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B	APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR APPROVAL:					
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C	APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR REFUSAL:					
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D	APPLICATIONS UPON WHICH COMMITTEE DEFER THEIR APPROVAL SUBJECT TO WORK DELEGATED TO DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING BEING SATISFACTORILY COMPLETED					
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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
JM John Macholc

LE Laura Eastwood
RB Rebecca Bowers
SK Stephen Kilmartin

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No 5

meeting date: THURSDAY, 26 NOVEMBER 2020
 title: PLANNING APPLICATIONS
 submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

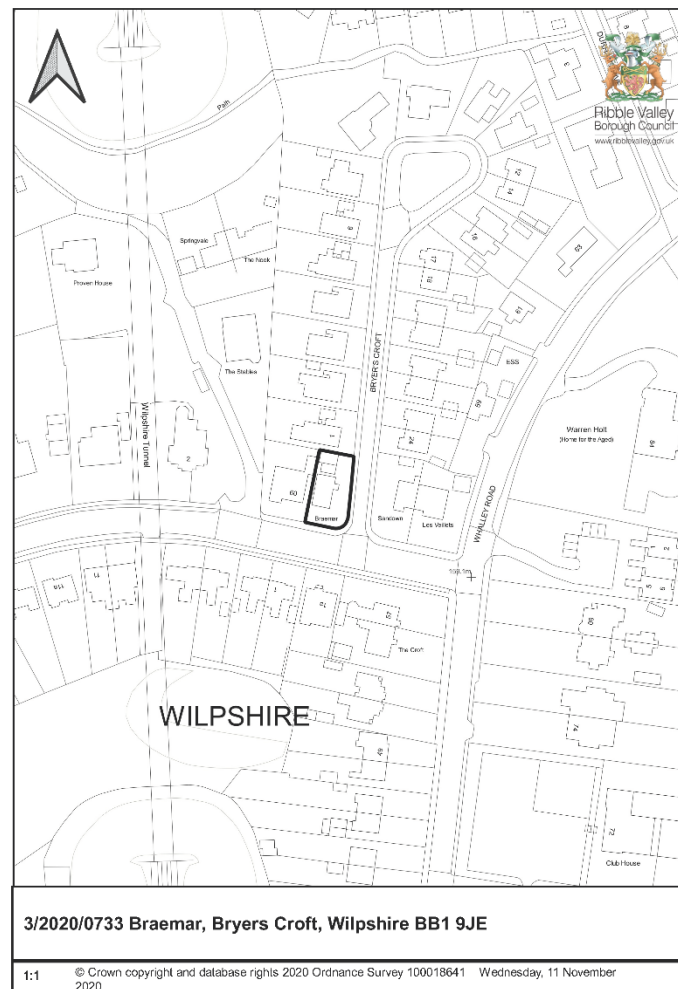
PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION REF: 3/2020/0733

GRID REF: SD 368775 432788

DEVELOPMENT DESCRIPTION:

EXTENSION TO EXISTING GARAGE TO CREATE DOUBLE GARAGE WITH FIRST FLOOR ROOM ABOVE. IMPROVEMENT OF VEHICULAR ACCESS INCLUDING ERECTION OF TWO NEW GATES 1.8M HIGH. SINGLE STOREY EXTENSION TO FRONT OF HOUSE WITH TWO DORMERS ABOVE. RESUBMISSION OF APPLICATION 3/2019/1015 AT BRAEMAR, BRYERS CROFT, WILPSHIRE BB1 9JE



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

No comments received at date of writing report.

LCC Highways:

No comments received but previously raised no objections

ADDITIONAL REPRESENTATIONS:

None received at time of writing report.

1. Site Description and Surrounding Area

- 1.1 The application property is a detached dormer bungalow located off Bryers Croft within the defined settlement of Wilpshire.

2. Proposed Development for which consent is sought

- 2.1 The proposal includes a single storey sunroom, measuring approximately 3.7m by 1.5m with a flat roof with a maximum height of approximately 2.8m and an extension to existing garage, resulting in a double garage measuring approximately 8m by 6.7m with a ridge and eaves height of approximately 5.1m and 2.8m respectively. The roof is altered with the introduction of 2 dormer windows. The scheme also includes a gated entrance with 1.8m high gates which are 5.1m wide.
- 2.2 The materials are a mixture of cedar cladding, render walling and concrete tiled roofing.
- 2.3 The application is brought before Planning and Development Committee as the agent for the application is an employee of Ribble Valley Borough Council

3. Relevant Planning History

3/2019/1015 - Garage extension to create double garage and link building, front sunroom extension and gated entrance – Refused.

4. Relevant Policies

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME3 – Site and Species Protection and Conservation

National Planning Policy Framework (NPPF)

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 The proposal is for an extension to a domestic property and is acceptable in principle subject to an assessment of the material planning considerations.

5.2 **Impact upon Residential Amenity:**

5.2.1 The proposal may lead to loss of some light in relation to the rear and side properties however due to the orientation of the properties and the existing relationships on site the impact is not considered to be significant.

5.3 **Visual Amenity/External Appearance:**

5.3.1 The dwelling occupies a corner plot and is fairly visible within the immediate street scene. The proposed flat roof single storey extension is located at the front of the property however it does not project much further than the existing porch and given the modest size would not result in a harmful appearance. The increased height of the garage to facilitate a double garage is set back from the main highway and would not result in an adverse visual impact.

5.3.2 The 2 dormer windows result in a change to the roofscape but would not be harmful. The extensions remain subservient and in keeping with the style of the existing dwelling. It is not considered that it will have a detrimental impact on the appearance of the host property or visual quality of the surrounding area.

5.3.3 This amended proposal has removed the proposed link extension between the garage and the dwelling which was included within the previous application and was the main reason why the development was considered to be unacceptable. The current proposals are considered to be more sympathetic to the character of the dwelling and the surrounding area.

5.4 **Highway Safety and Accessibility:**

5.4.1 No objections have been previously received from LCC, as the highway authority, on a previously submitted scheme.

5.5 **Landscape/Ecology:**

5.5.1 The single storey extension is not likely to affect any protected species or have a detrimental impact on the quality of the landscape.

5.6 **Other Matters:**

5.6.1 None

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

6.1 The proposed extensions are considered to have an acceptable relationship with surrounding dwellings and will not have a detrimental impact on the visual qualities of the area. Therefore, it is recommended accordingly.

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

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

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Site Plan B103 and red edge location plan
Proposed Elevations B102
Proposed 3 D gate view B105
Proposed 3 D View Extension B104
20-011 PL05
20-011 PL06

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

3. The entrance gates, hereby approved, shall open away from the highway in accordance with the submitted details and shall be retained in that manner thereafter.

REASON: In the interests of highway safety.

4. Notwithstanding the submitted details, details or specifications of all materials to be used on the external surfaces of the development hereby approved shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development. All works shall be undertaken strictly in accordance with the details as approved.

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

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2020%2F0733

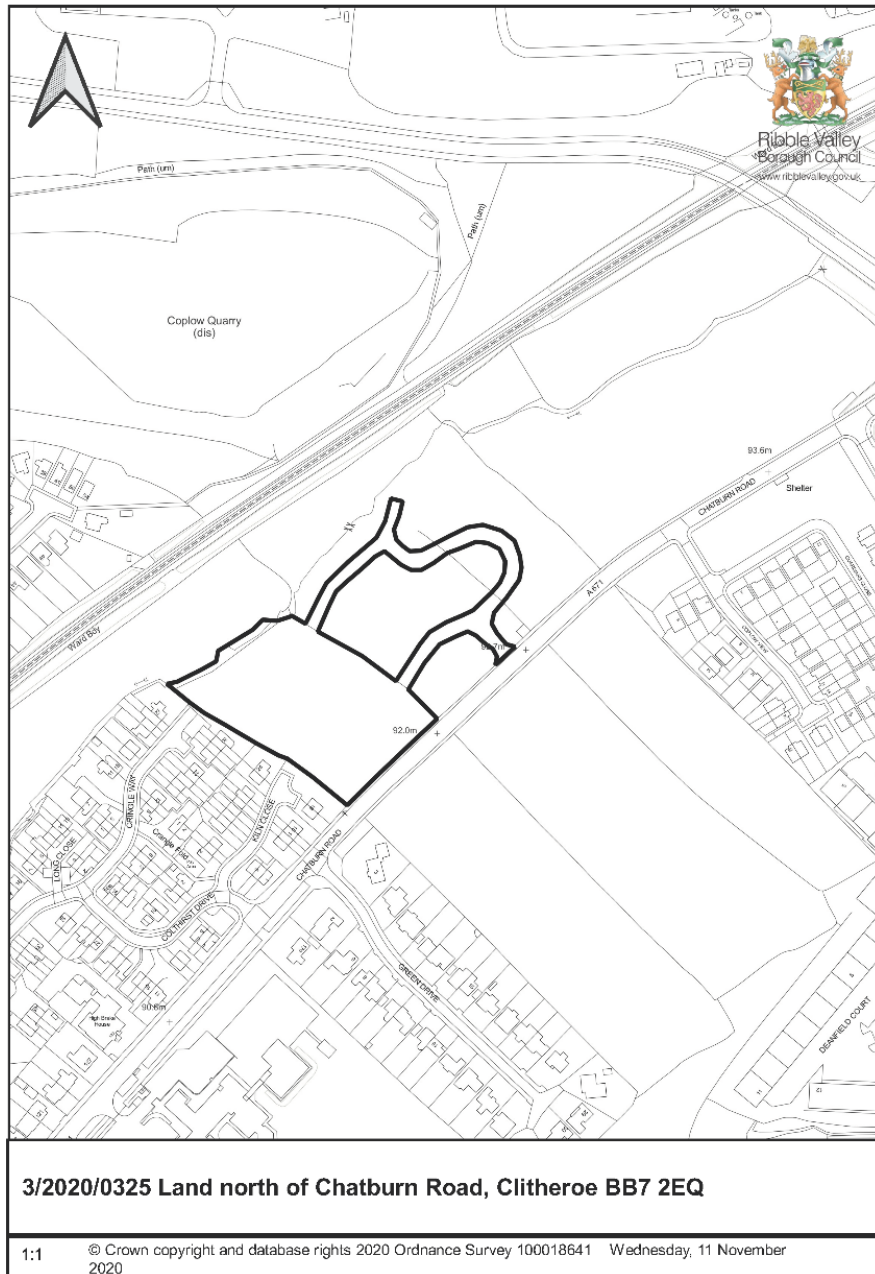
D APPLICATIONS ON WHICH COMMITTEE 'DEFER' THEIR APPROVAL SUBJECT TO WORK 'DELEGATED' TO THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING BEING SATISFACTORILY COMPLETED

APPLICATION REF: 3/2020/0325

GRID REF: SD 375227 443018

DEVELOPMENT DESCRIPTION:

CONSTRUCTION OF 17 DWELLINGS WITH ASSOCIATED WORKS, LANDSCAPING AND ACCESS. LAND NORTH OF CHATBURN ROAD CLITHEROE BB7 2EQ



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

CLITHEROE TOWN COUNCIL:

No representations received in respect of the application.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

No representations received in respect of the application.

UNITED UTILITIES:

No objections subject to the imposition of conditions.

LLFA:

The Lead Local Flood Authority has no objection to the proposed development subject to the imposition of conditions.

LCC EDUCATION

Based upon the latest assessment, taking into account all relevant approved applications, LCC Contributions will be seeking a contribution for 5 primary and 2 secondary school places.

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

Primary Places:

$(£12,257 \times 0.97) \times \text{BCIS All-in Tender Price } (336 / 240) \text{ (Q1-2020/Q4-2008)}$

= £16,645.01 per place

£16,645.01 x 5 places = £83,225.05

Secondary Places:

$(£18,469 \times 0.97) \times \text{BCIS All-in Tender Price } (336 / 240) \text{ (Q1-2020/Q4-2008)}$

= £25,080.90 per place

£25,080.90 x 2 places = £50,161.80

ADDITIONAL REPRESENTATIONS:

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

- Highway Safety
- Noise Disturbance
- Lack of existing infrastructure
- Lack of affordable housing
- Increase in traffic
- Increased flood risk
- Loss of wildlife
- Loss of view
- Loss of privacy

1. **Site Description and Surrounding Area**

- 1.1 The application relates to an area of greenfield land located within the defined settlement boundary for Clitheroe. The site is 0.9ha in size and is bounded to the south by Chatburn Road (A671), to the east by areas by an existing committed housing site (DS1 Designation) which is currently under construction. The site has a direct interface with a number of existing residential dwellings to the south-west with dwellings fronting Kiln Close and Cringle Way benefitting from a side-on relationship with the application site. The site is also bounded to the north by an existing watercourse and a number of trees with the Clitheroe rail-line lying further to the north.

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

- 2.1 Full consent is sought for the erection of 17 dwellings with associated works, landscaping and access. It is proposed that the primary vehicular access to the site will be via a direct interface with the adjacent on-going development to the north-east which currently benefits from access directly off Chatburn Road. The applicant has also provided a commitment to provide policy compliant provision of affordable housing.
- 2.2 The submitted details propose that the development, at its south-eastern extents, will adopt a linear arrangement that is largely informed by the rear building line of the adjacent housing development to the north-east. It is then proposed that the singular primary access road will swing northward terminating in a cul-de-sac turning area which then serves private drive areas, one of which interfaces with and acts as a continuation of an existing private drive arrangement found on the development to the north-east.

3. **Relevant Planning History**

The site to which the application relates has no planning history directly relevant to the determination of the application. Members will however note that the application acts as an extension to the existing housing development (which is at an advanced stage in construction) that lies directly to the north-east as consented by application 3/2017/0653.

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy
Key Statement DS2 – Presumption in Favour of Sustainable Development
Key Statement DMI1 – Planning Obligations
Key Statement DMI2 – Transport Considerations
Key Statement EN4 – Biodiversity and Geodiversity
Key Statement H2 – Housing Balance
Key Statement H3 – Affordable Housing

Policy DMB4 – Open Space Provision
Policy DME3 – Site and Species Conservation
Policy DME6 – Water Management
Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DMH1 – Affordable Housing Criteria

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 The site is located within the defined settlement boundary for Clitheroe being located directly between existing residential development to the south-west and development which is underway that directly bounds the site to the north-east. As such, given the location of the site within the defined settlement boundary, Policy DMG2 is fully engaged.

5.1.2 Members will note that Policy DMG2 is two-fold in its approach to guiding development. The primary part of the policy DMG2(1) is engaged where development proposals are located 'in' principal and tier 1 settlements with the second part of the policy, DMG2(2) being engaged when a proposed development is located 'outside' defined settlement areas or within tier 2 villages, with each part of the policy therefore being engaged in isolation and independent of the other dependant on the locational aspects of a proposal.

5.1.3 The mechanics and engagement of the policy are clear in this respect insofar that it contains explicit triggers as to when the former or latter criterion are applied and the triggers are purely locational and clearly based on a proposals relationship to defined settlement boundaries and whether, in this case, such a proposal is 'in' or 'outside' a defined settlement.

Given the location of the site within the defined settlement boundary it is therefore considered that it is DMG2(1) which remains engaged for the purposes of determining the application which states that *'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.'*

5.1.4 As such, taking account of the criterion of DMG2(1) and that the proposal site lies between two parcels of existing development (one of which being currently under construction), and taking account that the site lies within the defined settlement limits of Clitheroe. It is considered that the proposal represents that which is considered 'consolidation' when taking account of the definition of consolidation as defined within the Ribble valley Core Strategy which states that *'consolidation refers to locating new developments so that it adjoins the main built up area of a settlement and where appropriate both the main urban area and an area of sporadic or isolated development'*.

5.1.5 Taking into account the above matters, notwithstanding other development management considerations, it is considered that the principle of the development of the site for residential purposes raises no direct conflicts with the development strategy in relation to the aspirations for the location for new residential development within the Borough.

5.2 Impact upon Residential Amenity:

- 5.2.1 The proposed development has a direct interface and relationship with a number of existing residential dwellings fronting Cringle Way and Kiln Close which lie directly to the south-west of the site. As such due consideration must be given in respect of the potential for the development to have a negative or detrimental impact upon the standard of residential amenity currently experienced by the occupiers of the aforementioned dwellings.
- 5.2.2 In this respect, Plots 6-10 directly back on to the shared south-western boundary with the aforementioned existing dwellings with Plot 11 being orientated so that the side gable of the dwelling faces the shared boundary. In this respect Plots 6-10 are sited from the shared boundary at distances that range from 13.8m to that of 18.5m (approximately) also benefitting from offset distances ranging from 24.8m to 28m when measured from the rear of the proposed dwellings to the side elevations of the nearest directly affected residential dwellings. As members will note these spatial offset distances significantly exceed those that would normally be secured by the authority.
- 5.2.3 In respect of Plot 11, this dwelling is orientated to allow it to benefit from a side-gable to side-gable relationship with the nearest existing residential dwelling to the south-west with an offset distance of approximately 9m from the existing dwelling. Therefore, taking account of the aforementioned offset distance and orientation of the dwellings in relation to one another it is not considered that the proposal will result in any undue impact upon existing or future residential amenity.
- 5.2.4 Taking into account the above matters it is not considered that the proposed layout will result in any significant nor measurable undue detrimental or negative impact upon existing or future residential amenity by virtue of an over-bearing impact, loss of light or loss of privacy by virtue of direct-overlooking or proximity.

5.3 Matters of Design/Visual Amenity:

- 5.3.1 The proposed house types adopt a level of consistency within their elevational language through a simplified materials palette restricted to that of reconstituted stone and render as primary facing materials, similar to that of the existing adjacent development currently under construction. The elevational language of the proposed development is also similar to that of the existing adjacent housing development allowing for an element of visual synergy between both proposals. As such it is not considered that the proposed dwellings will appear unsympathetic or discordant when viewed in context with existing and nearby development.
- 5.3.2 Taking account of the above matters it is not considered that the proposed development will result in any undue impact upon the character or visual amenities of the area.

5.4 Highway Safety and Accessibility:

- 5.4.1 Lancashire County Council, as the Highway Authority, have raised no objections to the proposal.

5.5 Flood Risk and Drainage:

5.5.1 The Lead Local Flood Authority has no objection to the proposed development subject to the imposition of conditions requiring that the development be carried out in strict accordance with the submitted surface water drainage details.

5.6 Developer Contributions:

5.6.1 LCC Education are requesting a contribution towards both primary and secondary educational provision as a result of the development as follows:

Primary Places

Latest projections for the local primary schools show there to be a shortfall of 191 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 5 places from this development the shortfall would increase to 196. Therefore LCC Education are seeking a contribution from the developer in respect of the full pupil yield of this development, i.e. 5 places.

Secondary Places

Latest projections for the local secondary schools show there to be a shortfall of 353 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, which already have planning permission.

With an expected yield of 2 places from this development the shortfall would increase to 355. Therefore LCC Education are seeking a contribution from the developer in respect of the full pupil yield of this development, i.e. 2 places.

5.6.2 As a result of the above LCC Education are requesting a contribution of a and based upon the latest assessment, taking into account all approved applications, LCC will be seeking a contribution for 5 primary and 2 secondary school places.

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

Primary places:

$(£12,257 \times 0.97) \times \text{BCIS All-in Tender Price } (336 / 240) \text{ (Q1-2020/Q4-2008)}$
= £16,645.01 per place
 $£16,645.01 \times 5 \text{ places} = £83,225.05$

Secondary places:

$(£18,469 \times 0.97) \times \text{BCIS All-in Tender Price } (336 / 240) \text{ (Q1-2020/Q4-2008)}$
= £25,080.90 per place
 $£25,080.90 \times 2 \text{ places} = £50,161.80$

5.6.3 A contribution towards leisure facilities within Clitheroe will also be required as part of the development. Based on the current proposed housing mix the contribution that will be sought and secured via section 106 agreement will be approximately £9,586.98.

5.7 Affordable Housing Provision:

5.7.1 The proposal brings forward a policy compliant level of affordable housing, also providing a compliant level of affordable and open market housing for those aged 55 and over. The affordable housing mix as proposed consists of 4 affordable rent apartments and two dwellings that will benefit from an occupancy restriction for those aged 55 and over., one of which being affordable and the other being open market.

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 a location that is considered to be in full alignment and compliance with the locational and spatial aspirations of the development strategy for the Borough. Particularly insofar that the proposal would represent residential development, within a defined settlement boundary, that would be considered as consolidation as required by Policy DMG2(1)

6.2 It is further considered that the proposal represents a suitable form of development that is of an appropriate scale, external appearance and density that responds positively to the inherent character of the area and adjacent built form as required by Policy DMG1 of the Ribble Valley Core Strategy. Furthermore, taking account of the separation distances between existing and proposed dwellings, it is not considered that the proposal will result in any significant measurable or quantifiable detrimental impact upon existing or future residential amenity.

6.3 For these reasons and all other reasons outlined above, the application is considered to be in broad alignment with the Development Strategy for the Borough and will assist in the delivery of affordable housing within the Borough and also assist in maintaining a robust five-year housing land supply. As such and in the absence of any other over-riding material considerations the application is recommended for approval subject to the satisfactory completion of a Section 106 agreement.

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:

- Drawing No: 068-Loc01 Location Plan
- Drawing No: 068-P-01 Rev E Site Layout Plan
- Drawing No: 068-P-02 Rev B Fencing Layout
- Drawing No: 068-P-03 Rev B Vehicle Charging Layout
- Drawing No: 068-P-04 Rev B Street scene and Section
- Drawing No: 068-P-05 Rev B Site Layout with External Levels
- Drawing No: 19664-100 Revision 2 General Arrangement
- Drawing No: 19664-101 Revision 2 Contour Layout
- Drawing No: C-981-40 Rev B Landscape Proposal and Tree Survey
- Drawing No: 19.664 - 500 Revision 2 Drainage Layout
- Drawing No: 19.664 - 510 Rev C Drainage Long Section
- Drawing No: 19.664 - 530 Drainage Details
- Drawing No: 19.664 - 531 Headwall Detail and Outfall Long Section
- Drawing H3C – Headwall Flap Valve
- Drawing SHE-0104-5600-1500-5600 x2 – Hydrobrake Optimum & characteristics
- Drawing SHE-0126-7800-1280-7800 x2 – Additional Hydrobrake details & Characteristics
- Drawing No: 19.664 – 532 Drainage Details – Manhole and Hydrobrake
- Drawing No: 19.664 - 720 Long Sections
- 33624_LH_D1 – Rev A - polystorm attenuation tank - general arrangement
- Drawing No: 068-BOW-P01 Bowfell Plans
- Drawing No: 068-BOW-P02 Bowfell Elevations
- Drawing No: 068-BOW-SPL-P01 Bowfell Split Level Plans
- Drawing No: 068-BOW-SPL-P02 Bowfell Split Level Elevations
- Drawing No: 068-ENN-AG-P01 Ennerdale with attached garage Plans
- Drawing No: 068-ENN-AG-P02 Ennerdale with attached garage Elevations
- 068-GRA-P01 Grasmere Plans
- 068-GRA-P02 Grasmere Elevations
- 068-ROTH-P01 Rothay Plans
- 068-ROTH-P02 Rothay Elevations
- 068-WAS SPL-P01 Wasdale Split Level Plans
- 068-WAS SPL-P02 Wasdale Split Level Elevations
- 068-WAS-P01 Wasdale Plans
- 068-WAS-P02 Wasdale Elevations
- 068-MF-01A Material Finishes Layout
- 068-MF-01C Material House Types List Chatburn Road South
- Drawing Griz – P01
- Drawing Griz – P02
- Drawing Griz - P03
- Drawing App P01 1 Rev A
- Drawing App P02 Rev A
- Drawing App P03 Rev A
- Proposed Tenure Layout 068/P/06 Revision D
- Detailed Landscape Proposals & Tree Survey c-981-40 Revision B

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

Landscape and Ecology

3. The landscaping proposals hereby approved shall be implemented in the first planting season following the first occupation 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. 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.

4. No removal of vegetation including trees or hedges shall be undertaken within the nesting bird season (1st March – 31st August inclusive) unless a pre-clearance check on the day of removal, by a licenced ecologist, confirms the absence of nesting birds. A letter from the ecologist confirming the absence of nesting birds shall be submitted to the Council within one month of the pre-clearance check being undertaken.

REASON: To ensure that there are no adverse effects on the favourable conservation status of birds, to protect the bird population and species of importance or conservation concern from the potential impacts of the development.

5. During the construction period, all trees as shown to be retained within the submitted details shall be protected in accordance with British Standard BS 5837 (2012) or any subsequent amendment to the British Standard.

All protective fencing shall be in accordance with BS5837 (2012): 'Trees in Relation to Construction' and be erected in its entirety prior to any other operations taking place on the site. The agreed tree protection shall remain in place and be maintained for the duration of the construction phase of the development. For the avoidance of doubt no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protection areas(s) specified.

REASON: To protect trees/hedging of landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development hereby approved.

Drainage and Flooding

6. The development permitted by this planning permission shall be carried out in accordance with the surface water drainage scheme set out on drawing 19.664-500 Rev C. The surface water drainage scheme shall be fully implemented prior to occupation and in accordance with the timing / phasing arrangements embodied within the scheme. The surface water drainage scheme shall then be managed and maintained thereafter in accordance with the arrangements set out in the accompanying maintenance plan (by Reford Consulting Engineers Limited, dated July 2020).

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To reduce the risk of flooding to the proposed development and future occupants. To ensure that the drainage for the proposed development can be adequately maintained and to ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.

Highways Matters

7. 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: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway for the duration of the construction phase of the development.

BACKGROUND PAPERS

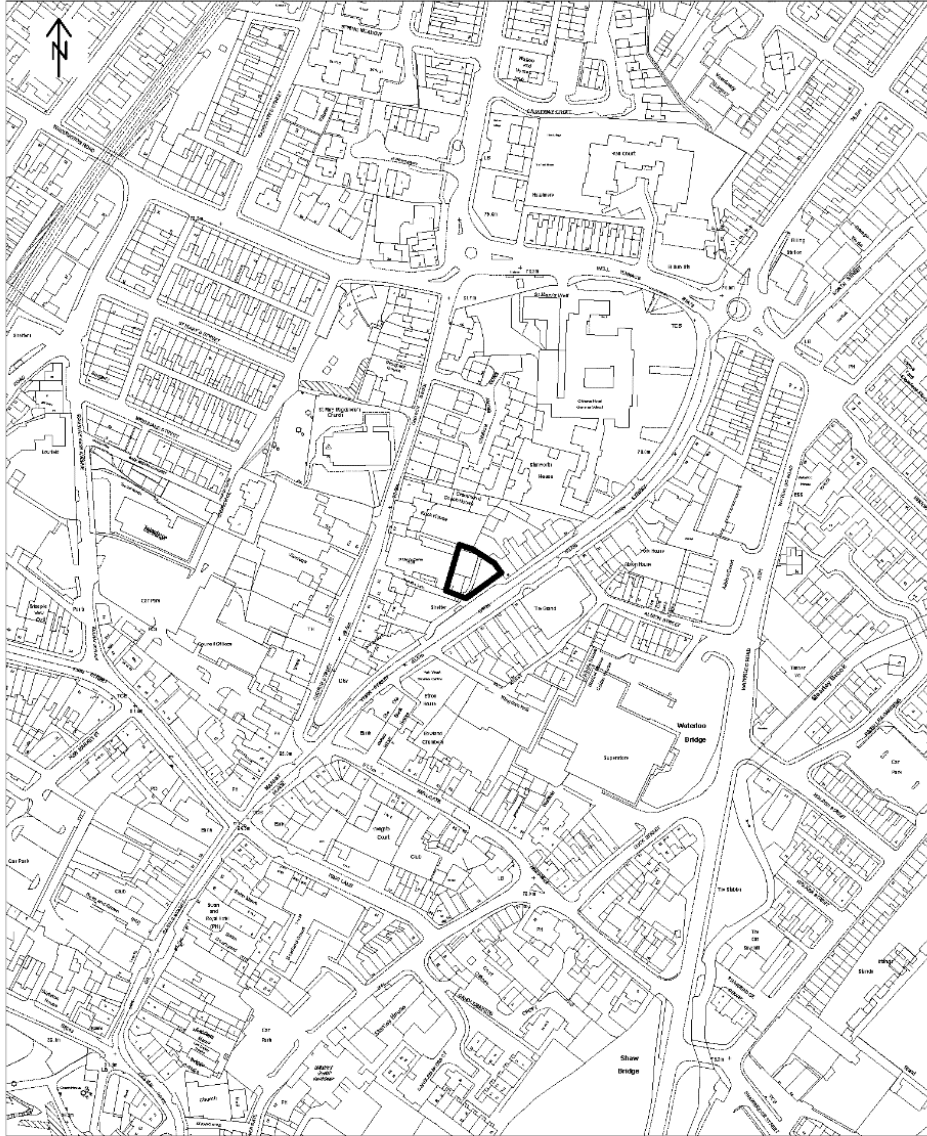
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2020%2F0325

APPLICATION REF: 3/2020/0729

GRID REF: SD 374452 442021

DEVELOPMENT DESCRIPTION:

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



3/2019/0796

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

Scale 1:2500

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

TOWN COUNCIL:

No observations received but on the previous application objected on grounds of lack of parking provision

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

Raised no objection to the previous scheme for 4 units. Have concerns that the communal cycle storage area provides insufficient storage space and is remote from Unit 2. The development of the site may prove challenging and suggests appropriate conditions relating to Construction Management Plan, cycle provision and wheel washing.

UNITED UTILITIES:

No comments but previously raised 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:

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 and considers that the Council needs to have regard to public benefit and permit a scheme that compliments the existing character of the street scene such as terrace development rather than the more modern approach of this scheme.

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 as a buildings of townscape merit with significant open space and important views within the conservation area.

2. Proposed Development for which consent is sought

2.1 The development proposed is for three apartments. The apartments at the front of the site are single storey. Apartment 1 and 2 each have two bedrooms. Apartment 3 at the rear of the site is two storeys and has two bedrooms. The layout of the apartments includes open plan living space which the main aspect towards York Street. A private garden area for the apartments is provided in an enclosed area between the proposed buildings and the rear elevation of the Hall. Access to apartments 1 and 2 is via a pedestrian access created in the boundary wall of York Street whilst apartment 3 uses the existing pedestrian access off Paradise Lane.

2.2 The design of the building is contemporary and no parking is provided. The development is for three, two-bedroom apartments. The design of the building is contemporary and has a sedum green flat roof, natural stone as walling as well as significant elements of glazing with timber detailing.

2.3 The proposed development has a communal cycle store and modest garden areas at the rear of the units. The single storey units are accessed from York street and at road level so would necessitate removal of land.

3. **Relevant Planning History**

3/2019/0796- Proposed demolition of extension and construction of 4 apartments - Refused

4. **Relevant Policies**

Key Statement DS1: Development Strategy

Key Statement EN5: Heritage Assets

Key Statement H1: Housing Provision

Key Statement H2: Housing Balance

Key Statement DMI2: Transport Considerations

Policy DMG1: General Considerations.

Policy DMG2: Strategic Considerations.

Policy DMG3: Transport and Mobility

Policy DME3: Site and Species Protection and Conservation

Policy DME4: Protecting Heritage Assets

National Planning Policy Framework (NPPF)

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 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. However, given that the development is within a highly sustainable town centre location and that there is no objection from the highway authority 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 the replacement proposal has a different visual impact by virtue of the design and the projection forward of some of the units towards the main highway. The two

storey unit has a flat roof with the mass broken up by using setbacks and roof overhangs which allows for a better visual break between the buildings.

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.
- 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.
- 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 land removes the liability of the existing 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 existing building and land the subject of this application to be reinvested in the Hall with an emphasis on upgrading/maintaining the existing heating facility.
- 5.4.5 It is considered that the new scheme offers a better visual solution to the previous scheme as a result of the design changes reducing the overall massing of the building and impact of the residential curtilage.
- 5.4.6 Given that the proposed development will facilitate much needed improvements to an existing community venue it is considered that the public benefits of the development outweigh the harm to the setting of the Conservation Area and the setting of adjacent Listed Buildings.

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 however it is not considered that three residential apartments will adversely impact on the neighbours amenities.
- 5.5.2 Whilst the relationship of the development to adjacent residential properties may result in some mutual overlooking it is considered to be so harmful as to warrant refusal.

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 the overall public benefit in assisting the maintenance and viability of St Marys Hall, employment as a result of ongoing building works are sufficient to outweigh the harm.

RECOMMENDED: That the application be DEFERRED and DELEGATED to the Director of Economic Development and Planning for the satisfactory resolution of a S106/Unilateral Agreement and the imposition of appropriate conditions 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:

Time

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

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchasing Act 2004.

Plans

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

ALOC Location Plan
A101 Proposed ground floor plan - apt 01/02
A102 Proposed ground floor plan - apt 03
A103 Proposed first floor plan - apt 03
A200 Existing elevations-York St
A201 Proposed elevations - York St
A202 Proposed elevations - apt 01/02
A203 Proposed elevations - apt 03
A301 Proposed section

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

Materials

3. Prior to the commencement of the construction of the development hereby approved full details of the external materials and surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be constructed in accordance with the approved materials.

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

Foul water

- 4 Foul and surface water shall be drained on separate systems.

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

Highway safety/sustainability

5. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:

- 24 Hour emergency contact number;
- Details of the parking of vehicles of site operatives and visitors;
- Details of loading and unloading of plant and materials;
- Arrangements for turning of vehicles within the site;
- Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures;
- Measures to protect vulnerable road users (pedestrians and cyclists);
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel washing facilities;
- Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
- Measures to control the emission of dust and dirt during construction;
- Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
- Construction vehicle routing;
- Delivery, demolition and construction working hours.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

REASON: In the interests of the safe operation of the adopted highway during the demolition and construction phase.

6. Deliveries to the approved development shall only be accepted between the hours of 9:30am and 2:30pm Monday to Friday, to avoid peak traffic on the surrounding highway network.

REASON: In the interest of highway safety.

7. For the full period of construction facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud, stones and debris being carried onto the highway. Provision to sweep the surrounding highway network by mechanical means will be available and the roads adjacent to the site shall be mechanically swept as required during the full construction period.

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

8. The cycling storage facilities to be provided in accordance with a scheme to be first approved in writing by the Local Planning Authority and the cycling facilities to be provided in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.

REASON: To allow for the effective use of the parking areas and to promote sustainable transport as a travel option, encourage healthy communities and reduce carbon emissions.

Ecology

9. Notwithstanding the submitted details, no development above ground level shall commence or be undertaken on site until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites have been submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

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

NOTES

In relation to CMP the applicant is advised of the following:

- There must be no reversing into or from the live highway at any time all vehicles entering the site must do so in a forward gear, and turn around in the site before exiting in a forward gear onto the operational public highway.
- There must be no storage of materials in the public highway at any time.
- There must be no standing or waiting of machinery or vehicles in the public highway at any time.
- Vehicles must only access the site using a designated vehicular access point.
- There must be no machinery operating over the highway at any time, this includes reference to loading/unloading operations all of which must be managed within the confines of the site.
- A licence to erect hoardings adjacent to the highway (should they be proposed) may be required. If necessary this can be obtained via the County Council (as the Highway Authority) by contacting the Council by telephoning 01772 533433 or e-mailing lhsstreetworks@lancashire.gov.uk
- All references to public highway include footway, carriageway and verge.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2020%2F0729

APPEALS UPDATE

INFORMATION

<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>
3/2018/0932 R (Enforcement appeal)	20/02/2020	Bolton Peel Fm Bolton by Bowland Road Bolton by Bowland BB7 4NJ	WR			Awaiting Decision
3/2018/1105 R	09/01/2020	Higher College Farm Lower Road Longridge PR3 2YY	Hearing		02/12/20 Virtual	Awaiting Hearing
3/2019/0510 R	24/04/2020	Land SW of Clitheroe Golf Club, Whalley Road, Barrow BB7 9BA	Hearing		16/09/20 Virtual	Awaiting Decision
3/2019/0877 U	12/06/2020	Land at the junction of Chatburn Road and Pimlico Link Road Clitheroe BB7 2EQ	WR	Costs app made by appellant 06/08/2020		Appeal allowed Costs partially allowed 10/11/2020
3/2020/0288 R	26/08/2020	Bay Gate Farm Barrett Hill Brow Bolton by Bowland BB7 4PQ	WR			Awaiting Decision
3/2020/0329 R	28/09/2020	Three Millstones Hotel Waddington Rd West Bradford BB7 4SX	WR			Awaiting Decision
3/2020/0058 R	Waiting for start date from PINS	Oxendale Hall Osbaldeston Ln Osbaldeston BB2 7LZ	WR (to be confirmed by PINS)			
3/2020/0057 R	Waiting for start date from PINS	Oxendale Hall Osbaldeston Ln Osbaldeston BB2 7LZ	WR (to be confirmed by PINS)			
3/2020/0669 R	Waiting for start date from PINS	3 Bradley Court Chipping BB7 3LY	HH			

<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>
3/2020/0590 R	Waiting for start date from PINS	Leaside Mire Ash Brow Mellor BB2 7EZ	HH			
3/2018/0468 3/2018/0474 Redetermination of appeal following High Court Order	24/09/2020	Great Mitton Hall Mitton Road Mitton BB7 9PQ	Hearing		30/11/20 Virtual	Awaiting Hearing