

<b><u>INDEX OF APPLICATIONS BEING CONSIDERED</u></b>						
<b><u>MEETING DATE: 3 OCTOBER 2019</u></b>						
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<b>A</b>	<b>APPLICATIONS REFERRED BACK TO COMMITTEE FOR APPROPRIATE CONDITIONS:</b>					
					NONE	
<b>B</b>	<b>APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR APPROVAL:</b>					
	<a href="#"><u>3/2019/0331</u></a>	1		HM	AC	Chatburn Road Downham
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<b>C</b>	<b>APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR REFUSAL:</b>					
					NONE	
<b>D</b>	<b>APPLICATIONS UPON WHICH COMMITTEE DEFER THEIR APPROVAL SUBJECT TO WORK DELEGATED TO DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING BEING SATISFACTORILY COMPLETED</b>					
					NONE	
<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

SK Stephen Kilmartin

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No 5

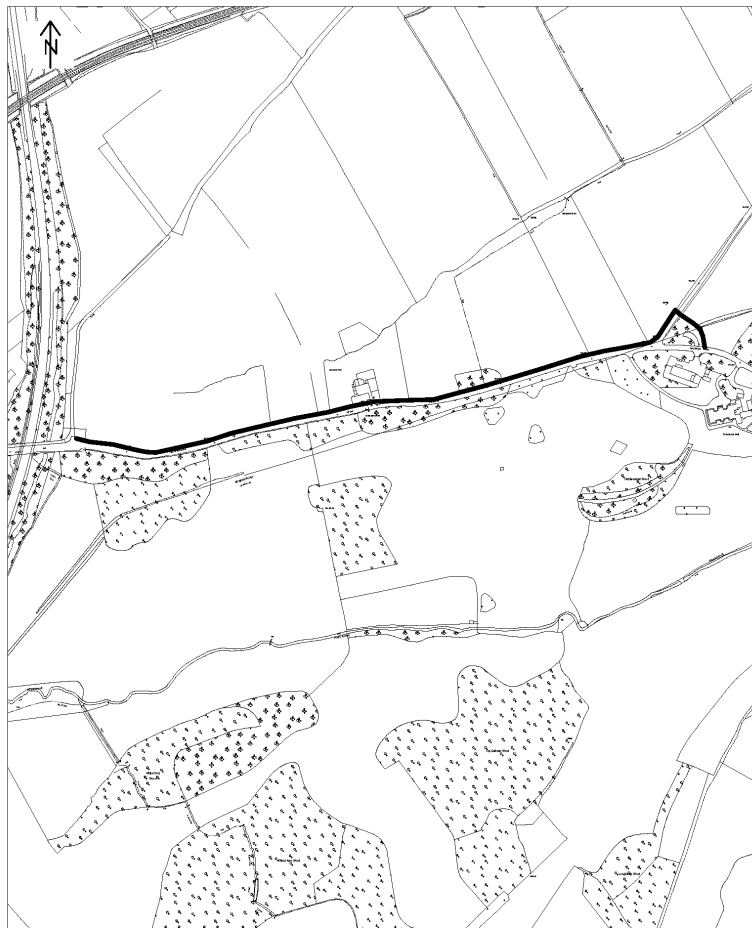
meeting date: THURSDAY, 3 OCTOBER 2019  
title: PLANNING APPLICATIONS  
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

**APPLICATION REF: 3/2019/0331**

GRID REF: SD 378156 444420

**DEVELOPMENT DESCRIPTION:**

CREATION OF A NEW OFF-ROAD, MULTI-USE LINK BETWEEN THE VILLAGES OF DOWNHAM AND CHATBURN TO ACCOMMODATE WALKERS, CYCLISTS, HORSE-RIDERS AND THOSE WITH MOBILITY ISSUES INCLUDING CHAIR USERS. RESUBMISSION OF PLANNING APPLICATION 3/2018/0754. CHATBURN ROAD, DOWNHAM



3/2019/0331 Chatburn Road Downham BB7 4BJ

Scale 1:5000

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

### **DOWNHAM PARISH COUNCIL:**

Downham Parish Council have raised no objections to the proposed development.

### **CHATBURN PARISH COUNCIL:**

Chatburn Parish Council have stated that the provision of a link between Chatburn and Downham will be welcome on this dangerous stretch of road.

### **HIGHWAYS (LCC):**

The County Highways Surveyor has recommended refusal of the application for the following reasons:

- Poor visibility for users emerging to cross Green Lane.
- The proposed off-road multi-use link will emerge onto the footway at Greendale Café, this area is frequently obstructed by vehicles.

### **ARCHAEOLOGY (LCC):**

Raise no objection to the proposed works subject to a recommended condition.

### **ADDITIONAL REPRESENTATIONS:**

2 letters of support have been received with respect to the proposed development, the comments are as follows:

- Would provide a safe alternative to walking along the dangerous road.
- Community benefit

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

- 1.1 The application relates to an area of land which runs parallel to the northern side of Chatburn Road and a portion of Green Lane between the villages of Downham and Chatburn. The submitted details seek consent for an off-road multi-use track and concessionary bridleway including the provision of equestrian/pedestrian holding areas and other associated works.

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

- 2.1 It is proposed that the concessionary bridleway will be approximately 1Km in length and provide a dedicated off-road route for pedestrians, cyclists, wheelchair users and horse-riders. It is proposed that the route of the bridleway will commence in the village of Downham whereby it will link Pendle Road with Green lane and then subsequently run westward along the northern extents of Downham Road/Chatburn Road where it terminates prior to the Chatburn Road Bridge

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

3/2018/0754 - Creation of a new off-road, multi-use gravel track 2.5m wide between the villages of Downham and Chatburn. The one kilometre connection would accommodate

walkers, cyclists, horse-riders and those with mobility issues including chair users. (Withdrawn)- following the receipt of highways observations and to enable further work to be undertaken in respect of potential heritage impacts and the impacts upon trees.

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

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

Key Statement DS1 - Development Strategy  
Key Statement DS2 - Sustainable Development  
Key Statement EN2 – Landscape  
Key Statement EN5 – Heritage Assets  
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 DME4 – Protecting Heritage Assets  
Policy DMB3- Recreation and Tourism Development  
Policy DMB5- Footpaths and bridleways

##### **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 Given consent is sought for the creation of a dedicated multi-use track/bridleway matters relating to visual amenity, highways safety, ecological/biodiversity impact and residential amenity must be given due consideration.

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

5.2.1 As the proposal seeks to reinforce pedestrian/cycle and equestrian connectivity between the settlements of Downham and Chatburn the principle of the proposal, notwithstanding other development management considerations, is considered to be in broad alignment with the main aims of Policy DMB5 of the Ribble Valley Core Strategy which seeks to ensure, amongst other matters, the improvement of by-ways and the public right of way network.

5.2.2 The proposal will increase the level of inter-connectivity between two settlements and also afford an increased level of access to the Forest of Bowland AONB for a wide range of users including those who are mobility impaired. In this respect the proposal is considered to be in compliance with Paragraph 96 of the National Planning Policy Framework (NPPF) which seeks to promote access to a network of high-quality open spaces and opportunities for sport and physical activity.

### 5.3 Design and Visual Impact

5.3.1 The site lies within the designated AONB, The Forest of Bowland. The proposed path will be located within the field on the northern side of the tall boundary wall. The proposed surfacing, stock fencing and the installation of additional hedgerows are not considered to result in any significant negative harm on the visual amenity or special character of the AONB and surrounding area.

### 5.4 Effects upon Amenity

5.4.1 Policy DMG1 of the Core Strategy states that development must not result in any adverse impacts upon the amenities of the surrounding area. In this respect consideration must also be given to the potential for negative impacts upon residential amenities that may be resultant from the development. The route has a direct interface with numbers 1 and 2 Greendale View with the route passing in front of the aforementioned dwellings. It is proposed that the garden area associated with number 1 will be reduced slightly in size to allow for the provision of the bridleway route.

5.4.2 Whilst it is accepted that the bridleway route will be located within close proximity of existing dwellings, it is not considered that the frequency or usage of the route would be so significant as to have a measurable negative impact upon the residential amenities of the occupiers of the dwellings.

### 5.5 Highway Safety

5.5.1 The Highways Development Control section have raised objections in relation to the proposal stating that the proposal will be of detriment to pedestrian safety by virtue of poor visibility for users exiting on to Green Lane and that the proposed route, adjacent Greendale View Kitchen would result in equestrians having to traverse, on horse-back, an area that is frequently obstructed by vehicles.

5.5.2 In respect of these matters the Local Planning Authority is of the view that the bridleway will result in overall betterment given it will allow for the provision of a dedicated off-road route, which will be designed to accommodate a multitude of users rather than the current scenario whereby walkers/riders are forced to walk on the highway, with no dedicated footway provision, for a considerable distance along an extent of highway, which in the evening, remains largely unlit.

### 5.6 Trees and Ecology

5.6.1 A tree survey was submitted with the application which details a number of trees that may be affected as a result in the proposed footpath; the submitted survey included the provision of acceptable root protection measures that will ensure works within the root protection areas will not undermine the long-term retention of the trees.

5.6.2 The submitted survey included the recommendation of one low quality Ash tree to be felled; in addition the proposal includes the removal of some sections of field hedges, the loss of these sections of hedgerows is considered to be acceptable due to the installation of an additional boundary hedge to the north of the proposed path which will mitigate the loss and result in a net increase of the extent of hedgerow in the area.

## 5.7. Heritage Assets

5.7.1 The proposed off road multi use track will cross the Roman Road at the north-eastern end of the bridleway, this detail was discovered upon the original application by Lancashire Archaeological Advisory Service, following these comments an archaeological survey was commissioned and a meeting was held to discuss the results of the survey and the methodology, to minimise the archaeological impact and preserve as much of the identified remains of the roman road in situ. It was agreed that a formal archaeological watching brief would be required during groundworks, this is recommended to be enforced via a suitable condition, should consent be granted.

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

6.1 Whilst the concerns of the Highway Authority are noted it is considered that the proposed provision of a safe pedestrian route will increase the level of pedestrian inter-connectivity between two small rural villages, will improve the existing pedestrian facilities and will contribute to the overall enhancement of the Public Right of Way network within the Borough and as such is considered to be in accordance with Key Statements EN2 and EN5 and Policies DME1, DME2, DME4, DMB3 and DMB5 of the Ribble Valley Core Strategy.

6.2 It is further considered that the proposal will not result in any detrimental impact upon the character or visual amenities of the area nor the inherent character of the protected AONB landscape. As such, for the above reasons and having regard to all material considerations and matters raised it is recommended that the application be approved subject to the imposition of 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 Purchase 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:

- Drawing numbers TBC

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 surfacing materials to be used on the footpath hereby approved shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. The development thereafter shall be completed in accordance with the approved materials.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality and protect the visual amenity of the AONB

4. For the avoidance of doubt this consent does not include the provision of external lighting.

REASON: In order to ensure a satisfactory appearance in the interests of visual amenity and to prevent any nuisance arising

### *Landscape and Ecology*

5. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site unless and until 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.

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

### *Heritage Assets*

6. No development, site clearance/preparation, or demolition shall commence until the applicant or their agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of works, which shall be submitted to, and approved in writing by, the Local Planning Authority. The programme of works shall include
  - (i) A formal archaeological watching brief during the groundworks required in the field crossed by the Roman road;
  - (ii) Agreement of the location of the location of any new posts required for the hurdle closures to the agricultural crossing of the new link within the field;
  - (iii) The production and submission of a report on the work undertaken and the results obtained.

All archaeological works shall be undertaken by an appropriately qualified and experienced professional archaeological contractor and comply with the standards and guidance set out by the Chartered Institute for Archaeologists (CIfA). The development shall be carried out in accordance with the agreed details.

REASON: To ensure and safeguard the investigation and recording of matters of archaeological/historical importance associated with the development.

#### BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2019%2F0331](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2019%2F0331)

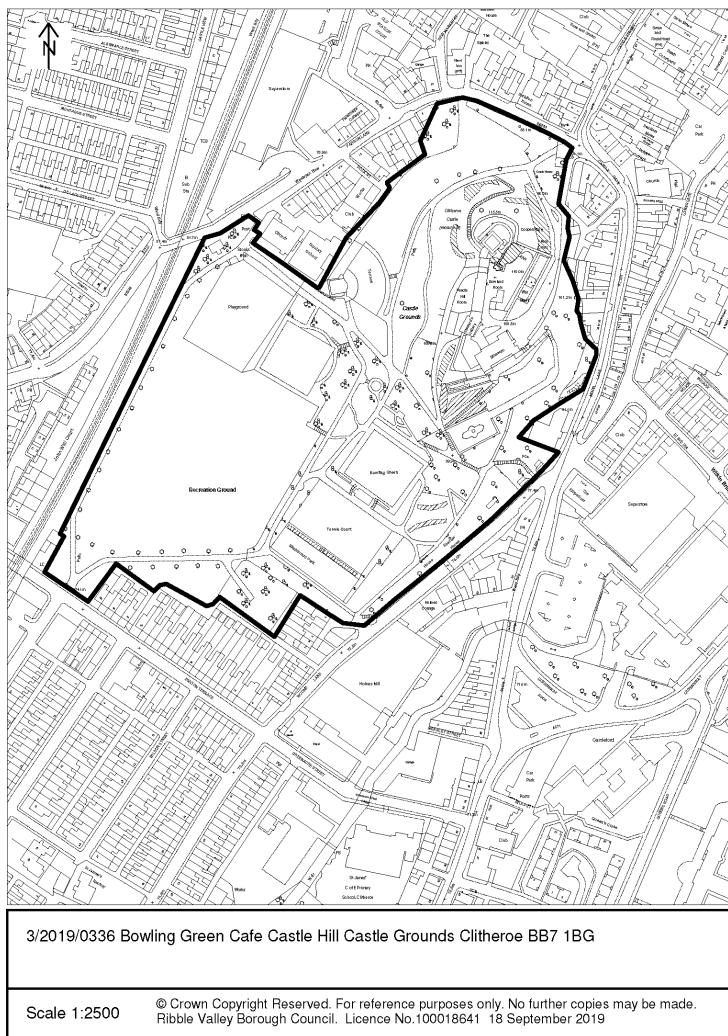


**APPLICATION REF: 3/2019/0336 (LBC)**

GRID REF: SD 374158 441524

**DEVELOPMENT DESCRIPTION:**

APPLICATION FOR LISTED BUILDING CONSENT FOR EXTERNAL ALTERATIONS TO THE BUILDING INCLUDING REPLACEMENT RAIN WATER GOODS, REPAIRS TO THE ROOF, INSTALLATION OF AN ADDITIONAL REAR GROUND FLOOR SHUTTER AND THE INSTALLATION OF REINFORCED GLAZING AT BOWLING GREEN CAFE CASTLE HILL CASTLE GROUNDS CLITHEROE BB7 1BG.



**CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

**PARISH COUNCIL:**

No objections.

**HISTORIC AMENITY SOCIETIES and THE GARDENS TRUST:**

Consulted, no comments received.

## **LANCASHIRE GARDENS TRUST:**

The repairs are welcomed to bring the building back into use. Support application. Ivy growth is advancing over the building - can this modest precautionary work could be incorporated into the current project.

## **ADDITIONAL REPRESENTATIONS:**

None received.

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

- 1.1 The Bowling Green Café is considered to be part (a curtilage structure) of the Clitheroe Castle Keep and Curtain Walls Grade I listing by virtue of Section 1 (5) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It was constructed circa 1920 and in 1998 was still considered to be “part of the identity of the park” (Clitheroe Castle Historical Survey for Restoration).
- 1.2 The building is prominently sited within the Clitheroe Castle Historic Park and Garden (Grade II), Clitheroe Conservation Area and the setting of ‘Premises occupied by Ribble Valley Borough Council in grounds of Clitheroe Castle’ and ‘Outbuilding and Stable block to Clitheroe Castle and premises occupied by Ribble Valley Borough Council’ (both Grade II).

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

- 2.1 Listed building consent is sought for repair (replacement of uPVC soil pipe and rain water goods in cast iron or aluminium; roof ridge and hip weathering details in zinc) and mothballing works (additional shutter; reinforced glazing) to address dilapidation and vandalism (broken windows, graffiti and roof lead theft) resulting from building disuse.

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

3/2013/0478 - Listed Building Consent for the installation of single glazed hardwood framed windows and doors to the first floor level of the Bowling Green Cafe.

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

#### Ribble Valley Core Strategy:

Key Statement EN5– Heritage Assets  
Policy DMG1– General Considerations  
Policy DME4– Protecting Heritage Assets

#### Other Material Considerations:

Planning (Listed Buildings and Conservation Areas) Act 1990  
Clitheroe Conservation Area Appraisal  
NPPF  
NPPG

Metal Theft from Historic Buildings: Prevention, Response and Recovery’ (Historic England, July 2017)

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

### Impact upon the setting of listed buildings, Clitheroe Conservation Area and the historic park and garden:

- 5.1 The proposed works have been carefully considered and are necessary to ensure the proper preservation of the building. The replacement of uPVC pipework is an enhancement to significance. The use of zinc (instead of lead), installation of a roller shutter and incorporation of reinforced glass will help to limit the impacts of vandalism and theft during property vacancy.
- 5.2 The applicant has confirmed in response to Lancashire Gardens Trust request that any trimming or removal of foliage that is having a detrimental impact on the structure will be carried out on commencement of the works.

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

- 6.1 The proposed works are necessary to ensure the proper preservation of the building. In giving considerable importance and weight to the duties at section 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in giving 'great weight' to the conservation of the designated heritage assets (NPPF paragraph 193) and in consideration to Key Statement EN5 and Policies DME4 and DMG1 of the Ribble Valley Core Strategy, it is recommended that conditional listed building consent be granted.

**RECOMMENDATION:** That listed building consent is granted subject to the imposition of the following condition(s):

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

REASON: Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The works hereby permitted shall be carried out strictly in accordance with the amended plans and details received on 18th September 2019. For the avoidance of doubt the amended details include the use of a timber window frame and a revision to the site boundary.

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments.

3. Precise specifications of the proposed window shall have been submitted to and approved in writing by the Local Planning Authority before its use in the proposed works.

The window frame shall be painted within one month of its installation and retained as such in perpetuity.

REASON: In order to safeguard the special architectural and historic interest of the listed building.

4. Precise specifications of the proposed rainwater goods shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order to safeguard the special architectural and historic interest of the listed building.

#### BACKGROUND PAPERS

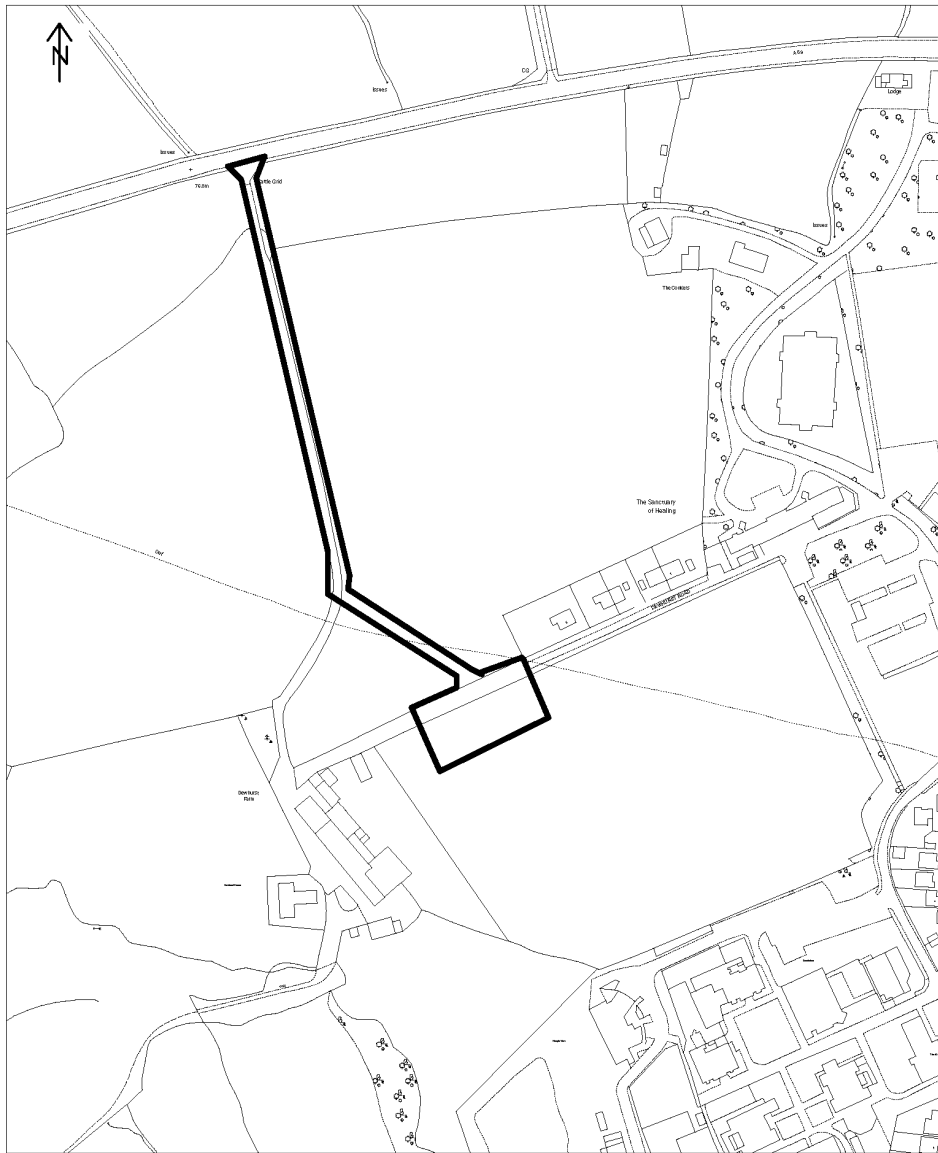
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2019%2F0336](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2019%2F0336)

**APPLICATION REF: 3/2019/0671**

GRID REF: SD 368832 434044

**DEVELOPMENT DESCRIPTION:**

CONSTRUCTION OF FOUR TWO-STOREY HOLIDAY COTTAGES AND FORMATION OF A SHORT LENGTH OF ACCESS ROAD AT DEWHURST FARM, LONGSIGHT ROAD, LANGHO BB6 8AD



3/2019/0611 Dewhurst Farm Longsight Road Langho BB6 8AD

Scale 1:2500

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

### **PARISH COUNCIL:**

Wilpshire Parish Council (WPC) objects on the grounds that the site is greenfield land and is not identified for development in the Ribble Valley Core Strategy. WPC does not believe there is demand for so many large holiday lets on this site and questions whether a good business case has been submitted in support of this application.

Billington and Langho Parish Council object on the following grounds:

- 1) The development is creating a community in the countryside, and was felt to be creep development.
- 2) The development looks to be for residential homes not holiday homes.
- 3) The application is on a greenfield site.

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

No objections.

### **ADDITIONAL REPRESENTATIONS:**

Eight objection letters have been received and raise the following concerns:

- The single track lane is not sufficient for the present number of vehicles and farm vehicles which use it on a daily basis.
- There was supposed to be a passing place installed which hasn't been completed to date resulting in cars having to reverse.
- The existing access from the A59 is unsafe.
- How strangers arriving at the 'holiday lets' will cope is cause for concern.
- Refuse trucks have struggled to turn in the yard and have since refused to do so.
- Loophole which allows holiday lets to be granted is widely used as the easy route to creating residential properties.
- Is Mr Turner planning to sell these to four holiday let buyers or sell them as a business to one purchaser?
- Section 10 of the application form is incorrect as there are hedgerows on the site.
- The development would decimate the local wildlife.
- The large holiday lets would be clearly visible from the road and would not be in-keeping with the surrounding landscape.
- How will the development connect to main sewage?
- This is creep development and feel that the long-term view is to apply for more housing.
- The properties are large 4-5 bed properties for use by large groups such as stag and hen parties. This would be of huge concern with groups drinking and playing music.
- No aware there was such high demand for large holiday lets within the area. Does Mr Turner have a business plan in place?
- Kemple View should be contacted and made aware of this development.
- Plot 4 appears to sit directly over a section of Dewhurst Road.
- The application site is with the countryside remote from services and facilities of villages and towns in the area resulting in a high dependency on a private motor vehicle.
- Harmful to the open, undeveloped character of the application site, which provides an important physical and visual buffer with residential development nearby.

- Policies in the Core Strategy make it clear that the provision of tourism accommodation should not be at the expense of harm being caused to the natural environment.
- Examples of other holiday accommodation at Dewhurst Farm and within the area as quoted in the applicant's statement are materially different to the proposed development in that the accommodation replaced existing buildings.

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

- 1.1 This is a full planning application for the erection of four two-storey holiday homes at Dewhurst Farm, Longsight Road, Langho. Dewhurst Farm is a complex of former agricultural buildings that have over recent years been converted to residential use. The group of buildings now comprises the farmhouse, three detached residential barn conversions and an under construction new build two-storey holiday home following demolition of a dutch barn.
- 1.2 Dewhurst Farm is located at the end of an approximately 320m access track off the south side of the A59 Longsight Road within the Parish of Billington and Langho and in the open countryside between Copster Green and Langho. The group of buildings is immediately adjoined on all sides by agricultural land. Further east of Dewhurst Farm is The Rydings residential development and Langho FC and to the south east Kemple View hospital. Dewhurst Road, a short row of semi-detached properties, extends from the western edge of this cluster of development towards Dewhurst Farm

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

- 2.1 The proposed holiday homes would infill the existing gap between the closest dwelling, 5 Dewhurst Road, and the new build two-storey holiday home which was approved in early 2019.
- 2.2 The four two-storey holiday homes proposed would have a linear arrangement and would have north facing principal elevations looking towards the A59 and beyond. Each unit of accommodation would have a different design but all would be two storeys with heights ranging from 6.6 metres to 8.2 metres and would provide 4-6 bedrooms. The buildings would be constructed with natural stone walls and blue roof slate with aluminium window frames and doors. It is proposed to create a length of new track extending from the existing access track. The proposed new track would cut across agricultural land. The proposed holiday homes would rely on the main access into Dewhurst Farm from the A59.
- 2.3 Use Class C3 of the Town and Country Planning (Use Classes) Order 1987 includes 3 sub-categories for dwellinghouses as follows:
- C3(a) Use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.
  - C3(b): Up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.
  - C3(c) groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within

the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.

- 2.4 In respect of holiday let accommodation, for entire properties rented to a single group of up to 6 guests, serviced accommodation will usually fall under the C3 use class, as above.
- 2.5 In this case it is noted that the units proposed (up to six bedrooms) are very large and anything over and above 6 guests would fall to be considered as *sui generis*. This would be applicable when the holiday homes are occupied by more than six people not forming a single household (defined in s258 of the Housing Act 2004) and as such would not fall in the C3 (dwellinghouses) use category.

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

3/2019/0076 - Proposed erection of a two-storey holiday cottage following the demolition of the existing Dutch barn. Approved with conditions.

3/2018/0704 - Variation of conditions 2 (approved plans), 8 (sight lines) and 9 (implementation of access road improvements) from planning permission 3/2018/0082 to allow an amended design relating to alterations to the access road. Approved with conditions.

3/2018/0082 - Proposed erection of a two storey holiday cottage following demolition of an existing Dutch barn (Resubmission of application 3/2017/0644). Approved with conditions.

3/2017/0644 - Proposed erection of a two storey holiday cottage following demolition of an existing Dutch barn. Refused.

3/2016/0023 - Prior approval of proposed change of use of agricultural building to a dwellinghouse (Class Q(b) only). Refused.

3/2015/0632 - Prior approval of proposed change of use of agricultural building to a dwellinghouse (Class Q(a) only). Approved.

### 4. **Relevant Policies**

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

Key Statement DS1 – Development Strategy

Key Statement DS2 – Sustainable Development

Key Statement EN2 – Landscape

Key Statement EC1 – Business and Employment Development

Key Statement EC3 – Visitor Economy

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME2 – Landscape and Townscape Protection

Policy DME3 -- Site and Species Protection and Conservation

Policy DMB1 – Supporting Business Growth and the Local Economy

Policy DMB3 – Recreation and Tourism Development

#### **National Planning Policy Framework**



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

5.1 The main matters to be considered in the determination of this application relate to the principle of the development, the impact of the proposed development upon surrounding landscape, its effect on residential amenity, ecology and highway safety.

### 5.2 **Principle of Development**

5.2.1 Core Strategy Key Statement EC3 relates specifically to the visitor economy and supports proposals that contribute to and strengthen the visitor economy of Ribble Valley.

5.2.2 The application site is located in the Open Countryside. Core Strategy Policy DMG2 requires development outside of defined settlement areas to meet at least one of six considerations one of which is the following:

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

5.2.3 There is no definition of “small scale” in the Core Strategy. In assessing the scale of development, it is considered that the current proposals and the single unit of holiday accommodation (that has already been consented) must be considered cumulatively. Whilst the erection of five holiday homes could be considered as ‘small-scale’ Members should note that the five holiday homes at this site (1 x 4-bed, 3 x 5-bed and 1 x 6-bed) could accommodate upto approximately 40 people when fully occupied.

5.2.4 Policy DMB3 relates specifically to recreation and tourism development. Tourism and visitor attractions are generally supported subject to the following criteria being met:

- 1. The proposal must not conflict with other policies of this plan;*
- 2. The proposal must 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 and there are no suitable existing buildings or developed sites available;*
- 3. The development should not undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design;*
- 4. The proposals should be well related to the existing highway network. It should not generate additional traffic movements of a scale and type likely to cause undue problems or disturbance. Where possible the proposals should be well related to the public transport network;*
- 5. The site should be large enough to accommodate the necessary car parking, service areas and appropriate landscaped areas; and*
- 6. The proposal must take into account any nature conservation impacts using suitable survey information and where possible seek to incorporate any important existing associations within the development. Failing this then adequate mitigation will be sought.*

5.2.5 The proposed development is reasonably located in terms of access to services and facilities, being around 2.2km from Langho. Although it is likely that visitors would be largely dependent on the private motor vehicle it is considered that the proposed development complies with the general intentions of policies DMG2

and DMB3 and is acceptable in principle subject to meeting the detailed criteria of that policy and any other material considerations.

- 5.2.6 Whilst the relevant planning policies do not require the submission of economic justification for such proposals in the case such justification has been requested due to the scale of development proposed and the fact that the operation of the holiday home business is unclear within the submission information. However, the agent has refused to provide such information, commenting that there is no policy requirement for them to do so.
- 5.2.7 The development proposed will generate significant build costs and it would not be unreasonable to expect that in advance of applying for planning permission the applicant would have calculated the potential build costs for the development, researched the demand for holiday lets in the area and calculated the potential financial benefits of such a development.
- 5.2.8 Members will be aware that there have been numerous planning approvals for holiday accommodation across the Borough. Given the permissions that exist the economic justification for the proposals was not considered unreasonable and would have assisted in demonstrating the demand for such large properties before the harm associated with new build development within the countryside (within an area where non-restricted dwellinghouses would not be considered acceptable) is created.
- 5.2.9 However based upon current planning policies the lack of additional economic/business justification in itself is not considered to be a reason to refuse the application. In the event that Members are minded to grant planning permission a planning condition to restrict use of the holiday homes to 'short-term holiday lets' would be attached to the decision along with the requirement for the site operator to maintain a register of occupants of the holiday accommodation.

### 5.3 Effects Upon the Landscape/Visual Amenity

- 5.3.1 As required by Policy DMG2 of the Core Strategy, within the open countryside development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build. Key Statement EN2 provides additional guidance on development in the open countryside stating that "*developers should adopt a non-standardised approach to design which recognises and enhances local distinctiveness*". Policy DMB3 'Recreation and Tourism Development' states that development should not undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design. As such great care must be given to ensure that new buildings do not harm the character and visual appearance of the area.
- 5.3.2 The application site is located within the open countryside. Dewhurst Farm lies to the west of a cluster of development including a residential estate "The Rydings", Langho Sports and Social Club, Longsight Nursery garden centre, a children's day nursery and Kemple View hospital. Dewhurst Farm is somewhat physically detached from this development cluster although the degree of separation is 100 metres from the closest residential property, 5 Dewhurst Road. The proposed

development would fill this gap and would be seen in the context of surrounding development. The proposed new holiday homes, when viewed from the A59 and the public footpath which passes through Dewhurst Farm, would be seen alongside existing two storey residential properties of red-brick construction.

- 5.3.3 Taking into account the site's location including its proximity to existing built form and character of the local landscape, the proposed development would not appear unduly harmful to the visual appearance of the area. The A59 corridor is a well-settled area and the main transport route through the borough and Key Statement EC1 of the Core Strategy seeks to direct employment development to locations well-related to the A59 corridor. Whilst not a traditional employment use, the creation of four holiday homes would have associated visitor expenditure, and tourism is a key part of the borough's economic strategy.
- 5.3.4 The proposals would also include parking to the front to accommodation (four cars per holiday home). Whilst there would generally be a requirement to minimise the visual prominence of vehicular parking in the open countryside, there is an existing hedgerow along the northern site boundary which would screen the proposed parking area. There are also south facing gardens associated with each unit. The rear garden boundary would form a sensible extension from the garden of Fell View Barn, a single storey barn conversion, and would round-off the corner of the field. Whilst the rear garden would be generous they would be commensurate with the size of the units proposed.
- 5.3.5 Taking all of the above into account, whilst the erection of new buildings within the countryside will inevitably have an impact, particularly on the openness of the area, in this case the development will be 'read' as part of the existing built form and will not create a visually discordant form of development significant enough to warrant a refusal. The development is considered to be acceptable from a visual perspective subject to appropriate conditions including, but not limited to, those to control the appearance of the development including materials, landscaping, boundary treatment and external lighting.

#### 5.4 Amenity of Neighbouring Residents

- 5.4.1 Objections have been received from nearby residents relating to noise and disturbance that could arise from the provision of four holiday homes in this location. It is acknowledged that some short-term occupants, particular if in larger groups, may have a tendency to create more noise than they would do in their own homes.
- 5.4.2 However, it is considered that the proposed use in itself would not result in unacceptable noise or disturbance. There would be a requirement to ensure that the proposed holiday accommodation is appropriately managed so those nearby residents are not unduly impacted. The procedure for dealing with noise if any arises would be to report it to the Council's Environmental Health section for investigation. Should consent be granted, as a condition there would be a requirement for a Site Management Plan to be submitted to the Council prior to occupation of the holiday accommodation which sets out measures to ensure that the behaviour of persons at the site is reasonable and not detrimental to the amenities of nearby residents.

5.4.3 Given that the units are for short-term holiday accommodation only there is no requirement to consider whether future short-term occupants would be afforded light, outlook and privacy levels that would be normally expected of a permanent residence. However taking account of the submitted plans, there are no facing habitable room windows and the holiday homes would provide short-term occupants with adequate privacy, light and outlook. There would be no unacceptable adverse impact on occupants of any of the existing residential properties at Dewhurst Farm or Dewhurst Road arising from the proposals.

## 5.5 Observations/Consideration of Matters Raised/Conclusion

5.5.1 Policy DMB3 requires recreation and leisure developments to be well related to the existing highway network. The application site is accessed off the A59, the main strategic route in the borough. The scale and type of development would not result in a significant increase in traffic movement to produce any undue problems or disturbance.

5.5.2 The four proposed units of holiday accommodation would be accessed from Longsight Road via the existing farm entrance and as such would be well-related to the existing highway network. Recent planning applications for the conversion a large two-storey barn to dwelling (planning application 3/2018/1130) and the erection of a two-storey unit of holiday accommodation (planning application 3/2019/0076) at Dewhurst Farm were approved on the proviso that the existing entrance and track would be suitably upgraded prior to first use so that it would be safe to accommodate the increase in traffic. At the time of writing both these developments are incomplete and have not yet been occupied and as such, the trigger point for completion of the improvements to the entrance and track has not been activated.

5.5.3 The County Surveyor has raised no objections to this application. There would be a requirement to ensure that the previously agreed improvements to the entrance and track, which include widening and surfacing works at the site entrance and the provision of passing places, are completed prior to the first use of the development.

5.5.4 The application site forms part of an agricultural field and such grassland is generally considered to be of low ecological value. The only feature of ecological importance is the existing boundary hedge, part of which would need to be removed to facilitate the proposed development. Should consent be granted, the removal of the hedgerow would have to be undertaken outside the bird nesting season. Furthermore, in accordance with Core Strategy Policy DME3 there would be a requirement to provide appropriate compensatory and enhancement measures to improve biodiversity in the surrounding area in the form of artificial bird and bat nesting/roosting features.

## 6 Observations/Consideration of Matters Raised/Conclusion

6.1 Having regard to the above, it is considered that the proposed holiday lets would not result in an unacceptable impact on the visual appearance and character of the immediate area. Accordingly it is recommended that the application be approved.

**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 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:

Units 1 & 2 Proposed Floor Plans, Roof Plan & Elevations, Proposed Cross Section (Tur/155/2672/01 A (received 10.09.19)

Units 3 & 4 Proposed Floor Plans, Roof Plan & Elevations, Proposed Cross Section (Tur/155/2672/02 A (received 10.09.19)

Existing and Proposed Site Plans (Tur/155/2672/03 A received 10.09.19)

Location Plan (Tur/155/2672/04)

Proposed Bin Storage Areas. Plan and Elevations of Bin Store. Swept Path Analysis for Refuse Wagon (Tur/155/2672/05 (received 11.09.19)

Highway Plan (Tur/155/2672/06 (received 18.09.19)

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

### *Matters of Design*

3. For the avoidance of doubt this planning approval does not incorporate the erection of external lighting on any structure hereby approved, or elsewhere within the site.

REASON: In order to ensure a satisfactory appearance in the interests of visual amenity and to prevent nuisance arising.

4. No unit of holiday accommodation hereby approved shall be brought into use until 1.2 metre high natural stone walls to bound its plot, have been erected.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality.

5. External refuse recycling/bin stores shall be made available for use in accordance with drawing no. Tur/155/2672/05 before the development hereby approved is first brought into use and retained thereafter.

REASON: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and in the interest of visual amenity.

6. The proposed new length of track between the application site and the existing access from the A59 to Dewhurst Farm shall be constructed from two strips of dark coloured gravel, with a central grass strip (as per the email from Colin Sharpe (GHA) dated 16.09.2019).

REASON: To ensure that the materials used are visually appropriate to the locality.

7. Notwithstanding the submitted details, precise specifications or samples of external facing and roofing materials shall have been approved in writing before their use in the proposed development. The materials shall be implemented within the development in strict accordance with the approved details submitted to and approved in writing by the Local Planning Authority.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality.

8. A dedicated electric vehicle charging point shall be provided for each unit of holiday accommodation prior to first use of the development hereby approved. Thereafter, the electric vehicle charging points shall be permanently maintained.

REASON: To promote sustainable modes of transport.

#### *Further Control over Development*

9. Notwithstanding the provisions of The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the holiday units hereby approved shall only be used as short-term holiday accommodation and for no other purpose.

REASON: For the avoidance of doubt, and to avoid an over-intensive use and to ensure that the development remains compatible with the character of the area and the intensity and frequency of usage remains proportionate to the use hereby approved.

10. The proposed holiday units shall be restricted to short-term holiday purposes only. No unit on the site shall be occupied at any time as permanent residential accommodation or as a person's main place of residence.

The owners/operators of the site shall maintain an up-to-date register of the names of all occupiers of the units, and of their main home addresses, and shall make this information available, on request, to the Local Planning Authority.

REASON: To prevent the permanent residential occupation of the site in a location where new residential development is unacceptable in principle and to define the scope of the permission hereby approved.

#### *Highways*

11. Prior to the first use of the development hereby permitted, sight lines of 200m in both directions from a point 2.4m south of the edge of the carriageway of the A59 shall be provided as shown on drawing no. Tur/155/2672/06.

The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway.

REASON: To enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users.

12. The access road improvements shown on submitted Drawing Number Tur/155/2672/06 shall have been fully completed prior to the holiday units hereby permitted being brought into use.

REASON: In the interests of highway safety.

13. The car parking and manoeuvring areas shall be laid out in accordance with the approved plans before the holiday accommodation hereby approved is first brought into use and shall be permanently maintained as such thereafter.

REASON: To allow for the effective use of the parking areas.

#### *Landscape and Ecology*

14. Any removal of vegetation including trees and hedges shall be undertaken outside the nesting bird season [March - August inclusive] unless preceded by a pre-clearance check by a licensed ecologist on the day of removal which confirms the absence of nesting birds.

REASON: To ensure that there are no adverse effects on the favourable conservation status of birds.

15. No above ground development shall take place 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. The details shall be submitted on a building dependent bird and bat species development site plan and include details of the numbers of artificial bird nesting boxes and artificial bat roosting sites. 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 the building during the construction works before the development is first brought into use and shall be retained and maintained thereafter.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and protected species.

#### *Residential Amenity*

16. Prior to first occupation of the development hereby approved a Site Management Plan shall have been submitted to, and agreed in writing by, the Local Planning Authority. For the avoidance of doubt the submitted document shall provide details of the following:

- i) Measures to ensure that the behaviour of persons at the site is reasonable and not detrimental to the amenities of nearby residents.
- ii) Details of the person or persons who would be responsible for assisting occupiers of the cottage(s) with any queries/problems; and would also be responsible for ensuring that the behaviour of persons at the site is reasonable and not detrimental to the amenities of nearby residents.
- iii) The addresses of the person or persons responsible for the operation of the site.

Thereafter, the development shall be operated in strict accordance with the approved details.

REASON: To ensure the satisfactory management of the site in the interests of general amenity of the area, to safeguard where appropriate neighbouring residential amenity.

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.

#### *Drainage and Flooding*

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

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

#### BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2019%2F0671](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2019%2F0671)



APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2019/0349	Removal of condition 8 (two right-hand windows shown on the north east elevation) from planning permission 3/2017/1112.	Trinity Methodist Church Wesleyan Row Parson Lane Clitheroe BB7 2JY
3/2019/0553	Demolition of existing single-storey lean-to extension to side and replacement with new two-storey extension to side and rear, including balcony to rear and Juliet balcony to side. Single storey extension to side of new two-storey extension. Relocation of front door and construction of new single-storey porch. Further alterations to fenestration at front and rear of existing dwelling including insertion of roof lights. Extension of domestic curtilage to provide new vehicular access and parking.	2 Moorend Cottages Ribchester Road Dinckley BB6 8AJ
3/2019/0626	Construction of a single storey extension.	Iron Forge, Whitewell Road Cow Ark, Clitheroe BB7 3DG

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>Costs application received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2018/0474 R of pp	09/07/2019	Great Mitton Hall Mitton Road Mitton BB7 9PQ	WR			Awaiting Decision
3/2018/0468 R of LBC	09/07/2019	Great Mitton Hall Mitton Road Mitton BB7 9PQ	WR			Awaiting Decision
3/2018/1020 R of pp	Awaiting start date from PINS	Calding Bank Cottage Whalley Old Rd Billington BB7 9JE	WR (to be confirmed)			
3/2018/0582 R of permission in principle	21/05/2019	Land to the south of Chatburn Old Rd Chatburn	Changed to Hearing Procedure		8/10/19 10.00am Cttee Rm 1	
3/2018/0479 R of pp	03/06/2019	74 Church Street Ribchester	HH			Appeal Dismissed 31/08/2019
3/2018/1076 R of pp	16/07/2019	Sabden House Wesley Street Sabden	WR			Awaiting Decision
3/2018/1006 R of LBC	16/07/2019	Sabden House Wesley Street Sabden	WR			Awaiting Decision

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Costs application received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2019/0117 R to discharge condition	29/07/2019	Susie Cottage Rimington Lane Rimington	WR			Awaiting Decision
3/2019/0241 R of pp	16/07/2019	23 Church Street Clitheroe	WR			Awaiting Decision
3/2019/0242 R of LBC	16/07/2019	23 Church Street Clitheroe	WR			Awaiting Decision
3/2018/1121 R of pp	09/08/2019	The Stables rear of King Street Whalley	WR			Awaiting Decision
3/2018/0507 R of outline PP	Awaiting start date from PINS	Land adj John Smith Playing Field, Chaigley Road, Longridge	Hearing (to be confirmed by PINS)			
3/2018/0685 R of pp	17/09/2019	Land off Whalley Rd Hurst Green (Adj Reed Deep)	WR			Statement due 22/10/2019
3/2019/0497 R of pp	Awaiting start date from PINS	DJP Domestic Appliances Ltd 1-3 King Lane Clitheroe	WR (to be confirmed by PINS)			
3/2019/0040 R of PIP	Awaiting start date from PINS	Land at Kingsmill Avenue Whalley	Hearing (to be confirmed by PINS)			
3/2019/0390 R of Prior Approval	Awaiting start date from PINS	Dutton Manor Mill Clitheroe Road Dutton	WR (to be confirmed by PINS)			