

RIBBLE VALLEY BOROUGH COUNCIL

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Dear Councillor

The next meeting of the **PLANNING AND DEVELOPMENT COMMITTEE** is at **6.30pm** on **THURSDAY, 6 FEBRUARY 2020** at the **TOWN HALL, CHURCH STREET, CLITHEROE.**

I do hope you can be there.

Yours sincerely

CHIEF EXECUTIVE

To: Committee Members (copy for information to all other Members of the Council)
Directors
Press
Parish Councils (copy for information)

AGENDA

Part I – items of business to be discussed in public

1. Apologies for absence.
- ✓ 2. To approve the minutes of the meetings held on 9 January 2020 – copy enclosed.
3. Declarations of Pecuniary and Non-Pecuniary Interests (if any).
4. Public Participation (if any).

DECISION ITEMS

- ✓ 5. Planning Applications – report of Director of Economic Development and Planning – copy enclosed.
- ✓ 6. Update on Housing Requirements – SHENA Study – report of Director of Economic Development and Planning – copy enclosed.

- ✓ 7. Consultation on Central Lancashire Local Plan – report of Director of Economic Development and Planning – copy enclosed.

INFORMATION ITEMS

- ✓ 8. Appeals:
- a) 3/2019/0340 – 4 dwellings at land off Kingsmill Avenue, Whalley – appeal dismissed.
 - b) 3/2019/0479 – two storey extension and alterations at 1 Willow Avenue, Whalley – appeal dismissed.
 - c) 3/2018/0582 – residential development of up to 9 dwellings at Land south of Chatburn Old Road, Chatburn – appeal allowed.
 - d) 3/2018/0582 – application for costs at land south of Chatburn Old Road, Chatburn – partially allowed.
9. Report from Representatives on Outside Bodies (if any).

Part II - items of business **not** to be discussed in public

DECISION ITEMS

None.

INFORMATION ITEMS

None.

<u>INDEX OF APPLICATIONS BEING CONSIDERED</u> <u>MEETING DATE: THURSDAY, 6 FEBRUARY 2020</u>						
<u>Application No:</u>	<u>Page:</u>		<u>Officer:</u>	<u>Recommendation:</u>	<u>Site:</u>	
A APPLICATIONS REFERRED BACK TO COMMITTEE FOR APPROPRIATE CONDITIONS:						
				NONE		
B APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR APPROVAL:						
3/2019/0969	1		JM	AC	Guide Hut Irwell Street, Longridge	
C APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR REFUSAL:						
3/2019/0796	5		JM	R	St Mary's Centre Clitheroe	
D APPLICATIONS UPON WHICH COMMITTEE DEFER THEIR APPROVAL SUBJECT TO WORK DELEGATED TO DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING BEING SATISFACTORILY COMPLETED						
3/2019/0927	10		AB	DEFER	George Lane Read	
3/2019/0954	20		SK	DEFER	Lodematic Primrose Road, Clitheroe	
E APPLICATIONS IN 'OTHER' CATEGORIES:						
				NONE		

LEGEND

AC Approved Conditionally
R Refused
M/A Minded to Approve

AB Adam Birkett
AD Adrian Dowd
HM Harriet McCartney
LE Laura Eastwood

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,
title: PLANNING APPLICATIONS
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

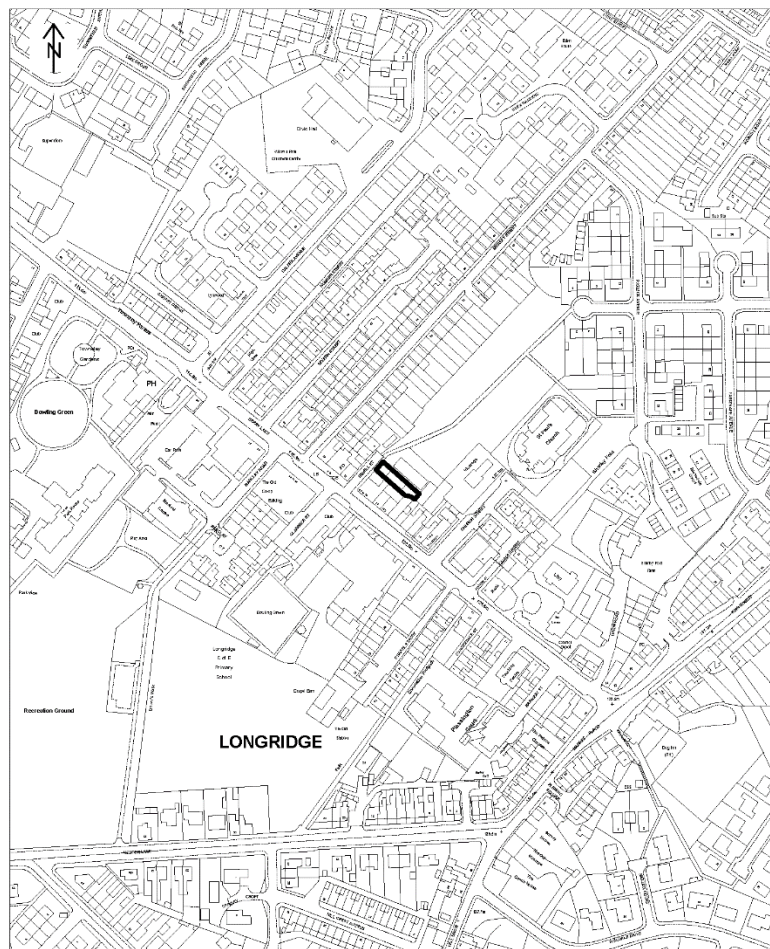
PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION REF: 3/2019/0969/P

GRID REF: SD 360510 437370

DEVELOPMENT DESCRIPTION:

REPLACEMENT GUIDE HUT, IRWELL STREET, LONGRIDGE PR3 3NA



3/2019/0969 Longridge Guide Hut, Irwell Street, Longridge PR3 3NA

Scale 1:2500

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Ribble Valley Borough Council. Licence No 100018641 Monday, 23 December 2019

CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

TOWN COUNCIL: No objection but would like to see some lighting

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

No objection subject to conditions relating to delivery schedules and wheel washing facilities..

ADDITIONAL REPRESENTATIONS:

None

1. **Site Description and Surrounding Area**

1.1 The building is located in a predominantly residential street in the centre of Longridge and within the Longridge Conservation Area.

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

2.1 This application seeks detailed consent to replace the existing single storey timber Guide Hall with a similar building with an increase in size from 12.7m by 5.85m to 15.5 by 5.95m. In design terms it is similar to the existing but a modern replacement with a pitched roof using profiled sheeting and timber clad walls. An external ramp and a small landscaped waiting area is at the entrance to the site.

3. **Relevant Planning History**

None

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement EN5 – Heritage Assets

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME4 – Protecting Heritage Assets

Longridge Conservation Area Appraisal and Management Guidance

5. **Assessment of Proposed Development**

5.1 **Principle**

5.1.1 The principle of this development remains acceptable given its location within the key settlement of Longridge which is regarded as a sustainable location. However, consideration needs to be given to all other Development management issues which would include heritage impact, highway safety and residential amenity.

5.2 Highway Safety and Accessibility

5.2.1 The site is located within a central position of Longridge with close access to bus stops and is access to public car parks. Although there is no off street parking it is considered given that this is only a modest increase in it is unlikely to exacerbate any parking issues.

5.3 Design

5.3.1 In relation to the design it is considered that the replacement building which is similar in form and massing to the existing is of an appropriate design and would be a visual improvement.

5.4 Heritage/Cultural

5.4.1 This proposal falls within the Longridge Conservation Area but not in a prominent part of the Conservation Area. The building itself is of limited architectural value and it is considered that the replacement building which is of a better design quality would not harmful impact on the setting of the Conservation Area.

5.5 Residential Amenity/ Noise

5.5.1 The issues in relation to residential amenity are predominantly traffic issues and noise issues generated by the activities from the use of the building. It is not anticipated that the replacement building will have any greater impact than the existing to warrant a harmful impact on residential amenity. A revised Construction Management Plan received on 23/1/20 has been submitted and subject to its compliance should safeguard residential and highway amenity.

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

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

REASON: Required to be imposed 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
Proposed Elevations and Floor Plans A2768/PL02

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

3. Precise details of external materials and surfacing materials shall be submitted to and agreed in writing before use.

REASON: To ensure that the appearance of the development is appropriate to the character of the building and setting of the area.

4. This permission shall be in strict accordance to the Construction Method Statement received on the 23/1/20 and 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.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2019%2F0969

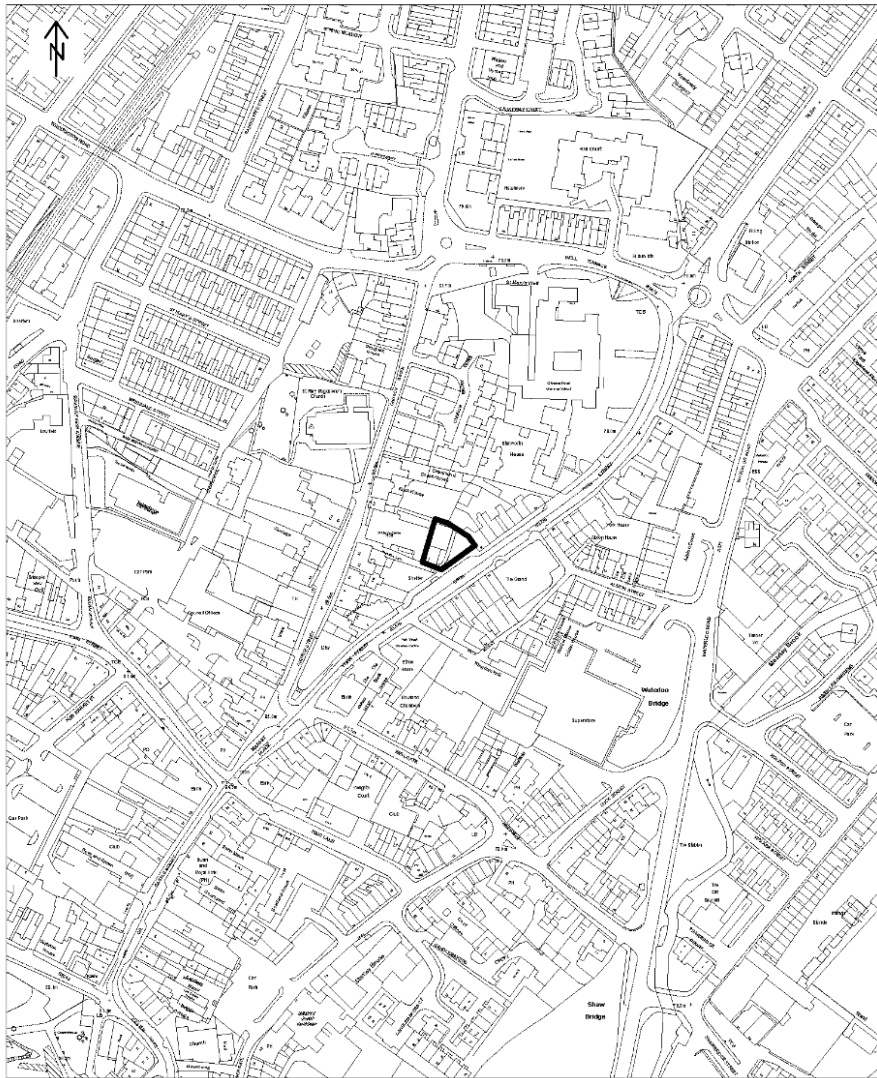
C APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR REFUSAL

APPLICATION REF: 3/2019/0796

GRID REF: SD 374452 442021

DEVELOPMENT DESCRIPTION:

PROPOSED DEMOLITION OF EXTENSION AT THE REAR OF ST MARY'S CENTRE AND CONSTRUCTION OF FOUR APARTMENTS AT THE INSTITUTE REAR OF ST MARY'S CENTRE, CHURCH STREET, CLITHEROE BB7 2D



3/2019/0796

The Institute Rear of St Mary's Centre Church Street Clitheroe BB7 2DG

Scale 1:2500

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Ribble Valley Borough Council. Licence No.100018641 Wednesday, 11 December 2019

CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

TOWN COUNCIL:

Object to the proposal on grounds of lack of parking provision.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

Lacks off street parking but given its town centre location the principle is acceptable. Suggest cycle storage areas and a construction management plan which should be agreed up front given the likely problems of securing an acceptable plan.

UNITED UTILITIES:

No objection but recommends that the site should be drained on a separate system with foul water draining to a public sewer and surface water draining in the most sustainable way. A drainage hierarchy should also be investigated in relation to surface water.

ADDITIONAL REPRESENTATIONS:

4 letters of support raising the following points

- Removal of eyesore with the erection of a better designed building
- Offers more security with additional presence of residents
- The sale of the land and resultant building would allow for the income generated to fund improvements to the St Mary Centre and help secure its long term viability.

One letter of objection has been received from the Civic Society. On the principle of redevelopment of this site for residential use the Society supports such an application.

The premise of both design options, set out in the documents that we have been referred to, show a new detached development to the south side of St Mary's Church Hall. This is presented in a similar form, orientation and location to the existing one/two story flat roof extension to the original 1880's building. Consider this results in a new development which is trying too hard to reflect this later extension and maintain a similar relationship with the southern end of that building. It is accepted that the building to be demolished has no architectural merit at all so seem little value in echoing this in a new design proposal. In opting for this approach, the result is that this scheme fails to complement and enhance the York Street section of the Conservation Area. We believe that a positive effect on this area must be the principle criterion for any new development on this site. This is not achieved with the present proposals. It is possible that a larger scheme may give greater potential for design solutions and offer more benefits.

1. Site Description and Surrounding Area

- 1.1 The site is within the town centre of Clitheroe. It straddles the shopping centre boundary in the adopted Ribble Valley Districtwide Local Plan proposals map and the Housing and Economic Development, Development Plan Document Proposal map. It is within the Clitheroe Conservation Area. The Clitheroe Conservation Area Townscape Appraisal map identifies St Mary's Centre, listed buildings, buildings of townscape merit and significant open space and important views within the conservation area.

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

- 2.1 The development is for four, two-bedroom apartments. The layout of the apartments offers open plan living space which the main aspect towards York Street. The design of the building is contemporary and has flat roof and window openings. The scheme includes a palette of materials which reflects the materials of St Mary's Centre and nearby buildings. Coursed stone is used as the main walling material which is predominately used on St Mary's Centre and the surrounding prominent boundary walls. Detailing is provided through the use of smooth dressed stone. The scheme incorporates the use of large glazed openings on the front of the of the building and boxed windows with protruding frames/ surrounds on some of the first floor windows. area frontage to York Street. No parking is provided as the site is within the town centre.
- 2.2 The proposed development has been amended and now proposes 1 additional pedestrian entrance with a gate and steps in a central position on the wall that fronts on to York Street. The existing entrance on Paradise lane is to be retained. There is no provision for off street parking. The proposal provides for external bike storage and bin storage areas for the units.
- 2.3 Each unit has a modest residential curtilage and the area at the front of the units facing towards York Street would be the main garden area for 2 of the units.

3. **Relevant Planning History**

None

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement EN5 – Heritage Assets

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME4 – Protecting Heritage Assets

Clitheroe Conservation Area Appraisal and Management Guidance

5. **Assessment of Proposed Development**

5.1 **Principle**

- 5.1.1 It is normally the case that given the proposal is in the key settlement of Clitheroe which is regarded as a sustainable location residential development would be appropriate. However, consideration needs to be given to all other development management issues which would include heritage impact, highway safety and residential amenity. It can be argued that if there is harm to heritage matters the principle itself is unacceptable.

5.2 Highway Safety and Accessibility

- 5.2.1 The site is located within a central position of Clitheroe with close access to bus stops and is access to public car parks. The proposed new building will enable pedestrian access to mobility standards which is an improvement on the existing situation which has no disabled access.
- 5.2.2 It is noted that there is no off-street parking at the site nor is any proposed. However, given that the development is within the town centre and that there is no objection from the highway authority whilst noting the concerns of the Town Council the lack of off street parking is considered acceptable in this instance.

5.3 Design

- 5.3.1 It is considered that whilst noting the existing building has a flat roofed appearance that the replacement of a similar designed building, which is both larger and projects nearer to the highway and would afford a prominent garden area would have a harmful impact. It is acknowledged that a different design with a pitched or dual pitched roof could also have a harmful impact detracting from the existing elevation of the hall.

5.4 Heritage/Cultural

- 5.4.1 This proposal falls within the Clitheroe Conservation Area and situated in a raised position and a prominent part of the Conservation Area. The existing building has limited architectural value. The replacement building is of a similar design and now detached from the main building and brought forward and a larger building so is a more visually prominent in both the immediate area and wider street scene. It is considered that the replacement building would have a more harmful impact on the Conservation Area and the setting of adjacent Listed Buildings, which is of a better design quality, would not be harmful to the Conservation Area.
- 5.4.2 The Councils Conservation officer does not accept the principle of the development due to the harm caused to the setting of the Conservation Area and the setting of adjacent Listed Buildings. The proposal although identifies public benefits as the possible funding of a new or upgraded heating system for St Marys Hall no details have been provided to assess the public benefit against the identified harm and as such it is considered that that there is no clear and convincing justification.
- 5.4.3 The applicant has indicated that in relation to public benefits associated with St Mary's Centre that the hall is considered to be an inclusive and accessible Community and Arts venue, serving Clitheroe and the Ribble Valley. St Mary's Centre is run on a not for profit basis and the income it receives is sufficient for the general up-keep of the building It is opined that the Institute building is a liability due to its poor condition. The money from the sale of the Institute will be pumped back into the fabric of the St Mary's Centre building. Significant and costly upgrades to the fabric of the building are needed including upgrading the central heating system and disabled and general access to the lower hall. The sale of The Institute removes the liability of that building and provides funds to secure the future of the St Mary's Centre.
- 5.4.4 The applicant has indicated a willingness to submit a Unilateral Undertaking which would commit the income accrued from the sale of the outbuilding and land the

subject of this application to be reinvested in the Hall with an emphasis on upgrading/maintaining the existing heating facility.

5.5 Residential Amenity/ Noise

5.5.1 The issues in relation to residential amenity are predominantly traffic issues and noise issues generated by the activities from the use of the building. Although, given its relationship to adjacent residential properties may result in some mutual overlooking it is considered not to be harmful.

5.5.2 In relation to the front garden area the applicant has submitted a Unilateral Undertaking which would restrict most of the front area from having domestic paraphernalia such as washing lines and children's play equipment which if allowed would be very prominent and be visually detrimental.

6. **Conclusion**

6.1 Consideration has been given to the public benefit and importance and weight to the duty at Section 66 of the Planning Listed Buildings and Conservation Areas Act 1990 and it is concluded that insufficient benefits have been identified to outweigh the harm and that permission should be refused.

RECOMMENDED: That the application be REFUSED for the following reason:

1. The proposal given its design, massing and elevational treatment would have a harmful impact on the setting of the Clitheroe Conservation and the setting of adjacent Listed Buildings to the visual detriment of the locality and as such be contrary to Policies DMG1 – General Considerations and DME4 – Protecting Heritage Assets.

NOTE This refusal relates to Drawing Numbers Proposed Site Plan 5397-004G, Proposed Elevations 5397-003B and Proposed Floor Plan 5397-002A.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2019%2F0796

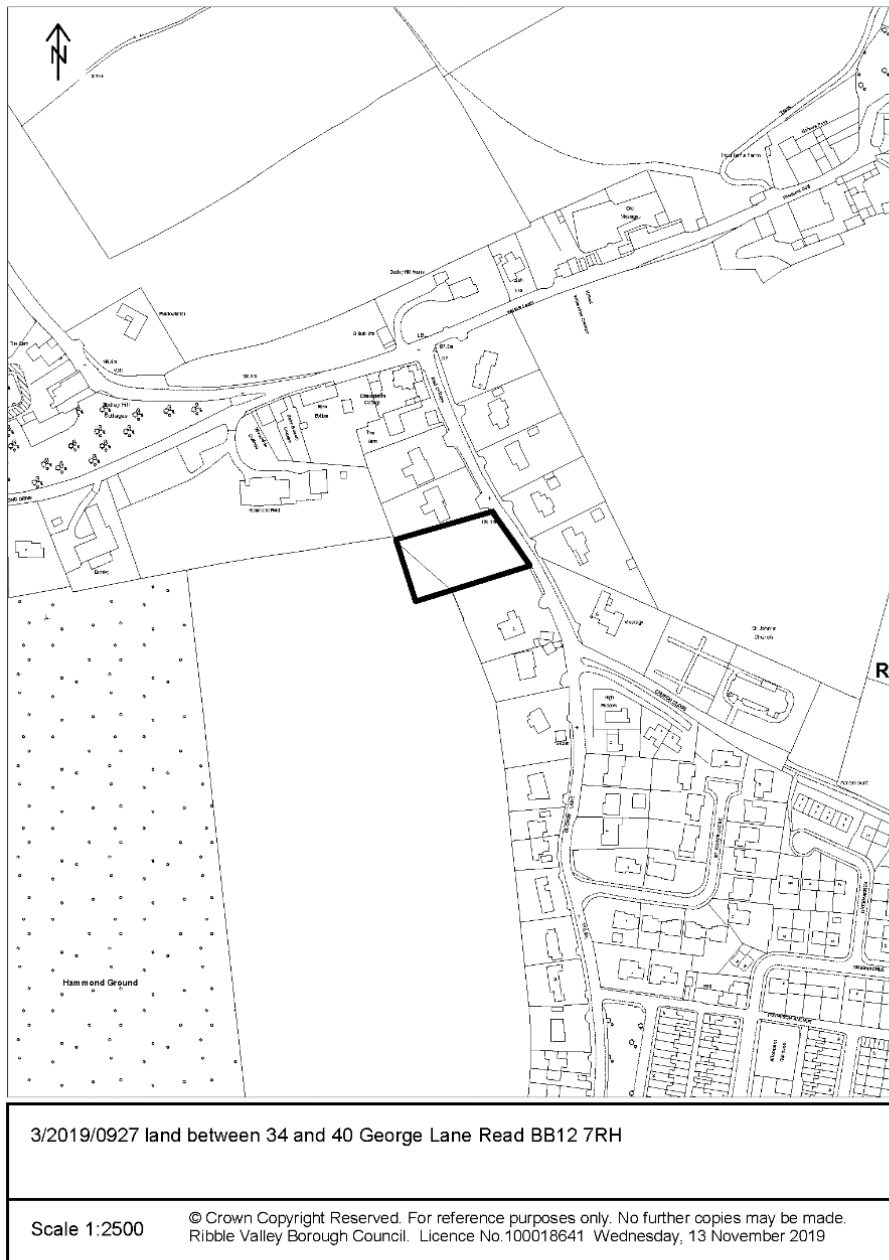
D APPLICATIONS ON WHICH COMMITTEE 'DEFER' THEIR APPROVAL SUBJECT TO WORK 'DELEGATED' TO THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING BEING SATISFACTORILY COMPLETED

APPLICATION REF: 3/2019/0927

GRID REF: SD 366324 431248

DEVELOPMENT DESCRIPTION:

APPLICATION FOR OUTLINE CONSENT FOR ONE NEW DWELLING AT LAND BETWEEN 34 AND 40 GEORGE LANE, READ BB12 7RH



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Read Parish Council has no objection.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

No objection subject to conditions.

ADDITIONAL REPRESENTATIONS:

Fifteen (15) letters of objection have been received in relation to the application and raise the following concerns:

- The site is one of a few public views across Hammond Ground, a fine landscape parkland within the historic curtilage of Read Hall.
- The application site gives a semi-rural feel to George Lane.
- HED DPD was formally adopted on 15 October 2019 and this application represents an incursion over the boundary line for the settlement of Read.
- The development only adds one more to the five-year supply.
- This will be an 'executive' house.
- Highway safety – dwelling would be located on a blind bend.
- Trees are established and there is a fear they may be compromised.
- Impact on bats which use the trees for roosting.
- The loss of another green space in the village.
- Area has been subject to building noise for the last 5 years.
- In order to protect the mature trees along the western boundary the boundary should be changed to run diagonally from the corner of plot 40 to the corner of plot 34.
- 34 George Lane is not shown correctly on the location plan. It is shown as a smaller dwelling prior to extensive renovations.
- Plot extends beyond the normal garden length and chooses to align itself with plots at the northern edge of the field, instead of correctly the eastern fringe of the field. As such it juts out some distance into Hammond Ground.
- Proposed development would overlook the living room and bedroom window of 34 George Lane.
- Development would be contrary to policies DMG2 and DMH3 of the Core Strategy.
- Comparison with planning permission 3/2013/0271 is mistaken.
- The hedgerow has been purposely left to grow to try and screen views into Hammond Ground.
- United Utilities pipeline cross the site.
- Insufficient natural screening of the site.
- Devaluation of property.

1. Site Description and Surrounding Area

- 1.1 This application seeks consent for the erection of a detached dwelling between 34 and 40 George Lane, Read. The application seeks outline consent with all matters reserved except for access. The site is located on the west side of George Lane and forms an area of pastureland bound to the north and south by residential development. The site adjoins George Lane to the east. Directly to the west of the site is Hammond Ground which has a

close association with Read Park, the parkland landscape that forms the setting to the Grade II* listed Read Hall.

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

- 2.1 The application seeks permission for a single detached two storey dwelling to infill a gap within the George Lane street scene. Although scale and appearance are reserved at this stage the submitted information states that the proposed dwelling would be sympathetic to the surrounding area in terms of its design, scale and appearance.

3. **Relevant Planning History**

No recent site history.

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 H1 – Housing Provision

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DMH3 – Dwellings in the open countryside and AONB

National Planning Policy Framework

5. **Assessment of Proposed Development**

- 5.1 This is an outline planning application with all matters reserved except for access. The main considerations are the principle of the proposed development and highway safety. However, the matters of visual appearance, residential amenity and biodiversity/ecology do have to be given some consideration.

5.2 **Principle of Development**

5.2.1 Key Statement DS1 of the Core Strategy provides the Development Strategy for the Borough and directs the majority of new housing development towards the Principal Settlements and also focuses some development towards the more sustainable Tier 1 settlements. The application site is located on the edge of and adjoining the Tier 1 Village of Read.

5.2.2 Key Statement DS1 identifies the settlement of Read as a Tier 1 Village where some of the development within the Borough will be directed. 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 The proposal site lies immediately adjacent to the settlement boundary of the village of Read in an area defined as open countryside. As such Core Strategy Policy DMG2 is engaged. Policy DMG2 (Strategic Considerations) states that: -

Development should be in accordance with the Core Strategy development strategy and should support the spatial vision.

1. Development proposals in the principal settlements of Clitheroe, Longridge and Whalley and the Tier 1 Villages should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.

- 5.2.4 Considering the definition of consolidation, expansion or rounding-off in the Core Strategy Glossary it is considered that the application site would represent expansion. The site could not be considered 'rounding-off' despite two thirds of the perimeter being already built up as the definition of 'rounding-off' refers specifically to development of land *within* the settlement boundary.

- 5.2.5 Development in the open countryside is also dealt with by the second part of the policy: -

Within the Tier 2 Villages and outside the defined settlement areas development must meet at least one of the following considerations:

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

2. The development is needed for the purposes of forestry or agriculture.

3. The development is for local needs housing which meets an identified need and is secured as such.

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

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

6. The development is compatible with the enterprise zone designation.

- 5.2.6 As the application site lies outside a defined settlement area it must meet at least one of the considerations listed in Policy DMG2. Core Strategy Policy DMH3 relates specifically to dwellings in the open countryside and the AONB and states that residential development will be limited to development essential for the purposes of agriculture or residential development which meets an identified local need; the appropriate conversion of buildings to dwellings and; the rebuilding or replacement of existing dwellings.

- 5.2.7 In order to satisfy policies DMG2 and DMH3 in principle new residential development in the open countryside must meet an identified local housing need or one of the other criteria.

- 5.2.8 The development proposes the erection of one market dwelling within the open countryside which does not meet an identified local need and as such the proposed development is contrary to Policies DMG2 and DMH3. Where there is a conflict with the development plan the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. The other material considerations in respect of this development are assessed below.

5.3 Residual Housing Requirements

- 5.3.1 Table 4.12 of the Core Strategy identifies residual housing requirements for Principal and Tier 1 Villages in order to achieve the overall housing requirement for the Borough over the plan period. The residual requirements contained in table 4.12 represent a minimum and the intention of table 4.12 is to provide a broad direction for housing growth in the borough to achieve a sustainable pattern of development.
- 5.3.2 The housing completions and commitments in the settlement of Read have been assessed in the applicant's Planning, Design and Access Statement. Taking account of the latest Housing Land Availability Schedule (HLAS) (October 2018) the supporting information considers that the 45-dwelling requirement for Read set out in table 4.12 has not been met and there is a shortfall of two dwellings. The applicant also identifies that outline planning consent for 15 dwellings at Worthalls Farm, which was included within October 2018 HLAS, lapsed on 9 September 2019. As such, it is the applicant's view that there is sufficient outstanding housing need in the settlement of Read and that the proposed development of one new dwelling would make a useful contribution.
- 5.3.3 However, as part of the work undertaken in respect of the Housing and Economic Development (HED) DPD, which has been subject to formal examination by a Planning Inspector, additional suitable housing land has been identified within the Borough. This includes the land at Haughs Head, Whins Lane, Read for residential development of up to 20 dwellings. Considering the residual requirement in Read which includes the shortfall of two dwellings in the October 2018 HLAS plus fifteen dwellings as a result of the expiration of the outline consent at Worthalls Farm (3/2015/0495), the land at Haughs Head, Whins Lane would more than satisfy the residual housing need for the settlement. Therefore, it is not considered that the proposed development could be supported on the basis that there is an outstanding residual housing need for Read.

5.4 Design and visual appearance

- 5.4.1 Having regard to the visual impact of the proposals, the development plot is located between two existing residential properties and is a logical infill plot. Dependant on the design, size and scale of the proposed development, it is considered that the erection of a new dwelling in this location would not result in any adverse visual harm to the George Lane street scene subject to the use of materials that are sympathetic to the character and appearance of the immediate area.
- 5.4.2 It is noted that objectors have referred to the site's location and consider it part of Hammond Ground which was identified as falling within Read Park, the parkland landscape for the Grade II* Listed Read Hall during consideration of an appeal case for the erection of 50 dwellings on Hammond Ground in 2018. However, 1845 OS Maps show that the application site formed a distinct parcel of land that was separated from Hammond Ground by a bank of trees. This tree line and boundary fencing is also visible on 1940s and 1960s aerial photographs. Therefore, it is considered that the application site does not form part of the historic parkland setting of Read Hall.
- 5.4.3 The land on which the ribbon of housing along the western side of George Lane to the south of the application site is sited was formerly the easternmost section of

Hammond Ground as shown on 1845 OS historic mapping. During the early to mid-20th Century these residential properties on the west side of George Lane were built.

- 5.4.4 More recently two new dwellings were granted consent on land to the north of the application site under planning permission 3/2013/0271P and have since been built. This has resulted in residential development on the west side of George Lane for its entire length with the rear gardens of the homes bounding Hammond Ground.
- 5.4.5 The application site is the last remaining gap in this ribbon of development through which views across Hammond Ground can be gained from George Lane. It is acknowledged that Hammond Ground is an attractive area of countryside and that public views through the site would be partially lost but the character of Hammond Ground is derived from its open parkland appearance and character, and due to its elevated position above the Calder Valley, there are expansive views across the site to the wider landscape particularly from the south.
- 5.4.6 The proposed new dwelling would be viewed within the context of existing built form along George Lane, would not extend beyond the already defined eastern settlement boundary of Read and would not represent sporadic or visually harmful development. Whilst the development would reduce the views from George Lane to Hammond Ground it is not considered that the harm would be so great to warrant refusal.
- 5.4.7 Additionally the erection of a dwelling on this plot with 'complete' the ribbon of development along George Lane enabling a continuous definitive boundary between the dwellings on George Lane and Hammond Ground ensuring the protection of this landscape for future generations.

5.5 Highways and Pedestrian Safety

- 5.5.1 Having regard to highway safety, the County Surveyor has raised no concerns relating to the indicative layout and he is satisfied that an appropriate site access and on-site parking can be provided. It is noted that there is no pedestrian footway to the point along George Lane at which the proposed dwelling would be located and future occupants of the dwelling would be required to walk in the carriageway for a distance of around 100 metres until footpath provision along George Lane towards the service centre of the village commences. Key Statement DMI2 states that new development should incorporate good access by foot and cycle.
- 5.5.2 It is noted that the two new dwellings approved and built on land to the north of the application site do not have direct footway access and the residents of those dwellings would be required to travel further without a footway than future residents of the proposed dwelling. The lack of footway provision for the two dwellings to the north was not identified as an issue during the determination of the planning application.
- 5.5.3 The walking distance from the application site to the junction between George Lane and Whalley Road, the main route through the village, is approximately 380 metres and considering the distance alone the site is thought to be sustainability located in relation to services and facilities. However, attention must be given to the lack of a dedicated pedestrian access for at least part of the journey to the

centre of Read and whether this would substantially discourage future occupants from making the journey on foot.

- 5.5.4 George Lane is an unclassified road with a 30mph speed limit. There is street lighting for its full length and there is no record of collisions or accidents. During the officers site visits it was noticeable that there was a considerable number of walkers and dog walkers in the immediate area all travelling in the carriageway and that George Lane was lightly trafficked.
- 5.5.5 The County Surveyor has raised no objection to the proposals on the basis of pedestrian safety or accessibility grounds. Whether the specific circumstances of this case would adversely affect the desirability or eliminate the ability for future occupants to use sustainable transport modes such as walking or cycling is a matter of professional judgement. It is considered that the surrounding environment is not such that it would considerably discourage future occupants from travelling to facilities within the village centre on foot. Despite the lack of a dedicated footway along a short section of George Lane the road is a minor carriageway which is lightly trafficked and well-lit and the application is for a single dwellinghouse which would generate a limited number of journeys.

5.6 Other Considerations

- 5.6.1 Regarding the potential impact on the residential amenity of neighbouring occupants, the proposed development plot is generous in size and there would be sufficient space within the site to provide for acceptable separation distances between dwellings to the north, south and east.
- 5.6.2 An Ecological Assessment has been submitted. A cluster of relatively mature trees lie north-west of the site. A mature oak (T2) has been assessed as having moderate potential for roosting bats although the Bat Survey Report confirms that emergence surveys undertaken in September 2019 found no bats emerging from the potential roost feature of the tree. Bat activity, both commuting and foraging were recorded. The trees and hedges adjacent the site are likely to be used by nesting birds.
- 5.6.3 In the event that outline planning permission is granted matters such as landscaping, ecological enhancement and appropriate lighting can be dealt with at reserved matters stage incorporate areas of soft landscaping and a sensitive lighting scheme.
- 5.6.4 The Arboricultural Impact Assessment submitted with the application demonstrates that a single dwelling could be comfortably accommodated within the site without any adverse impact to existing trees. The existing trees within and on the edge of the application site would be protected during the construction stage. The development would require the removal of approximately 12 metres of the boundary hedge to provide the site access and pre-clearance check would be required prior to the removal of any hedgerow to confirm the absence of nesting birds if removal is to take place within the nesting season.
- 5.6.5 The applicant is aware that a water main crosses the site and the submitted plans demonstrate that a dwelling could be accommodated on site whilst retaining unrestricted access.

6 **Conclusion**

- 6.1 Policy DMG2 seeks to underpin the settlement hierarchy for the borough to ensure the delivery of sustainable development. Policy DMH3 seeks to protect the open countryside and designated landscape areas from sporadic or visually harmful development. The thrust of both policies is to deliver both sustainable patterns of development and to accord with the overarching Core Strategy vision. The overarching Core Strategy vision is as follows:

The Ribble Valley will be an area with an exceptional environment and quality of life for all, sustained by vital and vibrant market towns and villages acting as thriving service centres, meeting the needs of residents, businesses and visitors.

We will seek to create an area with unrivalled quality of place, respecting the unique natural, social and built heritage of the area.

New development to meet the needs of the area for growth, services and quality of life will be managed to ensure the special characteristics of the area are preserved for future generations.

- 6.2 Whilst the development conflicts with Policies DMG2 and DMH3 it is considered that the site is well-related to the settlement boundary of Read and would represent an infill plot resulting in the creation of a more logical, definitive boundary with Hammond Ground without any significant outward expansion of the settlement.
- 6.3 Whilst the erection of a new dwelling will cause harm to the countryside by virtue of the creation of new built development on a currently undeveloped site, the development would not be viewed as sporadic or visually harmful and appropriately worded conditions could ensure that an appropriate, definitive boundary is created to distinguish the residential development along George Lane from the landscape of Hammond Ground. This will seek to assist in protecting the special characteristics of Hammond Ground for future generations in accordance with the overarching vision for the Borough.

RECOMMENDATION: That the application be DEFERRED AND DELEGATED to the Director of Economic Development and Planning for approval subject to it being publicised in accordance with the requirements of article 15(3) of the Development Management Procedure Order and there being no new issues raised by any representations and subject to the following conditions:

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

REASON: This condition is required to be imposed by the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The details in respect of the submission of any reserved matters shall be in substantial accordance with the Planning, Design and Access Statement (19-054) and the following approved drawings:

1103-05 A - Location Plan (received 15/01/2020)

1103-02 B – Site Layout Plan (received 15/01/2020)

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

3. The development shall be carried out in accordance with the approved details.

REASON: In order that the Local Planning Authority should be satisfied as to the details and because the application was made for outline planning permission.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device.

The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of George Lane to points measured 45m in each direction along the nearer edge of the carriageway of George Lane, from the centre line of the access, and shall be completed prior to first occupation of the development at footway/verge level in accordance with a scheme to be first agreed in writing by the Local Planning Authority and retained thereafter in perpetuity.

REASON: To ensure adequate visibility at the street junction or site access.

5. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees identified to be retained in the Arboricultural Impact Assessment (Bowland Tree Consultancy, December 2019) shall be protected in accordance with the BS5837:2012 [Trees in Relation to Demolition, Design & Construction].

The protection zone must cover the entire branch spread of the trees, [the area of the root soil environment from the trunk to the edge of the branch spread] and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection/exclusion zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented without prior written consent, which will only be granted when the local authority is satisfied that it is necessary is in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development and considered to be of visual, historic or botanical value are afforded maximum physical protection from the potential adverse effects of development.

6. The development shall be carried out in strict accordance with the recommendations of the Ecological Assessment (Penny Anderson Associates, August 2019) and Bat Survey Report (September 2019) that were submitted with the application.

If development has not commenced within two years from the date of this permission then the value of the site for bats should be reassessed and the findings of the survey and any additional mitigation measures proposed shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

REASON: To ensure that no species/habitat protected by the Wildlife and Countryside Act 1981 are destroyed or harmed.

7. 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. The agreed provisions shall be installed prior to first occupation of the development and be retained at all times thereafter.

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

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

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

NOTE

The applicant's attention is drawn to the consultation response received from United Utilities. There is a water main (with easement) crossing the development site and unrestricted access is required for operating and maintaining it. It is recommended that the applicant contacts United Utilities Property Services team to discuss how the proposals may interact with the easement.

BACKGROUND PAPERS

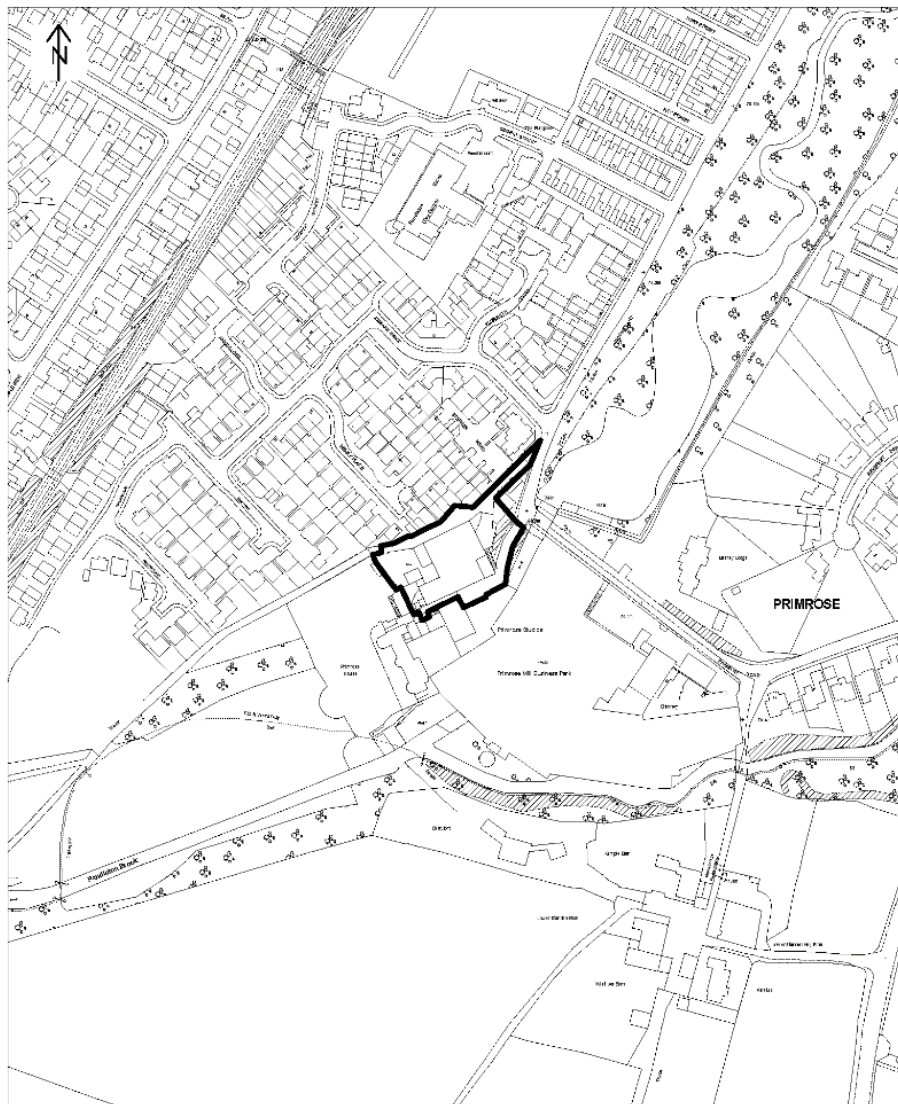
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2019%2F0927

APPLICATION REF: 3/2019/0954

GRID REF: SD 373687 440694

DEVELOPMENT DESCRIPTION:

DEMOLITION OF EXISTING WORKSHOP BUILDINGS CONVERSION OF TWO MAIN VACANT MILL STRUCTURES TO PROVIDE 25 RESIDENTIAL APARTMENTS ERECTION OF CYCLE/REFUSE STORE, LAYING OUT OF PARKING AND CIRCULATION AREAS AND ASSOCIATED LANDSCAPING. LODEMATIC LTD, PRIMROSE WORKS, PRIMROSE ROAD, CLITHEROE BB7 1BS



3/2019/0954 Lodematic Ltd Primrose Works Primrose Road Clitheroe BB7 1BS

Scale 1:2500

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Ribble Valley Borough Council. Licence No.100018641 Wednesday, 22 January 2020

CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

CLITHEROE TOWN COUNCIL:

Clitheroe Town Council wishes to object to this application on the grounds of highway safety. Stating that the entrance to the development is situated on an already dangerous bend in the road and the amount of traffic along Primrose Road to Woone Lane has already increased significantly due to the new developments. As such it is considered that there is a high potential for an accident at the proposed development's entrance.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

LCC Highways have raised concerns in respect of the proposal relating to the ability for a refuse vehicle to adequately manoeuvre into and out of the site and have raised concerns in respect of the proposal resulting in the storage of waste receptacles on the highway.

UNITED UTILITIES:

No objections subject to the imposition of conditions relating to foul and surface water drainage.

LCC ARCHAEOLOGY:

LCC Archaeology have raised no objection to the proposal subject to the imposition of conditions requiring the implementation of a programme of archaeological works, to 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.

NHS:

East Lancashire Hospital Trust has made representations in respect of the application making a request for financial contributions relating to the direct impact on the provision of planned and acute healthcare caused by the proposed development. In this respect a request has been made that the developer pay a contribution of £28,835.00 to adequately mitigate £28,835.00 the impacts of the development. Members will note that the Trust further recommends the application be refused if the applicant is unwilling to meet the contribution.

LCC EDUCATION:

Primary Places

Latest projections for the local primary schools show there to be a shortfall of 167 places in 5 years' time. These projections take into account the current numbers of pupils in the schools, the expected take up of pupils in future years based on the local births, the expected levels of inward and outward migration based upon what is already occurring in the schools and the housing development within the local 5-year Housing Land Supply document (or equivalent), which already have planning permission.

With an expected yield of 1 place from this development the shortfall would increase to 168. Therefore, we would be seeking a contribution from the developer in respect of the full pupil yield of this development, i.e. 1 place.

Secondary Places

LCC Education will not be seeking a contribution for secondary school places in respect of the development.

ADDITIONAL REPRESENTATIONS:

Two letters of representation have been received objecting to the proposal on the following grounds:

- Incorrect land ownership details have been provided
- Right of access issues
- Potential disruption and noise disturbance as a result of on-going construction works
- Increase in traffic
- Loss of privacy
- Potential noise from apartments
- Insufficient footway provision

1. Site Description and Surrounding Area

- 1.1 The application relates to former Lodematic site located to the southern extents of Woone Lane. The site is occupied by three parallel industrial workshop buildings, with smaller associated outbuildings dating from the 1800s and a detached industrial building dating from the second half of the twentieth century also being located on-site.
- 1.2 The application site is bounded to the north by an existing access track and public right of way (Footpath 17). With newly constructed residential development also being within the vicinity on the opposing side of the access track.

2. Proposed Development for which consent is sought

- 2.1 The submitted details seek consent for the conversion of the existing buildings to accommodate thirteen one-bedroom apartments and twelve two-bedroom apartments. It is proposed that building on the eastern and western extents of the site will be demolished to enable the creation of dedicated parking provision to serve the dwellings with a total of 38 spaces being provided, with one-bedroomed apartments benefitting from one dedicated space and the two-bedroomed apartments being afforded two dedicated parking bays per apartment.
- 2.2 The submitted details further propose the creation of a central courtyard with open-gantry walkway to facilitate access to apartments on the first and second floors of the development. To enable the conversion to utilise the roof-space within the southern block it is proposed that the eaves height of the building will be raised by approximately 450mm with the existing coping and eaves detailing being replicated.

3. Relevant Planning History

3/2016/0764 - Demolition of existing workshops buildings (other than workshop 3), conversion of workshop 3 to provide 14 residential apartments the erection of 4 residential apartments, erection of cycle/refuse store, laying out of parking and circulation areas, and associated landscaping. (Approved)

3/2015/0266 - Demolition of existing workshops buildings (other than workshop 3), conversion of workshop 3 to provide 14 residential apartments the erection of 4 residential apartments, erection of cycle/refuse store, laying out of parking and circulation areas, and associated landscaping. (Approved)

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy
Key Statement DS2 – Presumption in Favour of Sustainable Development
Key Statement EN2 – Landscape
Key Statement EN3 – Sustainable Development and Climate Change
Key Statement EN4 – Biodiversity and Geodiversity
Key Statement EN5 – Heritage Assets
Key Statement H1 – Housing Provision
Key Statement H2 – Housing Balance
Key Statement H3 – Affordable Housing
Key Statement DMI1 – Planning Obligations
Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME2 – Landscape and Townscape Protection
Policy DME3 – Site and Species Protection and Conservation
Policy DME4 – Protecting Heritage Assets
Policy DME5 – Renewable Energy
Policy DME6 – Water Management
Policy DMH1 – Affordable Housing Criteria
Policy DMB4 – Open Space Provision
Policy DMB5 – Footpaths and Bridleways

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 lies within the defined settlement boundary of Clitheroe and involves the re-use and redevelopment of existing building on a brownfield site. As such the principle of the proposal, notwithstanding other development management considerations, is considered to be in broad alignment with the development strategy for the borough in respect of the locational aspirations for new housing and their location within principle and tier 1 settlements.

5.1.2 Furthermore, it is considered that the proposal will result in the redevelopment of a brownfield and previous employment site that is largely constrained by access arrangements, with limited parking provision for staff. It is further considered the internal layout and configuration of the existing buildings are also thought to be inadequate to accommodate modern work practices or requirements, with other properties currently available within the borough that offer more efficient, effective and unconstrained work spaces.

5.1.3 In respect of the above matters the proposed development is considered to be in full compliance and alignment with the aims and objectives of the adopted

development plan in respect of the location of new housing and the regeneration aspirations for brownfield land within the borough.

5.2 Impact upon Residential Amenity:

5.2.1 The application site does not benefit from any direct relationship with any existing residential properties or receptors save that for the newly constructed dwellings located to the north of the site. In this respect it is only the northern-building (Block B) that has any direct interface or relationship with the aforementioned dwellings.

5.2.2 In respect of the potential for the development to be of detriment to existing residential amenities, it is considered that the proposed interface distances between the existing dwellings and the proposed apartments that will benefit from a northerly aspect is considered more than adequate to ensure that there is no direct impact by virtue of direct overlooking or a loss of privacy.

5.3 Matters of Design/Visual Amenity:

5.3.1 The submitted details propose the retention of a number of the existing buildings on site with minimal external physical interventions into the built fabric of the buildings. For the most part it is proposed that existing openings will be utilised or altered to accommodate new windows and doors.

5.3.2 The central linking block will be utilised to accommodate an open courtyard area that will accommodate the primary circulation core of the building facilitating access to all apartments. It is proposed that the eaves height of the southern block (Block A) will be raised to allow for additional accommodation to be accommodated within the roof-space. However, taking into account the modest raising in the height of the eaves it is considered that the alterations will remain commensurate with the overall scale of the building and will not undermine or be of detriment of its inherent character or external visual appearance.

5.4 Highway Safety and Accessibility:

5.4.1 The Highway Development Control section have raised a small number of concerns in relation to the proposal relating to the ability for a refuse vehicle to adequately enter the site and the potential for the storage of refuse receptacles outside of the site, on collection day, to cause potential disruption for users of the public footway.

5.4.2 In respect of the above, RVBC waste services has confirmed that they will not intend for the refuse vehicle to enter the site and that waste collection will be made on a kerbside arrangement outside the site. Whilst it is noted that the current arrangement may necessitate the need for waste receptacles to be stored on the footway on the day of collection, it is not considered that such matters could be controlled vis the imposition of condition or controlled in any case through the planning process given kerbside collection arrangements are omnipresent within the borough for all accommodation types.

5.5 Landscape/Ecology:

5.5.1 The application has been accompanied by a bat Survey which concludes that there is no evidence of the buildings have been used by bats for the purposes of roosting

and that no emergence was recorded from the buildings. As such it is not considered that the proposed development will result in any adverse impact upon protected species or species of conservation concern.

- 5.5.2 The report further identifies that the proposed conversion will result in the potential to create nesting/roosting opportunities and the potential to enhance opportunities for species to utilise the roof areas. As such, a condition will be imposed that requires details of such provision to be submitted prior to their installation.

5.6 Flood Risk and Drainage:

- 5.6.1 United Utilities have responded raising no objection subject to the requirement to submit a surface water drainage scheme and the imposition of a condition that ensures surface and foul water is drained on separate systems.

5.7 Developer Contributions:

- 5.7.1 Should consent be granted the developer will be required to make an educational contribution of £16,050.54 towards primary places within Clitheroe. The amount payable has been calculated by LCC education as follows:

Based upon the latest assessment, taking into account all approved applications, LCC will be seeking a contribution for 1 primary school place. However LCC will not be seeking a contribution for secondary school places.

Calculated at the current rates, this would result in a claim of:

Primary places:

$(£12,257 \times 0.97) \times \text{BCIS All-in Tender Price } (324 / 240) \text{ (Q1-2019/Q4-2008)}$
= £16,050.54 per place

£16,050.54 x 1 place = £16,050.54

- 5.7.2 In addition to the above, should consent be granted, the applicant will be required to make a contribution towards leisure/play facilities within Clitheroe. The contribution sought will be based on the following methodology which is calculated based on occupancy ratios at a rate of £216.90 cost per person:

- 1 bed unit - 1.3 people
- 2 bed unit - 1.8 people
- 3 bed unit - 2.5 people
- 4 bed unit - 3.1 people
- 5 + bed unit - 3.5 people

- 5.7.3 As a result, a contribution of approximately £8350.65 will be required to mitigate the impact of the development and will be secured via a section 106 agreement

- 5.7.4 Members will note that East Lancashire Hospital Trust have made a request that the developer pay a contribution of £28,835.00 to mitigate potential healthcare impacts resultant from the development. In respect of this matter the local authority, in this instance, will not be seeking to pursue or enforce this request for a contribution as the authority is of the view that the current methodology utilised by the trust and the subsequent contribution request would not be considered CIL

compliant and would not meet the tests of reasonableness. It should be noted that the Trust states that if the applicant is unwilling to meet the request of a contribution that the Trust will object to the proposal on the grounds of the direct and adverse impact of the development on the delivery of health care in the Trust's area.

5.8 Affordable Housing Provision:

5.8.1 Members will note that given the proposal involves the conversion of existing buildings that Vacant Building Credit (VBC) is engaged and applicable. In this respect the applicant is released from the requirement to provide on-site affordable housing provision in respect of affordable provision. However, the requirement to provide 7.5% on-site open market housing provision for those aged 55 and over remains engaged. The applicant has provided a commitment to meet this requirement and such matters will be secured via a S106 agreement.

5.8.2 On this basis the proposal is considered to be in accordance with the adopted development plan in respect of on-site open-market housing provision for those over 55 years of age.

6. Observations/Consideration of Matters Raised/Conclusion

6.1 Taking account of the above matters and all material considerations, it is considered that the proposed development is in full compliance and alignment with the development strategy for the borough in respect of the location of new housing development as embodied within Key Statement DS1 of the adopted core strategy.

6.2 It is further considered that the proposal is in full compliance with the regenerational aspirations and aspects of Key Statement DS1 insofar that approval will lead to the redevelopment of an existing brownfield site and will secure the long-term retention of the mill buildings through their re-use and conversion.

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Economic Development and Planning for approval following the satisfactory completion of a Legal Agreement, within 3 months from the date of this Committee meeting or delegated to the Director of Economic Development and Planning in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following conditions:

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

REASON: Required to be imposed 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 Rev: A:
- 5857-07 Rev: C: Proposed Lower Floor Plan
- 5857-08 Rev: C: Proposed Ground Floor Plan
- 5857-09 Rev: C: Proposed First Floor Plan
- 5857-10 Rev: B: Proposed second Floor Plan

- 5857-11 Rev: D: Proposed Elevations
- 5857-12 Rev: C: Proposed Section A-A
- 5857-13 Rev: A: Existing and Proposed Site Section C-C
- 5857-14 Rev: C: Existing and Proposed Site Section D-D
- 5857-15 Rev: H: Proposed Site Plan
- 5857-16 Rev: F: Visibility Splay
- 5857-18 Rev: A: Proposed Internal Courtyard Elevations
- 5857-19 Rev: C: Proposed Access Road Surfacing and Refuse Collection Point
- 5857-20 Rev: A: Swept Path Analysis

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

Matters of Design

3. Notwithstanding the submitted details, details or specifications of all new or replacement materials to be used on the external surfaces of the development hereby approved (including external surfaced areas and car-parking) shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality and respond positively to the inherent character of the existing buildings.

4. Notwithstanding the submitted details, no other work other than site clearance/demolition shall be undertaken until details, at a scale of not less than 1:20, of each elevation 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 conserves and enhances the character and external appearance of the buildings to be converted.

5. Notwithstanding the submitted details, no other work other than site clearance/demolition shall be undertaken until details, at a scale of not less than 1:20, of the glazed canopy have been submitted to and approved by the Local Planning Authority. 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 conserves and enhances the character and external appearance of the buildings to be converted.

6. 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 prior to their installation. The development shall be carried out in strict accordance with the approved details.

To ensure a satisfactory standard of appearance of the external areas of the development in the interests of the visual amenities of the area.

Notwithstanding the submitted details, the proposed roof-lights to be installed on the development hereby approved shall be of the Conservation type, recessed with a flush fitting, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation. 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 does not undermine the inherent character of the buildings to be converted.

7. The area to be resurfaced as indicated on drawing 5857-19 C shall be fully surfaced and made available for use prior to first occupation of any of the dwellings hereby approved.

REASON: To ensure safe and adequate access is provided for motor-vehicles and pedestrians.

8. The cycle storage provision hereby approved shall be installed and made available for use prior to first occupation of any of the dwellings hereby approved and thereafter retained.

REASON: To ensure adequate storage for bicycle is provided on site and to encourage sustainable modes of transport.

Landscape and Ecology

9. Details of bat mitigation proposals as contained within submitted Bat Survey (Ref 5857 dated Sept 2019) shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The approved details shall be implemented in full and be made available for use prior to first occupation of any of the dwellings hereby approved and thereafter retained.

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

10. Unless otherwise agreed in writing the Local Planning Authority the development shall be carried out in strict accordance with the recommendations and timings contained within the Bat Survey (Ref 5857 dated Sept 2019).

REASON: To protect the bat population from damaging activities and to mitigate the impact of the development upon species of conservation concern.

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 scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing by the local planning authority.

The submitted details shall include 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 occupation or use of the development, 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.

For the avoidance of doubt all trees/hedgerow shown as being retained within the approved details shall be retained as such in perpetuity.

REASON: To ensure the proposal is satisfactorily landscaped and trees/hedgerow of landscape/visual amenity value are retained as part of the development.

Flooding and Drainage

12. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
- i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
 - ii. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
 - iii. A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The development shall be carried out in strict accordance with the approved details.

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

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.

Heritage and Archaeology

14. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological works. 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. The programme of works should include:
- i. The creation of an archaeological record of the buildings to Level 2/3 as set out in the specifications contained in 'Understanding Historic Buildings' (Historic England 2016); and
 - ii. A formal archaeological watching brief during all groundworks required as part of the development.

This work shall be carried out by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists (CIfA). The development shall be carried out in accordance with these agreed details.

REASON: To ensure and safeguard the recording and inspection

Highways

15. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. For the avoidance of doubt the submitted information shall provide precise details of:
- A. The siting and location of parking for vehicles of site operatives and visitors
 - B. The siting and location for the loading and unloading of plant and materials
 - C. The siting and locations of all site cabins
 - D. The siting and location of storage of plant and materials used in constructing the development
 - E. The siting and locations of security hoarding
 - F. The siting location and nature of wheel washing facilities to prevent mud and stones/debris being carried onto the Highway (For the avoidance of doubt such facilities shall remain in place for the duration of the construction phase of the development).
 - G. The timings/frequencies of mechanical sweeping of the adjacent roads/highway
 - H. 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)
 - I. The highway routes of plant and material deliveries to and from the site.
 - J. Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.
 - K. Days and hours of operation for all construction works.
 - L. Contact details for the site manager(s)

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

REASON: To ensure the safe operation of the highway and to protect nearby residential amenities for the duration of the construction period of the development.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2019%2F0954

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2019/0800	Proposed bedroom extension to rear front porch and sunroom roof to side.	Elm Dene, Up Brooks Clitheroe BB7 1PL
3/2019/0861	Proposed first floor extension and alterations to existing bungalow to include new mono pitched single storey roof to rear, flat roof entrance canopy and single storey hipped roof to the side.	Green Beech, Higher Commons Lane Mellor Brook, Blackburn BB2 7PS
3/2019/0972	Demolition of existing garage and proposed new dwelling on land adjacent to Braeside	land adj Braeside York Lane Langho BB6 8DT
3/2019/1013	Provision of flags and promotional signage boards.	land to SW of Barrow and W of Whalley Road Barrow BB7 9XW
3/2019/1025	Erection of one new dormer bungalow in the front garden of Paddock Gate.	Paddock Gate 14 Wiswell Lane Whalley BB7 9AF
3/2019/1087	Application for the variation of condition 5 (Servicing and deliveries) from planning permission 3/2017/0262	Holmes Mill Greenacre Street Clitheroe BB7 1EB
3/2019/1101	Fell tree and grind stump.	Berryfield Towneley House Towneley Road Longridge PR3 3EA
3/2019/1112	Construction of sales area	land to SW of Barrow and W of Whalley Road Barrow BB7 9XW
3/2019/1140	New service access and landscaping works.	Standen Hall Worston Road Clitheroe BB7 1PR

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 app received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2018/0582 R of permission in principle	21/05/2019	Land south of Chatburn Old Rd Chatburn	Changed to Hearing Procedure	Yes	8/10/19 10.00am Cttee Rm 1	Appeal allowed and partial costs awarded
3/2018/0507 R of outline PP	24/09/2019	Land adj John Smith Playing Field Chaigley Rd Longridge	Hearing		10/12/19 meeting room on level D	Awaiting Decision
3/2019/0497 R of pp	29/10/2019	DJP Domestic Appliances Ltd 1-3 King Lane Clitheroe	CAS			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 app received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2019/0040 R of PIP	26/09/2019	Land at Kingsmill Ave Whalley	WR			Appeal Dismissed 02/1/2020
3/2019/0390 R of Prior Approval	26/09/2019	Dutton Manor Mill, Clitheroe Road, Dutton	WR			Awaiting Decision
3/2019/0479 R	19/11/2019	1 Willow Ave Whalley	HAS			Appeal Dismissed 13/1/2020
3/2019/0554	11/11/2019	Three Millstones Inn Waddington Rd West Bradford	WR			Awaiting Decision
3/2019/0698 R	02/01/2020	Wilkinsons Farmhouse Simonstone Ln Simonstone	HH			Awaiting Decision
3/2019/0698 R	22/01/2020	land at Hawthorne Place, Clitheroe	WR			Statement due 26/2/2020
3/2018/0246 R (Enforcement appeal)	05/12/2019	12 Poplar Dve Longridge	WR			Awaiting Decision
3/2018/0932 R (Enforcement appeal)	Awaiting start date from PINS	Bolton Peel Fm Bolton by Bowland Rd Bolton by Bowland	WR (to be confirmed by PINS)			
3/2018/1105 R	09/01/2020	Higher College Farm Lower Road Longridge	Hearing		17/03/20 Council Chamber	
3/2019/0561 R	Awaiting start date from PINS	Pewter House Farm Carr Lane Balderstone	WR (to be confirmed by PINS)			
3/2019/0777	Awaiting start date from PINS	8 Back Lane Rimington	WR (to be confirmed by PINS)			
3/2019/0822 R of tree work application	13/12/2019	Crafnant 14 Whinney Ln Langho	Environmental Procedure			Awaiting Decision

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No. 6

meeting date: THURSDAY, 6 FEBRUARY 2020
title: UPDATE ON HOUSING REQUIREMENT - SHENA
submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING
principal author: COLIN HIRST, HEAD OF REGENERATION AND HOUSING

1 PURPOSE

1.1 To receive further information on progress with regard to the Borough's housing need.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – To deliver a coordinated approach to planning through up to date planning policies and to meet the housing needs of all sections of the community.
- Corporate Priorities - To protect and enhance the existing environmental quality of the area and to match the supply of homes in our area with the identified housing needs.
- Other Considerations – None.

2 BACKGROUND

2.1 Members will recall that the need to undertake a Strategic Housing and Economic Needs Assessment (SHENA) was considered at a meeting of this Committee on 1st August (Minute 161 refers). The report set out the importance of progressing this work to inform the Local Plan and to provide an up to date housing requirement beyond the five-year anniversary date of the Core Strategy (14 December 2019).

2.2 Members considered a further report at the meeting of this Committee on 28 November 2019 (Minute 442 refers) which discussed the outcome of consultation on the draft SHENA. The detailed report set out the findings of the Consultant's work and the response to the consultation. However, a number of issues raised led to full consideration of the SHENA by Members to be deferred to enable further work with the consultants to be undertaken.

2.3 The consultants draft report can be viewed on the Council's website using the following

link:

https://www.ribblevalley.gov.uk/info/200364/planning_policy/1732/evidence_updates_2019_onwards.

2.4 A number of issues have since been raised with the consultants following that meeting and they are currently undertaking further work to deal with the queries raised. This will be the subject of a further report to Committee once complete.

2.5 Members have also had the opportunity to attend the Member Local Plan training event, which gave the opportunity to raise a range of matters related to the Local Plan and housing requirements. In particular, the training addressed the relevance of setting a housing requirement figure for the Borough.

3 PROGRESSING THE HOUSING REQUIREMENT

3.1 It is clear from the response to the consultation and the wider deliberations being undertaken in relation to this issue that there still remain areas of concern that need to be addressed. This is function of the local plan process where the level of the Borough's housing need will be tested.

3.2 As indicated in the report to Members on 28 November 2019 the recommended approach was to establish a housing requirement to inform the review of the Local Plan and set a benchmark for developing the framework for the area. Further discussion with our consultants and consideration of the issues raised has led to the conclusion that an alternative approach, allowing a more holistic approach to housing requirements may be the most appropriate way forward in the current circumstances.

3.3 As indicated establishing the housing requirement is a key factor in the Local Plan process and this assists with identifying a direction of travel for the plan. Assisting with the understanding of how much development is likely to be required, the land implications, where it can be accommodated and the infrastructure requirements, for example, that need to accompany it. However, all of this process is a matter to be tested through the Local Plan itself.

3.4 Given the current position whereby our wider evidence base needs updating it is proposed to continue to develop options around a range of housing requirement options to help clarify the implications. Members are reminded that until a housing requirement figure has been tested through the Local Plan examination process the default position will be the standard methodology figure of 148 dwellings per annum as the Core Strategy is now past its 5-year anniversary.

3.5 Members who attended the training event, will recall that this was reinforced at the event and it is this figure that would be, for the time being used to determine the Council's position in relation to 5-year housing land supply and be the target for monitoring purposes. It is this figure that would be likely to be relied upon by an Inspector at any planning appeal.

3.6 It is important to note however that it is likely that the Council will need to support growth by promoting a higher housing requirement figure than the standard calculation based on current national guidance and policy.

3.7 As Members are aware the Council will be progressing work on the update to the Local Plan over the next 12 months. This will require further evidence to be developed and the opportunity to consider levels of economic growth that are judged to be appropriate and can be factored into the plan. The levels of housing growth will reflect not just demographic change (for example, the need to ensure adequate workforce is in place due to ageing population) but also the level of housing need generated by growth aspirations.

- 3.8 As Members will be aware there is a gap in evidence in relation to economic needs which is part of the proposed review work and discussions with our consultants have confirmed that it may be more appropriate to await this information to feed into the housing requirements to give more robust information upon which to base the requirements. This effectively results in a housing requirement not being established at this stage but further work on the Local Plan options to test and evaluate the most appropriate housing requirements will be undertaken.
- 3.9 A number of scenarios with differing housing requirements will be developed and assessed as part of the Regulation 18 Issues and Options consultation. This enables a housing requirement to be objectively assessed based upon a more holistic approach. This will provide an opportunity to consider a range of scenarios and would provide the widest opportunity for views to be sought, not just in terms of housing, but a more holistic approach to plan-making and the choice of development options for the borough. This would also mean early testing of any challenges ahead of an Examination as this work progresses which ultimately should be of benefit at the Examination stage.
- 3.10 In addition the Government has previously announced that it is reviewing the standard methodology based on their concern that the levels of housing delivered through the standard methodology were unlikely to meet the Government's aspirations. Whilst there is no further information on this issue at this stage it is widely anticipated that there will be a revision to the approach consulted on and that in reality the Council will need to take account of this new methodology in due course.
- 3.11 The ongoing Local Plan process can be used to develop the most robust and appropriate housing requirements which will lead to a wider testing of options but this may extend the timeframe to establish the preferred plan options (Regulation 19 stages). However clearly there is significant merit in undertaking wider development work at this stage in order to be satisfied that the housing requirement alighted on is the most appropriate for the area.
- 3.12 For the purposes of monitoring it is proposed to apply the standard methodology-based figure as the benchmark. In addition, the current Core Strategy figure of 280 will also be compared to the supply side to enable any significant changes in development trends to be monitored. As Members will be aware, there are a number of approved unimplemented consents, details of which are set out in the Council's Housing Land Availability Study (HLAS). In addition, house building will continue to progress on existing sites and construction starts on approved sites. A summary table from the HLAS is included as Appendix 1 to this report. The full, current HLAS can be viewed on the Council's website using the following link:
- https://www.ribblevalley.gov.uk/downloads/file/12472/housing_land_availability_schedule_hlas_september_2019
- 3.13 What needs to be borne in mind however, is that the fact that the Council has a 5-year supply and has addressed the minimum housing requirements does not mean in itself that housing proposals should be refused. There is still a determination to be made against the issues of sustainable development and the proposals being consistent with the identified development plan. Fundamentally decisions will still need to be made based on the adopted Development Plan.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources – There are no direct consequences as a result of this report, however testing the figure through both appeal and the Local Plan process may well be subject to additional resource requirements.
- Technical, Environmental and Legal – The Council is required to address the standard methodology by virtue of the Core Strategy reaching its five-year anniversary. The Council has been proactive in producing the SHENA to inform its position and provide a basis for ongoing work. The plan making process is the route by which the housing requirement for the area will be tested, ultimately through examination. Developing a wider range of scenarios at Regulation 18 stage may have an impact on the timeframe and may require earlier commitment to resources.
- Political – Housing matters have a high public profile.
- Reputation – The actions set out in this report demonstrate that the Council is well managed and is proactive in taking steps to ensure it can plan appropriately for housing in the borough in line with National policy.
- Equality & Diversity – No issues.

5 **RECOMMENDED THAT COMMITTEE**

- 5.1 Note the current position with regard to establishing a housing requirement for the borough and that for the purposes of monitoring land supply the relevant standard methodology derived requirement figure is utilised.
- 5.2 Endorse the proposed approach that further development work be undertaken on requirement and development scenarios, informed by the emerging evidence base and that the options in relation to housing requirement are considered by the Local Plan working group before reporting back to this Committee.

COLIN HIRST
HEAD OF REGENERATION AND HOUSING

NICOLA HOPKINS
DIRECTOR OF ECONOMIC
DEVELOPMENT AND PLANNING

BACKGROUND PAPERS

Strategic Housing and Economic Needs Assessment – September 2019 – Turley

Consultation responses

For further information please ask for Colin Hirst, extension 4503.

HOUSING LAND AVAILABILITY AT
30 SEPTEMBER 2019

All known sites	No. of Dwellings	No. Sites	Area Ha
1. Sites with full planning permission	817	32	34.40
2. Sites with outline planning permission	1126	15	52.63
3. Sites on which development has commenced	1491	70	99.50
4. Conversions to dwellings (not started)	65	29	3.05
5. Conversions to dwellings (commenced)	68	39	3.96
TOTAL	3567	185	193.54

RIBBLE VALLEY BOROUGH COUNCIL

REPORT TO ECONOMIC DEVELOPMENT COMMITTEE

Agenda Item No. 7

meeting date: THURSDAY, 6 FEBRUARY 2020
 title: CONSULTATION ON CENTRAL LANCASHIRE LOCAL PLAN
 submitted by: NICOLA HOPKINS – DIRECTOR OF ECONOMIC DEVELOPMENT & PLANNING
 principal author: RACHEL HORTON, SENIOR PLANNING OFFICER

1 PURPOSE

- 1.1 To inform members of the current consultation on the Central Lancashire Local Plan – Issues and Options and the supplementary Joint Memorandum of Understanding (MOU) and Statement of Co-Operation (SoC).
- 1.2 To inform members of the key points and objectives of the above consultation document, highlight any potential cross-boundary issues and the Council's response in compliance with our general duty to co-operate.
- 1.3 Relevance to the Council's ambitions and priorities
 - Community Objectives – To support our key service centres and protect the viability and vitality of our market towns.
 - Corporate Priorities – The Authority has a legal duty to engage constructively, actively and on an ongoing basis in the context of strategic cross boundary matters.
 - Other Considerations – None

2 BACKGROUND

- 2.1 Central Lancashire covers the geographical areas of Preston, Chorley and South Ribble. It functions as one integrated local economy, commuting area and single housing market area. The three authorities work collaboratively to produce local plans, inform land use and deliver strategic objectives.
- 2.2 In recognition that the development plan policy relating to the supply of housing in Central Lancashire was adopted in 2012, the three authorities propose to calculate the minimum number of homes needed across the area by applying the standard method formula.
- 2.3 It is proposed to do this through a Joint Memorandum of Understanding (MOU) and Statement of Co-operation (SOC) which will be ratified by all three Councils and Central Lancashire are requesting the Councils views on the distribution of housing in accordance with their duty to cooperate.
- 2.4 In addition, the views of Ribble Valley Borough Council are also sought on the Central Lancashire Local Plan Issues and Options consultation which ends on Friday, 14 February 2020.

3 ISSUES

The Joint Memorandum of Understanding (MOU) and Statement of Co-operation

- 3.1 The purpose of the Central Lancs Joint Memorandum of Understanding (MOU) and Statement of Co-operation is to allow all three authorities (Preston, South Ribble, Chorley) to work together and ratify the distribution of housing across all three areas.

- 3.2 The three authorities intend to distribute housing based on a recently commissioned Housing Study, the details of which can be accessed via the following link on the Central Lancs website:

https://centrallocalplan.lancashire.gov.uk/media/1105/191017_central-lancs-housing-study_final-report.pdf

- 3.3 The evidence contained within the Central Lancashire Housing Study recommends that the most appropriate distribution of the minimum number of homes needed in the area is as follows:

Preston City Council	40%
South Ribble Borough Council	32.5 %
Chorley Council	27.5%
Total	100%

- 3.4 The published Central Lancashire Housing Study raises no particular concerns or comments at this early stage regarding the proposed general distribution of housing in Central Lancashire. However, the need to adequately consider the impact of development on Longridge should be highlighted.

- 3.5 The 5-week consultation period for any comments ended on Monday, 13 January 2020 and a response has been made to protect the Council's interests.

- 3.6 It is important to recognise cross-boundary implications as a result of potential added development pressures and subsequent impacts upon local infrastructure on sites close to our existing key service centres, and in particular Longridge. As a result, the following e-mail response was sent to Central Lancashire on 10 January 2020:

Thank you for consulting Ribble Valley Borough Council on the Central Lancs approach for the Memorandum of Understanding (MOU), Statement of Co-Operation (SoC) and subsequent distribution of housing. The Authority has no particular objections in relation to the findings of the 'Housing Study' or the distribution of housing as proposed for the three authorities.

The only comment the Authority wishes to make, at this initial stage of the plan making process, is that members would request the infrastructure requirements in Longridge as a key service centre is given full consideration at all stages.

The Authority is currently still reviewing the submitted Issues & Options document and will issue a separate consultation response in due course.

- 3.7 In acknowledgement of the above, on-going engagement with the three authorities that make up Central Lancashire will continue as part of the joint legal duty to cooperate, and the Authority will ensure members are informed of key developments throughout this process.

CENTRAL LANCASHIRE LOCAL PLAN – ISSUES AND OPTIONS

- 3.8 The Central Lancashire Authorities of Preston, South Ribble and Chorley are undertaking a review of the development plan(s) for the area and are working towards the preparation of a Joint Local Plan for Central Lancashire.

- 3.9 The Local Plan will set strategic and local development management policies and site allocations for future development across the three authorities. Once adopted,

the Local Plan will guide the future growth and development in the Central Lancashire area.

- 3.10 The first document to be prepared is the 'Central Lancashire Local Plan Issues and Options'. Consultation on this document ends on Friday the 14th of February 2020 and a summary of the key Vision and Objectives can be found at Appendix 1.
- 3.11 Preston, Chorley and South Ribble Councils have agreed to work together to agree where new development for employment and housing is needed. To facilitate this process and as part of the Local Plan review a 'Call for Sites' exercise has been carried out by Central Lancashire. Within the Annexes to the main Issues and Options Consultation Paper can be found the site submissions received for Chorley, Preston, and South Ribble.
- 3.12 Full details of the Central Lancashire Local Plan Issues and Options consultation, including supplementary documents and lists of the site submissions for each Authority can be found via the following link:
- <https://centrallocalplan.lancashire.gov.uk/consultations/issues-and-options/>
- 3.13 The 'Central Lancashire Local Plan Issues and Options' consultation document has been reviewed and the broad aims of the overarching vision and objectives outlined within the report can be supported.
- 3.14 A detailed review of the supplementary site submissions for each Authority has highlighted a number of potential cross-boundary issues, particularly in relation to the sites submitted by neighbouring authorities Preston and South Ribble.
- 3.15 With regards to the sites submitted to Preston a significant number lie to the western edge of Longridge. Whilst there is unlikely to be a strategy to drive development into this area additional pressure from housing growth on these sites and their proximity to Longridge could have an impact upon key infrastructure and services.
- 3.16 A number of sites submitted to South Ribble lie in close proximity to Mellor Brook and the Samlesbury Enterprise Zone. Whilst the additional development is unlikely to have an impact upon the operation of the Samlesbury Enterprise Zone there may be associated pressures in South Ribble, adjacent to our boundary which again may have an impact upon infrastructure.
- 3.17 Notwithstanding the above concerns, it is important to stress that the call for sites exercise is an early stage of the plan-making process and therefore Central Lancs are only seeking views regarding the principle of various uses on the submitted sites. This does not mean that Central Lancs consider that all sites proposed for development in the three boroughs is considered suitable, but that they are seeking comments on what has been submitted and which sites should be taken forward.
- 3.18 As part of the Council's duty to cooperate it is intended to submit the following response to the 'Central Lancashire Local Plan Issues and Options':

Thank you for consulting Ribble Valley Borough Council on the Central Lancashire Local Plan Issues and Options. The Authority has no particular objections to the visions and objectives as outlined within the plan.

The Authority also has no particular objection at this early stage in the plan process to the sites submitted for consideration. However, upon review of the submitted sites, and in particular those submitted by Preston and South Ribble the Authority recognises that the development of a number of sites could have an impact upon key service centres, villages and associated infrastructure within the Borough.

On this basis, members wish to stress that infrastructure needs in Longridge and Mellor Brook in particular should be given full consideration at all stages of the plan review and that the Authority maintains continual dialogue with the three authorities that make up Central Lancashire to discuss any cross-boundary issues and to meet the general duty to cooperate.

3.19 Members should note that officers from Ribble Valley Borough Council and Preston City Council are due to meet on the 4th of February to discuss the matter and any outcomes will be reported to members in a future report to committee.

3.20 The Authority will continue to monitor the Central Lancs Local Plan and continue ongoing discussions with neighbouring authorities as part of the joint duty to co-operate.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources – There is provision within existing resources to work with neighbouring authorities in preparing and responding to emerging Local Plans.
- Technical, Environmental and Legal – Neighbouring authorities have a legal duty to cooperate on any strategic matters
- Political – There is significant interest in any potential development pressures upon existing key service centres, villages and infrastructure within the Borough.
- Reputation – Potential additional development pressure will have an impact on issues of significance in the local community.
- Equality & Diversity – No issues identified.

5 RECOMMEND THAT COMMITTEE

5.1 Endorse the comments set out at paragraph 3.6 and identify any additional comments they wish to make and that the proposed consultation response to the Central Lancashire Local Plan Issues and Options as outlined at paragraph 3.18 of this report is agreed.

5.2 Agree that the Local Plan Working Group monitor the Central Lancashire Local Plan and that this Committee be kept informed.

RACHEL HORTON
SENIOR PLANNING OFFICER

NICOLA HOPKINS
DIRECTOR OF ECONOMIC
DEVELOPMENT AND PLANNING

BACKGROUND PAPERS

Central Lancashire Housing Study

https://centrallocalplan.lancashire.gov.uk/media/1105/191017_central-lancs-housing-study_final-report.pdf

Central Lancashire Local Plan Issues and Options and Site Allocations

<https://centrallocalplan.lancashire.gov.uk/>

For further information please ask for Rachel Horton, extension 3200.

Vision & Objectives

What are we aiming to achieve?

16. We need to develop a vision for the Local Plan which sets out how we want to see the area grow and evolve over the next 15 years. This will be different for everyone, but common themes will be shared by all. We need a vision which reflects that changes will happen, and we want to manage that to achieve the best outcome for Central Lancashire.

Our Vision for Central Lancashire is:

By 2036 Central Lancashire will lead **sustainable** development in the region. It will make the most of its economic, cultural, heritage and natural assets and be at the forefront of tackling and adapting to the impacts and challenges of **climate change**. Recognising this, the councils will seek to be carbon neutral by 2030.

The areas of Preston, Chorley and South Ribble will continue to benefit from a growing economy and be **attractive to both new and existing investors** and visitors, taking advantage of retail, heritage, education and high-quality city and town centres. Its cutting-edge technology and engineering sectors, including the aerospace industry, will **continue to invest** in the success of their businesses in the area, and this will continue to enhance our region's economy. **Skills and education attainment** will continue to improve, made possible by high quality education offered across the area and the continued success of UCLAN. Central Lancashire will continue to thrive on its creativity and entrepreneurial flair and offer opportunities for graduates which will help to retain these skills to drive a **flourishing globally connected economy**.

Connections will improve access across Central Lancashire by prioritising **sustainable transport** including walking and cycling to link town and city centres with their wider areas, alongside other destinations. Overall, Central Lancashire will be a place where people and businesses thrive and a place where people will want to work, live and visit.

New development will take place in a manner that mitigates against and adapts to the cause and impacts of climate change. It will take account of flood risk, be **energy efficient and of high design quality**, championing outstanding new architecture, making efficient use of resources and enabling waste prevention. It will respect and where appropriate reinforce local character and the relationships between buildings and their wider surroundings. Central Lancashire will be served by efficient **infrastructure** including transportation, utilities and communications.

Preston's strategic role will be fulfilled as a regional city and a major economic driver for Central Lancashire and its surrounding areas, providing high quality retail, cultural and entertainment offer. Preston will continue to operate as a successful regional centre and a place where people choose to live and work, providing opportunities for both rural and city centre living.

Chorley will continue to provide opportunities for enterprise to thrive and businesses to grow building on past success. It will continue to make the most of its natural assets through links to open countryside and outstanding parks; providing attractive, prosperous and welcoming places to live.

Vision & Objectives

South Ribble will continue to boost economic growth and draw on the success of the area's diverse economic offer. The importance of its Green links between its discreet towns and villages will be enhanced, as well as improved accessibility to the surrounding areas promoting better health and well-being.

The residential **neighbourhoods** of Preston, Chorley and South Ribble will be attractive places to live, reflecting their individual historic and cultural heritage and enhancing their **local distinctiveness**. Our communities will continue to recognise and welcome the **diversity** within them, with residents living in high quality and well designed, **low carbon housing** with a balance of housing types and tenures provided. Our **Local centres** will serve as **vibrant and accessible focal points** for communities, providing a range of shops, experiences, community services and facilities to meet the day-to-day needs of residents as well as providing opportunities to enhance and develop small business and **protecting the character** of rural villages. In Preston those most in need of a suitable home will be the priority, and the economic environment in the City will be harnessed to ensure prosperity for everyone through a **commitment to community wealth building**. **Neighbourhoods** across Central Lancashire will be safe, clean and sustainable with **healthy, highly skilled and diverse communities**. Residents will have easy access to **public services, good jobs and decent, high quality affordable homes**.

Proposed Central Lancashire Local Plan Objectives

17. These are our proposed objectives for delivering our vision for Central Lancashire. They will run throughout our policies and shall be the basis of how we will measure our success as we implement our Plan for the three boroughs.



Theme	Objective
Climate Change and Resource Management	01. To ensure new development is resilient to and mitigates against the effects of climate change by achieving our goal to be carbon neutral by 2030; by reducing vulnerability to flooding; promoting development that minimises natural resource and energy use; reduces pollution and incorporates sustainable construction practices, including water efficiency measures.
Infrastructure and sustainable communities	02. To focus development at accessible and sustainable locations which make the best use of existing infrastructure, facilities and services wherever possible, and ensure that any necessary improvements are brought forward in a co-ordinated and timely manner.
Sustainable Travel	03. To ensure all new development delivers a design which puts active travel and sustainable modes (cycling, walking and public transport) ahead of the private car, and makes efficient use of the existing transport infrastructure and improves accessibility especially east-west links.
Housing	04. To provide a mix of housing types and sizes to create healthy, vibrant, safe and sustainable communities that deliver the City Deal and meet the changing housing needs of Central Lancashire's population, and support a range and variety of tenures alongside a range of family homes and any potential need for the Traveller community, with affordable housing delivery being a high priority.
Economic Growth & Employment	05. To provide a range of employment and economic growth opportunities in sustainable locations, prioritising community wealth building, and building on the infrastructure improvements within City Deal, to support the growing population and attract inward investment.
Education & Skills	06. To build on the existing education, training and skills attainment at all levels including vocational and apprenticeships, through provision of high-quality education facilities and training opportunities offered across the area.
Local Distinctiveness	07. To protect and enhance the rich diversity of the character and appearance of Central Lancashire's landscape and townscape, maintaining and strengthening local distinctiveness and sense of place.
Design	08. To create the highest quality design which is sustainable, accessible, safe and promotes a sense of place through the design of the built form; the relationship of buildings with each other and the spaces around them, and which responds positively to the prevailing character of the area.
Built Environment Assets	09. To protect and enhance the significance of the buildings, sites and features of archaeological, historic or architectural and cultural/artistic interest and their settings, and ensure new buildings, spaces and places are designed to the highest quality.
Natural Environment Assets	010. To conserve and enhance the natural environment including designated and undesignated landscapes and biodiversity and promote a connected green infrastructure network that plays a role in managing flood risk, delivers net gains in biodiversity and improves access to nature.
Health & Well-Being	011. To ensure that all development makes a measurable contribution to the reduction of health inequalities, whilst improving social inclusion and equal opportunities. Development shall also promote healthy lifestyles to maximise health and well-being.

Table 1: Central Lancashire Local Plan Objectives



Appeal Decision

Site visit made on 3 December 2019

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 2nd January 2020

Appeal Ref: APP/T2350/W/19/3236414

Land off Kingsmill Avenue, Whalley, Lancashire BB7 9PG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant permission in principle.
 - The appeal is made by Mr John Townson against the decision of Ribble Valley Borough Council.
 - The application Ref: 3/2019/0340, dated 11 April 2019, was refused by notice dated 24 May 2019.
 - The development proposed is 4 no. dwellings.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was for permission in principle. The national Planning Practice Guidance (PPG) states that the scope of permission in principle is limited to location, land use and amount of development¹. Accordingly, I have considered only the issues relevant to those 'in principle' matters in my determination of the appeal.
3. The planning history of the site is noted, including the proposal for four semi-detached, three-bedroomed dwellings with associated garden areas and parking, which was dismissed on appeal² in 2015. The subsequent requirements of the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) (SCHA) are also acknowledged.

Main Issue

4. The main issue is whether the appeal site would be a suitable location for housing, having regard to:
 - whether the proposal would meet an identified local need
 - the effect of the proposed development on the character and appearance of the area, and
 - accessibility of services and facilities.

¹ Paragraph Reference ID: 58-012-20180615.

² Ref: APP/T2350/W/18/3210850.

Reasons

Local need

5. Development Strategy Key Statement DS1 of the Ribble Valley Core Strategy 2008-2028 (2014) (CS) seeks to concentrate new housing development within appropriate settlements, and allows for the possibility of development in settlements which meets identified local needs. However, as it is not disputed that the appeal site is within countryside, and is outside any settlement boundary, the proposal would not accord with the Key Statement. Policy DMH3 of the CS limits residential development in the open countryside to, amongst other things, residential development which meets an identified local need.
6. The Glossary of the CS defines local needs housing as housing developed to meet the needs of existing and concealed households living within the parish and surrounding parishes which is evidenced by the Housing Needs Survey for the parish, the Housing Waiting List and the Strategic Housing Market Assessment. I note the Inspector's finding on definition of local needs housing in Ribble Valley, in the Wiswell Brook Farm appeal decision³ referred to by the main parties. In the case before me, there is not substantive evidence of such a defined need which the appeal proposal would meet.
7. One of the Council's duties under the SCHA⁴ is to give suitable development permission for enough serviced plots of land to meet the demand for self-build housebuilding in its area arising in each base period. The Council sets out that no such demand was registered on Part 1 of the self-build register for the first base period up to 31 October 2016. The Planning Officer's report refers to six individuals on Part 1 of the register, and the Council acknowledges that, taking into account demand registered during the second base period, self-build demand exceeds the quantum of development applied for.
8. The Planning Officer's Report refers to a significant number of large scale and windfall consents that would be capable of accommodating self-build plots. However, there is not substantive evidence before me of the quantity of planning permissions for serviced plots which could accommodate self-build dwellings. Moreover, according to the Council, none of the consents have been explicitly secured for self-build housing. The Council envisages that other applications for self-build accommodation will come forward before the end of the compliance period for the second base period of 31 October 2020, to meet demand on the self-build register. However, it is not guaranteed that this will happen. I also have regard to the Inspector's finding in the Land off Hepworth Road appeal decision⁵ regarding the contribution of permissions to the actual delivery of self-build housing.
9. Given the above, the prospect of self-build housing being delivered to meet demand in the borough within the compliance period for the second base period is open to some question. I shall consider the merits of four self-build dwellings later in my decision.
10. Nevertheless, taking the above together, I conclude that the proposal would not meet identified local housing need or deliver the residential development

³ Ref: APP/T2350/W/18/3210850.

⁴ Ref: S2A of the SCHA.

⁵ Ref: APP/G2435/W/18/3214451.

concentration strategy defined within the CS. As such, it would not accord with Development Strategy Key Statement DS1 and Policy DMH3 of the CS.

Character and appearance

11. The appeal site comprises mainly rough grassland, set around a mini roundabout at the turning head at the end of Kingsmill Avenue. It includes some scrub vegetation and gravel surfacing. A caravan and some ageing garage and shed buildings are located towards the north-west and south-east edges of the site.
12. Policy DMG2 of the CS requires, amongst other things, that within the open countryside, development should be in keeping with the character of the landscape.
13. Viewed looking down Kingsmill Avenue in a south-westerly direction, the site reads 'on the ground' as an open and verdant piece of land at the edge of the countryside, which is part of a continuum of views leading to fields and woodland beyond. Visually the site forms part of an area of land which is free from permanent dwellings. It is surrounded on three sides by fields and linked to the latter by a footpath which runs to the west. The site is slightly elevated and there is clear intervisibility between it and adjacent fields. It is a focal point at the end of Kingsmill Avenue, which makes an important contribution to the visual transition from the residential part of the street to the wider countryside beyond.
14. As the application seeks only permission in principle at this stage, the layout and detail of the proposed dwellings are not before me. However, from what I saw during my site visit and the aerial view, it is evident that the domestic appearance of the proposed quantity of new dwellings, and associated landscaping and paraphernalia including vehicles, would have an urbanising influence on the countryside, viewed from the street and a number of properties on Kingsmill Avenue, the adjoining footpath and fields beyond, and from the rear of cottages on Common Side. Together, these factors would detract from the rural identity of the countryside setting of Kingsmill Avenue, Common Side and Whalley.
15. The appellant considers that the site does not constitute a 'valued landscape' in the context of paragraph 170 of the National Planning Policy Framework (the Framework). Be that as it may, the proposal would not, for the reasons described above, be sympathetic to local character including the landscape setting, as required by paragraph 127 of the Framework. I note the appellant's view that the proposal would appear associated with established dwellings along Kingsmill Avenue. However, for the reasons outlined above, the proposal would not be in keeping with the character of the local landscape.
16. I therefore conclude that the site would significantly harm the character and appearance of the area, and thus would conflict with Policy DMG2 of the CS. Accordingly, the proposed site would not, in this respect, be a suitable location for housing.

Accessibility of services and facilities

17. Key Statement DM12 and DMG3 of the CS together seek to ensure that residential development is located where facilities which residents need to visit regularly are accessible by means other than private car.

18. The site is approximately 2.3km from centre of Whalley, with its services and facilities. Given the nearby bus stop, some travel by bus or walking to access facilities in Whalley is feasible. The site would also have some accessibility to bus services in Clitheroe, Chipping and Longridge. However, given the relatively infrequent nature of the service near Kingsmill Avenue, a substantial level of car dependency is likely for future residents of the proposed development to access core facilities and services.
19. In conclusion, the proposal would result in reliance on the private motor car, which would undermine the environmental objectives of the Local Plan. As such, it would not accord with Key Statement DMI2 and Policy DMG3 of the CS. Consequently, the proposed site would not, in this regard, be a suitable location for housing.

Other Matters

20. The site is located next to other dwellings on Kingsmill Road. However, Kingsmill Road is not a settlement and not within one. As such, the appeal site is separate to a settlement. Accordingly, with reference to the Braintree judgement⁶ and subsequent Court of Appeal judgement⁷, the proposed dwelling would be 'isolated' in terms of paragraph 79 of the Framework. The proposal would not satisfy exceptions set out in paragraph 79 of the Framework.

Planning Balance and Conclusion

21. It is not disputed that the Council can demonstrate a five year supply of deliverable housing sites. However, whether or not the Local Plan contains sufficient policies to support self-build housing is a matter of dispute between the main parties. The appellant considers that the absence of policies which explicitly refer to self-build housing means that there are no relevant Local Plan policies in this respect. The Council considers that the CS, as a whole, contains sufficient policies to allow for both the approval and assessment of self-build housing in appropriate locations.
22. Paragraph 61 of the Framework does not specify a requirement for Local Plan policy on self-build dwellings. Furthermore, the PPG⁸ sets out that relevant authorities should consider *how* they can best support self-build and custom housebuilding in their area, which *could* include developing policies in their Local Plan for self-build and custom housebuilding, amongst other things. As such, the above sections of the Framework and PPG do not necessarily demand explicit Local Plan self-build housing policies.
23. However, given my earlier finding regarding the prospect of self-build housing delivery in the borough, it is questionable, in respect of self-build housing, whether sufficient relevant Local Plan policies are in place to reflect the importance, described in paragraph 59 of the Framework, of delivering a sufficient amount and variety of land where it is needed, and addressing the needs of groups with specific housing requirements. Taking the above together, I consider that the 'tilted balance' is engaged, as set out by paragraph 11 of the Framework.

⁶ Braintree District Council v Secretary of State for Communities and Local Government & Ors [2017] EWHC 2743.

⁷ Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd [2017] EWHC 2743 (Admin); [2018] EWCA Civ 610.

⁸ Paragraph Reference ID: 57-025-201760728.

24. I have had regard to the benefits arising from the proposal. The proposed development would make a modest contribution to local housing supply, in the form of four dwellings, with associated socio-economic benefits during and after construction.
25. The appellant considers that the proposal would make a contribution towards meeting the statutory duty to provide development plots for self-build housing, arising from the SCHA, which would carry overwhelming weight. However, at the permission in principle stage no mechanism can be used to secure the plots for this purpose and this consideration therefore carries limited weight.
26. As such, given the harm identified above I conclude that the adverse impacts of the proposed development would significantly and demonstrably outweigh the public and other benefits, when assessed against the policies in the Framework taken as a whole. The proposals would fail to comply with the relevant policies of the development plan and national guidance, and therefore the appeal should be dismissed.

William Cooper

INSPECTOR



Appeal Decision

Site visit made on 17 December 2019

By Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2020

Appeal Ref: APP/T2350/D/19/3238077

1 Willow Avenue, Whalley BB7 9US

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Nick & Cathy Hanson against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2019/0479, dated 21 May 2019, was refused by notice dated 9 August 2019.
 - The development proposed is described as 'Proposed two storey extension and alterations'.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. For clarity, I have taken the names of the appellants from the appeal form as they are more precise.
3. In the absence of the appellants for the access required site visit at the appeal site, I undertook my site inspection from No 9 Elm Close (No 9) and public land, and was satisfied that I could gather sufficient information to determine the appeal.
4. The proposed development includes the erection of a 2-storey side / rear extension, a single storey rear extension and external and internal alterations through the conversion of the garage to habitable space. It is common ground between the main parties that the element of the proposed development in dispute is the 2-storey side / rear extension and not the other aspects of the proposed development. I have dealt with the appeal on this basis.

Main Issues

5. The main issues of this appeal are:
 - the effect of the proposed development on the character and appearance of the appeal site and the surrounding area; and,
 - the effect of the proposed development on the living conditions of the occupiers of No 9, with particular reference to dominance.

Reasons

Character and appearance

6. The host dwelling is a modern detached house with integral garage, sited close to No 3 Willow Avenue, which is a property of similar design and scale that is handed in its appearance to No 1, albeit on a slightly different building line. This forms a strong and positive characteristic in the street scene, meaning I consider that the appeal site is located adjacent to a similar property creating a sense of rhythm and balance.
7. Whilst there is no specific policy objection to the principle of a residential extension, I note that the appeal scheme would provide a significant amount of additional accommodation when compared with the original property. It is acknowledged that the proposal would be set back from the front elevation of the main dwelling. Furthermore, whilst a lower ridge would be created through the scheme being set back from the front elevation, it would appear staggered from the ridgeline of the main dwelling. Whilst such features of subordination would exist, along with a degree of articulation incorporated within the design of the scheme, I find that this would not provide sufficient mitigation against the harmful visual effects of the proposed development through its excessive scale and massing, and its resultant bulky appearance on the host dwelling, when viewed from Willow Avenue.
8. The host dwelling has retained a clear sense of symmetry relative to No 3, which accordingly contributes towards a positive feature of the wider street scene. Whilst the proposal comprises two storey and single storey elements this still results in an overly wide addition to the host dwelling relative to its existing proportions. These factors would diminish and unbalance the character and appearance of the host building to the detriment of the wider street scene. I note that the appeal site benefits from a larger plot when compared to No 3, but in this instance, such a factor is not sufficient to overcome or provide relief from the harmful effects of the proposal.
9. For the above reasons, I therefore conclude that the proposed development would unacceptably harm the character and appearance of the appeal site and the surrounding area. This would be contrary to the design, character and appearance aims of Policies DMG1 and DMH5 of the Ribble Valley Core Strategy 2014 (CS) and the National Planning Policy Framework (the Framework).

Living conditions

10. I note that the proposal has been amended since it was originally submitted, reducing the amount of development at first floor of the 2-storey side / rear extension and altering the proposed external materials for construction. Nevertheless, the extension would still project 3m beyond the original rear building line. The rear garden of the host dwelling has a modest depth, which maintains sufficient space between neighbouring dwellings, particularly between No 1 and No 9.
11. The Council do not raise any issues with regards to loss of privacy, as it considers that the first-floor windows on the proposed extension could be obscured glazed by means of condition. The appellant does not dispute this, and in the absence of any substantive evidence to the contrary, I agree that

such a condition could be imposed to overcome any potential harm with regards to privacy.

12. However, as the proposal seeks to extend the host dwelling by 3m from its existing rear elevation into the rear garden, this would reduce the existing space surrounding the host dwelling. The Council do not raise any issues with regards to the single storey element of the proposed development, which I too agree with, due to the proposed height not raising any adverse issues on neighbouring occupiers. However, I do have concerns with regards to the first-floor element of the scheme. There are no facing habitable room windows at No 9 that would be harmfully affected by the proposed development, as its rear elevation would be situated at an oblique angle to the proposal. Additionally, I do not consider that the proposed development would result in a harmful loss of daylight.
13. However, I find that the proposed development would be sited close to the rear garden of No 9. I have concerns over the height of the 2-storey side / rear extension which would be sited close to its rear boundary. The first-floor element would dominate the adjacent section of the neighbouring domestic garden at No 9, which would then be exacerbated by the proposed rear gable, thus adding further scale and massing to the development. The resultant scale and massing of the extension would create a tall, solid structure in proximity to the domestic garden, which would be intrusive and result in a significant harmful effect on the ability of existing neighbouring occupiers at No 9 to enjoy their rear garden.
14. For the above reasons, I therefore conclude that the proposed development would significantly harm the living conditions of occupiers of No 9, with particular reference to dominance. This would be contrary to the amenity aims of CS Policies DMG1 and DMH5, and paragraph 127 of the Framework.

Conclusion

15. For the reasons given above, the appeal should be dismissed.

W Johnson

INSPECTOR



Appeal Decision

Hearing Held on 8 October 2019

Site visit made on 8 October 2019

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 January 2020

Appeal Ref: APP/T2350/W/19/3223816

land to south of Chatburn Old Road, Chatburn, Clitheroe, Lancashire

Easting: 376585 Northing: 443959

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr Rod Townsend (Nest Housing) against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2018/0582, dated 22 June 2018, was refused by notice dated 7 September 2018.
 - The development proposed is residential development of up to 9 dwellings.
-

Decision

1. The appeal is allowed and permission in principle is granted for residential development of up to 9 dwellings on land south of Chatburn Old Road, Chatburn, Clitheroe, Lancashire (Easting: 376585 Northing: 443959) in accordance with the terms of the application, Ref 3.2018/0582, dated 22 June 2018.

Application for costs

2. An application for costs was made by Mr Rod Townsend (Nest Housing) against Ribble Valley Borough Council. This application is the subject of a separate decision.

Procedural Matters

3. A copy of the Inspector's report on the Examination of the Ribble Valley Local Plan '*Housing and Economic Development*' Development Plan Document (HEDDPD)¹ was submitted at the start of the hearing². It has since been confirmed that the Council adopted the HEDDPD and Proposals Map on 15 October 2019. As the matter of settlement boundaries in relation to Chatburn were discussed in the context of both existing alignments and that set out in the HEDDPD I am satisfied that all parties have had opportunity to consider the implications raised therein, and I have determined the appeal accordingly.
4. I heard that the road from which the appeal site would be accessed is known locally as both 'Chatburn Old Road' and 'Old Road, Chatburn'. I have, however, adopted the former throughout my decision in the interests of consistency, noting that both main parties refer to it as such throughout their submissions.

¹ Dated 10 September 2019

² DOC2

Main Issue

5. The main issue is whether the proposed development would be in a suitable location for residential development, having regard to local and national planning policies.

Reasons

6. The appeal site lies outside, but adjoining, the settlement boundary for Chatburn as defined on a previous iteration of the development plan for the area³. However, as part of the '*Housing and Economic Development*' Development Plan Document (HEDDPD) the Council proposed to adjust the settlement boundary for Chatburn, primarily in relation to Chatburn Old Road, to bring the on-going residential development on land to the north of the appeal site within the settlement boundary. The effect of this realignment is also to bring a small portion of the appeal site within Chatburn's settlement boundary. What it also does is ensure that the majority of the appeal site's northern boundary adjoins the settlement boundary, in addition to the staggered line of the settlement boundary around the site's eastern and south-eastern perimeter.
7. Policy DS1 of the Ribble Valley Borough Council Core Strategy (CS) sets out a broad spatial development strategy for the distribution of housing across the Borough. Sitting below the Borough's Principal Settlements, Chatburn is one of eleven 'Tier 1' settlements which are considered by the Council to be the more sustainable of the Borough's defined settlements. CS policy DS1 states that development will also be focused towards these 'Tier 1' settlements in addition to the scope offered by the Principal Settlements.
8. CS policy DMG2 goes on to state that development should be in accordance with the development strategy established by CS policy DS1. With specific reference to 'Tier 1' settlements, development proposals should 'consolidate, expand or round-off development so that it is closely related to the main built up areas'. It goes on to conclude that such development should be appropriate to the scale of, and in keeping with, the existing settlement.
9. As the appeal site is beyond the defined settlement boundary for Chatburn, the Council argue that the provisions of CS policy DMH3 are of relevance. This policy sets out a range of acceptable forms of development for sites that are considered to lie in the open countryside. However, as a result of determination of an appeal elsewhere within the Borough (the Henthorn Road appeal)⁴ the Council issued a supplementary planning statement⁵ (SPS) to respond to concessions made previously by the Council in terms of the application of CS policy DMG2 in the Henthorn Road appeal.
10. Thus, I heard that whilst 'rounding off' is defined in the CS glossary as development 'part of rather than an extension to' the built-up area of a settlement, the Council accept that to 'consolidate' or 'expand' is not confined to within settlement limits. Indeed, a reading of the glossary confirms the former as referring to developments that adjoin the main built-up area of a settlement, whilst the Council accept in their SPS that the appeal site can be considered to comply with the CS definition of expansion.

³ Ribble Valley District Wide Local Plan (June 1998)

⁴ APP/T2350/W/3221189 – Henthorn Road, Clitheroe

⁵ Supplementary Planning Statement – 20.07.2019

11. The appeal proposal would adjoin the Chatburn settlement boundary as it follows existing residential development fronting both Chatburn Old Road and Crow Trees Brow, regardless of whether the previous or HEDDPD settlement boundary was used as the basis for consideration. Furthermore, a development of the scale proposed in this instance would be broadly consistent with Chatburn's role as a tier 1 settlement.
12. There does appear, on the face of it, to be a degree of tension between CS policies DMG2 and DMH3. I heard that whilst the Council now accept that the former provides both flexibility and a permissive approach to development outside, but adjoining, the settlement the latter sets out criteria for residential development within the open countryside. The site is, I agree, predominantly beyond the HEDDPD settlement boundary limit and therefore falls within the open countryside.
13. However, the Council's SPS sets out a subtly different 'take' on the Council's refusal reason. Whereas the refusal reason, and therefore the basis for the appellant's Grounds of Appeal (GofA), concerns the development of dwellings in the open countryside, the SPS accepts that the proposal amounts to expansion in CS policy DMG2 terms but that the appeal site is not closely related to the main built up areas of Chatburn.
14. I accept the reasoning set forth by both main parties in the appeal before me and based upon the Henthon appeal with regard to the former, but I disagree with the latter, of these approaches. The appeal site is well related in physical terms to the existing built form of Chatburn in the sense that the site backs on to existing housing on Crow Trees Brow. It also adjoins established housing on Chatburn Old Road and largely encircles the recently constructed housing development. It is no more 'on a limb' than existing housing, is well related in physical and visual terms to existing housing and is only a modest walk from the services and facilities at the foot of Chatburn Old Road.
15. I accept that from within the proposed development, it would be necessary for residents to walk 'the long way round' the recent housing development to exit the site and access Chatburn Old Road. Chatburn Old Road is narrow in places and does not benefit from a separate pavement. However, and notwithstanding the recent development and the current appeal proposal, Chatburn Old Road is a quiet rural lane largely due to it culminating in a dead-end just to the west of the appeal site entrance. It is a pleasant walk from the site to the services and facilities at the foot of Chatburn Old Road and, although uphill on the way back towards the appeal site, that did not appear to be particularly uncommon within Chatburn. It may act as a deterrent to walking for some, but not to the extent that it persuades me that the site is not closely related to the main built up area of Chatburn.
16. In any event, there is a public right of way which runs through the site and which provides an alternative means of access from the eastern corner of the site towards Crow Trees Brow. This would provide a shorter alternative route to the foot of Chatburn Old Road than access via Chatburn Old Road itself and again does not dissuade me from concluding that the site is anything but closely related to the main built up area of Chatburn.
17. Thus, for the reasons I have set out, I am satisfied that the proposal would benefit from the support to development set out by CS policy DMG2(1). I accept that the appeal site lies in the open countryside but it was agreed at the

hearing that it is the provisions of CS policy DMG2(1) which apply in this instance, not subsequent sections of that policy. The Council also accepted that the expansion of tier 1 settlements in such circumstances is allowed for by CS policy DMG2(1). It is not disputed that the proposal, in terms of its quantum, would be appropriate to a tier 1 settlement. The proposal would therefore accord with CS policy DMG2(1).

18. The Council has referred to two appeal decisions in support of their initial approach to CS policy DMG2 and the appellant to the Henthorn Road appeal in support the alternative approach. Although it was agreed that the Henthorn Road decision provided clarity over the policy's provisions, the Council noted key differences between Henthorn Road, being on the edge of a Principal Settlement, and the appeal site. However, although I do not have the full details of the Henthorn Road case before me, there seems to be little of difference between the two in terms of being on the edge of a settlement. As it was agreed that 9 units would be appropriate in the context of a tier 1 settlement and I have concluded that the proposal would be well related to the Chatburn, I give limited weight to the Council's examples, and also to the Council's argument that the weight attributable to the significance of the Henthorn Road decision should be limited.
19. Notwithstanding the above, even with the minor revisions set out in the HEDDPD to Chatburn settlement boundary, the majority of the site lies beyond the settlement boundary and within the open countryside. As such, CS policy DMH3 is of relevance and allows residential development where it meets an identified local need.
20. I heard much during the course of the hearing regarding the housing requirement for Chatburn, and the appellant submitted evidence breaking down the requirement, commitments and completions since 31 March 2014 to support their case. There was agreement that over the CS plan period there was a requirement for 27 dwellings for Chatburn, from which a commitment of 9 dwellings⁶ were subtracted, leaving a residual requirement of 18 dwellings.
21. Where there was, and remained, disagreement was in respect of the residual requirement for dwellings and the extent to which that requirement had been met or substantially met. It seems to me that, from all that I heard at the hearing, the reason for the difference between the main parties lies in the treatment of commitments and completions on sites that were, as at 31 March 2014, outwith the settlement boundary for Chatburn but which have subsequently been included within revised settlement limits.
22. Thus, there is either a residual requirement for 1 dwelling following the Council's approach, or 13 dwellings adopting the appellant's approach. Whilst this represents a noticeable divergence in housing numbers both approaches demonstrate that the minimum housing requirement for Chatburn has not been satisfied. The Council state that there are sufficient sites and land available within the settlement to satisfy these minimum requirements but other than the commitments set out in the tables in the appellant's evidence (and relied upon by both parties in discussions during the hearing) no further evidence was submitted regarding the available sites or land.

⁶ As at 31 March 2014

23. The Government's objective of significantly boosting the supply of homes is confirmed at paragraph 59 of the Framework. In either assessment put to me, the housing requirement for Chatburn for the plan period has not been met. The proposal would either help meet that requirement or contribute significantly to meeting it. However, housing requirements are not minima and, in the context of the Government's objective of significantly boosting the supply of homes, I am satisfied that the proposal, which I conclude is well related to the built up areas of Chatburn and is of a quantum appropriate to a tier 1 settlement, would contribute towards the housing requirements for Chatburn and the Government's objective of significantly boosting housing supply. There would, as a consequence, be no conflict with either CS policy DMH3 or DMG2, for the reasons I have set out above.

Other Matters

24. I heard the concerns of local residents during the course of the hearing, and have carefully considered the points raised, and also those submitted in advance of the hearing. Matters such as privacy and overlooking between existing and proposed dwellings, highways and access matters, ecology and biodiversity and public access to the public right of way are all technical issues and thus not before the decision maker in relation to an application for / appeal against a permission in principle. Such matters fall to be considered at the technical details stage.

25. Nevertheless, whilst I saw that Chatburn Old Road is narrow in places, particularly closer to the junction at the foot of the hill I have also noted that there was no objection to the proposal on highways grounds from Lancashire County Council. Although matters of detail would more appropriately be addressed at the technical details stage, in the absence of compelling highways objection I cannot conclude that the appeal site would not be suitable for residential development of the quantum proposed on highways grounds.

26. With regard to privacy and overlooking, I was invited to view the relationship between the appeal site and properties on Crow Trees Brow. Whilst such matters arising from any proposed layout will more appropriately be considered at the technical details application stage, I saw that the rear garden areas of properties on Crow Trees Brow were generously long. Insofar as applicable to an application for permission in principle I cannot conclude that the appeal site would not be suitable for the principle of residential development on these grounds.

Conclusion

27. For the reasons I have set out, and having considered all other matters raised, I conclude that the appeal should succeed and permission in principle for up to nine dwellings be granted.

Graeme Robbie

INSPECTOR

Appearances

For the Appellant:

Hugh Richards	Of Counsel. No. 5 Chambers (instructed by Emery Planning)
Ben Pyecroft BA (Hons) Dip TP MRTPI	Director, Emery Planning
Rod Townsend	Nest Housing
Ronald Jackson	Nest Housing

For the Council:

Adam Birkett	Principal Planning Officer
Rachel Morton	Senior Planning Officer

Interested Parties

S Ball	Local resident
K Grooby	Local resident
Councillor G Scott	Ward Councillor for Chatburn
P Wells	Local resident
L Myers	Local resident
V Myers	Local resident
L England	Local resident

Documents

Doc 1	Record of Attendance
Doc 2	Report on the Examination of the Ribble Valley Local Plan 'Housing and Economic Development' Development Plan Document
Doc 3	Statement of Common Ground
Doc 4	Written transcript of statement read to the hearing by S Ball



Costs Decision

Hearing Held on 8 October 2019

Site visit made on 8 October 2019

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 January 2020

**Costs application in relation to Appeal Ref: APP/T2350/W/19/3223816
land to south of Chatburn Old Road, Chatburn, Clitheroe, Lancashire**

Easting: 376585 Northing: 443959

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr Rod Townsend (Nest Housing) for a full award of costs against the Ribble Valley Borough Council.
 - The hearing was in connection with an appeal against the refusal of permission in principle for residential development of up to 9 dwellings.
-

Decision

1. The application for an award of costs is allowed partially, in the terms set out below.

Reasons

2. Planning Policy Guidance (the Guidance) advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and the unreasonable behaviour has directly caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. Applications for an award of costs against a local planning authority may be substantive, relating to the planning merits of the appeal, or procedural, relating to the appeal process. The appellant's claim is made on substantive grounds in that the Council prevented or delayed development which should clearly be permitted, having regard to the development plan, national planning policy and other material considerations and that the Council had not determined similar cases in a consistent manner.
4. The applicant has provided a timeline setting out key dates in relation to the appeal proposal, a subsequent resubmission of the application for permission in principle and the examination of the 'Housing and Economic Development' Development Plan Document (HEDDPD). The Council do not contest the dates set out or indeed the content of the wider timeline, but instead state that steps had been taken to clarify the Inspector's decision in response to the Henthorn Road appeal decision¹.
5. I do not have any details of what steps might have been taken by the Council in this respect. But, on the basis of the timeline provided, whilst it is clear that the Council's approach to Core Strategy (CS) policy DMG2 as set out during

¹ APP/T2350/W/3221189 – Henthorn Road, Clitheroe

examination into the HEDDPD post-dated their consideration of the appeal proposal, that approach was further explored during the Henthorn Road appeal, at which point the Council conceded the revised approach to CS policy DMG2.

6. Although I accept that the Council ultimately set out a clarified position regarding CS policy DMG2² this came at a relatively late stage in the appeal process. Whilst there does not appear to be an extended period of inactivity in the exchanges of submissions between the main parties, the Council nonetheless had apparent opportunity to confirm to the appellant its shift in position regarding interpretation of CS policy DMG2 and the key terms therein.
7. It did not do so, and the appellant sought to rebut the Council's approach to this matter as a consequence. The SPS was an attempt to clarify matters but it came too late in the process to avoid the appellant's need to rebut the Council's statement, which clearly set out an alternative position to that which it had previously taken in relation to these other matters. Although the Council's attempt to clarify this matter should be noted and welcomed, coming as it did late in the appeal process it was a matter which the appellant felt could not be avoided and which required discussion at the hearing. An earlier clarification, which on the evidence could have been possible, may have avoided this matter.
8. The evidence leads me to conclude that the Council's late clarification of this matter, which had been considered on two separate occasions and for which the Henthorn Road Inspector provided additional guidance, amounted to unreasonable behaviour which entailed unnecessary expense by the appellant. However, putting aside the Council's approach to the 'consolidation, expansion or rounding off' of principal and tier 1 settlements as set out by CS policy DMG2, that policy also requires proposals to be closely related to the main built up areas of those settlements. The Council's subsequent shift towards reliance on this strand of DMG2 was not unreasonable and, as it requires a judgement to be made, a conclusion can be made either way provided justification can be made. I disagree with the Council for the reasons I have set out in my decision in this respect, nor am I persuaded that there were significant material differences between Henthorn Road circumstances and those of the appeal site, but I am satisfied that sufficient justification for the Council's conclusion was provided.
9. Although I have concluded that the proposed development would be sufficiently closely related to the settlement, I do not consider that the Council acted unreasonably in reaching the conclusion that they did. Nor, having regard to the provisions of CS policy DMH3, which was also referred to in the reason for refusal, did they act unreasonably in assessing the proposal against the relevant 'open countryside' criteria set out in that policy. As in relation to CS policy DMG2, I have reached a different conclusion, but that does not render the Council's approach or assessment in this respect unreasonable. It cannot therefore follow that the appellant has incurred unnecessary.
10. It is a well established approach that each and every planning application must be considered on its own merits. I do not therefore consider that the Council acted unreasonably in terms of 'not determining similar cases in a consistent manner. Although in my decision I have not found in favour of the Council's case, I am satisfied that in relation to CS policy DMH3 and DMG2 insofar as it

² Supplementary Planning Statement 20.07.19 (SPS)

relates to assessment of the degree to which the appeal site is closely related to the settlement, the Council have not acted unreasonably and prevented development which should clearly have been permitted. However, the clarification of key terms set out in CS policy DMG2 was not made as early as it could have been in the appeal process. From the evidence this amounted to unreasonable behaviour on the Council's part and entailed unnecessary expense for the appellant. For these reasons a partial award of costs in relation to the appellant's expense incurred in relation to the implications of the late clarification of these key terms is justified.

Costs Order

11. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Ribble Valley District Council shall pay to Mr Rod Townsend (Nest Housing), the costs of the appeal proceedings described in the heading of this decision, limited to those costs incurred as a consequence of the Council's late clarification of key terms of CS policy DMG2.
12. The applicant is now invited to submit to Ribble Valley District Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs Office is enclosed.
- 13.

Graeme Robbie

INSPECTOR