant and materials used in constructing the development;
  - v) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - vi) measures to ensure that construction and delivery vehicles do not impede access to adjoining properties;
  - vii) a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures including measures to prevent pollution of habitats adjacent to development areas;
  - viii) a scheme for recycling/disposing of waste resulting from construction works (there shall be no burning on site);
  - ix) A scheme to control noise during the construction phase;
  - x) details of lighting to be used during the construction period which should be directional and screened wherever possible;
  - xi) Details of hours of working including delivery times for construction materials;
  - xii) Pollution prevention measures to be adopted throughout the construction process to ensure watercourses on and adjacent to the works are adequately protected; and
  - xiii) Contact details of the site manager.

REASON: In the interests of protecting the residential amenities of the locality and highway safety and to comply with Policy DMG1 of the Core Strategy.

11. Other Highways Conditions TBC

*Residential Amenity*

12. No building or engineering operations within the site or deliveries to and from the site shall take place other than between 07:30 hours and 18:00 hours Monday to Friday and between 08:30 hours and 14:00 hours on Saturdays, and not at all on Sundays or Bank Holidays.

REASON: In order to protect the amenities of existing residents in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

*Drainage and Flooding*

13. Foul and surface water shall be drained on separate systems.

REASON: To secure proper drainage and to manage the risk of flooding and pollution.

14. Other Drainage Conditions TBC

### *Further Control over Development*

15. Notwithstanding the provisions of Classes A, B, C and E of Part 1 of the Town and Country Planning (General Permitted Development) Order 2015, or any Order revoking and re-enacting that Order, plots 19-23 inclusive hereby permitted shall not be altered or extended and no buildings or structures shall be erected within the curtilage of the new dwellings 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 neighbour amenity in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

### *Ecology and Trees*

16. 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 an arboricultural method statement and tree protection plan has been submitted to and approved in writing by the Local Planning Authority. This must provide for the protection of all existing trees within the site except those identified for removal in the Arboricultural Impact Assessment by Bowland Tree Consultancy Ltd dated May 2018 and shall include details of the special materials and working methods for proposed construction within RPAs. Thereafter the development shall be implemented wholly in accordance with the approved details..

Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees to be retained shall be protected in accordance with the BS5837:2012 [Trees in Relation to Demolition, Design & Construction]. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

REASON: To protect trees and hedges on and adjacent to the site and to ensure the proposal is satisfactorily landscaped and appropriate to the locality in accordance with Policies DME1 and DME3 of the Ribble Valley Core Strategy.

17. The development shall be carried out in STRICT accordance with the recommendations of the submitted Ecological Appraisal dated 17 May 2018.

REASON: To minimise the impact on ecology in accordance with Policies DMG1 and DME3 of the Core Strategy.

18. 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 protected species in accordance with Section 9 of the NPPF, and Key Statement EN4 and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

19. No part of development shall commence until the details of artificial lighting have been submitted to and agreed in writing by the local planning authority. The information shall include details on the type and intensity of lighting and how its impact on the natural roosting and foraging activity of protected/species of conservation concern shall be mitigated. The lighting thereafter shall be implemented in accordance with the approved details.

REASON: In order to mitigate impact on wildlife and habitat and to comply with Policies DMG1 and DME3 of the Ribble Valley Core Strategy Adopted Version.

#### BACKGROUND PAPERS

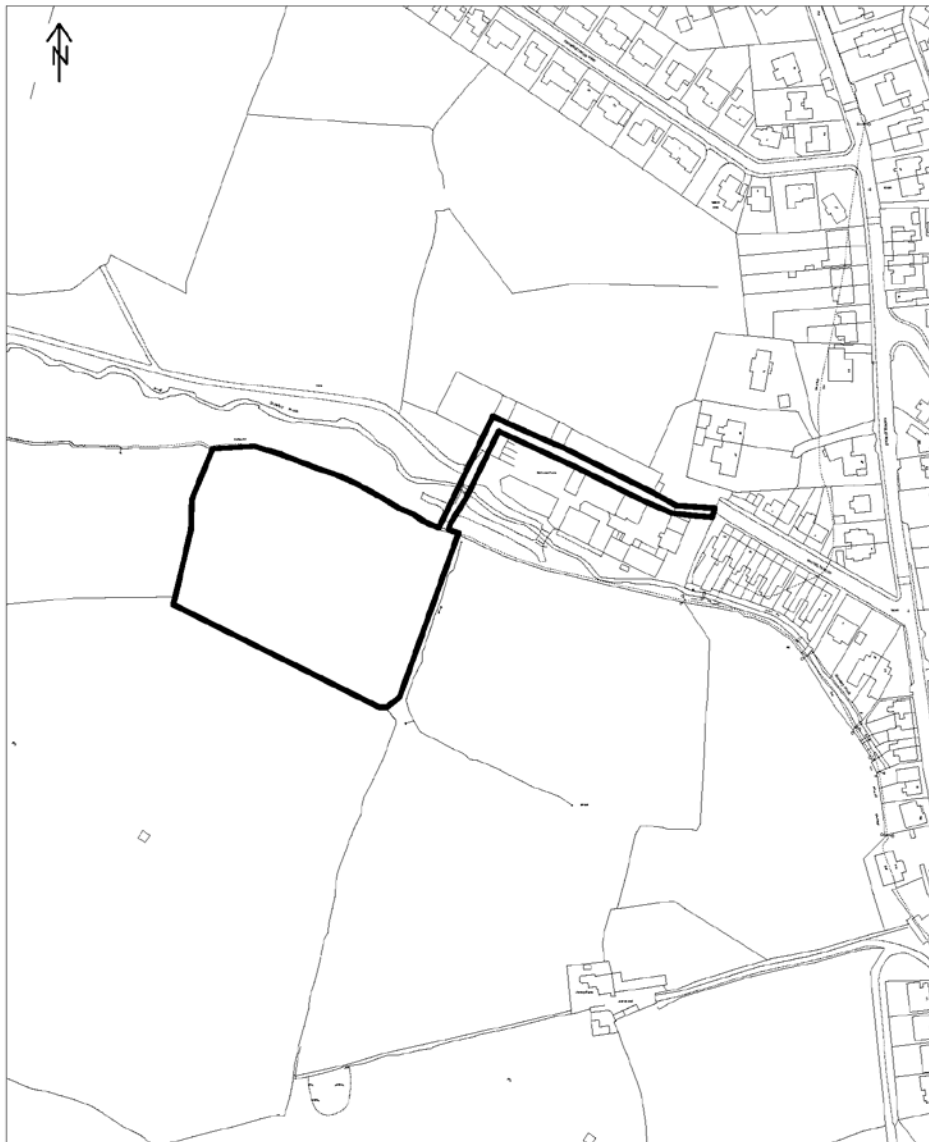
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0500](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0500)

**APPLICATION NO: 3/2018/0674**

GRID REF: SD

**DEVELOPMENT DESCRIPTION:**

ERECTION OF AN AGRICULTURAL BUILDING FOR FREE RANGE EGG PRODUCTION ACCESS AND ASSOCIATED FEED BINS, HARDSTANDINGS AND ACCESS AT ALKER BOTTOMS, BROOKLYN ROAD, WILPSHIRE BB1 9PP



3/2018/0674 Alker Bottoms Farm Brooklyn Road Wilpshire BB1 9PP

Scale 1:2500

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## **PARISH/TOWN COUNCIL:**

Wilpshire Parish Council. Although the Council appreciates that Wilpshire is a semi-rural area, it has concerns about odour issues for nearby residents as a result of the proposed development but understands from the specialist report that this is 'well below the environment agency's benchmark for moderately offensive odours'. Similarly rodent control and noise from ventilation fans seem to have been addressed. Wilpshire Parish Council also has concerns about the possible increase in traffic on the roads adjoining the site but understand that it has been stated that this would be around one journey per day. If the information submitted is verified by the planners Wilpshire Parish Council has no objection in principle to the proposal.

## **HIGHWAYS (LCC):**

No objection following submission of additional details.

## **LLFA:**

No objection subject to conditions.

## **UNITED UTILITIES:**

No objection subject to conditions.

## **ADDITIONAL REPRESENTATIONS:**

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

- Noise pollution from the development
- Obnoxious smells
- Traffic issues and highway safety matters
- Devaluation of property
- Loss of residential amenity
- Visual impact
- Pollution of watercourse.

### **1. Proposal**

- 1.1 This is an application for the erection of a new agricultural building and access track at Alker Bottoms Brooklyn Road Wilpshire. The building is to be used to house 16,000 hens.
- 1.2 The proposed building would be sited to the north of the main complex of farm buildings and would measure approximately 76m x 20m and would have a ridge height of around 5.9m. It would be constructed using a steel portal frame. The south elevation would have numerous pop holes for hen movement and access on to the pasture range. The north elevation is solid and each gable has openings for access to the building. The ridge of the roof has 6 vent stacks The building in olive green profile sheeting. The proposed track is a continuation of the existing farm track and a hardstanding is around the perimeter of the building to include a turning area and concrete apron. There are 2 external feed bins.

2. **Site Location**

- 2.1 The farm complex is located at the end of a residential cul de sac Brooklyn Road. The farm complex is on the edge of the settlement boundary of Wilpshire and within the Green Belt. The proposed building is to the north of the existing complex of farm buildings.

3. **Relevant History**

None

4. **Relevant Policies/ Key Statements**

Ribble Valley Core Strategy:

EN1- Green Belt

EN2 – Landscape

DMG1 – General Considerations

DMG2 – Strategic Considerations

DMG3 – Transport and Mobility

DMB1- Supporting Business Growth and the Local Economy

**National Planning Policy Framework**

5. **Assessment of Proposed Development**

- 5.1 In determining this application the main considerations are the principle of development, the visual and landscape impact on the Green Belt, its impact on highway safety and residential amenity.

5.2 **Principle of Development**

5.2.1 The proposed development is agricultural and would therefore be compliant with local and national policies. Paragraph 145 of the NPPF states that new agricultural buildings are deemed appropriate in the Green Belt.

5.2.2 Section 6 of the NPPF (revised July 2018), 'Building a strong competitive economy', requires planning policies and decisions to support a prosperous rural economy and paragraph 83. (b) states that "planning policies and decisions should enable the development and diversification of agricultural and other land-based businesses." The applicant has indicated that the introduction of this additional element of farming would help support the existing farming business.

5.3 **Impact on Landscape and Visual Amenity**

5.3.1 The application site is located within the Green Belt and open countryside. Although separated from the main complex of buildings it is still closely related and will be seen against the existing range of buildings. Land to the north of the building is to be used as a pasture area for the hens and will be enclosed by an open mesh post and wire stock fence.

5.3.2 The proposed building is 5.9 m high and therefore would not have a significant impact on the skyline. It is also to be cut into the hillside of the sloping field and

so the impact would be further reduced. The existing hedgerows and trees are to be retained which further reduces any visual impact.

#### 5.4 Highway Safety

5.4.1 In terms of the impact of the development on highway safety, the County Surveyor has raised no objection.

#### Residential Amenity impact

5.5.1 The main considerations relate to noise and odour resulting from the development. Reports have been submitted with this application and it is the view of the EHO that the development would not be likely to have an adverse impact on adjacent residential amenity. It is considered that the nearest property is sufficiently separated and that the nature of the business would not create noise or odours that would have a detrimental impact on the occupiers of the properties.

### 6. Conclusion

6.1 I note the concerns expressed by both the Parish Council and the objectors but I consider having regard to the views of the statutory consultees and the limited visual impact and safeguarding planning conditions it is recommended that application is acceptable.

RECOMMENDATION: That the application be DEFERRED AND DELEGATED to the Director of Economic Development and Planning for approval subject to the expiration of the consultation period and the following conditions:

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

REASON: 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 Location Plan IP/MP/01, Site Plan IP/MP/02 and Elevation and Floor Plan IP/MP/03 and Wire Stock Fencing detail submitted with the application.

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

3. The external facing materials shall relate to that specified as detailed on the approved plans and submitted documents, shall be used and no others substituted.

REASON: To ensure that the materials to be used are appropriate to the locality in accordance with Policies DMG1 and EN2 of the Ribble Valley Core Strategy.

4. No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable

drainage scheme have been submitted to and approved in writing by the local planning authority.

Those details shall include, as a minimum:

- a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) The drainage strategy should demonstrate that the post development surface water run-off rate will not exceed the pre-development greenfield run-off rate for the corresponding rainfall event. The maximum surface water run-off rate from the development will be no greater than 10.6l/s. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing watercourses (open or culverted) and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include a site investigation and test results to confirm infiltrations rates. If infiltration is shown to be a viable option for the disposal of surface water, then this should then be used as the primary method for disposing of surface water from the site. Disposal via an ordinary watercourse will only be considered where infiltration is proved to be unsuitable.
- g) Details of water quality controls, where applicable.

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

REASON: To ensure that the proposed development can be adequately drained and to ensure there is no flood risk on or off the site resulting from the proposed development in accordance with Policy DME6 of the Ribble Valley Core Strategy.

5. No development shall commence until details of how surface water and pollution prevention will be managed have been submitted to and approved in writing by the L.P.A.

REASON: To ensure that the proposed development can be adequately drained and to ensure there is no flood risk on or off the site resulting from the proposed development in accordance with Policy DME6 of the Ribble Valley Core Strategy.

6. The drainage for the development hereby approved shall be carried out in accordance with the principles set out in the submitted Flood Risk Assessment (FRA) reference number JAG/AD/JD41303 – RP001 dated July 2018, as prepared by Allan Wood &

Partners. No surface water will visit a drain directly or indirectly into the public sewer. Any variation to the discharge of the foul shall be agreed in writing by the Local Planning Authority prior to commencing the development. The development shall be completed in accordance with the approve details.

REASON: To ensure that the proposed development can be adequately drained and to ensure there is no flood risk on or off the site resulting from the proposed development in accordance with Policy DME6 of the Ribble Valley Core Strategy.

7. The rating levels for cumulative noise from the development shall not exceed the existing background level (LA90), as assessed in accordance with British Standard 4142: 2014 Methods for rating and assessing industrial and commercial sound, at the nearest noise sensitive premises. Alternative levels and monitoring locations may be used subject to the prior written agreement of the Local Planning Authority.

The Maximum Instantaneous Noise Levels (LAFmax) from the development shall not exceed 60dB(A) evening (19.00 - 23.00)\* and night-time (23.00 - 07.00) at the façade of the nearest noise sensitive premises. Alternative levels and monitoring locations may be used subject to the prior written agreement of the Local Planning Authority. \* The evening standard LAFmax will only apply where the evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour.

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

8. There shall be no deliveries or collections (including waste and manure) to or from the development outside the hours of 08.00 to 18.00, Monday to Friday, 08.00 to 13.00 on Saturdays, and not on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

9. Prior to first use of the development, an Odour Management Plan, for odours from all areas of the development, for example, the poultry building, feed storage/distribution areas, carcasses, and the storage/handling/disposal of litter, manure and waste water, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed Odour Management Plan shall be adhered to at all times during the life of the development and any changes to the operation of the development should be submitted to and agreed in writing by the Local Planning Authority.

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

10. Prior to first use of the development, an Insect Management Plan, to include flying insects, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed Insect Management Plan shall be adhered to at all times during the life of the development and any changes to the operation of the development should be submitted to and agreed in writing by the Local Planning Authority.

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

11. Artificial lighting to the development, for example, fixed lighting on the development structures and flood lighting to the yard/storage areas, shall not be intrusive to nearby sensitive premises. Light intrusion into the windows of any sensitive premises shall not exceed 5 Lux before 23.00, and 1 lux after 23.00 (Environmental Zone E2).

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

#### BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0674](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0674)



SECTION 106 APPLICATIONS

| <u>Plan No</u> | <u>Location</u>                 | <u>Date to Committee</u> | <u>Number of Dwellings</u> | <u>Progress</u>   |
|----------------|---------------------------------|--------------------------|----------------------------|-------------------|
| 3/2017/0653    | Land at Chatburn Road Clitheroe | 28/6/18                  | 30                         | Out for signature |

| <u>Plan No</u> | <u>Location</u>                          | <u>Date to Committee</u> | <u>Time from First Going to Committee to Decision</u> | <u>Number of Dwellings</u> | <u>Progress</u> |
|----------------|--|--------------------------|---|----------------------------|-----------------|
| 3/2018/0361    | Former Victoria Mill, Watt Street Sabden | 6/9/18                   | 2 weeks   | 30                         | Decision        |

APPLICATIONS WITHDRAWN

| <u>Plan No</u> | <u>Proposal</u>  | <u>Location</u>                                   |
|----------------|--|---|
| 3/2018/0533    | Single storey extension to bar and dining area                               | The Avenue Hotel<br>Gleneagles Drive<br>Brockhall |
| 3/2018/0459    | Proposed conversion of existing agricultural buildings to form a holiday let | The Old Reservoir<br>Simonstone Road<br>Sabden    |

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>   |
|---|---|--|---------------------------------|--|---|
| 3/2016/1192 R   | 16/11/17                                | Hammond Ground<br>Whalley Road<br>Read         | Inquiry<br>adjourned            | 09/10/18                                     | Updated Proofs of Evidence submitted. Inquiry resumes 9 Oct 2018 for 4 days.<br>Awaiting Decision |
| 3/2017/1139<br>Conditions disputed                                  | 13/08/18                                | Sands Cottage<br>The Sands, Whalley            | WR                              |  | Awaiting Decision   |
| 3/2017/0857 R   | 13/08/18                                | Lowood, Whins Lane<br>Read                     | WR                              |  | Awaiting Decision   |
| 3/2018/0113<br>Conditions not discharged                            | 13/08/18                                | 102 Lowergate<br>Clitheroe                     | WR                              |  | Awaiting Decision   |
| 3/2018/0217<br>linked with<br>3/2018/0218 R<br>of prior<br>approval | 29/08/18                                | Eastham House Farm<br>Clitheroe Road<br>Mitton | WR                              |  | Statements due<br>03/10/18  |

| <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>        |
|---|---|--|-----------------------------------|--|------------------------|
| 3/2017/0961 R<br>(Variation of S106 Ag)     | Awaiting start date from PINS           | Land at Chapel Hill Longridge                            | Hearing (to be confirmed by PINS) |  |                        |
| 3/2017/0962 R                               | Awaiting start date from PINS           | land off Sheepfold Crescent Barrow                       | Hearing (to be confirmed by PINS) |  |                        |
| 3/2018/0159 R                               | 16/07/18                                | 5 Barn Croft Clitheroe                                   | HH                                |  | Awaiting Decision      |
| 3/2018/0069 R                               | 29/08/18                                | Land off Whalley Road, Mellor Brook                      | WR                                |  | Statement due 3/10/18  |
| 3/2018/0263 R                               | 20/08/18                                | Showley Brook Rest Home<br>10 Knowsley Road<br>Wilpshire | WR                                |  | Statement due 24/09/18 |
| 3/2018/0303 R                               | Awaiting start date from PINS           | Croftland Chipping                                       | WR (to be confirmed by PINS)      |  |                        |
| 3/2018/0537 R                               | Awaiting start date from PINS           | Wiswell Brook Farm Moorside Lane                         | WR (to be confirmed by PINS)      |  |                        |
| 3/2018/0079 R                               | 23/07/18                                | New Ings Farm Hellifield Road Bolton by Bowland          | WR                                |  | Awaiting Decision      |