

**RIBBLE VALLEY BOROUGH COUNCIL  
REPORT TO PLANNING AND DEVELOPMENT COMMITTEE**

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Agenda Item No

meeting date: THURSDAY, 12 AUGUST 2010  
 title: PLANNING APPLICATIONS  
 submitted by: DIRECTOR OF DEVELOPMENT SERVICES

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

APPLICATION NO: 3/2010/0205/P (GRID REF: SD 377652 446036)  
 PROPOSED REPLACEMENT DWELLING AND ERECTION OF TWO NEW DETACHED  
 HOUSES ON LAND AT RABECK HOUSE, SAWLEY

TOWN COUNCIL: There are concerns regarding subsidence associated with the sandy riverbank. We trust that such issues are borne in mind.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): Has no objection in principle to this application on highway safety grounds.

ENVIRONMENT AGENCY: Originally objected to the development due to flood risk concern. However amended plans and a site meeting with the applicant and agent confirmed that the ecological value of the site is limited and that the proposed development would not have a detrimental effect on the aquatic environment for flood risk. As such we withdraw our objection to the proposed development.

ADDITIONAL REPRESENTATIONS: One letter of objection has been received which raises the following issues:

1. The site is unstable as evidenced by an incident when a previous occupier of that land deposited soil and rubble for a caravan. Within a year the land started to move downwards to the river damaging and destroying much of the river and changing the river flow to the extent that it scoured away over 50 yards of the opposite bank.
2. A number of the newly built houses on the Browgate development have undergone considerable reconstruction and foundation underpinning due to movement of the ground.
3. Anglers have the right to pass and re-pass over and along the road by day or night for the purposes of fishing and matters incidental thereto and a condition should be included not to fence in or in any way block or impede those rights.

## **Proposal**

Consent is sought for the demolition and replacement of the property known as Rabeck House with an additional two dwellings constructed within the garden area (three dwellings in total on the site).

The scheme would utilize the existing access leading from Sawley Road with the replacement dwelling to Rabeck House being on roughly the same footprint – it would have the same front building line but a smaller footprint thus not extending as far back into the site.

Plot 1 would be a four-bed two storey dwelling having overall approximate dimensions of 9m x 10m x 8.5m in height. Attached to its north-west elevation would be a single storey pitched roof garage/utility with dimensions of 4m x 7m x 5m to the apex of its pitch. There would be a ground floor bay window and entrance canopy over the doorway on the front elevation.

Plot 2 is set approximately 3m to the south of Plot 1 and is a four-bed dwelling with integral garage with bedrooms over. Overall approximate dimensions of this property (excluding a front bay window) would be 13m x 12m x 9m to the apex of its pitch. There would be a piked dormer to the front and rear above the garage in order to provide light to the bedrooms that are provided within the roof space. The height of this section of the dwelling is approximately 7.5m.

Plot 3 is approximately 3m to the south of the above property with the layout of the three plots having a staggered front building line and varying levels in increments of 0.5m following the existing contours and ground levels. Again a four-bed dwelling is proposed with integral garage having overall approximate dimensions of 10m x 11m x 9m to the apex of its pitch.

All of the properties are shown to be constructed of rustic brick with stone surrounds to window and door openings under a blue slate roof. However, the applicants agent has agreed verbally to the use of stone throughout on all elevations of the properties.

## **Site Location**

Rabeck House lies within the identified settlement limit of Sawley as indeed does the area to its south where the additional dwellings are to be sited with part of the garden area lying outside of the settlement boundary. The land on which both the dwellings would be and garden areas is designated AONB. The River Ribble lies to the west of the site with the land falling away in a westerly direction towards that. To its south is the residential estate of Browgate with a dwelling known as Willowcroft to the north of the site.

## **Relevant History**

82/0567 – Change of use from commercial premises to domestic dwelling (Reserved Matters). Approved 7 December 1982.

## **Relevant Policies**

Policy G1 - Development Control.  
Policy G4 - Settlement Strategy.  
Policy ENV1 - Area of Outstanding Natural Beauty.  
Policy ENV13 - Landscape Protection.

Policy H13 - Rebuilding/Replacement Dwellings - Within Settlements.  
Affordable Housing Memorandum of Understanding.  
PPS3 – Housing.

### **Environmental, AONB, Human Rights and Other Issues**

The matters for consideration in the determination of this application are the principle of development, highway safety, flooding, nature conservation and amenity – both visual and residential.

#### **Principle**

In terms of establishing whether the principle of development is appropriate, it is important to have regard to the site's location within an identified settlement limit, saved policies of the Districtwide Local Plan, the decision taken by Planning and Development Committee on 17 June regarding how the RSS was to be taken into account from hereon in and the revised PPS3 published in June of this year.

Plot 1 of the development is essentially a replacement dwelling of the 1960's structure that exists on site at present. Rabeck House is of a unique design sitting in between the development on Browgate and detached property to its north. It has walls of render construction to ground floor with cladding above of slate and is box shape in appearance. Policy H13 of the Districtwide Local Plan allows for the replacement of dwellings within settlement limits subject to the general development control criteria of Policy G1 being met. Therefore subject to the latter, which will be discussed elsewhere in this report, the principle of a dwelling on Plot 1 is accepted.

In respect of Plots 2 and 3 it is important to have regard to Policy G4, PPS3 and the RSS. Members may be aware that the third edition of PPS3 published in June 2010 revised the definition of previously developed land (often referred to as Brownfield land) to specifically *exclude land in built up areas such as private residential gardens, parks, recreation grounds and allotments, which, although it may feature paths, pavilions and other buildings, has not been previously developed.* However, this does not in itself mean that the development of a garden site within an identified settlement boundary would by definition be inappropriate in principle. It is important to have regard to the requirements of G4 and paragraph 69 and 71 of PPS3.

Policy G4 of the Districtwide Local Plan allows for the development of infill sites not defined as essential open space. Infill is defined as *the filling of small gaps within small groups of houses where the site is not designated as essential open space, where proposals would not lead to ribbon development or fragmented patterns of development and where development would reflect the character of the village in terms of scale, design and density and not have any detrimental visual impact on the locality.* The dwelling is the last plot of land within the defined settlement limit with Browgate to its south lying within the AONB or open countryside depending which side of the estate road the properties are situated on. If adopting a very strict interpretation of Policy G4 the additional two dwellings would not be classed as infill given there is no other residential development to its south within the saved settlement limit to enable the site to be defined as an infill plot. However having regard to material considerations namely PPS3, I conclude that the development would be acceptable for the following reasons. Whilst the RSS was revoked on 6 July 2010, and therefore no longer forms part of the development plan DCLG stated that LPA's should continue to have regard to material considerations and that the evidence that informed the preparation of the revoked Spatial Strategies may be such a

consideration. As mentioned previously, Planning and Development Committee have resolved to continue to use the RSS land supply figure including the calculation of five-years supply. It is evidenced that we cannot demonstrate a five-year supply of deliverable sites and therefore due to this and the fact that the development of this site would accord with the provisions of PPS3, I conclude that in principle the scheme accords with plan policy.

In terms of assessing the development under the requirements of the Affordable Housing Memorandum of Understanding the threshold for development is 3 in the village of Sawley. However given that one of the dwellings from this development is the result of a replacement dwelling and only an additional two dwellings are being provided over and above that which exists on site today there is no requirement for any affordable housing provision as a result of this scheme.

### Highways

Members will note from the observation of the Highway Engineer that no objection is raised to this development which utilizes an existing access off Sawley Road and provides garaging, outside parking space and turning facilities for all of the dwellings within the overall site.

### Flooding

The Environment Agency originally objected to the development but amended plans reduced the extent of the site boundary so that it is 10m from the riverbank and on the basis of this, they withdraw their objection. Thus development is not considered to have an adverse impact on the adjacent watercourse.

### Nature Conservation

The trees to the south of the site are the subject of a TPO and a detailed tree survey has been submitted as part of this application. The Council's Countryside Officer has examined the details and subject to the imposition of appropriate conditions to ensure their protection during construction works (should consent be forthcoming) it is concluded that no significant detriment would be caused.

Given the proposal involves demolition of the existing dwelling a bat survey has also been submitted which concludes that no evidence of bats can be found and no special mitigation or habitat enhancement will be required.

### Visual Amenity

The scheme details the provision of a total of three dwellings – all of which are detached with integral/attached garaging. As submitted the properties were to be built of rustic brickwork but having regard to the predominant building material used on Browgate to the south and dwellings of Sawley to the north, it is considered that stone and slate roof would be more in keeping with the area. This has been discussed with the applicant's agent who would be agreeable to the imposition of a condition to require this. I note the properties are set between 2.5m to 3m apart and this close relationship echoes the layout adopted on Browgate. The use of a staggered front building line and bay windows to some of the properties gives variety to the street scene and whilst Plot 1 would be approximately 1.2m higher than the existing house on site, its overall scale and massing is more traditional than the property currently in situ. Therefore having regard to the character of properties immediately to either side of this development, I do not

consider that the visual amenities of the area would be significantly compromised as a result of this scheme's implementation.

### Residential Amenity

Having regard to the relationships between the proposed dwellings, I am satisfied that the layout put forward would not lead to any significant issues in terms of overlooking or light loss. The first property on Browgate is set some distance to the south-east and thus the remaining relationship to consider is that with Willowcroft to the north of Plot 1. There would be a distance of approximately 2.4m between the single storey garage to Plot 1 and Willowcroft, with the garage extending approximately 2.6m beyond the front building line of the adjacent dwelling. This represents an improvement over the existing situation whereby the house is set some over 6m forward and thus in terms of potential impact, I am of the opinion that the dwelling now proposed would have a less overbearing impact than that which exists on site. I acknowledge that the main body of the proposed house would extend forward of the garage to its side but do not consider that existing amenities would be significantly compromised. Thus in terms of the relationship with Willowcroft I am satisfied that the requirements of Policy G1 are met.

In respect of the concerns raised by the objectors there is no indication on the submitted drawings that the rights of anglers would be impeded. Having regard to ground conditions this is a matter that would be considered as part of any building regulations submission.

Therefore having very carefully considered all the above, I am of the opinion that this scheme represents an appropriate form of development and recommend accordingly.

### SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity, nor would it have an adverse visual impact or be to the detriment of highway safety.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

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

Reason: Required to be imposed in pursuance to Section 91 of the Town and Country Planning Act 1990.

2. This permission shall be implemented in accordance with the proposal detailed on drawings 6005, 6006, 6007, 6008, 6009, 6010, 6013 and 6004/A, 6011/A and 6012/A as amended on 12 May 2010.

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

3. Notwithstanding the submitted details the dwellings shall be faced in natural stone and roofed in natural blue slate unless alternative materials have first been agreed in writing with the Local Planning Authority.

REASON: In accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan ensuring a satisfactory standard of external appearance given the location of the properties in the Forest of Bowland Area of Outstanding Natural Beauty.

4. Prior to the commencement of the development hereby permitted, details of the type, coursing and jointing of the natural stone to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built to conform with the details which shall have been so approved.

REASON: In the interest of the visual amenity of the area and so that the Local Planning Authority shall be satisfied as to the details and in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

5. Precise specifications and samples of walling and roofing materials and details of any window and door surrounds including materials to be used shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

6. Prior to commencement of any site works, including delivery of building materials and excavations for foundations or services all trees identified in the Arboricultural/Tree Survey received on the 1 April 2010 indicated on drawing number 6013 shall be protected in accordance with the BS5837 [Trees in Relation to Construction] and the details of which shall be agreed in writing, implemented in full, the tree protection monitoring scheme shall be agreed and tree protection measures inspected by the Local Planning Authority before any site works are begun.

The root protection zone shall be 12 x the DBH and shall remain 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 zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented with or without prior written consent, which will only be granted when the local authority is satisfied that it is necessary, will be 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 included in a Tree Preservation Order considered to be of visual, historic or botanical value are afforded maximum physical protection from the adverse affects of development.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the dwellings including any development within the curtilage as defined in Schedule 2 Part 1 Classes A to H shall not be carried out without the formal written consent of the Local Planning Authority.

REASON: In the interests of the amenity of the area in accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) any future additional structures, hard standing or fences as defined in Schedule 2 Part I Classes E, F and G, and Part II Class A, shall not be carried out without the formal written consent of the Local Planning Authority.

REASON: In order that the Local Planning Authority shall retain effective control over the development in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and in the interests of safeguarding any adjacent residential amenity or visual amenity.

NOTE(S):

1. Under the terms of the Water Resources Act 1991 and the Land Drainage By-laws, the prior written consent of the Environment Agency is required to build any structures in, under, over, or within 8m from the top of the bank of the River Ribble, which is designated as a main river watercourse. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected with 8m of the top of any bank/retaining wall of the watercourse without the prior consent of the Environment Agency. Full details of such works, together with the details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the agency for consideration.
2. The Environment Agency has a right of entry to the River Ribble by virtue of Section 172 of the Water Resources Act 1991 and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act.

APPLICATION NO: 3/2010/0249/P (GRID REF: SD 367544 433876)  
PROPOSED CONSTRUCTION OF A DETACHED BUNGALOW IN GARDEN AREA OF HILL  
TOP BUNGALOW AT HILL TOP BUNGALOW, COPSTER GREEN

PARISH COUNCIL: The Parish Council objects to this application for the following reasons:

1. Over shadowing of several residential properties and inadequate separation distances between the proposed bungalow and other adjoining properties.
2. If permission is granted there will be too great a concentration of hard standing.
3. There is a distinct lack of discernable plot boundaries.
4. Overlooking and loss of privacy to a number of adjoining properties.

5. Significant additional traffic generation resulting in noise nuisance, damage to the 'dirt tracks' that serve the properties, and detriment to the safety of children and pedestrians on what is an unadopted road/bridleway.
6. Copster Green is a beautiful and scenic place and over development will be detrimental to this and lead to loss of character.
7. The proposal is contrary to Policies G1 and G4 of the Local Plan and the Interim SPG Housing by virtue of its scale and location resulting in an incongruous additional building to the detriment of both residential and visual amenity.
8. It was stated that the dwelling, the subject of application 3/2008/1004/P would be 'low cost' housing, but there has been no sign of this as yet.
9. The existing double garage is likely to be changed to another house.
10. The property would be seen from public highways and bridleways contrary to what is stated in the application details.
11. Traffic noise disturbing neighbours especially Oaksmead as the driveway serving the proposed and existing property passes close to that property.
12. Loss of light and privacy to Oaksmead. The new bungalow will 'loom over' their garden and block out light to their living areas.
13. Change in the character of Copster Green by creating properties with no gardens, just concrete areas.

Following consideration of amended plans received on 20 July 2010, the Parish Council made the following additional comments:

1. Due to the concerns of neighbours about the loss of privacy, could a condition be imposed removing permitted development rights in relation to any additional windows in the side and front elevations. Does the overlooking problem also relate to Blue Trees?
2. Is there any reason why the finished floor level of the development could not be lowered to reduce the visual impact of the bungalow.

ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR):

No objections in principle to the application on highway safety grounds on the basis of the layout described in the application to include an access of 4.5m suitable for two way movements and the provision of two car parking spaces within the frontage of the proposed dwelling. The parking area for two cars should have dimensions of 4.8m x 5m.

ENVIRONMENT AGENCY:

No objections subject to an informative concerning surface water drainage (that the Environment Agency has already brought to the attention of the applicant's agent).

ADDITIONAL  
REPRESENTATIONS:

Seven letters have been received from nearby residents who express objections to the application on the following grounds:

1. Highway/pedestrian safety and the adequacy of parking and turning areas.
2. Loss of light to adjoining properties with Oaksmead being the property most affected.
3. Loss of privacy to adjoining properties with Oaksmead being the property most affected.
4. Disturbance by traffic noise, with Oaksmead being the property most affected.
5. Over development of the site to the detriment of the character of the area.
6. Development not in accordance with Policy G4 of the Local Plan as the description of the site as infill is inaccurate, and the development would, by increasing density, adversely affect the character of the locality.

### **Proposal**

Permission is sought for the erection of a detached bungalow which will have a footprint with maximum dimensions of approximately 10.8m x 8m. Due to the slope of the land, the eaves height ranges from 2.3m at the front (south east) to 3.3m at the rear (north west) whilst the respective figures for the ridge height are 3.9m and 4.9m.

Internally, the bungalow would comprise a through lounge/kitchen, bathroom and two bedrooms.

The proposed external materials are painted rendered walls with stone quoins and concrete roof tiles.

Access would be provided from Copster Green using the existing driveway into the site, and two parking spaces would be provided to serve the proposed dwelling.

## **Site Location**

Hill Top Bungalow comprises a semi detached property within a large curtilage. The dwelling faces Copster Green and gains vehicular access from the bridle path. The original curtilage of the dwelling extends through to Longsight Road (A59) although there is no vehicular access on to that major road. To the south, the site is adjoined by some properties facing and gaining access from The Green and others facing and gaining access from Longsight Road. To the north, the neighbouring dwellings all face The Green and obtain access from the bridle path.

Within the original curtilage of Hill Top Bungalow, there is now a second dwelling, known as Blue Trees, that was formed following planning permission (3/2008/1004/P) for the conversion of a detached annex building into a self contained dwelling.

The bungalow now proposed would be sited to the west of Hill Top Bungalow and to the south east of Blue Trees.

The site is within the settlement boundary of Copster Green.

## **Relevant History**

3/1991/0670/P – Outline application for detached bungalow in the rear garden of Hill Top Bungalow. Refused and appeal dismissed.

3/2001/0507/P – Erection of detached garage. Approved.

3/2001/0647/P – Building containing swimming pool, gym, sun lounge and shower room. Approved with conditions.

3/2004/0742/P – Building containing swimming pool, gym, sun lounge and shower room. Approved with conditions.

3/2008/1004/P – Change of use from annex accommodation to dwelling. Approved subject to conditions.

3/2009/0334/P – Proposed detached garage. Approved.

3/2009/1070/P – Application for a non-material amendment to planning permission 3/2009/0334/P. Approved.

## **Relevant Policies**

Policy G1 - Development Control.

Policy G4 - Settlement Strategy.

Policy L4 – Regional Spatial Strategy (RSS).

Planning Policy Statement 3: Housing.

## **Environmental, AONB, Human Rights and Other Issues**

In 1991, outline permission was refused for the erection of a bungalow in a similar position to the annex building that was the subject of previous application 3/2008/1004/P, and the subsequent appeal was dismissed. The reason for refusal of that application (3/1991/0670/P)

related to harm to the appearance of the locality; inappropriate development within the open countryside as defined in the approved Lancashire Structure Plan; detriment to highway safety in view of the poor access from the bridle path onto the A59; and harm to the privacy and amenities of neighbouring residents.

The policies in the Structure Plan at the time and of the Council's Southern Fringe Local Plan upon which the refusal of 3/1991/0670/P was based have, of course, long been superseded. This current application now falls to be considered in relation to the policies of the adopted Ribble Valley Districtwide Local Plan. In the Local Plan the site is not within the open countryside but is within the Settlement Boundary of Copster Green, a settlement covered by Policy G4. In such settlements, the Policy states that planning permission will be granted for proposals falling within the following categories:

- (a) the development of sites allocated in the Plan;
- (b) the use of infill sites not identified as essential open spaces;
- (c) the rehabilitation and reuse of rural buildings (subject to Policies H15, H16, H17, EMP9 and RT3);
- (d) proposals which contribute to the solution of a particular local housing, social, community or employment problems. In the case of housing development proposals will be expected to conform to Policy H20.

The application (3/2008/1004/P) to convert an annex into a dwelling was approved on the basis that it complied with criterion "C" of Policy G4.

With regard to this current application, criteria "A" and "C" of the Policy are not relevant. As the site of the proposed bungalow is entirely surrounded by the curtilages of other dwellings, I consider that it conforms to the definition of infill development. The development is therefore acceptable in principle.

Criterion "D" of Policy G4 is no longer relevant as the Affordable Housing Memorandum of Understanding does not require developments of single dwellings to be "affordable".

The detailed considerations to be made in respect to the proposal relate to the effects of the proposed bungalow on visual amenities, the amenities of nearby residents and highway safety, and upon the general character of Copster Green.

#### Visual Amenity

The bungalow is relatively low in height, and the site is well screened by existing trees and hedges. The bungalow would not be readily visible from the A59, but it would be visible from The Green. Its visibility from The Green would be increased when the access is widened, but I do not consider that it would represent any undue harm to the visual amenities of the locality.

As the proposed dwelling has been designed as a low bungalow that is well screened by existing boundary fences and hedges, I can see no particular visual amenity benefits in requiring the floor level of the bungalow to be lowered as suggested by the Parish Council.

## The Amenities of Nearby Residents

As originally submitted, there was an error on the plans and an incorrect statement in the Design and Access Statement which both gave the impression that there was a distance of 18m between the front elevation of the proposed bungalow and the adjoining property to the south, Oaksmead. This has been corrected on amended plans received on 20 July 2010 that show a stated dimension of 15m between the nearest front corner of the proposed bungalow and the nearest rear corner of Oaksmead. On the originally submitted plans there was also a kitchen window on the half of the front elevation closest to the boundary with Oaksmead. The amended plans also show the deletion of that window and the removal of an internal wall to form a combined lounge/kitchen served by a window in the half of the front elevation that is furthest away from the boundary with Oaksmead, and a window in the northern side elevation that faces away from Oaksmead.

As amended, there is now one window in the front elevation that faces Hill Top Bungalow at a distance of approximately 20m. Principal windows also face across the front of Blue Trees (the former annex also in the applicant's ownership) but do not directly face into that property. The northwest elevation faces towards Westholme (a property in separate ownership with access onto the A59). There is a high and dense hedge on the boundary between the two properties, and the dwelling, Westholme, itself is a considerable distance away from the proposed bungalow and not directly behind it.

With regards to the issues of privacy, any overbearing effects and any possible loss of light, I consider the proposal to be acceptable in relation to Hill Top Bungalow, Blue Trees and Westholme.

The property most affected by the proposal is Oaksmead. The bungalow, however, has been purposely designed so that there are no windows in the side elevation facing the rear garden of that property (and the window in the front elevation that was closest to Oaksmead has now been deleted). There is also a screen fence and hedge on the boundary between the two properties. Given the existing screening (which I appreciate is more dense in the summer than in the winter) and the fact that the proposal is for a bungalow that is low in height and has no dormer windows, I consider the proposal (especially as amended) to be acceptable with regards to its effects on the privacy of Oaksmead. I do not consider that it would be in any way overbearing on that property and it would not cause any loss of light to principal room windows. Given the screening, and as the bungalow does not 'directly face' the rear of Oaksmead, I consider the separation distance of 15m between the nearest corners of the two properties (with window to window distances being greater than this, and again, not 'directly facing') to be acceptable.

The reference to a separation distance of 21m is in the Council's Supplementary Planning Guidance: Extension and Alterations to Dwellings (which is not directly applicable to this proposal for a new bungalow). However, the actual sentence in the Guidance is as follows:

"Except in special circumstances windows to habitable room windows at **first floor level** should be a minimum of 21m from any such **facing** windows in neighbouring houses."

This application is for a bungalow with no first floor windows and no ground floor windows that directly face Oaksmead.

Concern has been expressed by neighbours about increased traffic noise resulting from the development. Again, the property that would be mostly affected would be Oaksmead. I do not consider, however, that the vehicle movements resulting from one small bungalow would cause sufficient noise nuisance to represent a sustainable reason for refusal of the application.

Overall, subject to conditions removing permitted development rights for any extensions or alterations (which would include the addition of any windows) I consider the proposal to be acceptable in relation to its effects on the amenities of neighbours.

#### Highway Safety

Subject to the widening of the drive to 4.5m and the provision of two parking spaces (as shown on an amended plan received on 1 July 2010) the County Surveyor has no objections to the application. These requirements could be covered by appropriate conditions.

#### Effects Upon the General Character of Copster Green

Copster Green comprises a variety of dwelling types and curtilage sizes. Hill Top Bungalow originally had one of the largest curtilages in the settlement and, as such, it is capable of accommodating the proposed relatively modest bungalow without undue harm to the character of the locality. It would undoubtedly change the character of this property itself, but it would not, in my opinion, be creating anything that would be so out of keeping with the character of the general locality as to represent a reason for refusal of the application.

#### Additional Matter

The Parish Council and a number of nearby residents have expressed concern about the possibility of the large detached garage (that was approved under reference 3/2009/0334/P) being converted into a dwelling. Such a conversion would require the submission of a planning application that would fall to be considered on its own merits. As such a conversion is not presently proposed, that matter is of no particular relevance to the consideration of this current application.

#### SUMMARY OF REASONS FOR APPROVAL

The proposed dwelling would have no significant detrimental effects upon visual amenity, the character of the locality, the amenities of nearby residents or highway safety.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

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

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

2. This permission shall relate to the proposal as shown on the amended plans received by the Local Planning Authority on 20 July 2010 (drawing numbers 2010/01 REVB and 2010/02 REVA).

REASON: For the avoidance of doubt and to ensure compliance with the submitted plans.

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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

4. Prior to the first occupation of the bungalow hereby permitted, the driveway shall be widened to 4.5m and a 4.8m x 5m parking area for two cars shall be provided, all as shown on drawing number 2010/01 REV.B. Thereafter, these facilities shall be retained permanently clear of any obstruction to their designated use.

REASON: To comply with the submitted plans and in the interests of highway safety, and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the dwelling including the insertion of any additional windows in any elevation, and any development within the curtilage as defined in the Schedule to Part 1 Classes A to E shall not be carried out unless a further planning permission has first been granted in respect thereof.

REASON: In the interests of the amenity of the area in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

6. Prior to the commencement of construction works, the precise siting of the bungalow and its proposed finished floor slab level shall be marked out/indicated on site to be viewed and agreed in writing by the Local Planning Authority.

REASON: To ensure compliance with the submitted plans and in the interests of visual amenity and the amenities/privacy of nearby residents and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

NOTE(S):

1. The applicant is advised of the need to comply with the requirements that were detailed in the letter dated 21 April 2010 sent by the Environment Agency to the applicant's agents, Janet Dixon Town Planners Ltd.

APPLICATION NO: 3/2010/0411/P (GRID REF: SD 360517 436003)  
PROPOSED ERECTION OF THREE TIMBER VIEWING SCREENS AT ALSTON TO  
INCORPORATE THREE VIEWING SCREENS ON NATURE RESERVE WHICH WOULD BE  
SUNK INTO THE FORMER RESERVOIR BANK AND SET BACK FROM HEDGE AT ALSTON  
RESERVOIR, PINFOLD LANE, ALSTON

PARISH COUNCIL: No objection.

HIGHWAY AUTHORITY: No objection in principle to this application on highway safety grounds. The proposed screens are designed to help pedestrians and enhance the view of the adjacent land and local wildlife. They are set within the line of the hedgerow and provide no encouragement or facility for adjacent parking. As there is no parking associated with these features directly or indirectly, it would be inappropriate to highlight their location for the provision of any highway signage or other tourist advertising as they are for the benefit of residents or other visitors walking along this route.

ADDITIONAL REPRESENTATIONS: Two letters of objection have been received which raise the following issues.

- Concern regarding highway safety as vehicles may park near the viewing screens and cause the lane to be blocked and as such, lead to problems for emergency vehicles and service vehicles to visit the adjacent properties.
- Concern expressed that the developers and United Utilities paid a considerable amount to tarmac the road and there are no provisions for any damage to be repaired.
- United Utilities have a gated access adjacent to Spout Farm where civil vehicles could park and questions why this could not be used.

There has also been one letter of support with four signatures welcoming the improved facility.

### **Proposal**

This proposal is for the erection of three timber viewing screens to be located within the frontage of Pinfold Lane in various locations beyond the existing hedgerow. The screens measure approximately 7m x 2m in height. They are constructed of timber and will have various slats/holes to enable viewing of the local wildlife. There will also be wheelchair access for disabled people to view. The screens would be set back approximately 1m from the hedgerow and gaps will be cut in the hedge to allow the public to walk through the gap to the viewing screens.

### **Site Location**

The site is located at Pinfold Lane and adjacent to the recently reclaimed land to the rear of the reservoir. It is within the open countryside on the outskirts of Longridge. It is part of the recently located nature reserve.

### **Relevant History**

None specific.

## **Relevant Policies**

Policy G1 - Development Control.

Policy ENV9 - Important Wildlife Site.

Policy ENV3 - Development in Open Countryside.

## **Environmental, AONB, Human Rights and Other Issues**

The issues relevant in this instance relate to residential amenity, highway safety and the visual impact.

In terms of visual impact the creation of modest viewing timber screens which will in effect be partly screened by existing hedgerow will have a limited impact and I am of the opinion would not detract from the open countryside. Furthermore, it may serve to enhance an existing facility for recreational use.

In relation to residential amenity, it is proper to have regard to whether or not the proposed screens would cause a nuisance to adjacent properties. I note the concern regarding the possibility of additional traffic blocking up the single track road but this situation is one that could occur in many rural locations. In assessing this impact, it is important to have regard to the highway observations from Lancashire County Council who do not object to the proposal and consider that this additional facility would not have a significant impact on highway safety. Both themselves and United Utilities are of the opinion that this is more likely to be a local facility and would be unlikely to generate significant traffic. Moreover United Utilities have indicated that should there be a finding of a rare bird in the location, they will work with the local farmer to ensure that parking is arranged in adjacent fields so as not to block up Pinfold Lane.

The objector has also referred to why United Utilities could not allow members of the public to park on their land. They have responded that due to health and safety, the car park is not open to the reservoir users so that danger of young people going too close to the waters edge. For site security reasons the reservoirs are fenced out because the water is also a source of drinking water; they also indicate that the company would not allow members of the public to park on the land under asset protection due to their infrastructure supporting the reservoirs which lie directly beneath the car park and tracks. They also indicate that there is a possibility of signage erected at a junction of the main road to encourage pedestrian only access to the viewing screens but this has been considered by Lancashire County Council highway authority who would not wish that to take place.

I note the concerns of the local residents but I remain of the opinion that this facility acceptable and unlikely to result in significant harm to residential amenity or highway safety.

## **SUMMARY OF REASONS FOR APPROVAL**

The proposal has no significant detrimental impact on nearby residential amenity nor would it have an adverse visual impact.

**RECOMMENDATION:** That planning permission be GRANTED subject to the following condition(s):

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

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

2. Prior to commencement of development, precise details of the siting of the screens and internal footway path serving the viewing screens shall be submitted to and agreed in writing by the Local Planning Authority.

REASON: In order that the Local Planning Authority effectively control the development and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

3. Precise specifications of the timber screening and details of any surface materials to be used including their colour and texture shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance – “Extensions and Alterations to Dwellings”.

APPLICATION NO: 3/2010/0428/P (GRID REF: SD 377738 437187)  
PROPOSED ERECTION OF GYM AND GAMES ROOM ADJACENT TO EXISTING GARAGES  
AT 7 SCHOOL HOUSE COTTAGES, PENDLE STREET EAST, SABDEN

PARISH COUNCIL: No comments received at the time of report preparation.

ADDITIONAL REPRESENTATIONS: Two letters of objection have been received which express concern over the impact of development on the beech tree to the rear of the site on school premises. Should consent be forthcoming conditions should be imposed in order to ensure that the tree is not fatally damaged in the erection of this building.

### **Proposal**

This application details the proposed erection of a gym and games room intended for private domestic use only in connection with the dwelling at 7 School House Cottages. The works would be attached to the southern gable of an existing 3-car private garage with the gym structure having approximate dimensions of 7.7m x 7.2m x 4.3m to the apex of its pitch. It will be constructed of stone and a slate roof to match the materials of the existing garage.

### **Site Location**

The site lies to the south of Pendle Street East with residential properties to its north and west with St Mary’s RC School to its south. It is within the defined settlement limit of Sabden, within the AONB, on land designated essential open space and just outside the Conservation Area.

### **Relevant History**

3/2005/0108/P – Replacement garage (blue line position) approved with conditions 30 March 2005.

3/2005/0109/P – Replacement garage (existing foundation position) approved with conditions 30 March 2005.

3/2003/0967/P – Proposed demolition of existing garage in garden area and replaced with traditional pitched roof garage together with new access/turning (re-sub) refused, appeal allowed.

3/2002/1048/P – Erection of block of six garages and demolition of existing double garage refused, appeal dismissed.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G4 - Settlement Strategy.

Policy G6 - Essential Open Space.

Policy ENV1 - Area of Outstanding Natural Beauty.

### **Environmental, AONB, Human Rights and Other Issues**

The matters for consideration in the determination of this application are the principle of development and potential impact on visual and residential amenity. Given the concerns expressed regarding the beech tree to the west of the site, this should also be considered in more detail.

In terms of principle, the land in question is already in use as private amenity space with decking and garden furniture in situ. The land is designated essential open space in the Districtwide Local Plan with the policy stating that: *“Development will not be permitted ... unless it does not compromise the visual quality and value of general openness ...”*. Having regard to the specifics of this case I am of the opinion that the site in question only forms a very minor part of the overall essential open space designation and is already hidden away from view by hedgerows and a tree that bounds the site. The policy seeks to protect the generally open nature of this part of the village and I consider that to allow the erection of an extension to the garage structure (the majority of which lies outside the EOS designation) would not significantly diminish the visual quality and value of general openness in this part of Sabden.

Turning to potential impact on residential amenity, there are properties to the west of the site but given that the work would be attached to the existing garage that is set directly to their rear, I do not consider their amenities will be significantly compromised from these works as they are set beyond the extent of residential development.

With regard to visual amenity, as already stated the site is bounded by a high hedgerow to the school grounds to its south and there is a mature beech tree to its west that is within the grounds of the school. The tree already screens views across the site from Watt Street in an easterly direction and given that the works would have a marginal set down from the height of the existing garage, I do not consider that the visual amenities of this part of the village would be adversely affected. In respect of views from Pendle Street East, I do not consider that the

works would prove unduly obtrusive in the wider street scene as they would be seen to infill a small gap between the garage and hedgerow to the school boundary.

Objectors have expressed concerns over potential impact of the works on the beech tree and a tree survey was submitted in support of the application. The Council's Countryside Officer has been consulted on this scheme and commented that provided the gym is built off a suspended beam set at ground level with the piles set outside the root protection zone, the scheme should not significantly undermine the stability of the tree. This could be dealt with via specifically word conditions should Committee be minded to allow the scheme.

Therefore having regard to all the above I am of the opinion that the scheme is in accordance with plan policy and would not significantly compromise the visual qualities of the area. I thus recommend accordingly.

#### SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity nor would it have an adverse visual impact.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

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

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

2. This permission shall be implemented in accordance with the proposal as detailed on drawing 2240:05 REVA and the foundation detail submitted on 9 July 2010.

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

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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

4. Construction of the beam/pile foundation shall be in accordance with the detailed drawing submitted by e-mail on the 9<sup>th</sup> of July 2010 and shall consist of a reinforced concrete raft foundation at ground level on piles set outside the root protection area.

Prior to commencement of any site works including delivery of building materials and excavations for foundations or services the Beech tree growing on adjacent school land shall be protected in accordance with the BS5837 [Trees in Relation to Construction] the details of which shall be agreed in writing with the Local Planning Authority. A Tree Protection Monitoring Schedule shall also be submitted to the Local Planning Authority before any site works are begun.

The root protection zone shall be 12 x the DBH and shall remain in place until all building work have 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 zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented with out prior written consent, which will only be granted when the Local Planning Authority is satisfied that it is necessary, will be 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 considered to be of visual value are afforded maximum physical protection from the adverse affects of development in accordance with policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2010/0437/P (GRID REF: SD 368613 450356)  
PROPOSED ERECTION OF 3M X 3M STORAGE BUILDING IN CONNECTION WITH EXISTING FISH FARM PLUS EXTERNAL STORAGE AREA (OVERALL BUILT FOOTPRINT 5.6M X 4.4M) ON LAND ADJACENT TO THE BARN, DUNSOP ROAD, NEWTON-IN-BOWLAND

PARISH COUNCIL: No representations received.

ADDITIONAL REPRESENTATIONS: A letter has been received from nearby residents who say that this is a duplicate submission of planning application 3/2009/0110/P that was approved with conditions on 1 May 2009. They say that the conditions have not been met because the fish farm enterprise has not started within 12 months of the decision. They say therefore that their original comments about the application remain valid which, in summary, are as follows:

- The original intent of the building (as seen in its design and style) was and still is for residential use. It is not being used in connection with the fish farm. The rationale for its use is post-build, after being challenged by the Local Planning Authority.

### **Proposal**

Planning application 3/2009/0110/P sought retrospective permission for the erection of a building which has the appearance of a domestic summerhouse, comprising a fully enclosed room with decked areas to one side and at the front of this room, over which the roof of the building projects. The overall footprint of the building is 5.6m x 4.4m with the fully enclosed room having dimensions of approximately 4m x 3m.

The height of the building is approximately 2.5m to eaves and 3.2m to the ridge. It is of timber construction, has been given a dark green stained finish and has a green mineral tiled roof. A window in the front elevation and the formerly glazed upper part of the door have been boarded over.

In the supporting statement submitted with the previous application, it is explained that, historically, a commercial fish farm has been operated from this site, and that the ponds used in this business still exist. In recent years, however, it was stated that the applicants scaled down this part of the business to concentrate on other business ventures. It was stated that at that time, the fish stock rearing focused upon the initial stage of fish growth, with young stock being reared and then transferred to the trout farm at Dunsop Bridge, taking advantage of the particular high quality of the water at Heaning Barn. Whilst there is a long-standing fish farm use at the premises, the applicants did not intend to intensify the business beyond that which existed at the time of the previous application, when their agents said that the need had arisen for a small store to house fish food and equipment connected with the fish rearing operation. In the supporting statement it was stated that the ponds are located some distance from the applicant's house at The Barn and it was therefore logical to accommodate heavy equipment and bulky items immediately adjacent to the ponds themselves, and that the small purpose built store that had already been erected would provide sufficient space to meet anticipated needs and would offer adequate security.

As stated in the description of development and amplified in the supporting statement, the building was therefore to be used for storage purposes in connection with an existing fish farming enterprise.

The previous application was considered by the Planning and Development Committee on 30 April 2009 when the detailed considerations covered in the report related to the effects of the building and its proposed use upon the appearance of the Area of Outstanding Natural Beauty, the amenities of nearby residents and highway safety.

In relation to the first issue, the building is relatively small, it is stained an appropriate dark green colour, and it is screened by existing trees. For these reasons (and notwithstanding that buildings of this design are more commonly used as summerhouses within residential curtilages) I did not consider that the building had any seriously detrimental effects upon the appearance of the AONB.

The building is visible from the front windows and the residential curtilage of the neighbouring dwelling, The Heaning. However, given the size and appearance of the building, and the separation distance of in excess of 100m, I did not consider that it would have any discernible effects upon the amenities of the owners/occupiers of that property. Similarly, I did not consider that the proposed use of the building for storage purposes would be harmful to the neighbours amenities.

The County Surveyor expressed that he has no objections to the application on highway safety grounds.

Therefore, when considered on the basis of the submitted details and supporting information, I could see no sustainable objections to the original application. However, the fish farm use was small-scale and there are fears that the building would actually be used for residential purposes (which would be inappropriate in this location). For these reasons, and as the building is not fixed to the ground in that it does not have foundations, it was considered appropriate that, in

the first instance, permission should be granted for a temporary period of 1 year. It was also considered appropriate to impose a condition that restricted the use of the building to the precise use that had been applied for. Committee resolved, in accordance with the officers recommendation, to grant permission subject to such conditions.

The temporary permission lapsed on 30 April 2010, the building has not been removed, and this current application therefore effectively seeks planning permission for its retention.

### **Site Location**

The applicant's property The Barn and the original main dwelling, The Hening (which is now in separate ownership) are located at the northern end of an approximately 300m long driveway off the northern side of Dunsop Road in the open countryside between Newton and Dunsop Bridge.

The application relates to a building that has been erected between two ponds and the driveway approximately 220m away from the main road. The building is approximately 130m away from the applicant's dwelling and a similar distance away from The Hening, which is in separate ownership. The site is within the Forest of Bowland Area of Outstanding Natural Beauty.

### **Relevant History**

3/2009/0110/P – Retrospective application for a storage building to be used in association with an existing fish farming business. Approved for a temporary period expiring on 30 April 2010.

### **Relevant Policies**

Policy G1 - Development Control.

Policy ENV1 - Area of Outstanding Natural Beauty.

### **Environmental, AONB, Human Rights and Other Issues**

In a letter submitted with this current application, the applicant explains that the building has not been used for the permitted purpose due to the weather and the discovery last summer of serious leaks in both of the lakes that were used for the fish farming business. He says that extremely heavy rain in July, August, September and October 2009 followed by early frosts in November then the heavy snows in December and January made access with machinery impossible without causing additional damage and, consequently, the leakages therefore became worse. The applicant says that he has investigated a plan to remedy the leakage problems. In addition to that problem, he says that the intense cold from November to January and February led to a no growth scenario with the fish that he intended to introduce to the lakes from Dunsop Bridge Trout Farm. This is because when air temperature drops below 4°C trout will not feed, they stay in a semi dormant state during this period. Due to this it was impossible to stock the ponds until around the time of the submission of this current application.

Whilst, therefore over the last year, the building does not appear to have been used for the intended purpose, there is no visible evidence that it has been used for any other purpose and, in particular, the land surrounding the building has not been given the appearance of domestic curtilage. Although the nearby resident alleges that the original intention of the building was and still is residential use, she does not say that it has been used for that purpose.

As it stands, therefore, the building still does not, in my opinion, have any detrimental effects upon either visual amenity, the amenities of nearby residents, or highway safety. There would therefore, in my opinion, be no justification at the present time for the instigation of enforcement action to secure the removal of the building.

I therefore recommend that planning permission be again granted for a temporary period of one year and again subject to its use being precisely the use that has been applied for. This would allow the use of the building to be monitored and reviewed at the end of the period in the event that the applicants submit a renewal application.

If at the end of the further year, the building has been used for its authorised purpose, then consideration could be given to granting a permanent permission. On the other hand, if, at any time during or at the end of the one year period, it appears that the building is being used for something else, then consideration could be given to the expediency of enforcement action to secure the removal of the building from the land.

#### SUMMARY OF REASONS FOR APPROVAL

The building does not have any seriously detrimental effects upon the appearance of the locality, the amenities of nearby residents or highway safety.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

1. The building shall only be used for storage purposes in association with the fish farming business at the property, and shall not be used for any other purposes (including use for residential purposes associated with the applicant's dwelling known as The Barn) unless a further planning permission has first been granted by the Council in respect of any such alternative uses.

REASON: For the avoidance of doubt and in the interests of the amenities and character of the rural locality and to comply with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan.

2. The building hereby permitted, and the hard standing upon which it is sited, shall be removed on or before 31 August 2011 and the site restored to its former condition to the full satisfaction of the Local Planning Authority unless a renewal of this planning permission has first been granted by the Authority.

REASON: The permission has been granted on the basis of the use of the building in association with a rural business that is small-scale and appears to be at the early stages of development. The permission has therefore been granted on a temporary basis in order for its use to be monitored over a period of 1 year, as its use for many alternative uses could be detrimental to the appearance and character of the rural location, contrary to Policies G1 and ENV1 of the Ribble Valley District Local Plan.

APPLICATION NO: 3/2010/0467/P (LBC) & 3/2010/0455/P (PA)  
(GRID REF: SD 372767 441459)

PROPOSED REPLACEMENT GROUND FLOOR ENTRANCE AND RECEPTION AREA  
INCORPORATING ADDITIONAL FIRST FLOOR STUDIO SPACE AT ROEFIELD LEISURE  
CENTRE, EDISFORD ROAD, CLITHEROE

TOWN COUNCIL: No objections.

LANCASHIRE COUNTY COUNCIL (HIGHWAYS): No written comments received but verbally advised no objection.

THE GEORGIAN GROUP: Object to the scheme. The proposed new foyer would be damaging to the setting of the restrained grade II listed stables at Roefield because of its scale, design and massing. Any new structure should be of discreet design which does not compete with the grade II listed structure. In particular, any new structure should not rise significantly above the eaves height of the listed building.

There is no objection to the proposed internal works to the listed building.

ADDITIONAL REPRESENTATIONS: None received.

### **Proposal**

Listed building consent and planning permission is sought for the demolition of the leisure centre's single storey entrance and reception area (4m width x 7m depth x 5m height to ridge) to the rear of the listed stables, and the erection of a two storey extension (10m width x 14m depth x 7.7m maximum height) to provide a new reception area (with playroom and relax area) at ground floor and two studio rooms at first floor. The frontage of the proposed extension is completely glazed and is shown to be 2m (0.5m from access ramp) back from the roadside frontage of the listed building. A curvilinear roof is proposed. The margins of the glass façade are shown to be coloured cladding panel. The north east elevation materials are shown to be grey insulated cladding panels to first floor and render to ground floor walling; grey insulated roofing cladding; aluminium window frames. The glazed façade is proposed to have external feature down lighting.

The application form states that no change is proposed to vehicle parking; the site is not within an area at risk of flooding; the leisure centre hours of opening are 6.30am to 10pm Monday to Friday, 8.30am to 7pm Saturday and 8.30am to 9pm Sunday and Bank Holidays; an accessible entrance ramp is proposed in accordance with BS8300: 2009; an accessible lift is proposed in the extension to provide access throughout the building.

The application includes a design and access statement. It is stated that the site provides a sport and fitness facility for the general public; additional floor space is required in order to provide the full range of activities demanded; the proposed extension would provide two dance studios or one large studio at first floor; the existing activity room is becoming a full time junior gym used by local schools.

The design and access statement notes that the proposed extension is prominent on the site, but explains that this is a requirement of a main entrance structure. It is proposed to widen an existing opening in the historic fabric of the stables to improve circulation space and access to the gym. It is suggested that the development will impact less upon the listed stables than the previously approved 3/2009/0213/P. It is stated that the proposed extension would allow the leisure centre to keep pace with other facilities of this type, secure long-term stability and meet the charity's sport and social objective.

The agent has submitted material samples for consideration.

### **Site Location**

Roefield and the former stables to Roefield are individually listed at grade II ('designated historic assets') and "form a group" (list description). Roefield's walled garden (within which is now Roefield Reach) and the former agricultural buildings to Roefield Farm (now leisure centre changing rooms) also form part of the distinct assemblage of historic buildings prominently sited adjacent to Edisford Road.

Roefield and Roefield Stables date from the 18<sup>th</sup> century. The stables are of coarsed stone with rusticated quoins and modillion cornice; there is a centre rusticated carriage entry (list description). The stables now front Roefield Leisure Centre.

Edisford Bridge is a Scheduled Monument.

Roefield, its former stables and Roefield Leisure Centre are within the open countryside (Policy ENV3 of the Ribble Valley Districtwide Local Plan).

The Borough Council, as landowner, has been served notice of the applications.

### **Relevant History**

3/2009/0890/P – Enlarged windows to aerobics room. Alternative design for the external balustrade to glass in-fills. Amendments to previous approval 3/2009/0213/P. Planning permission granted 17 December 2009.

3/2009/0891/P – Increase width of existing internal single door to barn from corridor to 1800mm wide opening (LBC). Withdrawn by applicant 21 December 2009.

3/2009/0223 & 0213 – Demolition of outbuildings. Extension and refurbishment of existing sports and leisure facilities to include new reception, offices, toilets, crèche, adventure area, meeting room, aerobics and changing facilities. Resubmission of consent 3/2008/0114/P. LBC and PP granted 22 May 2009.

3/2008/0114/P – Extension to leisure facilities at first floor level. Planning permission granted 18 June 2008.

3/2008/0232/P – Replacement of existing timber doors on southeast elevation with semi-obscure glazed hardwood frame. Minor modification to roof edge along northwest elevation to form boundary gutter against proposed first floor extension southeast facing external wall. Form opening is rear wall for extension to fitness gym. LBC granted 18 June 2008.

3/1997/0624/P – Extension to existing facilities at Ribblesdale Pool, Clitheroe Tennis Centre, Roefield Leisure Centre and outdoor areas. Planning permission (Regulation 3) granted 6 November 1997.

3/1997/0578/P – Convert existing barn area into a fitness studio. Planning permission (Regulation 3) granted 12 December 1997.

3/1994/0567/P – Display of non-illuminated signs. LBC granted 18 October 1994.

3/1990/0244/P – Extension to existing sports facility to increase and improve the existing facility. LBC granted 14 May 1990.

3/1989/0960/P – Leisure centre extension. Planning permission (reserved matters) granted 8 March 1990.

3/1987/0345/P – Erection of building to be used as storage unit, land rear of Roefield. Planning permission (outline) granted 9 July 1987.

3/1985/0329/P – Change of use from sports hall to community hall, Roefield Barn. Planning permission granted 25 July 1985.

3/1980/1234/P – Proposed erection of timber hut at the rear of Roefield Barn. Planning permission granted 9 December 1980.

6/2/LA67 – Use of land for public playing fields and erection of buildings for ancillary purposes. Planning permission granted 16 November 1966.

### **Relevant Policies**

Planning (Listed Buildings and Conservation Areas) Act 1990.

PPS5 – Planning for the Historic Environment.

Heritage Environment Planning Practice Guide.

Policy ENV20 - Proposals Involving Partial Demolition/Alteration of Listed Buildings.

Policy ENV19 - Listed Buildings (Setting).

Policy ENV3 - Development in Open Countryside.

Policy G5 - Settlement Strategy.

Policy RT1 - General Recreation and Tourism Policy.

### **Environmental, AONB, Human Rights and Other Issues**

The main considerations in the determination of the listed building consent application are those at Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The main considerations in the determination of the planning application are again those relating to the listed building (as stated in the general duty as respects listed buildings in exercise of planning functions at Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990), the impact of development upon the open countryside (Policy ENV3 of the Ribble Valley Districtwide Local Plan) and the acceptability and public benefits of the proposals. Policy RT11 (Existing Recreation Facilities) of the Ribble Valley Districtwide Local Plan has not

been 'saved' but Policy RT1 (General Policy) suggests that development proposals will be approved which extend the range of tourism and visitor facilities (subject to criteria being met).

Planning Policy Statement 5, Planning for the Historic Environment (PPS5, March 2010) states at Policy HE7.1 that "in decision making local planning authorities should seek to identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal". PPS5 Policy HE6 states that applicants should provide "a description of the significance of the heritage assets affected and the contribution of their setting to that significance .. sufficient to understand the potential impact of the proposal on the significance of the heritage asset".

Policy HE9.1 of PPS5 states that "there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated asset, the greater the presumption in favour of its conservation should be. Once lost, heritage assets cannot be replaced and their loss is a cultural, environment, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage assets should require clear and convincing justification.. substantial harm to or loss of a grade II listed building .. should be exceptional..".

Policy HE9.2 of PPS5 states that "where the application will lead to substantial harm to or total loss of significance, local planning authorities should refuse consent unless it can be demonstrated that:

- i) the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits which outweigh harm or loss; and
- ii) (a) the nature of the heritage asset prevents reasonable uses of the site;  
(b) no viable use of the heritage asset itself can be found in the medium term that will enable its conservation;  
(c) conservation through grant funding or some form of charitable or public ownership is not possible;  
(d) the harm to or loss of the heritage asset is outweighed by the benefits of bringing the site back into use".

Policy HE9.4 of PPS5 states that "where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases, local planning authorities should:

- i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long term conservation) against the harm; and
- ii) recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss".

Policy HE10.1 of PPS5 states that "when considering applications for development that affect the setting of a heritage asset, local planning authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. When considering applications that do not do this, local planning authorities should weigh any such harm against the wider benefits of the application. The

greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval.

PPS5 is accompanied by the Historic Environment Planning Practice Guide (HEPPG, March 2010). Paragraph 2, Introduction, confirms that the practice guidance maybe “material to individual planning and heritage consent decisions”.

Paragraph 87, Considerations for Designated Heritage Assets, of the HEPPG advises “where a proposal causes minor harm there will still be a loss of value to society caused by that harm. This is a loss of public benefit that needs to be weighed against any other public benefits the proposal will bring, including, possibly, the conservation benefit of the proposal being part of realising the optimal viable use of the asset.. some works may seem individually to be of little importance but can cumulatively be destructive of a heritage asset’s significance..”.

Paragraph 178, Addition and Alteration, of the HEPPG advises that “the main issues to consider in proposals for additions to heritage assets .. are proportion, height, massing, bulk, use of materials, use, relationship with adjacent assets, alignment and treatment of setting .. it would not normally be acceptable for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset’s significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate”.

Paragraph 180, Addition and Alteration, of the HEPPG advises that “the junction between new work and the existing fabric needs particular attention, both for its impact on the significance of the existing asset and the impact on the contribution of its setting. Where possible, it is preferable for new work to be reversible, so that changes can be undone without harm to historic fabric. However, reversibility alone does not justify alteration”.

Paragraph 186, Addition and Alteration, of the HEPPG advises that “new features added to a building are less likely to have an impact on the significance if they follow the character of the building. Thus in a barn conversion new doors and windows are more likely to be acceptable if they are agricultural rather than domestic in character, with the relationship of new glazing to the wall plane reflecting that of the existing..”.

Paragraph 121, Setting, of the HEPPG advises that “the design of a development affecting the setting of a heritage asset may play an important part in determining its impact. The contribution of setting to the historic significance of an asset can be sustained or enhanced if new buildings are carefully designed to respect their setting by virtue of their scale, proportion, height, massing, alignment and use of materials. This does not mean that new buildings have to copy their older neighbours in detail, but rather than they should together form a harmonious group”.

Managing Local Authority Local Heritage Assets (EH and DCMS, June 2003) advises that “heritage is about the values that people attach to places. Our rich inheritance of local authority owned historic buildings and other heritage assets reflects the history of communities and public services. These buildings make a crucial contribution to local identity and distinctiveness. They help to enhance the quality of our lives through their use for cultural, educational, leisure and operational purposes and service provision .. understanding the nature, significance, condition and potential of a heritage asset must be the basis for rational decisions about its management, use, alteration or disposal. A sound, but succinct understanding of a heritage asset is therefore essential.. credibility in action to secure the future of heritage assets in private ownership depends on responsible stewardship of council owned heritage assets..”.

Policy ENV20 of the Ribble Valley Districtwide Local Plan states “.. proposals for the alteration or repair of listed buildings should be sympathetic to their character and appearance ..”

Policy ENV19 of the Ribble Valley Districtwide Local Plan states “Development proposals on sites within the setting of buildings listed as being of special architectural or historic interest which cause harm to the setting of the building will be resisted. In assessing the harm caused by any proposal the following factors will be taken into account:

- i) The desirability of preserving the setting of the building.
- ii) The effect of the proposed development on the character of the listed building.
- iii) Any effect on the economic viability of the listed building.
- iv) The contribution which the listed building makes to the townscape or countryside.
- v) The extent to which the proposed works would bring substantial benefits to the community including economic benefits and enhancement of the environment”.

Policy ENV3 of the Ribble Valley Districtwide Local Plan states “in the open countryside outside the AONB and areas immediately adjacent to it, development will be required to be in keeping with the character of the landscape area and should reflect local vernacular, scale, style, features and building materials...”.

Policy RT1 of the Ribble Valley Districtwide Local Plan states:

The Borough Council will approve development proposals which extend the range of tourism and visitor facilities in the borough.

This is subject to the following criteria being met:

- i) The proposal must not conflict with other policies of this plan.
- ii) The proposal must be physically well related to an existing main settlement or village or to an existing group of buildings.
- iii) The development should not undermine the character, quality or visual amenities or the plan area by virtue of its scale, siting, materials or design.
- iv) The proposal should be well related to the existing highway network. It should not generate additional traffic movements of a scale and type likely to cause undue problems or disturbance. Where possible the proposals should be well related to the public transport network.
- v) The site should be large enough to accommodate the necessary car parking, service areas and appropriate landscaped areas.

The Georgian Group recently commented on another development within the borough noting “glazed links in particular, although intended to be low key and light in touch, tend in reality to draw attention to themselves for their reflectiveness and by the characteristic tendency of any vitreous material to read as an opaque mass rather than something transparent”. In this regard

I note that the proposed two storey glazed frontage is also to receive external feature lighting. Unfortunately, no pre-application discussions were sought prior to submission of the application. The initial absence of a Heritage Statement describing the significance of the heritage asset (as required by PPS5, Policy HE6) has resulted in delay to proposal consideration and suggests that early consideration of the design issues at HEPPG paragraphs 178, 186 and 121 was not made.

In my opinion, the significance and special interest of Roefield Stables results from its restrained, vernacular use of materials and architectural details (expected of a historic house ancillary/agricultural building), and its historic association with Roefield House (still evidenced by strong intervisibility). The retention of the former Roefield Farm buildings (changing rooms) to the front of the site, and the existing sports hall's discreet materials and compatible alignment, proportion of solid to void in walling, roof form, and siting (to the rear) retains this significance.

The revised design and access statement suggests "no works are proposed internally or externally to the fabric of this listed barn". However, at point 3 of the same document, it is suggested that the existing internal opening providing access to the listed stables is to be widened. The proposed plans also suggest this. Unfortunately, no discussion as to the significance of this opening and the impact of works to the historic fabric has been provided with the application.

Although I am of the opinion that the scheme could be amended to produce a better design solution on balance I consider it acceptable. Whilst I am mindful of the Georgian Group's concerns, I also acknowledge that the essential public facility's impact on historic assets and the open countryside is to be minimised by retention of the non-listed former farm buildings (shown to be demolished in 3/2009/0223 and 0213). In this regard, and should Members be minded to approve the applications, I would suggest a condition be attached requiring the deletion of the feature lighting from the proposals.

#### SUMMARY OF REASONS FOR APPROVAL

The proposal has an acceptable impact upon the character, setting and significance of the listed buildings and the character of the open countryside.

RECOMMENDATION 1: That planning permission be granted subject to the following conditions:

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

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

2. This permission does not include the proposed incorporation of feature lighting units to the extension southeast elevation glazed curtain wall.

REASON: In order to safeguard the setting and significance of listed buildings.

3. This permission relates to plan numbers 4036-01, 4036-02A, 4036-21 and site plan RevA-19.07.10-PC.

REASON: For the avoidance of doubt.

RECOMMENDATION 2: That listed building consent be granted subject to the following conditions:

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

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

2. This permission does not include the proposed incorporation of feature lighting units to the extension southeast elevation glazed curtain wall.

REASON: In order to safeguard the setting and significance of listed buildings.

3. This permission relates to plan numbers 4036-01, 4036-02A, 4036-21 and site plan RevA-19.07.10-PC.

REASON: For the avoidance of doubt.

APPLICATION NO: 3/2010/0542/P (GRID REF: SD 372536 437388)  
TWO 3M X 1.5M STACK SIGNS ON A 4M POST, TOTAL HEIGHT 4M AT CALDERSTONES  
PARK, MITTON ROAD, WHALLEY, LANCASHIRE

PARISH COUNCIL: No observations or comments have been received at the time of the reports submission.

COUNTY SURVEYOR (LCC): No observations or comments have been received at the time of the reports submission.

ADDITIONAL REPRESENTATIONS: One letter has been received from a nearby neighbour to the site who wishes to raise the following points in regards to the submitted application;

1. Two 4m high signs for a development of just 39 dwellings is excessive,
2. We accept the need for one facing towards Mitton Road as people will see it from Mitton Road, however do we need one from the estate,
3. The signs will have a negative impact on our house and other immediately surrounding houses.

### **Proposal**

The application seeks advertisement consent for two 3m x 1,5m stack signs on 4m high posts. The total height of the two signs will be 4m. The signs are to advertise the recently approved development of 39 dwellings on what the applicant has noted as being called 'Calderstone Green'. The application in question was 3/2010/0274/P. Consent is sought for a temporary period of three years.

### **Site Location**

The site is to the north of the Calderstones Park site, which lies approx. ¾ of a mile north east of Whalley.

### **Relevant History**

3/2010/0274/P - Erection of 39 dwellings comprising a mixture of two to five bedroom houses without compliance with condition no.10 attached to planning permission 3/2008/0826P – Granted Conditionally.

3/2009/0316/P - Erection of 39 dwellings comprising a mix of 2 - 5 bedroom houses. Re-submission – Withdrawn.

3/2008/0826/P - Erection of 39no. dwellings comprising a mix of 2 - 5 bedroom houses – Granted Conditionally.

### **Relevant Policies**

Policy G1 - Development Control.  
PPG19 – Outdoor Advertisements.

### **Environmental, AONB, Human Rights and Other Issues**

Temporary advertisement consent for a period of three years is sought for two 3m x 1,5m stack signs on 4m high posts, with the total height of the two signs being 4m. The signs are to advertise details relating to the recently approved development of 39 dwellings on what the applicant has noted as being called 'Calderstone Green'. Considering the requirement for the signs, the very basic and simple design of the signs, the signs location adjacent to the site and that they will only be erected for a period of three years (whilst the development is completed), I do not consider the proposed signs to be unacceptable in visual terms, and they will have no significant impact on the amenity of the nearby residents.

Therefore, whilst I am mindful of the comments from the objector, I consider the proposal to have an acceptable visual impact on the amenity of the area and will have no impact on the amenity of the occupiers of nearby dwellings, and it is therefore recommended accordingly.

### **SUMMARY OF REASONS FOR APPROVAL**

The proposal has no significant detrimental impact on nearby residential amenity, nor would it have an adverse visual impact or be to the detriment of highway safety.

**RECOMMENDATION:** That planning permission be GRANTED subject to the following condition(s):

1. The signage hereby permitted shall be removed on or before the 1<sup>st</sup> of August 2013 and the site restored to its former condition to the full satisfaction of the Local Planning Authority.

**REASON:** This temporary consent has been granted in consideration of specific circumstances, and retention of the proposed signs on a permanent basis would be contrary

to the provisions of Policy G1 of the Ribble Valley Districtwide Local Plan and PPG19 – Outdoor Advertisements.

2. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

REASON: In the interests of visual amenity and in accordance with Policies G1 and S14 of the Ribble Valley Districtwide Local Plan.

3. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

REASON: Required by the Town and Country Planning (Control of Advertisements) Regulations 1992.

4. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

REASON: Required by the Town and Country Planning (Control of Advertisements) Regulations 1992.

APPLICATION NO: 3/2010/0544/P (GRID REF: SD 370082 436657)  
PROPOSED CHANGE OF USE FROM CLASS D2 (VILLAGE HALL) TO B1 (OFFICE USE) AT  
THE VILLAGE HALL, FRANKLIN HILL, BROCKHALL VILLAGE, BLACKBURN, LANCASHIRE.

PARISH COUNCIL: No observations or comments have been received at the time of the reports submission.

COUNTY SURVEYOR (LCC): No formal comments have been received at the time of the reports submission, however the LCC officer has verbally stated no objections to the proposed change of use from a highway safety point of view.

ADDITIONAL REPRESENTATIONS: Four letters of objection have been received from residents of Brockhall Village, and the points of objection have been summarised as follows,

1. Noise – Not only from the increase in visitors to the site but also the vehicles turning on the chipped parking area,
2. Loss of community facilities - The Village Hall was built for residents of Brockhall Village and was never handed over. The only reason it has stood unused is because residents were never allowed to use it. Retaining it as a Village Hall would be of more benefit to the community,
3. Highway Safety – Increase in traffic to/from the site which could be dangerous considering the close proximity to the children's play area and nursery,

4. Increase in traffic will cause further wear and tear to the roads, which will cause an increase in maintenance charges to the Villagers,
5. Permission was approved on basis of there being a Village Hall, has this permission not been breached?
6. No need for office units in this area,
7. When built it was used as a sales office for the site, it should not be considered as a 'Village Hall' in its present situation. The developer never allowed the villagers to use or take ownership of the building, and therefore we urge the Council to refuse this permission,
8. The Conference Centre at the entrance to the site has been advertised for months with no interest, however this office space should satisfy any need in this area,
9. The village does not have public access, with the roads and facilities private for use by the residents. It is unjust and unfair that residents should fund facilities for businesses that will make a profit, and
10. As Brockhall Village is a gated community, introducing a routine public business to the site will go against the purpose and objectives of a gated community. It is not a business park.

### **Proposal**

The application seeks permission for the proposed change of use of The Village Hall, Franklin Hill, Brockhall Village, from a Class D2 (Village Hall) Use to a Class B1 (Office) use.

### **Site Location**

The site is located within the Brockhall Village Development to the northern end of the site. The building sits adjacent to the grounds of the residential property The Old Zoo, and opposite the Nursery and the recent housing developments off Cherry Drive and Dickens Court.

### **Relevant History**

3/2010/0544/P – Proposed change of use from D2 (Village Hall) to Class A1 (Retail) – Report on this Committee Agenda.

3/2005/0315/P - Redevelopment of remaining areas of former hospital to provide employment uses (B1, C1, C2, D1 and D2), 38 dwellings, village hall and associated open space, kick-about area, formal garden area and garden store – Granted Conditionally.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G4 - Settlement Strategy.

Planning Policy Statement (PPS) 1 – Delivering Sustainable Development.

PPS4 – Planning for Sustainable Economic Growth.

PPS7 – Sustainable Development in Rural Areas.

## **Environmental, AONB, Human Rights and Other Issues**

The main considerations with regards to this proposal are the principle of the development, the potential impact on highway safety, parking and any potential impact on the amenity of nearby neighbours. There are no alterations planned for the building itself. Should any further alterations be required, these would be subject to a further application unless they are allowable under Part 41 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010.

### **PRINCIPLE OF DEVELOPMENT**

When considering the principle of the development, as well as the relevant Local Plan Policies, it is worth considering the guidance provided within the National Planning Policy Statements.

PPS1 states that “Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community” (Para 5) and that “Planning authorities should ensure that infrastructure and services are provided to support new and existing economic development and housing” (Para 23 (viii)). PPS1 also states that “Planning authorities should seek to provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car” (Para 27 (v)). On the basis of the above, I consider the proposed provision of additional B1 office space within Brockhall Village would comply with the provisions of this PPS.

Policy EC12 within PPS4 gives advice on determining planning applications for economic development in rural areas. It states, “In determining planning applications for economic development within rural areas, local planning authorities should support small-scale economic development where it provides the most sustainable option in villages, or other locations, that are remote from local service centres, and approve planning applications for the conversion and re-use of existing buildings in the countryside for economic development, where the benefits outweigh the harm in terms of local economic and social needs and opportunities”. Policy EC13 in referring to shops and services in local centres and villages, and its states “Local planning authorities should take into account the importance of the shop, leisure facility or service to the local community if the proposal would result in its loss or change of use, and that they should refuse planning applications which fail to protect existing facilities which provide for people’s day-to-day needs”. On the basis of the above, I consider the proposed provision of B1 office space within Brockhall Village would comply with the provisions of this PPS, as it will provide a sustainable alternative for residents looking at either starting or creating a new business close to home. With regards to Policy EC13, the building in question has an existing approved use as a Village Hall, however, it has never been formally used as such. Therefore, I do not consider that the loss of a facility that has never been used for that ‘use’ can be contrary to the provisions of Policy EC13.

The provisions of the above two Policy Statements are also supported by the text contained within PPS7, in particular paragraph 17 which states that “The Government’s policy is to support the re-use of appropriately located and suitably constructed existing buildings in the countryside where this would meet sustainable development objectives, with re-use for economic development purposes being preferable”.

Therefore, on the basis of the guidance provided within the above National PPS's, and the guidance contained within Local Plan Policies G1 and G4, I consider the proposed use of the currently redundant building, The Village Hall, to provide B1 office space is considered an appropriate and sustainable development, in compliance with both Local and National Planning Policy.

#### HIGHWAY SAFETY AND PARKING

The LCC Traffic and Development Engineer has verbally raised no objections to the proposed change of use from a highway safety point of view.

#### IMPACT ON AMENITY

The premises in question is approx. 30m from the curtilage of the nearest adjacent residential properties on Dickens Court, and is separated by the existing access road down to the Blackburn Rovers Reserves Training Academy. Concern has been raised that the proposed use would attract additional vehicles to the site than the present use, which would be to the detriment of the amenity of nearby neighbours. However, the existing use would also attract the present designated use for the building. There are no hours of use proposed for the B1 use, however this could be carefully controlled by a relevant planning condition, and I have recommended one accordingly. On this basis, whilst I accept that the proposed use may attract additional visitors to this particular location within Brockhall Village than at present, this is mainly due to the lack of activity on site at present. This aside, I do not consider that the impact of the proposed change of use will be to the detriment of the amenity of those nearest neighbours to the site. Indeed, given the potential for the creation of jobs for local people from the introduction of new employment facilities within Brockhall Village, I consider that the benefits will outweigh the loss of a disused building.

In response to the material considerations raised within the large number of objections to this proposed development, I consider the proposal to fully comply with the provisions of both National and Local Planning Policies. I am aware of the history of this site, and there is a wealth of correspondence on this issue between the Council and residents since the completion of the building in question. The Council consider that the development approved by 3/2005/0315 was completed in accordance with the relevant Conditions, however the dispute over the failure of the facility to be handed over to the residents by the private developer, is one that the Council has had, and will have, no control over. This issue is therefore not considered to be a material consideration.

As such, bearing in mind the above and whilst I am mindful of the points of objection from nearby neighbours, on the basis of the above, I consider the proposed provision of an A1 Retail use within Brockhall Village would comply with the provisions of not only the National PPS's but also the Local Plan Policies, without being to the detriment of the amenity of the nearby neighbouring properties. As such, I recommend the application accordingly.

#### SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity, nor would it have an adverse visual impact or be to the detriment of highway safety.

**RECOMMENDATION:** That planning permission be GRANTED subject to the following condition(s):

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

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

2. The permission shall relate to the development as shown on Plan Drawing No. 433/2.

REASON: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.

3. The use of the premises in accordance with this permission shall be restricted to the hours between 0800 to 1800 Monday to Saturday only, and there shall be no opening on Sundays or bank holidays. There shall be no deliveries to the premises outside of these times.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan. The use of the premises outside these hours could prove injurious to the character of the area and in order to safeguard residential amenities.

4. Prior to use of the building in association with this approval, further details of bin storage areas and the access arrangements for such areas shall be submitted to the Local Planning Authority and approved in writing and thereafter maintained in perpetuity.

REASON: To ensure adequate bin storage and to comply with Policy G1 of the Districtwide Local Plan.

5. The development hereby permitted shall be used for B1 'office use' only and for no other purpose, including any use falling within Class B1 of the Town and Country Planning (Use Classes) Order 1987 (As Amended).

REASON: The permission granted is for a specific use, and it is considered that other uses within the same Use Class may give rise to adverse effects on the locality, contrary to the provisions of Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2010/0545/P (GRID REF: SD 370082 436657)  
PROPOSED CHANGE OF USE FROM CLASS D2 (VILLAGE HALL) TO CLASS A1 (RETAIL)  
AT THE VILLAGE HALL, FRANKLIN HILL, BROCKHALL VILLAGE, BLACKBURN,  
LANCASHIRE

PARISH COUNCIL: No observations or comments have been received at the time of the reports submission.

COUNTY SURVEYOR (LCC): No formal comments have been received at the time of the reports submission, however the LCC officer has verbally stated no objections to the proposed change of use from a highway safety point of view.

ADDITIONAL  
REPRESENTATIONS:

Eighteen letters of objection have been received from residents of Brockhall Village, and the points of objection have been summarised as follows,

1. Noise – Not only from the increase in visitors to the site but also the vehicles turning on the chipped parking area,
2. Anti-social behaviour – The shop will attract young people to the area/site and will cause an increase in potential for anti-social behaviour. There is a need for a youth club/toddler group but there are no facilities to carry this out within the Village,
3. Loss of community facilities - The Village Hall was built for residents of Brockhall Village and was never handed over. The only reason it has stood unused is because residents were never allowed to use it. Retaining it as a Village Hall would be of more benefit to the community,
4. Highway Safety – Increase in traffic to/from the site which could be dangerous considering the close proximity to the children's play area and nursery,
5. The village is a gated community and this will increase security fears by allowing people from outside to enter and use the shop,
6. Increase in traffic will cause further wear and tear to the roads, which will cause an increase in maintenance charges to the Villagers,
7. Increase in litter on the site,
8. When built it was used as a sales office for the site, it should not be considered as a 'Village Hall' in its present situation. The developer never allowed the villagers to use or take ownership of the building, and therefore we urge the Council to refuse this permission,
9. The Conference Centre at the entrance to the site has been advertised for months with no interest, and a previous shop operated within the village but was closed due to it being unsustainable. There is no need for this use, and the residents will boycott it,
10. Permission was approved on basis of there being a Village Hall, has this permission not been breached?
11. This should not be changed unless the Council will provide us with alternative facilities.

One letter of support for the proposed development has been received, with its author noting that,

1. The proposed change of use would greatly benefit the village community and create employment on the site,
2. To suggest that the villagers would boycott the use is simply not a reflection of the feeling in the village,
3. The village hall has not been used and I would say it is a white elephant that will never be used, and
4. My property borders this building and I do not feel it will cause a nuisance.

### **Proposal**

The application seeks permission for the proposed change of use of The Village Hall, Franklin Hill, Brockhall Village, from a Class D2 (Village Hall) Use to a Class A1 (Retail) use.

### **Site Location**

The site is located within the Brockhall Village Development to the northern end of the site. The building sits adjacent to the grounds of the residential property The Old Zoo, and opposite the Nursery and the recent housing developments off Cherry Drive and Dickens Court.

### **Relevant History**

3/2010/0544/P – Proposed change of use from D2 (Village Hall) to B1 (office use) – Report on this Committee Agenda.

3/2005/0315/P - Redevelopment of remaining areas of former hospital to provide employment uses (B1, C1, C2, D1 and D2), 38 dwellings, village hall and associated open space, kick-about area, formal garden area and garden store – Granted Conditionally.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G4 - Settlement Strategy.

Planning Policy Statement (PPS) 1 – Delivering Sustainable Development.

PPS4 – Planning for Sustainable Economic Growth.

PPS7 – Sustainable Development in Rural Areas.

### **Environmental, AONB, Human Rights and Other Issues**

The main considerations with regards to this proposal are the principle of the development, the potential impact on highway safety, parking and any potential impact on the amenity of nearby neighbours. There are no alterations planned for the building itself. Should any further alterations be required, these would be subject to a further application unless they are allowable under Part 42 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010.

## PRINCIPLE OF DEVELOPMENT

When considering the principle of the development, as well as the relevant Local Plan Policies, it is worth considering the guidance provided within the National Planning Policy Statements.

PPS1 states that “Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community” (Para 5) and that “Planning authorities should ensure that infrastructure and services are provided to support new and existing economic development and housing” (Para 23 (viii)). PPS1 also states that “Planning authorities should seek to provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car” (Para 27 (v)). On the basis of the above, I consider the proposed provision of an A1 Retail use within Brockhall Village would comply with the provisions of this PPS.

Policy EC12 within PPS4 gives advice on determining planning applications for economic development in rural areas. It states, “In determining planning applications for economic development within rural areas, local planning authorities should support small-scale economic development where it provides the most sustainable option in villages, or other locations, that are remote from local service centres”. Policy EC13 in referring to shops and services in local centres and villages, states “Local planning authorities should take into account the importance of the shop, leisure facility or service to the local community if the proposal would result in its loss or change of use, and that they should refused planning applications which fail to protect existing facilities which provide for people’s day-to-day needs”. On the basis of the above, I consider the proposed provision of an A1 Retail use within Brockhall Village would comply with the provisions of this PPS. In respect of Policy EC12, the nearest similar facility to that proposed can only be found in either Billington or Langho which is over a mile away, and as such the provision of a local shop (A1 use) for this community is considered to fully comply with the sustainable requirements of this National Policy, and can only be supported. With regards to Policy EC13, the building in question has an existing approved use as a Village Hall, however, it has never been formally used as such. Therefore, I do not consider that the loss of a facility that has never been used for that ‘use’ can be contrary to the provisions of Policy EC13. Indeed the provision of a facility that would provide for people’s day-to-day needs is something that can only be supported.

The provisions of the above two Policy Statements are also supported by the text contained within PPS7, in particular paragraph 6 which states that “Planning authorities should support the provision of small-scale, local facilities to meet a communities needs outside local service centres, particularly where they would benefit those rural residents who would find it difficult to use more distant service centres”.

Therefore, on the basis of the guidance provided within the above National PPS’s, and the guidance contained within Local Plan Policies G1 and G4, I consider the proposed use of the currently redundant building, The Village Hall, as an A1 retail use within the Brockhall Village complex is considered an appropriate and sustainable development, in compliance with both Local and National Planning Policy.

## HIGHWAY SAFETY AND PARKING

The LCC Traffic and Development Engineer has verbally raised no objections to the proposed change of use from a highway safety point of view.

## IMPACT ON AMENITY

The premises in question is approx. 30m from the curtilage of the nearest adjacent residential properties on Dickens Court, and is separated by the existing access road down to the Blackburn Rovers Reserves Training Academy. Concern has been raised that the proposed use would not only attract additional vehicles to the site, creating noise in itself, but also that it would attract youths to congregate outside, which would be to the detriment of the amenity of nearby neighbours. I am aware that there is a children's playground near to the site, and would safely assume that this too attracts young people to congregate in that area at present. However, the existing use would also attract youths to this area as they would travel to here to use the facilities. There are no hours of use proposed for the A1 use, however this could be carefully controlled by a relevant planning condition, and I have recommended one accordingly. On this basis, whilst I accept that the proposed use may attract additional visitors to this particular location within Brockhall Village than at present, this is mainly due to the lack of activity on site at present. This aside, I do not consider that the impact of the proposed change of use will be to the detriment of the amenity of those nearest neighbours to the site, and given the added benefits this facility would bring to the residents as a whole, I consider that the benefits will outweigh the loss of a building with a community based designation.

In response to the material considerations raised within the large number of objections to this proposed development, I consider the proposal to fully comply with the provisions of both National and Local Planning Policies. I am aware of the history of this site, and there is a wealth of correspondence on this issue between the Council and residents since the completion of the building in question. The Council consider that the development approved by 3/2005/0315 was completed in accordance with the relevant Conditions, however the dispute over the failure of the facility to be handed over to the residents by the private developer, is one that the Council has had, and will have, no control over. This issue is therefore not considered to be a material consideration.

As such, bearing in mind the above and whilst I am mindful of the points of objection from nearby neighbours, on the basis of the above, I consider the proposed provision of an A1 Retail use within Brockhall Village would comply with the provisions of not only the National PPS's but also the Local Plan Policies, without being to the detriment of the amenity of the nearby neighbouring properties. As such, I recommend the application accordingly.

## SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity, nor would it have an adverse visual impact or be to the detriment of highway safety.

**RECOMMENDATION:** That planning permission be GRANTED subject to the following condition(s):

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

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

2. The permission shall relate to the development as shown on Plan Drawing No. 433/2.

REASON: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted plans.

3. The use of the premises in accordance with this permission shall be restricted to the hours between 0800 to 2000 Monday to Saturday, and 1100 to 1700 on Sundays and bank holidays. There shall be no deliveries to the premises outside of these times.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan. The use of the premises outside these hours could prove injurious to the character of the area and in order to safeguard residential amenities.

4. Prior to use of the building in association with this approval, further details of bin storage areas and the access arrangements for such areas shall be submitted to the Local Planning Authority and approved in writing and thereafter maintained in perpetuity.

REASON: To ensure adequate bin storage and to comply with Policy G1 of the Districtwide Local Plan.

5. The development hereby permitted shall be used for A1 'retail' use only and for no other purpose, including any use falling within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (As Amended).

REASON: The permission granted is for a specific use, and it is considered that other uses within the same Use Class may give rise to adverse effects on the locality, contrary to the provisions of Policy G1 of the Ribble Valley Districtwide Local Plan.

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

APPLICATION NO: 3/2010/0470/P (GRID REF: SD 362789 431511)  
PROPOSED ERECTION OF WELFARE FACILITY WITH ASSOCIATED LANDSCAPING AND CAR PARKING AT SAMLESBURY AERODROME, MYERSCOUGH ROAD, BALDERSTONE

PARISH COUNCIL: No observations received.

ENVIRONMENT  
DIRECTORATE  
(COUNTY SURVEYOR): No objections to the proposal in principle on highway safety grounds. The construction of the facility will have a detrimental impact on the provision of car parking on the site as a total of 82 spaces would be lost. However, this reduction was anticipated in the phasing of the site development and subsequent aspects of the development programme as detailed in application 3/2006/0583 and this will address the immediate reduction in car parking. In addition there is a demand for facilities offered by the proposed development catering retail and health and a number of existing vehicular movements to and from the site will be removed. The overall impact on activity within the site and on the immediate highway network will not be significant as a result of the proposed development.

COUNTY ECOLOGIST: In summary the ecology report indicates the proposal has little impact on the population of the nesting birds as birds that have been displaced can be accommodated in the wider aerodrome. If this is the case then the proposal would be acceptable. However, no results of 2010 bird reading survey has been submitted and therefore I am unable to comment on whether or not the ongoing habitat management for the wider site is maintained in population levels.

There is also an issue with the previously approved management plan as the development would impact upon areas supposed to be managed for ground nesting birds and grassland biodiversity. Presumably, the fact that the current application area was originally included within the habitat management plan, indicates that it contributed to the overall site biodiversity and was needed to offset the impact of the development. Would development of part of this area previously approved as ecological mitigation result in a breach of an earlier permission.

Recommend that the result of the 2010 breeding survey be submitted prior to determination of this application. If the results indicate the population of ground nesting birds are being adequately maintained, then the proposal would appear to be acceptable. If this is the case, then the applicant would also presumably need to apply to vary the area being managed under the previously approved habitat conservation and management plan. If the Council is minded to approve the following planning conditions are recommended.

No site clearance site preparation or works shall take place until the landscaping has been submitted and approved by the council in consultation with specialist advisors. The approved plan shall be implemented in full. Also recommend condition regarding tree felling and vegetation clearance be avoided between March and August unless the absence of nesting birds has been confirmed by further surveys or inspections.

ADDITIONAL  
REPRESENTATIONS:

No representations received.

### **Proposal**

This application seeks detailed consent for a welfare facility building, landscaping and parking and is located east of the Samlesbury Aerodrome site between the main gate and entrance 3A. The proposed site is adjacent to three newly developed areas of Samlesbury Aerodrome which include the recently completed office accommodation.

The building is intended to serve the employers of British Aerospace and would include restaurant facilities as well as occupational health facilities including dental surgery and physiotherapy treatment rooms. The gross internal floor space is approximately 2300m<sup>2</sup>. The main part of the building is approximately 115m long x 20m width. There are two smaller additions attached to this main building. The maximum height of this building is approximately 8m.

The building itself is a curved structure and would utilise a range of materials. It would include a mixture of cedar wood shingles as a roofing material and natural stone walling to the main gable elevations. The building would also use timber columns and the proposed windows and curtain walling use a composite system with timber internal frames and aluminium external cappings.

The proposal would result in the loss of 86 car parking spaces and the building itself would only have four parking spaces allocated for its use.

In relation to landscaping there would be radial grass mounds, possibly 2m in height, which would surround each end of the linear welfare facility building with crowned lawns in the central zone which will enable the restaurant to be visible from the main access road. The grassed areas would have paths in between to serve the entrance of the building. There is also to be a proposed pond and woodland planted mound with wildflower meadows. The space to the rear of the building would comprise, in part, a sustainable drainage system holding a pond and a mounded area with new woodland planting.

### **Site Location**

The site is located within the British Aerospace complex and currently is a car parking area. It would be visible from the A59 and is in close proximity to the new site entrance.

### **Relevant History**

3/2006/0583/P – Expansion of existing aerospace manufacturing engineering facilities including office, industrial space, restaurant and access. Approved. Section 106 Agreement.

### **Relevant Policies**

Policy G1 - Development Control.

Policy G8 - Environmental Considerations.

Policy T7 - Parking Provision.

PPS1 – Delivering Sustainable Development.

PPS4 – Planning for Sustainable Economic Growth.

PPS9 – Biodiversity and Geological Conservation.

PPS25 – Development and Flood Risk.

Policy EMP8 - Extensions/Expansions of Existing Firms Districtwide Local Plan

### **Environmental, AONB, Human Rights and Other Issues**

The issues that are relevant in this application relate to highway safety, residential amenity, expansion of existing businesses and land use issues as well as ecology and landscape issues.

It is also relevant to have regard to permissions that exist in relation to the core development programme and the suitability of this land for industrial purposes.

It should be noted that this building is designed to replace the current welfare building which is located at the periphery of the Samlesbury site main gate entrance.

In relation to highway safety, it is evident that the County Surveyor is satisfied that although there would be a loss in parking spaces and that this may cause some degree of pressure within the site, that this proposal would not, in itself, have an impact on the highway network. In recognising that this building will result in a loss of 82 spaces, this reduction was anticipated in the phasing of the site development and the core development programme submitted under application 3/2006/0583 which addresses this reduction in car parking. In that document Members will be aware that the Section 106 Agreement related to various targets to reduce the number of car borne visits to the site. The County Surveyor has concluded that the overall impact on activity within the site and the local highway network would not be significant as a result of this development.

In relation to visual impact, the building will be seen from the A59 I am of the opinion that the design is very innovative and will reflect the overall progress of the recent modern building within the site. The landscaping proposed would soften the impact of the building and as a result I consider that, subject to appropriate use of materials, there will be no significant harm to the visual impact. I am satisfied that, when viewed against the existing building, this structure, which although approximately 120m long, would not detract from visual amenity.

Having regard to residential amenity, the main issue would result in any additional burden on the highway network as the building is divorced from any dwellings so as not to have an impact relating to specific loss of light or overshadowing issues, as such I am satisfied that there is no harm to residential amenity. In relation to the employment policies within the Districtwide Local Plan, Policy EMP8 is relevant and although the site would not have a direct bearing on the manufacture and engineering output of the site, it would represent an integral feature essential to the Samlesbury site with it replacing the existing welfare building. It is likely that without the facilities included in this building it could directly impinge on the overall economic output of the Samlesbury site.

In relation to environmental considerations it is clear that there has been concern expressed by the County Ecologist about the failure to submit adequate habitat reports. The supporting document refers to the survey carried out in 2010 which confirms that species recorded in the 2007 survey still prevail. The findings of the survey state the following:

- The existing site features low diversity grassland with no notable flora or grassland species;
- Pre-existing bird survey undertaken at the site in 2007 and 2008 show the site has little intrinsic bird interest with the main nesting activity to be concentrated on the wider aerodrome site to the south;
- Although the ongoing 2010 bird survey is currently incomplete, initial visits suggest similar or possibly reduced nesting activity to that observed in 2007 and 2008;
- Whilst the entire Samlesbury site has been known to accommodate significant numbers of protected sky lark and lapwing species past records show that only a pair of each species have been recorded with the welfare facility site;

The survey concludes that the development proposal will result in a small loss of habitat of low value and the predicted effect on birds will be manageable. Notwithstanding this point the County Ecologist still recommends that no decision should be implemented without further details of the bird survey. At this point in time I am waiting for further response from the applicant and this will be included verbally.

I am satisfied that with the exception of the ecology issues there is no detrimental harm from this development and that on that basis I recommend that the application be deferred to the Director of Development Services to await further details appertaining to ecology issues and that should there be no significant harm the proposal be approved.

#### SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity, nor would it have an adverse visual impact or be to the detriment of highway safety.

**RECOMMENDATION:** That Committee be MINDED TO APPROVE and the application be DEFERRED AND DELEGATED to the Director of Development Services on the basis that there are no new issues arising from further consultation relating to ecology as well as the following conditions.

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

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

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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

3. The development hereby permitted shall not be commenced until details of the landscaping of the site, including wherever possible the retention of existing trees, have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of all fencing and screening.

The approved 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 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

4. No tree felling, vegetation clearance works, demolition works that may affect nesting birds shall be carried out between March and August unless the absence of nesting birds has been confirmed by further surveys or inspections and agreed by the Local Planning Authority.

REASON: In the interests of protecting nature and conservation issues in accordance with Policy ENV10 of the Ribble Valley Districtwide Local Plan.

5. This permission shall be implemented in accordance with the proposed details on plan numbers:

P5102/L(00)02 11  
P5102/L(1-)05 01  
P5102/L(1-)03 02  
P5102/L(2-)01 04  
P5102/L(2-)03 02  
P5102/L(2-)10 04

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

ITEMS DELEGATED TO DIRECTOR OF DEVELOPMENT SERVICES UNDER SCHEME OF DELEGATED POWERS AND

The following proposals have been determined by the Director of Development Services under delegated powers:

APPLICATIONS APPROVED

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2009/1027/P	Proposed first floor extension	119 Clitheroe Road, Sabden
3/2010/0090/P & 3/2010/0091/P	Demolition of existing rear outbuildings and construction of new extension. Internal alterations and general repairs to update house to modern living requirements/standards	29 Church Street Ribchester
3/2010/0259/P	Rear first floor extension	37 Larkhill Cottages Brockhall Village
3/2010/0274/P	Application to vary conditions of application 3/2008/0826/P altered to read prior to commencement a detailed scheme showing the incorporation of a junction table at the junction of the access road and Pendle Avenue as well as details of interactive signage shall be submitted to the Local Planning Authority. Once approved the scheme shall be carried out in full accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority	land at Calderstones Park Whalley
3/2010/0278/P	Erection of CCTV camera on front elevation	Oxenhurst Cottage Back Lane, Newton
3/2010/0335/P	Outline planning application for proposed dwelling on land adjacent	3 Fleet Street, Longridge
3/2010/0346/P	Proposed steel framed portal framed building	Lower House Farm Bezza Lane, Balderstone
3/2010/0352/P	Re-grading of existing paths to form level entry to existing tower entrance door	St Paul's Church Union Street, Low Moor
3/2010/0357/P	First floor extension above existing ground floor extension	18 Hippings Way Clitheroe
3/2010/0363/P	Two storey side extension	1 Read Hall Cottages Hammond Drive, Read
3/2010/0374/P	Proposed change of use of existing photographic studio into residential use, no external or internal alterations are needed	Houghton School Hall Tosside

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2010/0379/P	Application for the discharge of condition 3 (materials), condition 4 (walling/roofing materials), condition 7 (landscaping) and condition 8 (tree protection) of planning consent 3/2009/0643/P	Land adjacent to Millersdene Littlemoor Road Clitheroe
3/2010/0384/P	Proposed garage and hobby room to replace the existing double garage	Turnleys Barn off Four Acre Lane Thornley-with-Wheatley
3/2010/0388/P	Demolition of existing glazed porch/hallway and replacement extension with additional dormers and internal alterations	Harrop Bungalow Slaidburn
3/2010/0390/P	Proposed two-storey (including roof space) side extension	2 Langton Brow, Longridge
3/2010/0393/P	The erection of a steel portal frame structure for use as a covered bedding muck store and the erection of a steel lean-to structure for use as cow isolation boxes	Moorhead House Farm Thornley Road Chaigley
3/2010/0394/P	Proposed two-storey side extension	7 Thirlmere Drive Longridge
3/2010/0398/P	Proposed single storey rear extension	84 Hacking Drive Longridge
3/2010/0400/P	Retrospective application for change of use from office at first floor to residential flat	25 Inglewhite Road Longridge
3/2010/0401/P	Retrospective application for change of use from office to residential use (single dwellinghouse)	23 Inglewhite Road Longridge
3/2010/0405/P	Construction of porch to front of dwelling	Palmers Greave Lovely Hall Lane, Salesbury
3/2010/0410/P	Installation of new entrance door	37 Inglewhite Road Longridge
3/2010/0413/P	Two storey side extension to provide a granny flat. Resubmission	50 Branch Road, Mellor
3/2010/0415/P	Demolition of dry stone wall to provide a turning head and parking for one vehicle	Brookside Cottage Worston
3/2010/0419/P	Erection of two storey dwelling as live/work unit	Weavers Croft, Cherry Drive Brockhall Village
3/2010/0420/P	Construction of a single garage (Resubmission)	Carr Meadow Barn Carr Lane, Balderstone
3/2010/0423/P	Proposed two storey rear extension	21 Little Lane, Longridge
3/2010/0425/P	Discharge of conditions in relation to materials and water supply (3/2009/0696/P)	Fellside Farm House Old Clitheroe Road Stonyhurst
3/2010/0426/P	Proposed conversion of a redundant workshop/store to a dwelling on land adjacent	26 Severn Street Longridge

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2010/0433/P	Application for renewal of planning permission 3/2007/0562/P for proposed side and rear extension with dormer windows to front and rear	22 Fieldens Farm Lane Mellor Brook, Blackburn
3/2010/0434/P	Proposed extension to the living room on the front elevation of the existing bungalow	White Cottage, Morton Park Whalley
3/2010/0435/P	Creation of a direct gated pedestrian access to the dwelling with stone steps leading up to house and landscaping to match existing gradients	4 Greendale View Main Street Grindleton
3/2010/0439/P	Replacement of existing internally illuminated hanging sign and installation of internally illuminated post box. Addition of green film to back of ATM and small window above	7 Church Street Clitheroe
3/2010/0441/P	Conversion of existing outbuildings to holiday cottage	Bonny Blacks Farm Howgill Lane, Rimington
3/2010/0446/P	Discharge of condition 5 relating to parking area and gateway of planning consent 3/2008/0148/P	Piccolino, Moor Lane Clitheroe
3/2010/0449/P	Proposed extension of an existing single storey building to function as a single car garage	2 New Row Cottages Knowle Green
3/2010/0450/P	Application for the discharge of condition 3 (materials) and condition 6 (car park materials) of planning consent 3/2009/1071/P at former	Shawbridge Mill Shawbridge Street Clitheroe
3/2010/0453/P	Proposed rear conservatory	15 Oak Close, Barrow
3/2010/0454/P	Installation of an effluent treatment plant so as to ensure clean use of public drains for an existing food manufacturing business	Farmhouse Fare Anderson House Lincoln Way, Clitheroe
3/2010/0457/P	Application for discharge of condition no. 2 (relating to painting of shed) of planning consent 3/2010/0247/P	Brookside Cottage Worston
3/2010/0458/P	Alterations to window apertures	Lowergate Barn, Twiston
3/2010/0464/P	One fascia sign and one projecting sign	Travis Yates & Marsden Building Society 32 Castle Street, Clitheroe
3/2010/0468/P	Proposed dormer window to front elevation	14 Crow Trees Brow Chatburn
3/2010/0469/P	Non-material amendment following grant of permission. Proposed alterations to external hard and soft landscaping including construction and replacement storage shelter and proposed modifications to barn internal layout which relates to applications 3/2007/1094; 3/2007/1093	Browsholme Hall Clitheroe

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2010/0475/P	Application for discharge of condition No. 2 (materials) of planning consent 3/2009/0566/P	Shire Lane Farm Hurst Green
3/2010/0480/P	Proposed change of use of existing workshop to 2 no. dwellings and detached garage (Re-submission of 3/2010/0136/P)	Roadside Farm Preston Road, Longridge
3/2010/0491/P	One 'V' shaped double sided post sign	Brookhouse Farm Mitton Road, Whalley
3/2010/0492/P	Application for the discharge of condition no. 13 (building recording), and the part discharge of condition no. 12 (roofing materials), of planning consent 3/2009/0513/P	1 and 2 Harrop Gate Harrop Fold Grindleton
3/2010/0501/P	Single storey rear extension	41 Mitchell Street, Clitheroe
3/2010/0506/P	Discharge of conditions	Clitheroe Grammar School Chatburn Road, Clitheroe
3/2010/0508/P	Proposed front extension	14 Berkeley Drive Read
3/2010/0516/P	Application for non-material amendment to planning consent 3/2010/0105/P – to install 2no. Velux roof windows	11 Newlands Avenue Clitheroe
3/2010/0518/P	Application for the discharge of condition no. 2 (materials) of planning consent 3/2009/0339/P at land off the B6478, following a minor road from which an existing track leads into a field near	Newton Clitheroe
3/2010/0528/P	Lean-to structure to the rear of the property	5 Over Hacking Cottages Stonyhurst
3/2010/0538/P	Replacement of existing timber garage and link porch with a masonry garage and link porch	4 Chester Brook Ribchester
3/2010/0539/P	Non-material amendment to previously approved curved projection to the front of the sun-room	Park Hill, Waddington Road Clitheroe
3/2010/0562/P	Application for discharge of condition 3 (materials) of planning consent 3/2010/0128/P	The Old Post House (Plot 2 Smithy Garage) Tosside
3/2010/0565/P	Demolish rear garage and build a side extension for a garage incorporating a room in the roof space	6 Stirling Close Clitheroe
3/2010/0566/P	Demolish rear garage and build a side extension for a garage incorporating a room in the roof space	4 Stirling Close Clitheroe

APPLICATIONS REFUSED

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>	<b><u>Reasons for Refusal</u></b>
3/2010/0196/P	Proposed single storey extension to guest house and change of use of house to guest accommodation on ground floor with flat above	32 & 34 Pimlico Road Clitheroe	G1, RT1 & RT2 – Lead to conditions to the detriment of highway safety.
3/2010/0269/P	New dwelling for use as holiday accommodation	Kitchens Farm Bashall Eaves	Given the size, scale, massing and location of the scheme, it is considered to be an incongruous feature, detrimental to the visual amenity of the area, prejudicing the aims and enhancement of the A.O.N.B. For these reasons the scheme is considered at variance with Policies G1, G5, ENV1, RT1 and H2 of the Districtwide Local Plan.
3/2010/0389/P	Proposed extensions to the house to provide a kitchen to rear and study to the side	Austin House Malt Kiln Lane Chipping	Contrary to PPS5 and Policies G1 and ENV16 of the Local Plan as the proposed side extension by virtue of its location, design, size and materials, would be visually harmful to the streetscene, be to the further detriment of the character of the building, and would visually affect the character, appearance and setting of the newly designated Kirk Mill Conservation Area.

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>	<b><u>Reasons for Refusal</u></b>
3/2010/0395/P	Proposed two-storey extension. Re-submission	3 Nightingale Close Calderstones Park Whalley	G1, H10, and SPG “Extensions and Alterations to Dwellings” – Dominant scale and massing to the visual detriment of the street scene.

#### SECTION 106 APPLICATIONS

<b><u>Plan No:</u></b>	<b><u>Proposal/Location:</u></b>	<b><u>Progress:</u></b>
	None	

#### AGRICULTURAL NOTIFICATIONS WHERE PLANNING CONSENT WILL NOT BE NECESSARY

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2010/0462/P	Proposed lean-to off an existing building to cover a dirty cattle feed yard	Dairy Barn Farm Green Lane Leagram, Chipping
3/2010/0507/P	Application for the renewal of planning application 3/2005/0560N, for a lean-to timber framed agricultural storage building on an existing building	Beckfoot Farm Tosside, Skipton

#### CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2010/0145/P	Certificate of Lawfulness for proposed use of part of land for outdoor seating/dining area	Piccolino, Moor Lane Clitheroe
3/2010/0459/P	Application for a lawful development certificate for an existing use – this being the use of land abutting the property as a private car parking area	22 Simonstone Lane Simonstone

#### TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 PARTS 6 & 7 PRIOR NOTIFICATION OF AGRICULTURAL AND FORESTRY BUILDINGS AND ROADS PRIOR APPROVAL REQUIRED

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2010/0571/P	Shed for dry storage of machinery and produce	Cross Gills Farm Whalley Road, Hurst Green

TOWN APPLICATIONS TO BE DETERMINED BY LANCASHIRE COUNTY COUNCIL

<b><u>Plan No:</u></b>	<b><u>Proposal:</u></b>	<b><u>Location:</u></b>
3/2010/0385/P	Construction and installation of an external tarmac surfaced multi use games area	Waddington & West Bradford CE Primary School West Bradford Road Waddington

APPEALS UPDATE

<b><u>Application No:</u></b>	<b><u>Date Received:</u></b>	<b><u>Applicant/Proposal/Site:</u></b>	<b><u>Type of Appeal:</u></b>	<b><u>Date of Inquiry/Hearing:</u></b>	<b><u>Progress:</u></b>
D 3/2009/1017	6.4.10	Mr Andrew Atkinson Proposed erection of an 11kw wind turbine on land approx. 440m NE of the farm buildings Readwood Stables Back Lane Read	WR	–	APPEAL ALLOWED 20.7.10
D 3/2009/0752	19.4.10	Mr & Mrs D Bowden Detached two storey house and parking in garden area to the rear of Wellsprings House Woodlands Drive Whalley	WR	–	APPEAL DISMISSED 22.7.10
3/2010/0327	6.7.10	Mr J Parkinson Proposed conversion of an existing integral garage into a dining room 33 Copperfield Close Clitheroe	Householder appeal	–	Notification letter sent 6.7.10 Questionnaire sent 12.7.10 AWAITING DECISION
3/2009/0261	6.7.10	Chaigley Farms Limited Resubmission of outline application for farm worker's dwelling, including siting with all other matters reserved Old Dairy Farm Chipping Road Chaigley	–	Hearing – date to be arranged	Notification letter sent 7.7.10 Questionnaire sent 19.7.10 Statement to be sent by 16.8.10
3/2009/1040	8.7.10	Mr Paul Hodson Proposed new dwelling in garden area 56 Chapel Hill Longridge	WR	–	Notification letter sent 9.7.10 Questionnaire sent 20.7.10 Statement to be sent by 18.8.10

**LEGEND**

D – Delegated decision

C – Committee decision

O – Overturn