

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

Agenda Item No

meeting date: THURSDAY, 15 SEPTEMBER 2011
title: PLANNING APPLICATIONS
submitted by: DIRECTOR OF COMMUNITY SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

B. APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR APPROVAL

APPLICATION NO: 3/2011/0064/P (GRID REF: SD 372742 435776)
PROPOSED ERECTION OF A TWO STOREY EXTENSION ON THE SIDE (SOUTH)
ELEVATION AT 20 BANK COTTAGES, BILLINGTON

PARISH COUNCIL: Objects to the application as it is not in keeping with the area, and we feel it will ruin the street scene.

ADDITIONAL REPRESENTATIONS: Two letters have been received from nearby residents who make observations/objections to the application as follows:

1. The extension is not in keeping with the neighbouring cottages or the Baptist Church and will detract from the character of the locality especially when looking from the main road.
2. The French windows and balcony on the side elevation are not in keeping with a row of 18th century cottages.
3. Excavation of the ground to construct the extension could undermine the banking that supports the footpath and main road possibly causing subsidence.
4. The access to Bank Cottages is a private road for residents only.
5. Existing flooding problems to the cottages on lower ground could be exacerbated by the proposal.
6. The extension will be built over the existing right of way to the attached property, number 19 Bank Cottages, and there is no provision for an alternative access on the plans.
7. It is questioned whether the applicant owns the land upon which the extension would be built.

Proposal

Permission is sought for a pitched roof two-storey side extension onto an end terraced house. The front wall of the extension is to be set back 1.2m behind the existing front wall and the ridge

of the roof would be 0.4m lower than then ridge of the existing roof. The extension would provide a kitchen/dining room on the ground floor and a bedroom with en-suite shower room at first floor level.

On the submitted plans and application form it is stated that the front elevation would be coarsed stone, the side and rear elevations would be random stone and the roof would be blue slate. In a letter dated 16 August 2011, however, the applicant has requested that the rear elevation be rendered, with the front and side elevations remaining as stone.

The submitted plans also show a French window on the side elevation opening onto a balcony. In the letter dated 16 August 2011, however, the applicant has agreed to delete the balcony to be replaced with a Juliette balcony.

Site Location

Bank Cottages comprise an 'L' shaped terrace of 20 properties to the north of Whalley Road, Billington. 17 of the dwellings run parallel with the main Whalley Road (but on lower ground). The other three dwellings are at right-angles to the main road. The application relates to the property within the terrace of three that is closest to the main road. The side elevation of the application site faces Whalley Road, but on lower ground. There is an existing fence and hedge on the side boundary of the site to Whalley Road.

To the west, the site is adjoined by the rear gardens of other properties at Bank Cottages and to the east by the Ebenezer Baptist Church.

The site is within the settlement boundary of Billington.

Relevant History

None.

Relevant Policies

Policy G1 - Development Control.

Policy H10 - Residential Extensions.

Policy SPG – “Extensions and Alterations to Dwellings”

Environmental, AONB, Human Rights and Other Issues

The matters that are relevant to the consideration of this application relate to the effects of the proposed extension upon the appearance of the property itself and the wider locality, and upon the amenities of nearby residents.

With regards to the first consideration, the extension is appropriately set back from the front elevation and has a lower ridge height than the existing roof. The fenestration on the front and rear elevations is in keeping with the existing dwelling. The originally proposed French window leading onto a balcony would have been inappropriate. The applicant has however agreed to the deletion of this element of the proposal. Subject to the submission and approval of details of the replacement window with Juliette balcony, the side elevation would also not, in my opinion, have any detrimental effects upon visual amenity.

The proposed natural slate roof is appropriate. The use of natural stone for the front and side elevations is also appropriate. The applicant has requested the use of render on the rear elevation. Some of the other properties at Bank Cottages have rendered rear elevations and, in the Ribble Valley in general, it is a common feature to have properties with stone front and side elevations but render at the rear. I therefore have no objections to the proposed external finishes, which, again, can be covered by an appropriate condition.

I consider the proposal to be acceptable with regards to its effects upon the appearance of property itself and the general locality.

As this is a side extension on an end terrace property, with no adjoining properties on that side or at the front or rear, the proposal will not have any detrimental effects upon the amenities of any neighbouring residents.

The points raised by nearby residents relating to a private right of way, land ownership, Bank Cottages being served by a private road, possible subsidence and possible drainage problems do not represent legitimate planning considerations.

The applicant, however, claims that he does own the land upon which the extension would be built and that the right of way for his neighbour will be maintained. It is also the applicant's responsibility to ensure that subsidence or drainage problems are not caused by the development.

A bat survey report submitted with the application concludes that the proposal is unlikely to cause disturbance to bats or result in the loss of a bat roost or cause injury or death of a European Protected Species (Bats) or result in any significant impact on the local bat population.

Overall, subject to appropriate conditions, I can see no sustainable objections to this application.

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 relate to the proposal as shown on drawing number RV/11/05 except for the references on the drawing to external materials and to a proposed French window and balcony on the side elevation.

REASON: For the avoidance of doubt and to ensure compliance with the submitted plans as amended by the applicant's letter dated 16 August 2011.

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. These details shall include a natural slate roof and either natural stone to all three elevations or natural stone to the front and side elevations with render on the rear elevation. The front elevation shall be coarsed stone and the side elevation (and possibly rear elevation) random stone. In the event of render being used on the rear elevation, details of its finish and colour shall be submitted for approval.

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”.

4. Notwithstanding the details shown on the submitted plan, the balcony and French window on the side elevation are deleted from the proposal. These should be replaced by a window (possibly with Juliette balcony) precise details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

REASON: To comply with the application as amended by the applicant's letter dated 16 August 2011 and in the interests of visual amenity in order to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2011/0118/P (GRID REF: SD 368986 439139)
PROPOSED NEW BUILD DINING REFECTORY BUILDING (1425M²) AT STONYHURST COLLEGE, HURST GREEN, CLITHEROE

AIGHTON, BAILEY & CHAIGLEY COUNCIL: No objection.

ENGLISH HERITAGE: Do not wish to comment in detail but offer the following general observations:

Stonyhurst College (Grade I Listed) represents one of the regions foremost historic sites. English Heritage has been engaged with the school and their architects in discussing the implementation of the school's Development Plan whilst retaining the historic significance of the complex.

The provision of new dining facilities was identified as a high priority. Early proposals involved the alteration of existing facilities within the main building but this was deemed by the school to be unsatisfactory; alternative locations and designs for a new build structure were therefore considered resulting in the current application.

Initial plans seen by English Heritage for the new refectory building were not considered to be appropriate to Stonyhurst or its setting. Collaboration with the architects has produced a design which, while to some extent constrained by budget and the functional needs of a dining hall, are considered by English Heritage to provide a modern, workable solution to the needs of the school.

The low profile of the building means that it neither dominates the main elevations of the school complex nor interrupts the boundary between the historic buildings and the grounds beyond. The modern design is clearly legible as a 21st century addition to the complex and the high proportion of glass particularly along the west and the south elevations provides a lightweight approach that reduces the impact of the building. The success of this project, however, will ultimately lie in the detailing and an adherence to a narrow pallet of sympathetic colours and materials.

English Heritage is hopeful that the creation of dining facilities in this new refectory will allow the school to review the role of the 20th century flat roof Quadrangle element (the existing dining area) and consider its removal. While not proposed as part of this application, such a move would, in our opinion, have provided added justification in PPS5 terms for granting permissions for the new refectory and is still something which English Heritage would urge the school to consider.

English Heritage has no objection to the proposed new build in the context of Stonyhurst.

English Heritage urge the Borough Council to address the above issues, and recommend that the application be determined in accordance with national and local policy guidance, and on the basis of the Borough Council's conservation advice.

GARDEN HISTORY
SOCIETY & THE HISTORIC
AMENITY SOCIETIES:

Consulted, no representations received.

RIBBLE VALLEY BOROUGH
COUNCIL COUNTRYSIDE
OFFICER:

Great concerns over the detailed proposals for landscape treatment affecting the Copper Beech indicated on plan number 7734 [P04].

The tree in question is a large specimen with a useful biological life expectancy of 150 – 250 years. It has a safe useful life expectancy in order of 40 – 100 years, is of some importance in the landscape being a prominent local feature and therefore is a definite asset to landscape character. The tree has developed a scaffold branch canopy and although there are some branch inclusions which can have potential to fail, the tree is sheltered to some extent. From my visual tree inspection I could not see evidence of decay fungi or serious pathogens that may significantly affect the tree's structural integrity or reduce the tree's life expectancy. However, the ground within the root zone is compacted which could well have an effect on tree vigour over time. The ground conditions can be improved using current arboricultural practices.

In addition to the potential damage to roots during the construction of the proposed paving any additional surfacing over the root zone will further reduce available moisture to the roots through increased water run-off, this could lead to a rapid irreversible decline in the tree's condition.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

Consulted, no representations received at the time of report writing.

ENVIRONMENT AGENCY:

Consulted, no representations received at the time of report writing.

ADDITIONAL
REPRESENTATIONS:

None received.

Proposal

Planning permission is sought for the erection of a (1425m² footprint) dining refectory building on the cleared land immediately to the north-west of the New Wing of 1959.

The building approximates to a rectangular plan with south-west and north-east elevations of 33m in length and the south-east and north-west elevations of 42.5m in length. The building is shown to be 7m in height and has dining, servery, cooking, preparation and storage areas at ground floor, with plant room, kitchen extract and voids above.

The roofing is flat and parapetted – the south-east parapet hides the installation of five 4 – bank solar collectors. The submitted “Massing elevations” plan (ref 7734:PO7) indicates that the building will sit low in views of the college from the St Nicholas’ Avenue approach as well as in “side views” from the north west.

The materials are shown as ashlar natural faced stonework with regular coursing including cills, string and coping, horizontally laid zinc interlocking wall cladding panels with recessed joints and grey smooth/engineering brickwork plinth to base of cladding panels. Roofs are a liquid applied flat roofing system (colour dark grey) with Dales polyester powder coated secret fix aluminium fascia and soffit system (colour grey). Other materials are stated to be polyester powder coated aluminium walling and window frames (colour grey), a structural glass system

around main entrance doors, hardwood doors and surround and Dales polyester powder coated aluminium brise soleil blades (colour grey).

Some details of site boundary treatment and hard and soft landscaping have been submitted. An existing split faced stone retaining wall topped by 1100mm high fencing immediately to the south-west of the proposed building and parallel with Stonyhurst Gatehouse front, is proposed to be extended along the whole length of this site boundary. The retaining wall will result in a difference in land levels between the site and land immediately to the south-west of between 0.6m to 3m. The proposed refuse area and the ground floor end bay of New Wing are shown to have wall enclosures. A mature, prominent Copper Beech tree of high visual amenity value is shown to be retained (unfortunately the submitted scheme shows seating and paving beneath the canopy).

A submitted Design and Access Statement notes that initially it was hoped to upgrade existing catering facilities in situ. However, due to the efficiency of new equipment, this resulted in additional surplus space, which, because of its location, rendered it inappropriate and unusable. The existing dining accommodation also created problems in terms of pupil movement and maximising the usable space for dining.

The submitted application form states that car parking is to be as existing. The site is not within an area of risk of flooding. The last use of the site was greenfield/woodland. The proposal involves land known to be contaminated – a submitted report concludes:

Contamination

Bearing in mind the lack of industrial use of the site but the anticipated presence of made ground it is thought that contamination will not be present at such high levels to present a risk to users of this commercial development.

An intrusive investigation is required, consisting of boreholes and tests to confirm the findings of this desk study. The desk study has not revealed any likely point sources for contamination and the investigation will need to provide all round coverage.

Groundwater/Rivers

At this stage only a very low risk to groundwater and surface water is anticipated, no further action is thought necessary at this stage.

If the soil tests reveal unexpectedly high contamination the risk to groundwater and surface water will need to be reassessed and an allowance made for testing samples of shallow groundwater, if necessary.

Landfill Gas

There are nearby filled features and likely made ground beneath the site, a landfill gas testing programme is required.

There will be no change to existing employment (20ft; 10pt) as a result of the development. The application form incorrectly suggests that there are no trees influencing development of the site. The Design and Access Statement refers to the site benefitting from a prominent location with views towards the canals, golf course and Harry Meadow.

Site Location

Stonyhurst College is a Grade I listed public school (founded in 1593 at St Omer in France and moved to Stonyhurst Hall in 1794). It is on the site of a building of late 14th or 15th century date. The Gatehouse on the west front of the house leads to a courtyard with buildings on each side. This phase of building was started by Sir Richard Shireburn in 1592 and was continued by his grandson, Nicholas Shireburn, in the late 17th century and early 18th century. Additions were made in 1799 when the Society of Jesus took over the house, and 3 campaigns of building during the 19th century greatly enlarged the house on the north and east sides. Other additions in connection with the building's use as a school were made in the 20th century. Attached to the south-west tip of the house is St Peter's Church which was designed in 1832 by JJ Scoles.

The submitted Heritage Significance Statement suggests that the complex of buildings is remarkable for its late 16th century/early 17th century Gatehouse and Old Quad, as well as for the early 18th century embellishments to the hall and grounds. But it is no less important for the richness of its 19th century and early 20th century additions which include major collections of religious art.

Stonyhurst College also appears on the English Heritage Register of Historic Parks and Gardens at Grade II* and is described as *"gardens and parkland with late 17th century origins, including a well-preserved formal garden dating from circa 1700 and an avenue and water features of similar date"*.

Whilst the submitted Heritage Statement does not specifically refer to the registered historic park and garden it notes that *"the west range approach with its twin canals formerly laid out on either side of St Nicholas' Avenue to the Gatehouse is an enduring image of Stonyhurst College, and is of high significance"*.

The registered historic park and garden description also notes that: *"parkland is situated to the north and west of the College. To the north there is open land with a tree belt to the north and an area of woodland, called Crow Wood, to the north-west. West of this, on the east side of the north-west drive, there is open grassland scattered with mature trees..."*. The proposed building is on the site of a recently cleared stand of trees shown on the 1845 Ordnance Survey map and shown as "coniferous plantation" on the Biological Heritage Site Project compiled by the Lancashire Wildlife Trust and Lancashire County Council.

The site is within the Forest of Bowland Area of Outstanding Natural Beauty.

Relevant History

3/2010/0902/P (LBC) & 3/2010/0903/P (PA) - New wing. Externally: the construction of new staircase and a glass lift within the courtyard; provision of new roof top plant room; introduction of windows and doors to the north west face at basement level to include a patio area; provision of new door and alterations to glazing to the former Gerald Room. Internally: internal refurbishment and remodelling of the New Wing to provide en suite accommodation; provision of 2no 3 bed houses; provision of 2no supervision flats, 2no overnight flats and ancillary accommodation; conversion of the basement car park to include the ground floor flat area, a café facility, shower accommodation and a sixth form recreation centre (with emergency access to the Black and Whites Area). Shireburn – externally: alterations to gable end to Shireburn and provision of gallery to north west elevation. Provision of door and new window within Shireburn Quad. Provision of new windows and blind arcading to existing windows to north east elevation of Shireburn. Internally: relocation of health centre on 3 floors with Matrons flat adjacent and classrooms on ground floor. En suite bedrooms at first floor and second floor level including

supervision flat and 2 overnight flats. Alterations to staircases and lift. Caecus – introduction of 2 new floors to accommodate residential accommodation associated with Poetry. Supervision flat and overnight flat, wc and shower accommodation, ancillary facilities and making good to Rhetoric Common Room. LBC & PP granted 17 June 2011.

3/2011/0033 - Stonyhurst Old Mill - Retention of remaining structure following partial collapse (LBC). Granted 2 March 2011.

3/2008/0641 & 0640 - Proposed new substations adjacent to new wing and St. Mary's Hall (LBC & PA). Granted 18 September 2008.

3/2008/0639 & 0638 - New car parking areas adjacent to existing swimming pool and all weather pitch. New access road and car parking spaces to rear of new wing. New roundabout adjacent to site of new build house proposals and new access road to substation to north of new wing (LBC & PA). Granted 8 October 2008.

3/2008/0235 & 0234 - Land adjacent to the Sports Hall St. Mary's Hall Stonyhurst - Extension of existing girls' changing accommodation to construct new boys' changing accommodation and associated external works to form paths, wheelchair access ramps, steps and low walls with railings (LBC & PA). Granted 7 August 2008.

3/2007/0541 & 0542 - land adjacent to The Sports Hall St Marys Hall - 1. Construction of new boys changing accommodation and store linking to the existing girls changing rooms and sports hall. 2. Provision of associated external works (PA & LBC). Granted 4 September 2007.

3/2007/0537 & 0536 - The Swimming Pool Building Stonyhurst - Extension to existing swimming pool to provide a fitness room, all-weather changing area and staff office. A new entrance gives access to the extension and provides circulation to the existing pool view area (PA & LBC). Granted 8 October 2007; LBC withdrawn.

3/2006/0851 - Shirk Stonyhurst - Alteration and refurbishment of Shirk to create girl's accommodation, together with reinstatement of original facade, new doorway and associated external works (LBC). Granted 30 April 2007.

3/2005/0234 & 0233 - Construction of four storey Girls House with associated works (PA & LBC). Granted 2 June 2005.

Relevant Policies

Planning (Listed Buildings and Conservation Areas) Act 1990.
Planning Policy Statement 5 'Planning for the Historic Environment'.
Historic Environment Planning Practice Guidance.
Draft National Planning Policy Framework (July 2011).
Policy ENV19 - Listed Buildings (Setting).
Policy ENV21 - Historic Parks and Gardens.
Policy G1 - Development Control.
Policy ENV1 - Area of Outstanding Natural Beauty.

Environmental, AONB, Human Rights and Other Issues

The main considerations in the determination of this planning application relate to the impact upon the setting of the Grade I listed building and the impact upon the Grade II* registered historic park and garden.

Ribble Valley Districtwide Local Plan Policy ENV19 concerns harm to the setting of listed buildings and identifies the factors to be considered in assessing any harm. These include any effect on the economic viability of the listed building, the extent to which the proposed works would bring substantial benefits to the community including economic benefits and enhancement of the environment and the effect of the proposed development on the character of the listed building.

Ribble Valley Districtwide Local Plan Policy ENV21 concerns historic parks and gardens and states *'Development proposals affecting a historic park or garden and its setting will be strictly controlled to ensure they do not harm the appearance or function of the area. Proposals will be assessed in terms of scale, size, design and materials'*.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard be given in consideration of planning applications to the desirability of preserving listed buildings, their setting and any features of special architectural or historic interest which they might possess.

Listed buildings and registered historic parks and gardens are 'designated heritage assets' (Annex 2: Terminology, Planning Policy Statement 5 'Planning for the Historic Environment', March 2010). PPS5 Policy HE9.1 states *"there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. Once lost, heritage assets cannot be replaced and their loss has a cultural, environmental, 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 asset should require clear and convincing justification"*.

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

- (1) weigh the public benefit of the proposal ... against the harm;*
- (2) 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 states *"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"*.

The Historic Environment Planning Practice Guide, which accompanies PPS5, is also a material consideration (HEPPG, paragraph 2).

HEPPG paragraph 90 states *"harmful development may sometimes be justified in the interests of realizing the optimum viable use of an asset, notwithstanding the loss of significance caused, provided that the harm is minimised"*.

HEPPG paragraph 120 states *"when assessing any application for development within the setting of a heritage asset, local planning authorities may need to consider the implications of*

cumulative change and the fact that developments that materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation".

Paragraph 121, Setting, of the HEPPG states *"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 the older neighbours in detail, but rather that they should together form a harmonious group".*

PPS7 Sustainable Development in Rural Areas states at paragraph 7 that *'planning authorities should take a positive approach to innovative, high-quality contemporary designs that are sensitive to their immediate setting..'*

Paragraph 177 of the Draft National Planning Policy Framework (July 2011) states *'the Government's objectives for planning for the historic environment are to:*

- (i) conserve heritage assets in a manner appropriate to their significance..'*

Paragraph 183 of the Draft NPPF states *'when considering the impact of a proposed development on a designated heritage asset, considerable importance and weight should be given to its conservation. The more important the asset, the greater the weight should be. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification..'*

The Garden History Society's Planning Conservation Advice Note 3: Extension of educational/institutional establishments refers at section 5 'Watchpoints':

- (i) temporary solutions to expansion requirements are rarely appropriate in historic landscape;
- (ii) improved facilities should also be assessed in the context of increased numbers of users of a site;
- (iii) views within a historic landscape or its setting can change markedly in different seasons;
- (iv) the presence of otherwise discreetly sited ground level facilities may be visually accentuated by the addition of lighting or CCTV columns;
- (v) the potential impact of overtly modern structures is likely to be greater on areas and views of historic landscape where no such imposition has occurred to date.

In my opinion, the proposed development is acceptable. The prominent location of the new building beyond the existing northwest "building line" of the college complex, on a recently cleared (has consideration been made to replanting?) pre 1840's tree plantation forming part of the historic park and garden, and with impact on the views from St Nicholas' Avenue results in harm to the Grade II* historic park and garden and the setting of the Grade I listed building. Unfortunately, the submitted Heritage Statement does not provide the necessary detailed examination of the impact of development on the historic park and garden's significance.

English Heritage's encouragement of the college to now remove the 20th century flat roof building within the Quadrangle has been conveyed to the agent. He has made the Governors aware of this and responds that "in the longer term they may be prepared to give due consideration to the request; in the shorter term, this would not be appropriate". I note that the submitted Design and Access Statement states that: *"the existing areas are to be refurbished*

creating teaching accommodation associated with the college; the refurbishment of the areas will be the subject of a separate application”.

However, my concerns are assuaged by English Heritage’s pre-application discussions, comments and “no objection” to the scheme. English Heritage agree that new dining facilities for the college are a high priority. English Heritage also refer to their collaboration with the agent to produce a workable solution to the needs of the school which is clearly legible as a 21st century addition, is lightweight and does not dominate the main elevations of the school complex or interrupt the boundary between the historic buildings and the grounds beyond. I confirm that English Heritage are an important statutory consultee in respect to development affecting the setting of a Grade I listed building and impacting upon a Grade II* historic park and garden.

In my opinion, the new dining refectory will help to safeguard the future of this nationally and perhaps internationally important historic site as envisaged by Policy ENV19 of the RVDLP. This may also be considered a ‘public benefit’ as envisaged by Policy HE9.4 of PPS5.

The comments of the agent in respect to the future of the defunct kitchen/dining facilities in the Quadrangle have been forwarded to English Heritage (9 May 2011). No further comments have been received.

In my opinion, the impact of development on the character of the Forest of Bowland Area of Outstanding Natural Beauty and on residential amenity is not significant.

At the time of report writing officers were negotiating revisions to the scheme to ensure that the health and safety of the important Copper Beech tree is not compromised by development.

SUMMARY OF REASONS FOR APPROVAL

The proposal has an acceptable impact upon the setting and significance of the Grade I listed building and the character and significance of the Grade II* registered historic park and garden.

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. Precise specifications and samples of external materials, including their colour and texture, shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works.

REASON: In order to safeguard the setting of the listed building, the character of the registered historic park and garden and to ensure that the materials to be used are appropriate to the locality in accordance with Policies ENV19, ENV21 and G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2011/0355/P & 3/2011/0356/P (GRID REF: SD 374485 437232)
3/2011/0355/P APPLICATION FOR FULL PERMISSION FOR PROPOSED RENOVATION AND CONVERSION OF A FORMER STONE BARN TOGETHER WITH THE CONVERSION OF AN ATTACHED SMALL STABLE BLOCK AND A DETACHED FORMER MIDDEN. THE PROPOSAL INCLUDES THE SMALL EXTENSION OF A "LINK" BUILDING TO CONNECT THE FORMER MIDDEN TO THE BARN AND AN EXTENSION OF A SINGLE STOREY FORMER SHIPPON BUILDING TO REINSTATE ITS ORIGINAL FOOTPRINT. THE CHANGE OF USE RELATES TO CONVERTING THE FORMER BARN AND BUILDINGS TO BECOME TWO RESIDENTIAL UNITS. WORK ALSO INCLUDES BOUNDARY TREATMENTS AND ACCESS ARRANGEMENTS WITHIN THE SITE.
3/2011/0356/P APPLICATION FOR CONSERVATION AREA CONSENT FOR THE PROPOSED DEMOLITION OF A FORMER LIVERY STABLE ATTACHED TO AN EXISTING BARN –
AT WISWELL HALL FARM, WISWELL LANE, WISWELL

PARISH COUNCIL: Raised concerns/objections in relation to both applications as follows:

1. The developments will lead to a loss of employment in the area as the barn, midden and small stable block at the eastern side of the barn are a commercial livery.
2. The barn is a historic long barn, the only one in the area, and has a historic association to Whalley Abbey. The barn was also an ancillary building to Wiswell Old Hall which was demolished. The County Council's Archaeology Department must be consulted.
3. The proposals will impact upon the conservation area; the gardens and amenity areas for the residential units are within the conservation area and are specified as a significant open space on the Townscape Appraisal Map.
4. The lack of garages will lead to pressure for development in the conservation area which should be preserved or enhanced as a significant open space.
5. The small gardens and amenity areas will lead to pressure for development in the conservation area which should be preserved or enhanced as a significant open space.
6. There are too many openings in the historic structure.
7. The application is contrary to Policies H2, H15, H16 and ENV15.

ENVIRONMENT
DIRECTORATE
(COUNTY
ARCHAEOLOGIST):

Considers the building to be a non-designated heritage asset and as being of historical interest showing the development of the building in response to changing agricultural practices. The proposed conversion will have a significant impact on the historic character and appearance of the building and may result in the loss of some historic fabric. Consequently, should the Local Planning Authority be minded to grant planning permission to this or any other scheme, the Lancashire Archaeology Service would recommend that an archaeological record be made of the building and that such work be secured by means of an appropriate condition.

ADDITIONAL
REPRESENTATIONS:

A letter has been received from an anonymous "Wiswell resident" who expresses concerns about the proposed development as follows:

1. The barn is a historic long barn with historic associations to Whalley Abbey and Wiswell Old Hall.
2. Openings have recently been formed in the building prior to the submission of the application so that they appear as "existing openings" in the application. This detracts from the historic character of the building.
3. The development will impact upon the adjoining conservation area.
4. It will have a serious impact on the open space that the village benefits from at present.
5. The proposed uncovered parking spaces will lead to pressure in the future for garages. The gardens will also be filled with domestic ancillaries such as sheds, garden furniture, washing lines etc which will all spoil the presently unspoilt space that borders the village.
6. Is it really for the better that another piece of heritage is to be lost in this way?

Proposal

The proposal relates to the conversion of an existing barn, adjoining stable building and old midden shed at Wiswell Hall Farm into two four bedroom dwellings and a guest annex. In the application, adjoining stable block is referred to as Block A, the main barn is Block B, the former shippon is Block C, the section of the building that is to be demolished is Block D and the adjacent old midden shed is Block E.

The proposal involves the demolition of Block D, a former livery stable that is of concrete block construction with rendered external walls. It is this element of the overall scheme that is the subject of the application for Conservation Area Consent because Block D projects into the Wiswell Conservation Area.

The existing gross internal floor area of the barn and outbuilding is 647m². Block D to be demolished at a floor area of 92m². The proposed conversion relates to the whole of the retained existing barn (both ground and first floor) the adjoining stable building and the adjacent old midden shed. The building element that was a part of the former shippon is proposed to be extended at the rear of the barn to re-establish its original plan form following the demolition of Block D.

The total proposed floor area for Unit 1 is 285m² and the total proposed floor area for Unit 2 is 323m² thus creating a total gross internal floor area following development of 608m².

Unit 1 will comprise a lobby, library, study, living room, dining hall, kitchen, utility and WC/cloakroom on the ground floor with four bedrooms (2 with en suite facilities) and a family bathroom at first floor level. This unit also has a guest annex formed by the conversion of the detached former midden shed (Block E). The annex is to comprise a living room, kitchen and bedroom with en suite shower room. There is to be a covered glazed link between the annex and the main dwelling.

Unit 2 will comprise an entrance hall, living room, dining room, kitchen, utility room, WC, music room and double bedroom with en suite facility on the ground floor with three bedrooms (each with en suite facilities) and a family bathroom at first floor level.

The existing random stone walls will be retained as part of the proposed development, the existing roof which is clad in corrugated concrete fibre sheets will be replaced with a natural slate clad roof, within which there are to be a number of conservation type roof lights. The existing fenestration is timber set within stone surrounds and proposed fenestration will be timber-framed windows and timber doors which will be retained within stone surrounds.

Rear gardens/amenity areas are proposed for each unit. These areas utilize existing yard areas and the site of an outdoor ménage and do not extend into the open fields.

An existing hard standing area at the western end of the building is utilized to form three parking spaces for Unit 1 and part of the existing yard area at the eastern end of the building will provide 2 parking spaces for Unit 2.

Site Location

The farmhouse of Wiswell Hall Farm and its associated agricultural buildings are located at the eastern end of an approximately 85m long access track off the eastern side of Pendleton Road.

The defined application site includes only the buildings that are to be converted and the associated proposed garden, access and parking areas. The application site lies to the north of the existing farmhouse in a position that is therefore between the farmhouse and the southeastern edge of the village of Wiswell.

The site is located outside the village boundary of Wiswell in the open countryside as defined in the Local Plan. The area covered by the building that is to be demolished and the existing yard areas and ménage that will become rear gardens to the two units are inside the conservation area but the rest of the site is outside the conservation area. There is an agricultural field between the northwest boundary of the application site and the settlement boundary. In the Conservation Area Townscape Appraisal Map this field is shown as a "Significant Open Space".

Relevant History

3/1999/0665/P – Change of use of cow shippin into horse livery boxes and formation of all weather riding area on site of former silage area. Refused.

3/2000/0035/P – Change of use of cow shippin into horse livery boxes and formation of all weather ménage on site of former silage area (resubmission). Approved with conditions.

Relevant Policies

Policy G1 - Development Control.

Policy ENV3 - Development in Open Countryside.

Policy ENV16 - Development Within Conservation Areas.

Policy ENV17 - Details Required with Proposals in Conservation Areas.

Policy ENV18 - Retention of Important Buildings Within Conservation Areas.

Policy H15 - Building Conversions - Location.

Policy H16 - Building Conversions - Building to be Converted.

Policy H17 - Building Conversions - Design Matters.

PPS3 – Housing.

PPS5 – Planning for the Historic Environment.

Environmental, AONB, Human Rights and Other Issues

The considerations to be made in relation to these applications relate to the acceptability or otherwise of the proposal in principle; the effects of the proposal upon the buildings as a heritage asset; the general effects upon the appearance and character of the building; and effects upon the appearance and character of the locality, the amenities of any nearby residents and highway safety. Each of these matters will be discussed below under appropriate sub-headings.

Policy Considerations/Acceptability in Principle

The starting point in relation to policy considerations is the national guidance comprised in PPS3: Housing. This states that *“where there is less than a five-year supply of deliverable sites, Councils should consider favourably planning applications for housing having regard to the PPS (in particular paragraph 69). Paragraph 69 states that, in general, in deciding planning applications, Local Planning Authorities should have regard to the following:*

- *Achieving high quality housing.*
- *Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular families and older people.*
- *The suitability of a site for housing, including its environmental sustainability.*
- *Using land effectively and efficiently.*
- *Ensuring the proposed development is in line with planning for housing objectives reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives eg addressing housing market renewal issues.*

As the Council does not presently have a five-year supply of housing land there is therefore a presumption in favour of housing development (including conversion schemes) but with due regard being paid to the relevant saved policies of the Local Plan.

Policy H15 of the Local Plan states that planning permission will be granted for the conversion of buildings to dwellings in situations where:

- there need be no unnecessary expenditure by public authorities and utilities on the provision of infrastructure;
- there would be no materially damaging effect on the landscape qualities of the area;
- there would be no unacceptable harm to nature conservation interests;
- there would be no detrimental effect on the rural economy;
- within the AONB the proposals should be consistent with the conservation of the natural beauty of the area.

In the explanatory text to Policy H15 it is stated that “*conversion of appropriate buildings within settlements or which form part of already defined groups is acceptable*”.

The barn and associated buildings to which these applications relate are situated in the open countryside, but relatively close to the settlement boundary of Wiswell. The buildings are also part of a group of buildings that also includes the farmhouse and other agricultural buildings.

As agricultural buildings within a group of buildings, their conversion to residential use is, in the current housing situation in the borough, acceptable in principle in accordance with PPS3 and one of the requirements of Policy H15. Compliance or otherwise with the detailed requirements of Policy H15 will be examined later in this report.

Effects on the Buildings as a Heritage Asset

The County Archaeologist considers the buildings to be a non-designated heritage asset and considers that the conversion will have a significant impact on the historic character and appearance of the building and may result in the loss of some historic fabric. He does not, however, recommend refusal, but states that, in the event of planning permission being granted, an archaeological record must be made of the building to be secure by an appropriate condition.

A Heritage Statement has been submitted with the application in accordance with the requirements of PPS5. Paragraph 7 of PPS5 recognises that managed change may sometimes be necessary if heritage assets are to be maintained for the long term and Local Planning Authorities should also take account of the wider social, cultural, economic and environmental benefits of heritage conservation. Policy HE7 of PPS5 sets out a number of general policy principles guiding the determination of applications for consent relating to heritage assets including a suggestion that, in considering the impact of a proposal on any heritage asset, Local Planning Authorities should take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations. Policy HE7 also suggests that Local Planning Authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of this historic environment.

In the submitted Heritage Statement, sufficient details have been given about the location, nature and history of the buildings and it is stressed in the Statement that this is not a listed building, although a small section of the later addition to the building (Block D, that is in any event to be demolished) projects into the Wiswell Conservation Area.

With regards to the impact of the proposal on the heritage asset, the following are some of the principal points made in the Heritage Statement:

- The buildings are no longer in agricultural use.

- There will be no loss of any significant features in the buildings due to the conversion and the character of the barn and traditional buildings will be preserved and protected. There are some minor alterations to certain openings proposed in the scheme but these assist the conversion, whilst at the same time ensuring that the asset is protected for the future.
- The roof finishes of the affected buildings are presently corrugated cement sheets of different profiles; these would all be removed as part of a major re-roofing exercise; the roof finish would be consistent throughout and natural slates to the requirements of Local Planning Authority would be used, this is seen as a positive contribution to the farmstead and would enhance the character of the retained buildings.
- The proposal would allow remedial work to be carried out to a number of repairs that have been carried out badly in the past.
- The concrete block retaining wall at the rear of the main barn that presently detracts from the character and appearance of the asset would be either lowered and faced in stonework or (taking great care not to undermine the fabric of the asset) it could be re-built and finished in stonework to match the building.
- Openings are scheduled to be preserved and utilised. The proposal is to provide windows and doors framed in Oak. This will enhance the character and appearance of the asset.
- Existing ventilation slats in the fabric of the asset will be retained but are to become glazed apertures, the glazing will be set nearer to the outside face of the wall than the inside face but it will be set far enough back from the external surface of the fabric to be in the shadow of the aperture.
- The main barn had its structural roof timbers and trusses and covering removed many years ago. These were replaced by metal trusses formed from steel angles and it was at this time that the corrugated roof sheets were introduced; the conversion of the barn would allow for the reintroduction of new timber trusses, traditional purlings and rafters as well as a new natural slate covering.
- The floor level changes within the barn have been carefully considered during the development of the scheme to convert the asset, the character of these changes in level, whilst contributing to the interesting interiors of the conversion, will pay respect to the idiosyncrasy of the barn which was built on a sloping site.

It is concluded in the Heritage Statement that the conversion of the existing barn and associated demolition of buildings would provide a positive contribution to the surrounding area; that the conversion of a barn into two separate dwellings will create an opportunity to enhance the character and appearance of the immediate area and that it would safeguard the future of the Heritage Asset for many years to come.

I agree with those conclusions subject to the imposition of a condition as recommended by the County Archaeologist in the event that permission is granted.

General Effects Upon the Appearance and Character of the Buildings

Having considered the effects in relation to the buildings as a heritage asset, it is still necessary to pay regard to the detailed requirements of Policies H15, H16 and H17 of the Local Plan.

With regards to the criteria of Policy H15 (stated previously in the report) I comment as follows:

1. There is no need for any unnecessary expenditure by public authorities and utilities on the provision of infrastructure.
2. For reasons to be explained later in the report, there would be no materially damaging effect on the landscape qualities of the area.
3. A Protected Species Survey Report submitted with the application concludes that there is no significant evidence of protected species (bats and barn owls) within any part of the property. The Countryside Officer has no objections to the application with regards to nature conservation interests subject to an appropriate condition relating to bats.
4. It is not considered that the loss of the existing livery use of part of the building would be so harmful to the local economy as to justify refusal of the applications. If the applications were refused, the Council could not in any event enforce the continued operation of that business. The local economy will also benefit from having two additional dwellings in the locality.
5. The site is not within the AONB.

Policy H16 states that: "the conversion of buildings to dwellings will be granted providing:

- (a) the building is structurally sound and capable of conversion for the proposed use without the need for extensive building or major alterations which would adversely affect the character or appearance of the building, the Council will require a structural survey to be submitted with all applications. This should include plans of any rebuilding which is proposed.
- (b) the building is of sufficient size to provide for minimal living accommodation without the need for further extensions which would harm the character or appearance of the building.
- (c) The character of the building and its materials are appropriate to its surroundings and the building is worthy of retention because of its intrinsic interest or potential or its contribution to its setting.

A structural survey report has been submitted with the application in which it is concluded that the main structural envelope of the buildings are in sound condition and free from any significant distortion or ill-alignment and do not appear to show signs that the structures are suffering from significant structural movement; and that there are a number of relatively minor items of disrepair but that these will not prevent the buildings from being converted and will be easily remedied during the implementation of a planning permission should one be issued.

No rebuilding work is therefore necessary in relation to the buildings that are to be retained and converted. The proposed extension involves, firstly, the demolition of a later addition to the building that is of no merit (Block D). The former shippon (Block C) is then to be extended across the part of the rear elevation of the main building from which Block D has been demolished. This would return Block C to its original size, position and form. Overall, I consider this demolition and extension to be of benefit to the appearance and character of the building.

I consider it reasonable and appropriate to utilise the detached old midden as an annex and consider the glazed link to be appropriate as it would be visually subservient to the main buildings.

The main building is considered to be worthy of retention and the overall scheme, especially the re-roofing of the whole structure in natural slates, will actually significantly improve its contribution to its setting.

Policy H17 states that: permission will be granted for the conversion of buildings providing:

- (a) the design of the conversion is of a high standard and is in keeping with local tradition, particularly in terms of materials, geometric form and window and door openings;
- (b) the impact of the development or the effects of the creation of a garden area together with any garaging or car parking facilities or other additions will not harm the appearance or function of the area in which it is situated;
- (c) the access to the site should be to a safe standard or should be capable of being improved to a safe standard without harming the appearance of the area.

Although there are some new openings, I do not consider the number to be excessive and they do respect the existing appearance and character of the building.

The garden areas will be formed partly on the area from which the inappropriate Block D will have been removed, partly on existing yard areas and partly on the existing ménage. There is no encroachment onto adjoining fields. I consider this to be totally appropriate and without harm to the wider locality.

Similarly, parking spaces will be provided on existing yard/hard surfaced areas.

Any future additions such as detached garage or sheds etc can be controlled by the Local Planning Authority through the imposition of a condition removing permitted development rights for such structures.

The access to the site that has in the past served a working farm, is more than adequate and safe to serve two dwellings.

Effects Upon the Appearance of the Locality

I consider that through the demolition of Block D and the general improvements to the retained building, the proposal would actually enhance/improve the sense of openness of this location just outside the settlement boundary.

I also consider that the removal of Block D would enhance the appearance of the conservation area rather than detract from it (I can therefore see no objections to application 3/2011/0356/P).

Effects Upon the Amenities of Nearby Residents and Highway Safety

I consider the proposal to be acceptable with regards to its effects upon the amenities of the existing farmhouse, and there are no other properties close enough to be affected by the proposal with regards to this particular consideration.

As previously stated, there are no highway safety issues relating to this proposal. The County Surveyor has confirmed orally that he has no objections to these applications.

Overall, I consider both applications to be in accordance with the relevant national planning guidance and the saved policies of the Districtwide Local Plan.

SUMMARY OF REASONS FOR APPROVAL (3/2011/0355/P)

The proposed conversion scheme respects the appearance and character of the building and would have no seriously detriment effects upon visual amenity, highway safety or the amenities of any nearby residents.

SUMMARY OF REASONS FOR APPROVAL (3/2011/0356/P)

The demolition of a relatively unattractive modern addition to the traditional farm building would have no detrimental effects upon the appearance and character of the Wiswell Conservation Area.

RECOMMENDATION 1 (3/2011/0355/P): 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. The permission shall relate to the development as shown on drawing numbers WHI/492/1264/02 and 03.

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

3. This permission shall relate to the proposed conversion in accordance with the Structural Appraisal Report dated April 2011 that was submitted as part of the application. Any deviation from the Structural Appraisal Report may need to be the subject of a further planning application.

REASON: To comply with Policies G1 and H16 of the Ribble Valley Districtwide Local Plan, as the application is for the conversion of the building only.

4. 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 Policies G1, H15, H16 and H17 of the Ribble Valley Districtwide Local Plan.

5. All new and replacement door and window, head and cills shall be natural stone to match the existing.

REASON: To comply with Policies G1, H16 and H17 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

6. All doors and windows shall be in timber and retained as such in perpetuity.

REASON: To comply with Policies G1, H16 and H17 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

7. 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, external alterations to the dwellings including any development within their curtilage as defined in the Schedule to the Order Classes A-H shall not be carried out without the formal permission of the Local Planning Authority.

REASON: In order that the Local Planning Authority shall retain effective control over the development to ensure compliance with Policies G1, H16 and H17 of the Ribble Valley Districtwide Local Plan.

8. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation which shall have first been submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building/site in order to comply with the requirements of Policy HE12.3 of PPS5: Planning for the Historic Environment.

9. In the event that any bats are disturbed or harmed during any part of the development, work shall cease until further advice has been sought from a licensed Ecologist.

REASON: In order to reduce or remove the harmful impact of development on a protected species in accordance with Policy ENV7 of the Ribble Valley Districtwide Local Plan.

RECOMMENDATION 2 (3/2011/0356/P): That conservation area consent be GRANTED.

APPLICATION NO: 3/2011/0379/P (GRID REF: SD 370100 443673)
APPLICATION FOR THE VARIATION OF CONDITION NO. 3 (OCCUPANCY PERIOD) OF PLANNING CONSENT 3/2004/0592P, TO ALLOW NO.1 AND NO.2 SADDLE BARN TO BE USED AS PERMANENT RESIDENTIAL ACCOMMODATION AT SADDLE BARN, CLOUGH BOTTOM FARM, RABBIT LANE, BASHALL EAVES, LANCASHIRE.

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

LCC ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No objection in principle to the application on highway safety grounds.

ADDITIONAL
REPRESENTATIONS:

One letter has been received from the occupier of a nearby property who wishes to raise the following points of objection to the proposal:

- Concerns caused by the increasing volume of traffic now using the narrow lane in front of our property.
- At times the lane resembles an industrial estate with drivers showing little respect for other road users.
- Our drive is constantly used as a passing place by drivers not wanting to reverse to use the designated passing places.
- The size of some commercial vehicles using the lane beggars belief. This is borne by the occasional damage to our front garden wall and erosion of the verges.

Proposal

Planning permission was granted for the conversion of the building in question from a Residential Training Centre to three holiday lets in August 2004 (3/2004/0592/P). The proposal was considered to be acceptable by the Planning and Development Committee, and a decision notice was released on the 11 of August 2004. Permission was granted subject to a number of conditions including the following condition No. 3, which states,

The unit(s) of accommodation shall not be let to or occupied by any one person or group of persons for a period of longer than four weeks in any one year and in any event shall not be used as a permanent accommodation. A register of all lettings shall be kept and made available to the Local Planning Authority for inspection on an annual basis.

The permission was implemented and to my knowledge the units have been used (and are still being used) as holiday lets in accordance with condition No 3. Permission is now sought for the variation of condition no. 3 (Occupancy Period) of planning consent 3/2004/0592P, to allow No.1 and No.2 Saddle Barn to be used as permanent residential accommodation.

The Agent/Applicant had originally applied for the entire removal of Condition 3, however as this would have required at least one of the three units to be an 'Affordable' unit, in line with the Affordable Housing Memorandum of Understanding, they requested to alter the proposal to what is being proposed here.

Site Location

Clough Bottom Farm is a Grade II Listed Building that is located to the east of Bashall Eaves, and is accessed from Rabbit Lane via a farm track. Clough Bottom Farm comprises an extensive group of buildings in a variety of uses. In addition to the farmhouse, there are four holiday cottages and a large barn in the centre of the courtyard. Permission was granted last year (2010) to convert this building into two dwellings. The building subject to consideration with this application, Saddle Barn, sits to the south east of Clough Bottom Farm (to the front). The site lies within the Forest of Bowland Area of Outstanding Natural Beauty.

Relevant History

3/2004/0592/P – Change of use from residential training centre to 3no. holiday lets – Granted Conditionally.

3/2004/0306/P – Change of use from residential training centre to 3no. holiday lets – Withdrawn.

3/1990/0362/P – Change of Use of redundant farm buildings to a residential training centre – Granted.

3/1989/0235/P – Conversion and extension of an agricultural building to a training hostel – Granted.

Relevant Policies

Policy G1 - Development Control.

Policy G5 – Settlement Strategy.

Policy ENV1 – Area of Outstanding Natural Beauty.

Policy ENV19 – Listed Buildings.

Policy H2 – Dwellings in the Open Countryside.

Policy H15 – Building Conversions – Location.

Policy H16 – Building Conversion – Building to be converted.

Policy H17 – Building Conversions – Design Matters.

Policy H23 – Removal of Holiday Let Conditions.

PPS3 – Housing.

PPS5 – Planning for the Historic Environment.

Affordable Housing Memorandum of Understanding.

Environmental, AONB, Human Rights and Other Issues

Policy H23 of the Local Plan states that 'proposals seeking the removal of conditions which restrict the occupation of dwellings to tourism/visitor usage will be refused unless the proposal conforms to the normal development control policies of the Local Plan. Policies G5, H2, H15, H16 and H17 will be particularly relevant in any assessment'.

Now that the Council is in a situation where a five year housing land supply cannot be identified, residential development should be favourably considered taking account of the requirements of PPS3: Housing and the relevant saved policies of the Local Plan. In practice, what we presently have is an established built development with a restricted class of residential use. In many ways, there is little difference between this being a form of conversion, and the proposal can be treated as tantamount to a conversion.

Saved Policy H2 of the Local Plan allows the conversion of buildings to dwellings in the open countryside subject to certain criteria. Policies H15, H16 and H17 provide more detailed criteria. The explanatory text to Policy H17 says that 'the conversion of appropriate buildings within settlements or which form part of already defined groups is acceptable'. The building itself sits to the south east of Clough Bottom Farmhouse, and is considered to be within the group of the other buildings on this site accessed off Rabbit Lane. I therefore consider the building subject to this application to form a part of an established group of buildings. As such, if the original barn now known as the Saddle Barn were still in its original condition, its conversion into a dwelling(s) with unrestricted occupancy would now be acceptable in principle and in accordance with the currently applicable policies and guidance. Therefore, I consider the lifting of the occupancy condition on the now existing building to also be acceptable in principle.

As a curtilage building to Clough Bottom Farmhouse (a Grade II Listed property), this building is also considered part of the listing. As the proposal does not involve any external alterations to the building or to its curtilage, there would be no detrimental effects upon the appearance of the locality nor would there be any impact on the setting or significance of the Listed Buildings. Given the existing use of the building, and its location adjacent to the curtilage of Clough Bottom Farmhouse, it is not considered that the use of the building as a permanent dwelling would have any further effect upon the amenity of the residents of this property than now exist.

The occupier of a neighbouring property has expressed concern about highway safety at this site. In response to this, the County Surveyor has stated orally that he sees no significant difference between the use of the building as a holiday let and as a permanent dwelling. Indeed, he said, that if anything, the use as a permanent dwelling would be better as the drivers of vehicles would be more familiar with the access etc. There are therefore no highway safety objections to this application.

Overall, when viewed in relation through the presently applicable policies and guidance, the proposed variation of the condition is considered acceptable.

SUMMARY OF REASONS FOR APPROVAL

The requested removal of the condition is in accordance with the presently applicable policies and would not result in any seriously detrimental effects upon visual amenity, the amenities of any nearby residents or highway safety.

RECOMMENDATION: That planning permission is GRANTED and that Condition 3 be varied to read:

“The unit of accommodation known as No. 3 Saddle Barn shall not be let to or occupied by any one person or group of persons for a continuous period of longer than 3 months in any one year and in any event shall not be used as a permanent accommodation. A register of all lettings shall be kept and made available to the Local Planning Authority for inspection on an annual basis. The Unit’s known as No. 1 and No. 2 Saddle Barn shall be used as permanent residential accommodation.”

REASON: In order to comply with Policies G1, G5, ENV1, RT1 and RT3 of the Ribble Valley Districtwide Local Plan. The building is located in an area where the Local Planning Authority would not normally be minded to grant the use of building for a permanent residential accommodation.”

APPLICATION NO: 3/2011/0402/P (GRID REF: SD 360564 439242)
REMOVAL OF CONDITION NO. 2 OF PLANNING PERMISSION 3/1999/0756/P TO ALLOW USE OF THE MANAGERS GUEST HOUSE (KNOWN AS THE DERBY GRANGE) FOR PERMANENT RESIDENTIAL ACCOMMODATION. DERBY ARMS, CHIPPING ROAD, LONGRIDGE

PARISH COUNCIL: No observations or comments received within the statutory 21-day consultation period.

ADDITIONAL REPRESENTATIONS: No additional representations have been received within the statutory 21-day consultation period.

Proposal

Planning permission is sought for the removal of Condition 2 of planning permission 3/1999/0756/P to allow the use of the Manager's House (known as The Derby Grange) for permanent residential accommodation. Outline permission was granted in 1990 for the erection of a house and garage on this site, with the reserved matters approved in 1992. These permissions were restricted by an occupancy condition, so that the property could only be occupied by the manager of the Derby Arms. This condition was modified under 3/1999/0756/P to allow occupation also by paying guests of the Derby Arms. The dwelling is substantially complete as a structure, however at the last visit to the site it still required internally fitting out, including the introduction of standard windows and doors), in order to make it a habitable building/property. The property is a permanent structure.

This Application has been requested to be heard by the Planning and Development Control Committee by the Derby and Thornley Ward Member, Cllr Jim White.

Site Location

The Derby Grange is situated within a group of houses and buildings along Longridge Road, adjacent to the Derby Arms Public House. The site lies within the open countryside, as designated within the Ribble Valley Districtwide Local Plan.

Relevant History

3/1999/0756/P – Modification of Condition 3 of 3/1989/0741/P to permit paying guests of the Derby Arms to stay in dwelling – Granted Conditionally.

3/1991/0728/P – Erection of one detached dwelling and garage (Reserved Matters Application) – Granted Conditionally.

3/1990/0707/P – Relief from occupancy condition on approval for Manager's House under Ref. 3/89/0741/P – Refused.

3/1989/0741/P – Outline Application for Dwelling house and garage with new access to side road – Granted Conditionally.

3/1989/0213/P – Construction of Managers House in part of existing car park 800 sq.m. Closure of one access to car park, new car park 1400 sq.m. and formation of new access – Refused.

Relevant Policies

Policy G1 - Development Control.

Policy G5 – Settlement Strategy.

Policy ENV1 – Area of Outstanding Natural Beauty.

Policy H2 – Dwellings in the Open Countryside.

Policy H15 – Building Conversions – Location.

Policy H16 – Building Conversion – Building to be converted.

Policy H17 – Building Conversions – Design Matters.

Policy H23 – Removal of Holiday Let Conditions.

PPS3 – Housing.

Environmental, AONB, Human Rights and Other Issues

Permission was granted in January 1990 (Ref. No. 3/1989/0741/P) for the erection of the building in question with an occupancy condition attached to the approval so that a Manager of the Derby Arms could only occupy the house. A subsequent application was submitted

(3/1990/0707/P) to apply to remove the managers occupancy related condition, and this was refused on the basis that its removal would be tantamount to approving an unrestricted residential use in the Open Countryside where new residential development is not normally permitted. The applicant also appealed this decision at the time, and the Planning Inspectorate dismissed this appeal on the grounds that the reason for refusal was sound, and there was insufficient justification to suggest otherwise. A copy of the Inspectorate's Decision can be found within the Application file. Permission was then granted in 1999 to modify the occupancy condition to permit holiday use and paying guests, and it is this condition that is currently valid in relation to the existing building on site.

I am aware that the current financial situation of the applicant has restricted the construction of the building approved in 1990, which has culminated in the structure standing there today, however it would appear that little has changed in respect of the relevant Policies and reasoning at the time, and the Policies and reasoning at present. On this basis, it is considered difficult to make a decision contrary to the previous refusal (to remove the occupancy condition), and its subsequent dismissal at Appeal. Certainly the recent changes in Policy, namely the introduction of the Ribble Valley Districtwide Local Plan in 1998, have opened the door to some extent for developments with holiday let restrictions on to the removed, however in this case as the Manager's accommodation, or indeed the holiday let consent, have never fully come into use leaving an empty shell/structure with no specific use attached. Saved Policy H2 of the Local Plan allows the conversion of buildings to dwellings in the open countryside subject to certain criteria. Policies H15, H16 and H17 provide more detailed criteria. The explanatory text to Policy H17 says that 'the conversion of appropriate buildings within settlements or which form part of already defined groups is acceptable'. Given the previous decisions at this site, I would therefore question whether this building is an 'appropriate' building to allow as a conversion.

With specific regard to the relevant Policy relating to the removal of conditions that restrict occupation of buildings to tourism visitor usage, Policy H23 of the Local Plan states that 'proposals seeking the removal of conditions which restrict the occupation of dwellings to tourism/visitor usage will be refused unless the proposal conforms to the normal development control policies of the Local Plan. Policies G5, H2, H15, H16 and H17 will be particularly relevant in any assessment'. However, now that the Council is in a situation where a five year housing land supply cannot be identified, national guidance notes that residential development should be favourably considered taking account of the requirements of PPS3: Housing and the relevant saved policies of the Local Plan.

Another consideration to be had is with regards to the links between this building and the adjacent business, the Derby Arms, which is run by the Applicant's who are tenants. The Applicant has supplied a copy of a letter from their Bank (attached to the Design and Access Statement) who notes that in order for the Bank to continue their business loan facility relating to the Derby Arms, they require it to be secured on a residential asset. As the Applicant's own The Derby Grange, they state that if the Local Planning Authority remove the occupancy condition to allow normal residential use, then the Bank will continue to support the pub and restaurant business by continuing the existing loan facility.

Given this predicament, the current housing under supply within the Borough, the location of the building in close proximity to other residential properties and the fact that the Banks reluctance to extend a current loan facility (without a residential asset to secure the loan on) could have an adverse effect for the 13 Employees and Business at the Derby Arms, I consider that there is special justification in this case for Committee to consider. In addition, there is also the element of visual harm to consider if this occupancy condition were to be lifted, however given the shell of the building is essentially complete and requires only an internal fit out, there will be no visual impact caused.

In conclusion, whilst the principle of the conversion of this property into a dwelling with unrestricted occupancy is considered questionable from a Policy point, it is considered that the other factors involved with this proposal, and outlined above, far outweigh this and as such I consider the lifting of the occupancy condition on the now existing building to be acceptable.

SUMMARY OF REASONS FOR APPROVAL

The requested removal of the condition is considered acceptable in this instance, and on the basis of the special circumstances of this case, and that it and would not result in any seriously detrimental effects upon visual amenity, the amenities of any nearby residents or highway safety.

RECOMMENDATION: That planning permission is GRANTED and that Condition 2 is removed.

APPLICATION NO: 3/2011/0406/P (GRID REF: SD 368356 431564)
OUTLINE APPLICATION FOR THE ERECTION OF TWO DETACHED DWELLINGS ON LAND
AT WAVERLEY ROAD, RAMSGREAVE

PARISH COUNCIL: No observations or comments received within the statutory 21-day consultation period.

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

UNITED UTILITIES: No objection to the proposed development.

ADDITIONAL REPRESENTATIONS: Eight letters of objection have been received from the occupiers of dwellings adjacent to the site, with the following points of objection raised:

1. The plans include land that is not owned by the applicant.
2. The proposed access track to the two properties is insufficient in width.
3. Access to the rear of our properties must remain available at all times.
4. We do not wish to enter into a shared drive situation with the neighbours, and as such recommend that within the legal documents for the new properties, our access is maintained.
5. Traffic flow into and out of Waverley Road is a major problem, and this will exacerbate the situation.
6. Parking in this location is at a premium and this will exacerbate the situation.

7. Is the land suitable for building due to subsidence issues prevalent in the area?
8. How would materials be stored on site to ensure access roads are kept free?
9. Loss of privacy if two storey properties are built,
10. Already a number of houses for sale in Ramsgreave, so is there a need for more?
11. Two storey properties would not be appropriate.
12. Concerns regarding the lack of facilities on Waverley Road, and the impact additional houses on it will have.
13. Concerns regarding the safety of children on the close.
14. Concerns regarding congestion caused during construction of the properties.
15. Concerns regarding impact on water pipes.
16. Entrance to Waverley Road is narrow and may be clogged up with additional cars.

Proposal

This is an outline application for the erection of two detached dwellings on land off Waverley Road, Ramsgreave. The reserved matters for which approval is sought are 'Access' and 'Layout'. There is an existing right of way across the application site that provides vehicular access to the rear of properties on Ramsgreave Road. This access will be utilised to provide vehicular access to the two properties proposed.

Site Location

The site lies within the settlement boundary of Wilpshire, as defined by the Ribble Valley Districtwide Local Plan. The site is on the east side of Waverley Road, and is partly occupied by lock-up garages but is otherwise vacant. The northern boundary of the site adjoins a vehicular access that separates the site from no. 5 Waverley Road. The western boundary is Waverley Road, whilst the southern boundary adjoins the rear of 20 and 22 Ramsgreave Road. The eastern boundary adjoins the garden of no. 20 Ramsgreave Road and the neighbouring garage site.

Relevant History

3/1982/0311/P – Renewal of outline planning permission for the erection of one detached dwelling on plot 2 on land at the rear of 22 Ramsgreave Road, Ramsgreave – Granted.
3/1982/0310/P - Renewal of outline planning permission for the erection of one detached dwelling on plot 1 on land at the rear of 22 Ramsgreave Road, Ramsgreave – Granted.
3/1979/0890/P – Erect one dwelling on Plot 2 – Granted.
3/1979/0889/P – Erect one dwelling on Plot 1 – Granted.
3/1978/1006/P – Two detached bungalows – Refused.

Relevant Policies

Policy G1 - Development Control.
Policy G2 – Settlement Strategy.
Policy T7 – Parking Provision.
Policy L4 of the Regional Spatial Strategy (RSS).
PPS3 – Housing.
Affordable Housing Memorandum of Understanding (AHMU).

Environmental, AONB, Human Rights and Other Issues

This is an outline application for the erection of two detached dwellings on land off Waverley Road, Ramsgreave, with approval of reserved matters relating to 'Access' and 'Layout' being sought. The matters for consideration in the determination of this application therefore involve an assessment of the application in relation to the currently applicable housing policy, the effects of the development on visual amenity given the likely scale of the development and the potential impact on the amenities of nearby residents. In addition, whilst the LCC County Surveyor has raised no objections from a highway safety point of view, the matter of the access will still be discussed.

PRINCIPLE OF THE DEVELOPMENT

As Committee will be aware, applications for new housing are now determined in accordance with the Saved Settlement Strategy Policies of the Local Plan which, for this development within the Settlement Boundary of Wilpshire, is Policy G2. That policy defines as acceptable, the development of sites within the settlement boundary and outside Green Belt. As the application site lies within the boundary and is outside the Green Belt, I consider that it complies with Policy G2. In addition, as a pair of dwellings within the Settlement Boundary of Wilpshire, there is no requirement under the terms of the Affordable Housing Memorandum of Understanding (AHMU) for the dwellings to be 'affordable'. This is also agreed with in the wording of Policy L4 of the RSS which states that on sites where less than 15 dwellings are proposed, no affordable housing element will be required and the proposals will be acceptable in principle providing they comply with the limits of the development as identified in the saved settlement hierarchy of the Districtwide Local Plan.

The Local Plan Policies above also however need to be seen in the context of the revised National Planning Policy Statement 3 (PPS3) para 71 which states that in the absence of a five year supply of deliverable sites, which is the current position within the Borough, planning applications for housing should be considered favourably having regard to the wider policies within the PPS and including criteria in PPS3 para 69. Paragraph 69 states that, in deciding planning applications, Local Planning Authorities should have regard to, (among other issues):

- the suitability of a site for housing, including its environmental sustainability;
- using land effectively and efficiently; and
- ensuring that the proposed development is in line with planning for housing objectives reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives.

In considering suitability in this context the following are considered to be important:

- The location of the site in relation to the settlement and its services and amenities.
- The density of the development and subsequent visual impact on surrounding areas.
- The ease of access to the site and the potential impact of the access into the site (which would be advised by Lancashire County Council Highways staff).

On this basis, whilst the location of the site is considered entirely suitable, the density of the development and its subsequent visual impact are also key factors when considering the proposal. The proposed development of this site for two dwellings is therefore acceptable in principle when considered in relation to the current housing policies and guidance.

VISUAL IMPACT/LAYOUT

The existing vehicular access/right of way through the site will be retained, with parking/access for the two properties available off it. There will be space for two cars per dwelling. The dwellings themselves will be sited to face onto Waverley Road, and will have distances of 20.5m and 22.5m between them and the properties opposite. The proposed siting of the dwellings is similar to the layout approved in 1979 and renewed in 1982.

With regards to the scale of the development, the detached dwellings have roughly rectangular shaped footprints measuring 10m x 6.2m (Plot 1) and 9.6m x 6.8m (Plot 2), and the Agent has noted that they will be approximately 1.5 to 2 storeys high. At 1.5 storeys high they envisage the ridge height to be between 6.1m and 7m, and at 2 storeys they envisage a ridge height of approximately 7.2m to 7.8m high. The Agent considers that this would reflect the surrounding development and its site within the streetscene.

Visually, any development of this site will affect the streetscene and views through the site, however in order to refuse a development the harm of a proposal must be demonstrated. With regards to the layout proposed, I am satisfied that the dwellings themselves will not overdevelop the two sites, and that they are positioned at suitable distances from neighbouring properties and adjacent garden areas. With regards to the potential scale of the two dwellings proposed, it is considered that given the position of the site in relation to nearby dwellings, the dwellings proposed should reflect those on Waverley Road itself, not those on Ramsgreave Road. Therefore, given that the two properties approved in 2009 on land north of no. 15 Waverley Road were at a height of 6.9m to the ridge, it is recommended that on any subsequent reserved matters applications, properties on this site be no more than 1.5 storeys, or a maximum of 6.9m in height.

IMPACT ON RESIDENTIAL AMENITY

One of the other concerns in regards to the proposed development is the potential overlooking/loss of privacy caused by the development of this site. The guidance provided within the SPG – “Extensions and Alterations to Dwellings” discusses a distance of 21m between existing dwellings and the proposed first floor windows of habitable rooms in new developments. However, given the spacing distances already discussed within this report, and that the Agent has expressed the view that there will be no windows in the north or south elevations of the new properties, I do not consider that the development will be likely to cause a loss of privacy to the occupiers of adjacent properties. Full details will of course be fully assessed through a reserved matters application.

ACCESS

With regards to the proposed access to the site and the required parking arrangements, the LCC County Surveyor has raised no objection in principle to this application on highway safety grounds noting that the proposed parking (2 x 2 off road spaces) and access arrangements for the two new dwellings are considered satisfactory to accommodate the anticipated movements and level of vehicular activity associated with two three-bedroom properties. In addition, there is an extant consent, 3/09/0307 for the construction of two properties and a turning head to the east end of Waverley Road, and this has been agreed in order to secure a suitable turning head on this relatively narrow road. Therefore, despite the concern raised by local residents, there are no objections to the application in principle on highway safety grounds.

OTHER ISSUES

Aside from other non-material planning considerations raised by nearby neighbours, there is concern that the right of way through the site could be compromised by the development. The Agent has supplied me with a copy of the deeds for this site, and the existing vehicular access through the site is clearly marked as being 'subject to rights of way'. Therefore, I do not consider this to be a concern that would warrant the refusal of this proposal.

Therefore, bearing in mind the above comments and whilst I am mindful of the points of objection from nearby neighbours, I recommended the scheme accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposal represents an appropriate form of development and given its design, size and location would not result in visual detriment to the surrounding countryside, nor would its use have an adverse impact on highway safety.

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

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates.
 - (a) The expiration of three years from the date of this permission; or
 - (b) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. The permission shall relate to the development as shown on Plan Reference No's TRI-0668_01, TRI-0668-02 and TRI-0668-03.

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

3. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 14 June 2011.

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

4. Detailed plans indicating the design and external appearance of the buildings, landscape and boundary treatment, parking and manoeuvring arrangements of vehicles, including a contoured site plan showing existing features, the proposed slab floor level and road level (called the reserved matters) shall be submitted to and approved by the Local Planning Authority before development commences.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and in order that the Local Planning Authority should be satisfied as to the details and because the application was made for outline permission.

5. With reference to any future reserved matters application, and notwithstanding the details submitted with the application, the preferable maximum height of the proposed dwellings on site shall be at 6.9m (one and a half storey construction) only.

REASON: In the interests of visual amenity and the potential impact upon the amenity of the occupiers of the adjacent neighbouring properties, in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and the SPG – “Extensions and Alterations to Dwellings”.

6. The car parking areas shall be surfaced or paved in accordance with a scheme to be approved in writing by the local planning authority, before the occupation of the properties.

REASON: To comply with Policies G1 and T7 of the Ribble Valley Districtwide Local Plan and to allow for the effective use of the parking areas.

NOTE(S):

1. Development on this site should be drained on separate foul and surface water systems. All foul drainage must be connected to the foul sewer and only uncontaminated surface water should be connected to the surface water system.

However, where there are established combined systems the possibility of deviation from this general policy may be discussed with the Council’s Chief Technical Officer.

2. Ribble Valley BC imposes a charge to the developer to cover the administration, and delivery costs in providing wheeled bins to each household within a new build property or provision. Details of current charges are available from the RVBC Contact Centre on 01200 425111.

APPLICATION NO: 3/20011/0420/P (GRID REF: SD 371420 433790)
PROPOSED INCREASE IN HEIGHT OF EXISTING ROOF AS APPROVED ON THE
PLANNING APPLICATION 3/2007/1139/P TO ALLOW EXTENDED ACCOMMODATION IN
THE ROOF SPACE AT THE OAKS, OLD NAB ROAD, WHALLEY OLD ROAD, LANGHO

PARISH COUNCIL: No objections.

ADDITIONAL REPRESENTATIONS: Two letters have been received from nearby residents in which objections are made to the proposal as follows:

1. The application relates to over-development in a green belt location. It now amounts to the conversion of a former agricultural building into a two-storey dwelling. Permission has already been granted for a smaller development but this application represents creeping development that amounts to urbanisation of a rural area. Further applications could also be submitted in the future.
2. The proposal will increase noise disturbance to nearby residents as a result of an increased number of visitors

and vehicular movements (an additional parking space is now proposed).

3. Increased traffic will exacerbate the existing problem of the inadequate junction of Old Nab Road with the main road in York Village, and the limitations of Old Nab Road which is single track with only one passing place between the village and the application site.
4. The roof height would be 1.2m higher than previously approved height but would be approximately 3m higher than the original roof of the building at the same point. As such, the proposal has a visual impact on the nearest dwelling, Oak Barn, and also Whittle Hall Farm, as the roof would be clearly visible from several rooms within both properties.
5. The increased noise from potentially 18 visitors on holiday could also cause disturbance to horses because a riding and training area for the breaking and schooling of young horses is less than 4m away from the development.
6. The roof would be visually obtrusive and out of character and scale compared to what is there presently.

Proposal

Permission was granted in 2008 for the conversion of a former piggery building to form two holiday lets (3/2007/1139/P). That permission involved altering the roof of the building to form two apexes, each 5.1m high. The roof above one of the proposed units already has a 5.1m high apex. At the present time, the roof above what will be the second unit has not been changed from the original single sloped roof.

The applicant considers that an increase in height of 1.2m above what was previously approved would allow the formation of a holiday let of better quality by allowing 2 bedrooms and a bathroom to be formed within the roof space. This would leave the whole of the ground floor to be used as a kitchen, dining room, lounge and utility room with a WC.

This application therefore seeks permission for the increased roof height and provision of accommodation within the roof space of one of the previously approved units.

There would be a window to one of the bedrooms in the western gable elevation. There would be roof lights to the other bedroom and bathroom, but no windows would be formed in the eastern facing gable.

The roof would be blue slates as previously approved and the larger gables would be given a rendered finish also as previously approved.

Site Location

The Oaks is a detached dwelling within a large curtilage on the south side of Old Nab Road. It is served by a small access road off Old Nab Road, which also provides access to four other residential properties. The site is within the green belt.

Relevant History

3/2007/0874/P – Conversion of piggery building and part of existing dwelling to form four units of holiday accommodation. Withdrawn by applicant.

3/2007/1139/P – Proposed change of use and conversion of piggery into two holiday lets. Approved with conditions.

Relevant Policies

Policy G1 - Development Control.

Policy ENV4 - Green Belt.

Policy RT1 - General Recreation and Tourism Policy.

Policy RT3 - Conversion of Buildings to Tourism Related Uses.

Environmental, AONB, Human Rights and Other Issues

The original permission for the conversion of the building into two holiday lets was considered to be in accordance with the requirements of Policy RT1 of the Local Plan that relates to the provision of tourism and visitor facilities in the borough. The details of the conversion scheme were also considered to be in accordance with the requirements of Policy RT3. This current proposal remains in compliance with the general aims and specific requirements of those two Local Plan Policies.

The issues for consideration therefore relate to the effects of the proposed higher roof (and larger holiday let as a consequence) on highway safety, visual amenity, the amenities of nearby residents and compliance with green belt policy.

The permission for the two units was subject to a condition requiring the implementation of improvement works to the junction of Old Nab Road and Whalley Old Road in the form of a reduction in the height of the front boundary wall of number 6 Whalley Old Road. Those works had been agreed between the applicant and the owner of that property and the appropriate Notice had been served on the owner. The works have been carried out. The County Surveyor has stated orally that, in view of this junction improvement, and as there will still be two holiday lets, he has no objections in principle to this current application on highway safety grounds.

As the higher roof would still have an appropriate natural slate finish I do not consider that its effects on visual amenity would be sufficiently different from the effects of the existing permission to justify refusal of this application on that particular ground. Similarly, I consider that the effects upon the openness of the green belt would be minimal.

The distance between the building and the nearest residential property, Oak Barn, is approximately 45m. There are also other buildings between the application site and that nearest dwelling. Given these facts, the increased height of the roof would not have any direct physical effects upon that dwelling (ie it would not be in any way overbearing or overshadowing). As no windows are proposed in the eastern elevation, the privacy of that dwelling would also not be in any way compromised. The fact that the higher building will be

seen from this and other nearby dwellings does not represent a sustainable reason for refusal of the application.

This is still to be a two-bedroom holiday let as already approved. I do not therefore consider that the proposal will result in any significant increase in general noise and activity than that which would result from the implementation of the existing permission.

I therefore do not consider there to be a sustainable reason for refusal of the application that relates to the amenities of nearby residents.

Overall, I can see no sustainable objections to the application.

SUMMARY OF REASONS FOR APPROVAL

The proposal would not have seriously detrimental effects upon the appearance and character of the area, the openness of the green belt, 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 drawing numbers 7004, 7005 and 7006.

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

3. The unit of accommodation shall not be let to or occupied by any one person or group of persons for a continuous period of longer than 3 months in any one year and in any event shall not be used as a permanent accommodation. A register of such lettings shall be kept and made available to the Local Planning Authority to inspect on an annual basis.

REASON: In order to comply with Policies G1, G5, ENV3, RT1 and RT3 of the Ribble Valley Districtwide Local Plan. The building is located in an area where the Local Planning Authority would not normally be minded to grant the use of the building for permanent residential accommodation.

4. No first floor windows shall be formed at any time in the eastern elevation of the building unless a further planning permission has first been granted in respect thereof.

REASON: In the interest of the privacy of nearby residents and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2011/0457/P

(GRID REF: SD 360767, 434427)

PROPOSED CHANGE OF USE OF HOLIDAY LET TO PERMANENT RESIDENTIAL USE AT GYPSY COTTAGE, ALSTON LANE, ALSTON, LONGRIDGE

PARISH COUNCIL: The Parish Council objects to this application as the approval of this application would result in a reduction in the stock of holiday accommodation available.

The Parish Council also observe that the application does not refer to any changes which make redundant the original planning permission for a holiday let.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR): No objections raised.

HEALTH & SAFETY
EXECUTIVE No objections raised.

ADDITIONAL
REPRESENTATIONS: None received.

Proposal

Planning permission was granted for the conversion of an existing stables/outbuilding at this site into a holiday let in November 2003 by Planning and Development Committee (Planning Application: 3/2003/0871/P). The building is detached and constructed of stone with a slate roof. The accommodation includes three en-suite bedrooms, lounge, dining room, kitchen and W/C.

This application seeks full planning permission to change the use of the building to permanent residential accommodation.

Site Location

The site is located to the south-east of Alston Lane on a track which leads to New Barn Farm. The property lies on a plot between Little Aston Cottage and Foxfields. The overall site is outside any defined settlement limit lying within land designated open countryside in the Ribble Valley Districtwide Local Plan.

Relevant History

3/2005/0636 – Proposed storage and loose boxes. Approved.

3/2003/0871 – Change of use of stables to form one dwelling for holiday letting. Approved.

3/2003/0011 – Change of use of building to offices for building firm and attached cottage. Refused

3/2002/0713 – Change of use of building to offices and dwelling with detached garage. Refused.

3/1998/0572 – Erection of four loose boxes with tack room and loft. Approved.

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy ENV3 - Development in Open Countryside.
Policy H2 - Dwellings in the Open Countryside.
Policy H15 - Building Conversions - Location.
Policy H16 - Building Conversions - Building to be Converted.
Policy H17 - Building Conversions - Design Matters.
Policy H23 - Removal of Holiday Let Conditions.

Environmental, AONB, Human Rights and Other Issues

The key issue for consideration is the principle of allowing the holiday let to become permanent residential accommodation.

In practice what we presently have is an established built development with a restricted class of residential use. In many ways there is little difference between this being a form of conversion and the proposal can be treated as tantamount to the conversion of a rural building.

The building was originally a stable block approved by the Council in 1998 (Planning Application 3/1998/0572), it lies within land designated open countryside with the saved policies of the Districtwide Local Plan, of most relevance being H23, H2 and H15.

Policy H23 concerns itself with the removal of holiday let conditions stating:

“proposals seeking the removal of conditions which restrict the occupancy of dwellings to tourism/visitor usage will be refused unless the proposal conforms to the normal development control policies of the Local Plan. Policies G5, H2, H15, H16 and H17 will be particularly relevant in any assessment”.

Saved Policy H2 concerns itself with dwellings in the open countryside and allows for:

“the appropriate conversion of buildings to dwellings provided they are suitably located and their form, bulk and general design are in keeping with their surrounds ...” (see Policies H15, H16 and H17 for further advice).

The property, the subject of this application, has already undergone one conversion scheme in a manner which is in keeping with its surroundings in terms of form, bulk and general design. Therefore it is the question over whether it is a suitable location that warrants further consideration. When assessing the conversion of rural buildings to dwellings regard is had to their location with Policy H15 of the Districtwide Local Plan offering detailed criteria on this matter. The supporting text to the Policy makes clear that:

“the conversion of appropriate buildings within settlements or which form part of an already defined group is acceptable. Problems arise however where isolated buildings in the landscape such as barns are proposed for conversion”.

The building, to which this application relates, is within a group of five dwellings which run on the north side of Alston Lane on the approach to New Barn Farm. This property is situated between two existing dwellings. Overall, I therefore consider the building to form a part of an established group of buildings. As such, if the barn/ stables that previously occupied the site were still in existence, its conversion into a dwelling with unrestricted occupancy would now be acceptable in principle and in accordance with the currently applicable policies and guidance. Therefore, I consider the use of the building for unrestricted residential purposes to be acceptable in principle.

Given no building development or external changes are involved the proposal would not have any detrimental effects on the visual amenities of the locality. The approval for the holiday let removed permitted development rights from the property and I consider that the protection of the building and its curtilage from inappropriate development is still applicable given that it is a former rural conversion and its location is within open countryside. Thus the requirements of Policies G1 and ENV3 are met.

It is not considered that the use of the building as a permanent dwelling would have any detrimental effects upon the amenities of any existing nearby residents.

With regards to the objections raised by the Parish Council, the applicant has explained that the property has never been used as a holiday let and this would seem to be true, as according to Council Tax records the occupant has been paying full Council Tax since April 2006. Even if the property had been used for its approved purpose, this application (in common with numerous recent similar applications) is still acceptable in principle. Overall, when viewed in relation to the presently applicable policies and guidance, the proposed use of the building as permanent residential accommodation is acceptable.

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 permission be GRANTED subject to the following conditions:

1. This permission 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) any future extensions and/or alterations to the dwelling 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, ENV3 and H17 and of the Ribble Valley Districtwide Local Plan.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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 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 visual amenity and adjacent residential amenity.

4. All doors and windows shall be in timber and retained as such in perpetuity.

REASON: To comply with Policies G1, H16 and H17 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

5. All new and replacement door and window head and sills shall be natural stone to match existing.

REASON: To comply with Policies G1, H16 and H17 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

6. All new and replacement gutters shall be cast iron or aluminium supported on 'drive in' galvanised gutter brackets.

REASON: To comply with Policies G1, H16 and H17 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

7. The permission shall relate to the development and curtilage as shown on Plan Drawing No 03/06/01.

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

APPLICATION NO: 3/2011/0458/P (GRID REF: SD 377156 443935)
OUTLINE APPLICATION FOR THE ERECTION OF ONE DETACHED DWELLING
FOLLOWING DEMOLITION OF OUTBUILDING ON LAND ADJACENT TO WHITECROFT,
PENDLE AVENUE, CHATBURN

PARISH COUNCIL: No observations to make on the application.

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

UNITED UTILITIES: No objection to the proposed development.

ADDITIONAL
REPRESENTATIONS: One letter of objection has been received in relation to this proposal from a nearby neighbour. An e-mail from Ribble Valley Borough Councillor Gary Scott has also been received. The following points of objection/concern have been raised in respect of this proposal:

1. The access to the site along Kaley Lane is very poor.
2. Junction of the road with Victoria Avenue is sub-standard.
3. Additional traffic will exacerbate the poor standard of the roads in this location.
4. If successful, could repairs to the junction be carried out?
5. Concerns regarding water pressure being low.
6. Access from Victoria Avenue to this site is regularly blocked by parked cars.

7. Concerns regarding suitable infrastructure for the site, in particular water, sewage and electricity supply being of sufficient capacity.
8. Concerns regarding potential legal costs relating to use of pipe work installed by occupy of Glencroft.
9. Objection to use of access to the site via Pendle Avenue, as rights only exist via Victoria Avenue.

Proposal

This is an outline application for the erection of one detached dwelling following the demolition of an outbuilding on land adjacent to Whitecroft, Pendle Avenue, Chatburn. The outbuilding lies within the residential curtilage of Whitecroft. The reserved matters for which approval is sought are 'Access', 'Layout' and 'Scale'. The site has vehicular access via Kaley Lane, which can be accessed via Victoria Avenue, and there is pedestrian access via Pendle Avenue.

Site Location

The site falls within land outside of (but immediately adjacent to) the Chatburn settlement boundary and is therefore designated as Open Countryside by the Ribble Valley Districtwide Local Plan. The site lies to the southeast corner of the Chatburn village settlement boundary, and is bounded by the A59 that runs along the southeastern boundary. Access to the site is via an existing access road in the northern corner of the site. The site itself is entirely enclosed by both deciduous, native trees and conifers.

Relevant History

3/1978/0868/P – Proposed dwelling house and garage – Refused.

3/1977/0989/P – Proposed extension – Granted.

3/1974/0915/P – One residential dwelling – Refused.

Relevant Policies

Policy G1 - Development Control.

Policy G5 – Settlement Strategy.

Policy T7 – Parking Provision.

SPG – “Extensions and Alterations to Dwellings”.

Policy L4 of the Regional Spatial Strategy (RSS).

PPS3 – Housing.

Affordable Housing Memorandum of Understanding (AHMU).

Environmental, AONB, Human Rights and Other Issues

This is an outline application for the erection of one detached dwelling following the demolition of an outbuilding on land adjacent to Whitecroft, Pendle Avenue, Chatburn. The outbuilding lies within the residential curtilage of Whitecroft. The reserved matters for which approval is sought are 'Access', 'Layout' and 'Scale'. The site has vehicular access via Kaley Lane, which can be accessed via Victoria Avenue, and there is pedestrian access via Pendle Avenue.

The matters for consideration in the determination of this application therefore involve an assessment of the application in relation to the currently applicable housing policy, the effects of the development on visual amenity given the likely scale of the development and the potential impact on the amenities of nearby residents. In addition, whilst the LCC County Surveyor has

raised no objections from a highway safety point of view, the matter of the access will still be discussed.

PRINCIPLE OF THE DEVELOPMENT

The proposal is for the development of one new unit. Ribble Valley Borough Council is currently unable to identify a 5-year supply of deliverable housing land, with this figure standing at 2.9 years as at 31/03/11 (most up to date monitoring information). Paragraph 71 of PPS3: Housing, states that where LPAs cannot demonstrate an up to date five year supply of deliverable sites they should consider favourably planning applications for housing having regard to the policies in PPS3 including the considerations in paragraph 69.

Paragraph 69 states that in deciding planning applications, Local Planning Authorities should have regard to:

- achieving high quality design;
- ensuring developments achieve a good mix of housing;
- the suitability of a site for housing, including its environmental sustainability;
- using land effectively and efficiently; and
- ensuring the proposed development is in line with planning for housing objectives.

Bullet point 3 above relates to the need for Local Planning Authorities to have regard to the suitability of a site for housing, including its environmental sustainability. The site is closely related to the main built up area of Chatburn and is closely related to local amenities and services. Although no longer designated as 'Previously Developed Land' following amendments to PPS3 in June 2010, in light of the lack of a five year land supply, the use of the garden land in this instance, which is extensive, ensures that land is used effectively and efficiently, as set out in bullet point 4. It is therefore considered that in principle, the proposals meet paragraph 69, of PPS3 criteria.

In relation to local planning policy, Policy ENV3 of the Districtwide Local Plan requires that any development must be in keeping with the character of the landscape area, and reflect local vernacular, scale, style, features and building material. In addition, the policy sets out that only development that has benefits to the area will be allowed. Due to the current lack of a 5-year land supply, it is considered that the proposals have the potential to meet policy ENV3 of the Districtwide Local Plan.

In relation to ensuring the proposed development is in line with planning for housing objectives the level of affordable housing provision on the site needs to be considered. The Affordable Housing Memorandum of Understanding (AMOU), which is a material planning consideration, is intended to be both complementary with and supplemental to the relevant policies contained within the Districtwide Local Plan with the later clearly placing the site within Open Countryside (policy ENV3, G5) where policy G5 would require development to be 100% affordable. However, as stated above, the site is closely related to the Chatburn settlement boundary and in such an instance, having regard to the current 5 year housing land supply and requirements of PPS3, the Council would adopt the approach outlined in paragraph 3.1 of the AMOU, i.e. *in all other locations in the borough [not Clitheroe or Longridge], on developments of 3 or more dwellings (or sites of 0.1 hectares or more irrespective of the number of dwellings) the Council will seek 30% affordable units on the site.* This approach is taken because of the particular location of the site in relation to the identified settlement boundary. As the number of dwellings proposed falls below the 3 dwelling threshold, the Council does not require either of the units to be affordable.

On this basis, the principle of the proposal is considered to meet the PPS3 (Para. 69) criteria and the relevant DWLP policies.

VISUAL IMPACT/SCALE/LAYOUT

The existing vehicular access into the site will be retained; with the new property being sited approximately 30m west of the existing property within the site. The two plots of land will then be separated with a post and rail fence, and a new gravel driveway will be added to access the sectioned off land. The layout includes a sufficient turning area for vehicular movement, and space for a double garage. The existing crop of trees to the north west of the existing dwelling will be retained in its present situation with the loss of only a few small trees. On this basis, the layout proposed is considered acceptable.

With regards to the scale of the development, the Agent notes within the Design and Access Statement that they seek a dwelling not exceeding 280sq.m. in floor area, and that has a height measuring approximately 6.5m to the eaves; 8.5m to the ridge. The site of the proposed dwelling is set approximately 1m lower than the existing dwelling, and whilst the existing dwelling on site is a bungalow, due to its high ridge line and it being sited on a concrete plinth, it will not appear overly dominated by a dwelling of this scale. In addition, given the difference in the style, scale and design of dwellings in the nearby vicinity, there is considered to be no character-based requirement for the property proposed to be a bungalow. Visually, any development of this site will affect views through the site, however in order to refuse a development the harm of a proposal must be demonstrated. In relation to local planning policy, Policy ENV3 of the Districtwide Local Plan requires that any development must be in keeping with the character of the landscape area, and reflect local vernacular, scale, style, features and building material. On this basis, and subject to a suitable design, I am satisfied that a property at the scale proposed could be easily incorporated on this site without significant detrimental visual impact to the area.

IMPACT ON RESIDENTIAL AMENITY

One of the other concerns in regards to the proposed development is the potential overlooking/loss of privacy caused by the development of this site. The guidance provided within the SPG – “Extensions and Alterations to Dwellings” discusses a distance of 21m between existing dwellings and the proposed first floor windows of habitable rooms in new developments. Given the spacing distances already discussed within this report, and that the Agent has expressed the view that the primary aspect of the new property will be west facing, I do not consider that the development will be likely to cause a loss of privacy to the occupiers of adjacent property. Full details will of course be fully assessed through a reserved matters application.

ACCESS

With regards to the proposed access to the site and the required parking arrangements, the LCC County Surveyor has raised no objection in principle to this application on highway safety grounds. He notes that the Design and Access Statement recognises the limitations of the site access along Kaley Lane, and that the provision of a suitably dimensioned passing place at the entrance to Whitecroft will be of considerable benefit in assisting the safe movement of vehicles to and from the site. He also considers that the level of vehicular activity anticipated from the new development, in association with the existing usage, should be considered to have reached the maximum acceptable level, and as such considers that any future development at this site would be resisted on highway safety grounds.

OTHER ISSUES

Aside from other non-material planning considerations raised by nearby neighbours, there is concern regarding the water supply to the site in that it could not cope with another property here. United Utilities have assessed the submitted application and have raised no objection.

Therefore, bearing in mind the above comments and whilst I am mindful of the points of objection from nearby neighbours, I recommended the scheme accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposal represents an appropriate form of development and given its design, size and location would not result in visual detriment to the surrounding countryside, nor would its use have an adverse impact on highway safety.

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

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
 - (a) The expiration of three years from the date of this permission; or
 - (b) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. The permission shall relate to the development as shown on Plan Reference No's MW/WPA/01, MW/WPA/02 and Location Plan.

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

3. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services, any trees to be retained on the site shall be protected in accordance with the BS5837 [Trees in Relation to Construction]. The root protection zone shall be 12 x the DBH and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection 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 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 are afforded maximum physical protection from the adverse affects of development. In order to comply with Planning Policies G1 and ENV3 of the District Wide Local Plan.

4. Detailed plans indicating the design and external appearance of the buildings, landscape and boundary treatment, including a contoured site plan showing existing features, the proposed slab floor level and road level (called the reserved matters) shall be submitted to and approved by the Local Planning Authority before development commences.

REASON: To comply with Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan and in order that the Local Planning Authority should be satisfied as to the details and because the application was made for outline permission.

NOTE(S):

1. Development on this site should be drained on separate foul and surface water systems. All foul drainage must be connected to the foul sewer and only uncontaminated surface water should be connected to the surface water system.

However, where there are established combined systems the possibility of deviation from this general policy may be discussed with the Council's Chief Technical Officer.

2. The granting of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpath 12 in the parish of Chatburn runs through the site.
3. Ribble Valley BC imposes a charge to the developer to cover the administration, and delivery costs in providing wheeled bins to each household within a new build property or provision. Details of current charges are available from the RVBC Contact Centre on 01200 425111.

APPLICATION NO: 3/2011/0547/P (GRID REF: SD 375006 442452)
PROPOSED DEMOLITION OF EXISTING DWELLING AND REPLACEMENT WITH A NEW BUNGALOW WITH 2 BEDROOMS IN THE ROOF SPACE (REVISION OF PREVIOUSLY REFUSED APPLICATION 3/2011/0185/P) AT 24 CHATBURN PARK DRIVE, CLITHEROE

TOWN COUNCIL: Object to the application on the grounds of over-development.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR): Has no objections on highway safety grounds as the proposal provides 3 off-road parking spaces for the replacement dwelling. As one of the spaces is within a garage, however, the County Surveyor considers that it would be appropriate to impose a condition to prevent the garage being used as living accommodation or used exclusively for storage purposes.

ADDITIONAL
REPRESENTATIONS:

A petition has been received stating that the undersigned “wish to object most strongly to the proposed demolition of the bungalow” as they “feel this would be a dangerous precedent to set”. The petition was signed by 65 people from 44 local addresses.

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

1. The proposed demolition of a perfectly good property is unnecessary and does not represent sustainable development. Properties of this type are presently being sold in the locality. These properties are not therefore “past their sell by date”.
2. It is claimed in the application that the existing property does not conform to current Building Regulations. The proposed replacement has 4 WC’s and 3 bath/showers. This does not constitute sustainable development. Also no mention is made in the application of the use of recycled materials.
3. Little has changed from the previous application as the dwelling now proposed will still:
 - be over-development of the site;
 - be out of keeping with the locality;
 - have detriment effect upon the light and privacy of neighbouring properties;
 - result in increased traffic to the detriment of highway safety and the amenities of the locality.
4. The two replacement trees will not fully compensate for the mature tree that was recently felled.
5. Adverse effects on the quality of life of local residents during construction works in the form of noise nuisance and parking problems due to the parking of construction vehicles on the highway.
6. Adverse effect on local property values.

Proposal

This application is the re-submission of application 3/2011/0185/P which sought permission for the demolition of a detached bungalow with an attached single garage and its replacement with what was described in that application as a bungalow with two bedrooms in the roof space.

The existing bungalow (which has no accommodation at first floor level) has overall dimensions (including the attached garage) of approximately 15m x 7.3m. Its eaves/ridge heights are approximately 2.8m/5.7m. Its walls are stone and render and it has a tiled roof.

The main front and rear walls of the replacement dwelling proposed in the previous application were to be in the same position as those walls of the existing bungalow. The side wall of the garage as previously proposed, however, was to be approximately 1m closer to the side boundary than the existing, as it was claimed that the existing garage is too narrow to accommodate a modern car. There was a single storey element projecting 4m beyond the main rear wall, and to the rear of the garage, at the southwestern rear corner of the replacement dwelling. The clearance to the rear boundary of the site in the previous application was to be 5.5m from the single storey element and 9.9m from the main rear wall.

The eaves/ridge heights of the previously proposed replacement dwelling were approximately 3m/7m at the front and (due to a change in ground levels across the site) 3.6m/7.6m at the rear.

The design of the previously proposed replacement building incorporated two front facing gables, one on each side of a central entrance door. There were windows to the proposed first floor bedrooms in the front gables. At the rear, the dwelling was to have the appearance of a bungalow with no first floor windows, but two roof lights to storage areas and one roof light to an en-suite shower room.

The replacement dwelling was to be constructed using coarsed natural stone and reclaimed natural slates.

In the original application a 1.8m high timber fence was proposed to be erected on the side/rear boundary of the site, but not projecting in front of the front wall of the replacement dwelling.

A report recommending that application 3/2011/0185/P be approved subject to conditions was considered by Committee at its meeting on 26 May 2011. Members resolved, however, to refuse the application for the following reason:

“The proposal by virtue of its size, height and siting would be to the detriment of the visual amenity of the street scene and out of keeping with the local environment and as such be contrary to Policy G1 of the Districtwide Local Plan.”

The replacement dwelling now proposed has the same ground floor area and would be in exactly the same position on the plot as the previously refused dwelling. The amendments to the refused scheme are as follows:

1. The overall roof height has been reduced by 350mm.
2. One of the previously proposed front facing gables has been deleted.
3. The roof material has been changed from slate to tile.
4. It is proposed to plant two semi-mature trees replacing a previously removed tree.
5. The previously proposed closed boarded 1.8m high fence on part of the side boundary of the site has been deleted. The existing lower and open boundary fence will now be retained.

Site Location

The application relates to a detached bungalow on a corner plot on the inside of a bend at the junction of Chatburn Avenue and Chatburn Park Drive. It is adjoined to the rear (west) by the end elevation of a bungalow on Chatburn Avenue and to the side (north) by the end elevation of

a two-storey house on Chatburn Park Drive. Opposite the site there are two storey houses on both Chatburn Avenue and Chatburn Park Drive.

The locality in general is characterised by a mixture of bungalows and two storey houses of a variety of designs and also with a variety of external materials.

Relevant History

3/2011/0185/P – Proposed demolition of existing dwelling and replacement with a new bungalow with two bedrooms in the roof space. Refused.

Relevant Policies

Policy G1 - Development Control.

Environmental, AONB, Human Rights and Other Issues

Policy H13 of the Local Plan stated that ‘within settlements, the rebuilding or replacement of dwellings will be permitted subject to the provisions of Policy G1’. Although Policy H13 has not been saved, the proposed demolition and replacement of this dwelling within the settlement boundary of Clitheroe remains acceptable in principle. The relevant aspects of Policy G1 relate to the effects of the proposed development on the appearance and character of the locality, the amenities of nearby residents and highway safety.

Application 3/2011/0185/P was considered by Officers to be acceptable with regards to those relevant considerations. Members, however, resolved to refuse the application for the reason stated previously in this report.

The applicant’s agent has sought to address the reason for refusal in this application by the amendments previously described. The proposed reduction in roof height reduces the mass of the dwelling; the removal of one of the gables, and the change from a slate to a tiled roof, would result in a dwelling that was more in keeping with neighbouring properties; the proposed replacement trees would improve visual amenity; and the deletion of the close boarded fence would assist with highway visibility and would also give a more open appearance to this corner plot to the benefit of visual amenity.

As stated in the report relating to the previous application, there is a variety of dwelling types, designs and external materials in the locality. The dwellings immediately adjoining this bungalow are another bungalow to the rear (west) and a two-storey house to the northern side. Although having accommodation on two floors, the first floor accommodation in the proposed replacement dwelling is provided within the roof space. The slightly reduced height of the replacement dwelling as now proposed will still be higher than both the existing bungalow and the neighbouring bungalow at the rear, but lower than the two storey house to the north. As with the original application, I consider that, with regards to its height, the replacement dwelling would provide an appropriate “transition” between the two existing immediately adjoining properties.

Again, in common with the previous application, I do not consider the slight increase in the overall length of the building, putting it 1m closer to the side boundary of the site to result in any serious detriment to visual amenity as there would still be a clearance of approximately 5.6m to that boundary.

Within the context of a variety of house types, designs and external materials, I considered the original proposal to be acceptable. This current proposal, however, is, in my opinion, even more appropriate to the locality through the deletion of one of the gables and the change of roof material. The dwelling now proposed would not, therefore, in my opinion, form an over-prominent or incongruous feature in the street scene.

At this point, I consider it important to note, that Members' reason for refusal of the previous application related only to visual amenity considerations and not to any detrimental effects upon the amenities of nearby residents.

With regards to the amenities of nearby residents, however, the two considerations relate to possible loss of light and loss of privacy. In my opinion, the proposal has been appropriately and carefully designed in relation to both of these considerations. Although the replacement is still higher than the existing, the fact that it has the appearance of a bungalow at the rear, with no first floor windows, is such that there would be no significant loss of light or adverse effect on the privacy of the adjoining bungalow at the rear. There are also no windows to habitable rooms in the side elevation facing the adjoining two-storey house to the north. The position of the building is also such that it would have no effects on light to that immediate neighbour.

The two storey properties on the opposite side of the road are approximately 25m away from the front elevation of the replacement dwelling within which there is now one first floor bedroom window. This is considerably in excess of the usual guideline that specifies a minimum separation distance of 21m in such circumstances. As such, I do not consider that the proposal would have any seriously detrimental effects upon the privacy of those dwellings on the opposite side of the road. Given this separation distance, there would be minimal (if any) effects upon light to those dwellings. Compared to the previous application, the effects on the privacy and light of the properties on the opposite side of the road have both been improved by the lowering of the roof and the removal of one of the gables (within which there was a first floor window).

With regards to the final consideration, the County Surveyor has not expressed any objections to the application on highway safety grounds.

A bat survey report submitted with the original application concluded that "there is no evidence that bats are using or have ever used the existing building".

The objection expressed by a number of nearby residents concerning harm to their amenities during construction works does not represent a legitimate reason for refusal of the application. However, in response to this particular objection, the applicant's agent has said that his client would restrict the works to be between 9am and 5pm Monday to Friday. It is not, however, normal practice to impose conditions relating to hours of construction work on planning permissions (even for major developments). This is because such a condition is very difficult to monitor and enforce and also because any nuisance caused by construction works at unsociable hours can be appropriately addressed through environmental health legislation. I do not therefore consider it appropriate or necessary to impose such a condition in this case.

Overall, subject to appropriate conditions, I can see no objections to the proposed development.

SUMMARY OF REASONS FOR APPROVAL

The proposed replacement dwelling would not have any seriously detrimental effects upon visual amenity, 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 drawing number 4098-03B.

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

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. The two proposed trees shall be planted in the positions shown on drawing number 4098-03B in the first planting season following the completion of the development or the first occupation of the dwelling whichever is the sooner. If, within a period of 5 years, either or both of the trees are removed, or die, or become seriously damaged or diseased, they shall be replaced by a species of similar size to those originally planted.

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

5. The integral garage hereby permitted shall be kept permanently available for the parking of a private car. Unless a further planning permission has first been granted, it shall not be converted for use as additional living accommodation nor shall it be used exclusively for storage purposes.

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

APPLICATION NO: 3/2011/0549 (GRID REF: SD 374845 441245)
SINGLE STOREY EXTENSION TO REAR OF THE EXISTING DWELLING AT 121 HIGHFIELD ROAD, CLITHEROE

PARISH COUNCIL: No observations received at the time of writing this report.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR): No objection to the proposal.

ADDITIONAL
REPRESENTATIONS:

Three letters have been received from neighbouring residents who wish to raise a number of objections and observations, summarised as follows:

- Wish to make it known to members that we are not pleased that the proposal has gone ahead prior to approval being granted.
- The builders have been working for the past month on the property and the extension is almost complete. At no time up till now have any local residents been told of 'Change of use' or 'Extensions'.
- Loss of view.
- Inappropriate materials.
- Noise disturbance.

Proposal

This is a retrospective application for the erection of an 'L-shaped' single-storey flat-roofed extension to the rear of the property. Projecting a maximum of 3 metres from the north-eastern corner, 8 metres in length and 2.7 metres in height. Materials used in its construction are pebble dashed walls with a felt roof.

Site Location

The property is a dormer bungalow, located to the northern side of Highfield Road, close to the junction of Goosebutts Lane, within the main settlement of Clitheroe.

Relevant History

None.

Relevant Policies

Policy G1 – Development Control
Policy H10 – Residential Extensions
Policy SPG – 'Extensions and Alterations to Dwellings'

Environmental, AONB, Human Rights and Other Issues

I note the comments from neighbouring residents with regards to their dismay in works being carried out to the property without them being notified. This application is in response to an enforcement enquiry, in which it was established that planning permission was required for the extension. Subsequently the owner was notified, and an application was received for the works.

I also wish to make members aware that upon contacting the applicant 'Progress Housing Group Ltd' they have confirmed that the building is to be inhabited by individuals with learning disabilities. Each bedroom will be occupied by one person, and a 24 hour support worker will be present at all time. The occupation of the building by no more than six individuals, including a household where care is provided, falls under Use Class C3, 'Dwelling House' and as such no change of use application is required.

Matters for consideration in the determination of this application are the impact of the development upon the amenity of neighbouring residents, visual appearance and any impact upon highway safety.

With regards to the latter, the County Surveyor has no objection to the application and a site visit to the property confirmed that it benefits from ample off-street parking to the front elevation.

In terms of visual impact I consider that the scale, size and design of the extension as well as the materials used in its construction are appropriate. The extension is single storey and to the rear of the property, thus ensuring that any impact upon the appearance of the street scene or neighbouring residential amenity will be minimal.

I note the concern from neighbouring residents with regards to noise disturbance as a result of the occupation of the dwelling. As the property is detached, any noise disturbance to the occupiers of neighbouring properties will be minimal, and consider that the use of the property, will be no more intensive than it being occupied by a large family.

Loss of view is not classed as a material consideration in the determination of this application.

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. This permission shall relate to Drawing No. 1105/03 entitled 'Existing Plans and Elevations' Drawing No. 1105/04 entitled 'Proposed Floor Plans and Elevations and Sections'.

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

2. 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 dwelling 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 Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2011/0579/P (GRID REF: SD 363410 436843)
APPLICATION FOR THE RENEWAL OF PLANNING CONSENT 3/2008/0660/P TO
DEMOLISH THE EXISTING BUILDING AND REPLACE IT WITH AN ENERGY EFFICIENT
DWELLING. PROVIDENCE HOUSE, PRESTON ROAD, RIBCHESTER

RIBCHESTER PARISH The Parish Council raise no objections to the proposal.
COUNCIL:

LCC ENVIRONMENTAL SERVICES EAST (HIGHWAYS OFFICER):

No observations or comments received at the time of the reports submission. However, he has raised no objections verbally and there were no objections raised to the previously approved application, Ref. No. 3/2008/0660/P.

LCC PLANNING OFFICER (ARCHAEOLOGY):

The proposal lies on the route of the Roman Road from Ribchester to Lancaster (Margary 704), a non-designated heritage asset (Lancashire Historic Environment Record PRN), and which is shown on the 1st Edition Ordnance Survey, 1:10560 (Lancashire Sheet 39), surveyed in 1844, as an upstanding earthwork running through the site.

Although the site has already been the subject of some previous development, there is still a potential for archaeological deposits associated with the road to survive on the site and to be disturbed by the development. Consequently LCAS considers that in this instance the applicants be required to undertake a programme of archaeological work, and that such works be secured by means of a planning condition, attached to any planning permission granted.

LCC ECOLOGIST:

Whilst this application is supported by the results of a bat survey and proposals to mitigate/compensate for impacts upon bats and bat roosts, the survey data is now somewhat old (2008) and the mitigation proposals refer to works being carried out in the period 2008-2009. As works have not been carried out already, and several bat active seasons have passed since the earlier application was submitted (and therefore the status of bats at this site may have changed), it would be appropriate for the applicant to submit updated information in support of this application, i.e. the results of an updated bat survey, updated mitigation proposals and timetable of works, etc.

As indicated by planning policy, guidance and legislation, potential impacts on European Protected Species and the need for mitigation and compensation should be addressed prior to determination of the application, i.e. Ribble Valley Borough Council need to have regard to the requirements of the Habitats Directive in reaching this planning decision.

ADDITIONAL REPRESENTATIONS:

Two letters of objection has been received, with the following points of objection being raised:

1. Concern regarding the proposed height of the development.
2. Concerns regarding loss of privacy.
3. Concerns regarding external appearance of the property proposed conflicting with those surrounding.
4. The existing gardens have been neglected to aid the reasons for the properties demolition.

5. Concerns regarding unauthorised curtilage extension to the rear of the property, created by the previous owner of the site.
6. Unauthorised metal gate inserted in a hedgerow by the previous owner.

A copy of this letter has been passed to the Council's Planning Enforcement Team who will investigate points 5 and 6.

Proposal

This is an application for a new planning permission to replace an extant planning permission, in order to extend the time limit for implementation, for the development of a replacement dwelling on land at Providence House, Preston Road, Ribchester, Lancashire.

Site Location

The site is located approximately 1 mile north of Ribchester, off Preston Road heading towards Longridge. The land lies within open countryside, as defined by the Ribble Valley Districtwide Local Plan.

Relevant History

3/2008/0660/P – Demolition of existing dwelling and garage. Construction of a replacement dwelling and garage. – Granted Conditionally.
3/1981/0025/P – Garage – Granted.

Relevant Policies

Policy G1 - Development Control.
Policy H14 – Rebuilding/Replacement Dwellings – Outside Settlements.
Policy ENV3 – Development in the Open Countryside.
Policy ENV19 – Listed Buildings.
PPS5 – Planning for the Historic Environment.

Environmental, AONB, Human Rights and Other Issues

This is an application for a new planning permission to replace an extant planning permission, in order to extend the time limit for implementation, for the development of a replacement dwelling at Providence House, Preston Road, Ribchester. Given that the previously Approved planning permission, Reference Number 3/2008/0660/P, remains extant, the main consideration with this application is whether there has been any significant changes to the current saved planning policies, or the introduction of any new policies that could be material considerations. In this case, the main alterations include a new PPS5 – Planning for the Historic Environment and the introduction of the Affordable Housing Memorandum of Understanding (AHMU), all of which will be covered within my report. The keys issues with regards to this proposal are therefore the actual principle of the development of the site, the visual impact, the impact upon the adjacent Listed Building, Yew Tree Farm, a designated Heritage Asset, and any potential impact on residential amenity.

PRINCIPLE OF THE DEVELOPMENT

Policy H14 of the Districtwide Local Plan states “Rebuilding or replacement of dwellings will be permitted in the open countryside, subject to the following criteria:

- i. The residential use of the property should not have been abandoned.
- ii. The impact on the landscape will be assessed in relation to that of a new dwelling, and as such careful consideration to design and use of materials must be made.
- iii. The creation of any extra curtilage will be assessed in relation to Policy H12.
- iv. The terms of Policy G1 will apply.

The proposal seeks to demolish the existing two-storey dwelling, which is of stone construction with a slate roof, and replace it with a similarly sized dwelling utilising timber cladding and a slate roof. Permission is also sought for a new detached garage to be constructed from the stone of the existing dwelling. The proposal is again submitted as part of an eco home in relation to the code for sustainable homes, with the aim to achieve Level 5 status. This will also be incorporated via renewable policies such as ground source heat pumps and wood pallet burners as well as solar collectors on the façade of the building.

On this basis, and as the permission remains extant, the proposal is considered to remain entirely suitable, and in accordance with the relevant planning policies.

VISUAL IMPACT

The design of the new property reflects that of an old barn and although the design is not visible in the immediate locality, there are timber tables and modern agricultural buildings that would be visible from the site. The height and massing of the building is of a similar proportion to the existing building, and also other buildings within the locality building, and although on a main road location, it will be set back from the highway and would be reasonably well screened. The new garage, to be built in stone, will also be on the roadside frontage, also ensures that there will be some relationship with local materials.

On this basis, given the property is within its own grounds and separate from the properties closest to it, whilst the proposal does not use materials in the immediate vicinity, I do not believe it will unduly detract from the existing locality.

IMPACT ON HERITAGE ASSETS

The new PPS5, Planning for the Historic Environment, considers how we should assess developments adjacent to designated ‘Heritage Assets’, with Policy HE10.1 stating 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.’

The proposal moves the footprint of the property further away from the adjacent Listed Building, Yew Tree Farm, and as such given this additional separation, it is considered that as a planning authority we 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. On this basis, I do not consider the proposal will have a detrimental effect upon the setting of the adjacent Listed Building.

IMPACT ON RESIDENTIAL AMENITY

The two main areas of slight concern with regards to the proposal are the balconies on the rear of the property and the window at first floor in the southeast facing elevation. However, given the orientation of the building and the distance from the balconies/window to the boundary of the site, I am satisfied that there will be no significant impact upon the residential amenity of the occupiers of the adjacent dwellings.

OTHER ISSUES

Whilst this application is supported by the results of a bat survey and proposals to mitigate/compensate for impacts upon bats and bat roosts, the LCC Ecologist notes that the survey data is now somewhat old (2008) and that the mitigation proposals refer to works being carried out in the period 2008-2009. As works have not been carried out already, and several bat active seasons have passed since the earlier application was submitted (and therefore the status of bats at this site may have changed), they consider it would be appropriate for the applicant to submit updated information in support of this application, i.e. the results of an updated bat survey, updated mitigation proposals and timetable of works, etc. As indicated by planning policy, guidance and legislation, potential impacts on European Protected Species and the need for mitigation and compensation should be addressed prior to determination of the application, i.e. Ribble Valley Borough Council need to have regard to the requirements of the Habitats Directive in reaching this planning decision.

Having discussed this with the Council's Countryside Officer, he considers that whilst a new Bat Survey should be requested for clarity, as the permission remains extant and therefore work could begin before the 19th of September 2011, a specific planning condition should be attached to any subsequent approval to ensure that the mitigation measures proposed are carried out.

As such, bearing in mind the above comments and whilst I am mindful of the points of objection from nearby neighbours, I consider the scheme to still comply with the relevant policies, and I recommend the scheme accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposal represents an appropriate form of development and given its design, size and location would not result in visual detriment to the surrounding countryside, nor would its use have an adverse impact on 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 Reference No's 1442-90, 1442-101, 1442-01, 1442-02 and 1442-110.

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

3. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

REASON: To ensure and safeguard the recording of any archaeological deposits, in accordance with PPS5.

4. Precise specifications or samples of walling and roofing materials as well as the solar collectors and photo voltaic panels 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 the materials to be used are visually acceptable in accordance with Policy G1 of the Local Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking or re-enacting that Order) any future extensions and/or alterations to the dwelling 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 Policy G1 of the Ribble Valley Districtwide Local Plan.

6. The actions included in the mitigation and compensation details A [A1 Summary & Compensation], B [C1 Capture & Exclusion] and C [C1 Bat Roosts] attached to the protected species survey dated the 5th of August 2008 shall be implemented in accordance with pages 1 to 7 inclusively.

In the event that any bats are found or disturbed during any part of the development work shall cease until further advice has been sought from a licensed ecologist.

REASON: To protect the bat population from damaging activities and reduce or remove the impact of development, and to ensure that there are no adverse effects on the favourable status of a bat population before and during the development.

7. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5m behind the nearside edge of the carriageway and visibility splay fences or walls shall be erected from the gateposts to the existing highway boundary, such splays to be not less than 45° to the centre line of the access. The gates shall open away from the highway. Should the access remain ungated 45° splays shall be provided between the highway boundary and points on either side of the drive measured 5m back from the nearside edge of the carriageway.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to permit vehicles to pull clear of the carriageway when entering the site and to assist visibility.

NOTE(S)

1. Ribble Valley BC imposes a charge to the developer to cover the administration, and delivery costs in providing wheeled bins to each household within a new build property or

provision. Details of current charges are available from the RVBC Contact Centre on 01200 425111.

APPLICATION NO: 3/2011/0599/P (GRID REF: SD 359946 437274)
PROPOSED CONSTRUCTION OF A 2 STOREY BUILDING CONTAINING 4 NO. 3-BED APARTMENTS TOGETHER WITH ASSOCIATED CAR PARKING, AMENITY SPACE AND EXTERNAL WORKS ON LAND AT WALTER CAREFOOT & SONS, BLACKPOOL ROAD, LONGRIDGE

LONGRIDGE TOWN COUNCIL: No objections to this application, as the Town Council see it as 'finishing off' the development that has already taken place in this area.

LCC ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No objections in principle to the application on highway safety grounds, subject to a specific planning condition.

ADDITIONAL REPRESENTATIONS: There have been no additional representations received within the statutory 21-day consultation period.

Proposal

This application seeks approval for the proposed construction of a 2-storey building containing 4 no. 3-bed apartments together with associated car parking, amenity space and external works. The building will measure approximately 8.85m in height to the ridge, and approximately 5.48m to the eaves, and will be finished in render with a grey slate tiled roof. The windows will be painted timber, with stone lintels, cills and mullions. The site will be separated from the existing Carefoots yard by a 2.5m high close boarded timber fence, and from the adjacent dwelling no. 1 Windsor Avenue, by a 2m high close boarded timber fence. The car park approved as part of the recent development on Victoria Street will be extended by a further four spaces.

Site Location

The site is located within the settlement boundary of Longridge, as defined by the Ribble Valley Districtwide Local Plan. The site sits to the east of the recently completed development at the former Bobbin Mill for eleven new properties, and is surrounded by a mixture of other residential properties.

Relevant History

No relevant history on this particular site however the following development was approved further up Victoria Street in February 2010.

3/2009/0646/P - Demolition of existing industrial building along the Victoria St. frontage of Carefoot plc works site and construction of a residential development comprising: - 4no. 3 bed new build terraced houses, 1no. pair new build 3 bed semi-detached houses, 1no pair of 3 bed semi-detached houses in a converted existing stone building, 3no. 2 bed apartments in a converted existing stone building (affordable housing). Associated gardens, communal areas and car parking facilities. – Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.

Policy G2 – Settlement Strategy.

Policy EMP11 – Loss of Employment Land.

Policy T7 – Parking Provision.

Policy L4 of the Regional Spatial Strategy 2008 (RSS).

Policy L5 of the RSS 2008.

Affordable Housing Memorandum of Understanding (AHMU).

PPS3 – Housing.

Environmental, AONB, Human Rights and Other Issues

The key issues with regards to this proposal are the principle of the development (including the loss of employment land), the visual impact of the development on the streetscene (including the visual impact on the character of the building to be converted to apartments), the impact on the residential amenity of nearby neighbours and the impact on highway safety. With regards to the principle of the proposed development, we must assess the scheme against the following relevant Planning Local Plan Policies G1, G2, EMP11, the AHMU, Policies L4 and L5 of the RSS and PPS3 - Housing. More specifically, there are considered to be three issues in respect of the principle of development, which are:

- the use of the site for housing,
- the loss of part of an employment site, and
- the requirement for Affordable Housing on site.

PRINCIPLE OF SITE FOR HOUSING

The proposal is for four new residential units within Longridge, and we must assess this against Policy G2 of the Local Plan and against the Affordable Housing Memorandum of Understanding. Policy G2 allows for development wholly within the built part of the settlement of Longridge, and as such, I am satisfied the principle of development is in accordance with Local Plan policy. The Regional Spatial Strategy supersedes the Local Plan document, and Policy L4 'Regional Housing Provision' of this document states "Local Authorities should monitor and manage the availability of land identified in plans and strategies and through development control decisions on proposals and schemes, to achieve the housing provision set out. In doing so they should work in partnership with developers to address the housing requirements (including local needs and affordable housing needs)." Policy L5 of the RSS covers the requirement for 'Affordable Housing', and mentions 'Plans and strategies to deliver mechanisms to secure the provision of affordable housing'. As such, another material consideration in respect of housing on this site is the Affordable Housing Memorandum of Understanding, which was subject to public consultation. Within this document it notes that 'The Council will negotiate the provision of affordable housing on all qualifying housing developments as follows: In Longridge and Clitheroe on housing developments of 10 or more dwellings, the Council will require 30% affordable units on site. As such, given that the proposal is for four market value properties within Longridge there is no requirement for affordable units, and as such the principle of the development of this site for housing is accepted.

LOSS OF EMPLOYMENT SITE

With regards to the loss of part of an employment site, Policy EMP11 of the Local Plan states 'Proposals for the conversion or redevelopment of industrial or employment generating sites in the Plan area will be assessed with regards to the provisions of G1, the compatibility of the

proposal with other Local Plan Policies, the environmental benefits gained by the community, potential economic and social damage caused by job losses and any attempts made to secure an alternative employment use for the site.' The Agent notes, within the Design & Access Statement (DAS), that the application site forms a small corner of the works yard of construction and haulage company, Carefoot Plc., which is accessed from Blackpool Road. The site lies directly next to a pair of semi-detached dwellings, and has lain unused for a number of years now and is overgrown. Indeed the land is mainly used for overflow storage if required. As such, considering there is no impact on job losses as the site is an unused portion of the existing business, that the site is not considered suitable for another employment generating use (see above) and that the use of the site for housing complies with the other relevant planning policies, I consider the scheme to comply with Policy EMP11.

VISUAL IMPACT OF THE DEVELOPMENT

As the principle of housing this location is considered acceptable, consideration must be had as to how the proposed development will fit in with the existing streetscene and whether the visual impact will be acceptable. At present, Victoria Street includes a mixture of housing types, including terraced properties, groups of town houses and semi-detached dwellings. The development proposes the erection of a two-storey building, at a height of approximately 8.85m to the ridge, and approximately 5.48m to the eaves. It will be finished in render with a grey slate tiled roof, and the windows will be painted timber, with stone lintels, cills and mullions. The scheme has been designed to blend in with the existing residential development adjacent to, and opposite the development site, by virtue of the design and positioning of the window and door openings and the simple frontage. Whilst it will be taller in height (by approximately 1.45m) than the nearest dwelling on Windsor Avenue, given the buildings location in relation to the existing industrial building on Carefoots Yard, and its location set back from the recently approved properties fronting Victoria Street, the proposed development is considered to have an acceptable visual impact on the streetscene.

With respect to the proposed car park area, the extended, formalised parking area proposed will provide safe and easily accessible parking space for the residents of the development to limit the requirement for on-street parking, therefore bearing in mind the above, the scheme is considered to comply with the relevant Local Plan Policies and will have a minimal visual impact on the streetscene.

RESIDENTIAL AMENITY

With regards to any potential impact on the residential amenity of the occupiers of the adjacent properties, given the position of the proposed residential building on site in relation to the existing dwellings on Victoria Street and Windsor Avenue, it is considered that the closest adjacent property, no. 1 Windsor Avenue, will be the most affected. The main concern with regards to the impact on the residential of the occupiers of no. 1 Windsor Avenue is the potential significant loss of light caused by the buildings height and orientation in relation to this property. This concern was raised during the Pre-Application process with the Agent, and as such they have supplied an 'Overshadowing Report' with the submitted plans which shows a full assessment of the proposed building and its likely impact on the adjacent property by virtue of overshadowing. Having assessed the details within this report, which includes 3D imaging of the likely overshadowing, I am satisfied that by virtue of the likely overshadowing caused, the proposed building will have a minimal impact on the residential amenity of the occupiers of the adjacent property. With regards to other nearby properties, there is a distance of over 21 metres from the first floor windows of the new building to the garden areas of no. 2 Windsor Avenue, which complies with the guideline for spacing standards in this instance.

As such, I do not consider there will be a significant detrimental impact on the amenity of the occupiers of the adjacent properties by virtue of the proposed development.

HIGHWAY SAFETY

The LCC County Surveyor has raised no objections in principle to the proposed four additional car parking spaces that will be added to the existing car park on site. Indeed, whilst the applicant has proposed fewer additional spaces than would normally be required for a development of this size, it is considered that due to town centre location of the site and that the occupiers of the recently completed properties on Victoria Street mainly park on the road outside their properties, as opposed to within the car park, the proposal will not detrimentally impact on highway safety at this location. The LCC County Surveyor has recommended, however, that the four proposed car parking spaces be permanently allocated for use by occupiers of the new development. On this basis, there is no objection to this proposal on highway safety grounds.

Therefore, whilst I am mindful of the points of objection from the nearby neighbour, bearing in mind the above comments, I consider the scheme to comply with the relevant policies, and as such 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 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 Reference No's 11008/P100, 11008/P101, 11008/P102, 11008/P103A and 11008/P104.

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

3. All doors and windows shall be in timber and retained as such in perpetuity.

REASON: To comply with Policies G1, H16 and H17 of the Ribble Valley Districtwide Local Plan to ensure a satisfactory standard of appearance in the interests of visual amenity.

4. 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.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking or re-enacting that Order) any future extensions and/or alterations to the dwelling including any development within the curtilage as defined in Schedule 2 Part 1 Classes A to H and Part 2, Class A, 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 Policy G1 of the Ribble Valley Districtwide Local Plan.

6. Notwithstanding the details proposed on the submitted plans, the window on the north facing elevation of the new building, at first floor level, shall be obscure glazed to the satisfaction of the Local Planning Authority and remain in that manner in perpetuity.

REASON: In order to protect nearby residential amenity as required by with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. Before the units hereby permitted become occupied, the four new car parking areas indicated on the approved plan reference number 11008/P102 shall be completed and clearly marked out for the dedicated use of the new units, in perpetuity.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan to ensure the effective use of parking areas.

8. No part of the development, hereby approved, shall be occupied or opened for trading until the approved scheme referred to in Condition 7 has been constructed and completed in accordance with the scheme details.

REASON: To comply with Policies G1 and T7 of the Ribble Valley Districtwide Local Plan and in order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the development.

NOTE(S)

1. The applicant is reminded of the need, when drawing up details for any subsequent "approval of details", to take account of the needs of making the development accessible to and usable by disabled people. Your attention is particularly drawn to the requirements of Part M of the Building Regulations 1985 which establishes requirements for satisfactory access to parts of certain buildings and, in some circumstances, to provide suitable sanitary accommodation.
2. Ribble Valley BC imposes a charge to the developer to cover the administration, and delivery costs in providing wheeled bins to each household within a new build property or provision. Details of current charges are available from the RVBC Contact Centre on 01200 425111.

D. APPLICATIONS UPON WHICH COMMITTEE DEFER THEIR APPROVAL SUBJECT TO WORK DELEGATED TO DIRECTOR OF COMMUNITY SERVICES BEING SATISFACTORILY COMPLETED

APPLICATION NO: 3/2010/0719/P (GRID REF: SD 372930 441082)
PROPOSED RESIDENTIAL DEVELOPMENT OF UP TO 270 DWELLINGS, DOCTOR'S SURGERY, LANDSCAPE, OPEN SPACE, HIGHWAYS AND ASSOCIATED WORKS AT LAND OFF HENTHORN ROAD, CLITHEROE

TOWN COUNCIL: Object on the following grounds:

1. It contradicts Policy G2 which states that:
 - (a) Within the plan area developments will be mainly directed towards land within the main settlement boundaries.
 - (b) Clitheroe – consolidation and expansion of development and rounding off development. In all cases this must be on sites wholly within the settlement.
 - (c) Expansion – for the purposes of this plan it must be development which is in scale and keeping with the existing town.
2. The 1998 District Plan also excludes land off Henthorn Road from development under Policy ENV3.
3. Concerns regarding effects on the town's infrastructure as whilst the developer can be forced to take action regarding school places the geography of the town means that traffic is a major issue.
4. The site was not identified as one of RVBC's preferred options for development in its current LDF draft document.
5. Given the physical insularity of the site, it is unlikely to mix well with the rest of the community.

In response to the revision to incorporate a doctor's surgery, retain their objection and comments that this will be out on a limb from the Health Centre. Nor do they feel that this will have any effect on the provision of low cost property or starter homes.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

I refer to our previous correspondence, meetings and discussions concerning this application.

Further to our most recent meeting with representatives of Ashley Helme, I can confirm that I have no objections in principle to this proposal on highway grounds. However, this view is subject to the provision of a number of improvements to the highway infrastructure, deemed necessary and appropriate to facilitate the additional pedestrian and vehicular activity generated by the proposed development.

1. Bus Service Provision

The detailed Public Transport provisions will be resolved as part of a formal Legal Agreement. The provision of a new service will draw on the existing C1 service. However, while it may vary in detail, frequency and route, the agreed service will always serve the development site and Clitheroe Interchange. The bus service must be operating prior to the occupation of the 51st dwelling.

During construction and until such time as a permanent stop can be established, a temporary stop will operate from Henthorn Road at a location to be agreed.

The agreed funding measures will secure the service for a minimum five-year period, with additional measures being pursued that will require all fares collected during this period being reinvested into extending the service.

The formal Legal Agreement will detail the specific financial arrangements required to secure this additional provision.

2. Pedestrian/Cycle Link to Caravan and Camping access road

The proposed site requires a secondary pedestrian and cycle access to achieve a basic level of sustainability. The creation of such a route is proposed to tie in with an existing access from Edisford Road. This route is presently controlled by Ribble Valley Borough Council and offers access to the Edisford Caravan and Camping site.

Given the scale of the proposed development it is inappropriate to have all vehicular and pedestrian access available from a single point. This would be unsafe, impracticable or unsustainable.

Should it transpire that a formal agreement cannot be reached prior the granting of the formal planning consent, I have no objection to establishing a specific Condition, as part of such consent, requiring the completion of a shared pedestrian and cycle access.

3. Cycle Provisions

The developer will provide parking stands (2 sets for 4 cycles) within the development play area and in Clitheroe Town Centre, at location to be determined by the LCC Cycling Officer.

4. Traffic Measures on Woone Lane

Measures to improve the management of traffic flows on Woone Lane are necessary in order to minimise the detrimental impact of the anticipated additional movements directly attributable to the development. In considering the means available to achieve a successful outcome, an agreed scheme involving priority working and protected parking bays has been developed in discussion with Ashley Helme Associates.

I am satisfied that this proposal, as detailed on drawings (Drawing Numbers 1222/23 and 1222/SP/02), addresses the direct impact of the additional traffic generated by the proposed development, meets the existing demand for on street parking provisions, defines measures to secure managed speeds and secures accessible footways for pedestrians.

5. Off-Site Highway Works.

The provision of the following off site highway works can be achieved without reference to an Order making process and their introduction will be agreed and scheduled by means of the Section 278 Agreement.

- a. The provision of Toucan measures at the upgraded signal controlled crossing on Whalley Road, close to Turner Street. This will assist in managing vehicle speeds and will be of specific benefit to both cyclists and pedestrians.
- b. The provision of a zebra crossing on Henthorn Road, along the frontage with Henthorn Park to the north east of Siddows Avenue. Subject to agreeing a definitive position for the crossing, this may also involve some minor footway reconstruction at Siddows Avenue and Whipp Avenue. This will assist in managing vehicle speeds and will provide a safe pedestrian route to the various facilities within the town centre.
- c. In order to maximise pedestrian access between the proposed development site and the town centre, the provision of drop kerbs along the main pedestrian desire lines, improved surface materials and pedestrian signing to the town shall be reviewed.

- d. Lancashire County Council is pursuing a 20mph Speed Limit proposal that includes the Henthorn Road area. If successful, the extent of the measures will be altered to include the proposed development.

As this matter is being dealt with directly by LCC, there will be no obligation placed on the developer to contribute toward the costs of this scheme.

- e. The provision of new red surfacing measures at a number of junctions along Henthorn Road has been discussed. I refer to Drawing 1222/21 of December 2010. With the proposed introduction of the 20mph Speed Limit, these additional measures will not be required. However, the renewal of the existing junction measures should proceed.

6. Summary and Conditions

A. The Public Transport improvements and funding arrangements, along with the funding of subsequent cycle measures shall be secured through a Legal Agreement.

B. Subject to consent being granted for this development, a condition would be imposed such that no part of the approved development would commence until a scheme for the construction of the site access and the off-site works of highway improvement had been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority. This is to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

C. The new estate road between the site and Henthorn Road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site. This is to ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

D. Before the development hereby permitted is brought into operation facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site. This is to avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

COUNTY ARCHAEOLOGY: The archaeological assessment which accompanies the application has identified that the site lies within an area considered to have a high potential to contain archaeological deposits. Consequently LCAS would recommend that the site be subject to detailed archaeological investigation and that work should be secured by means of an appropriately worded planning condition.

COUNTY ECOLOGIST: The main ecological issues arising from the proposal include potential impacts on:

- non-statutory sites (River Ribble Biological Heritage Site);
- habitats of principal importance (hedgerows, grassland);
- species of principal importance and protected species (bats, otters, water voles, badgers, white clawed crayfish, breeding birds);

Provided mitigation and compensation can be secured through planning condition the proposals should be in accordance with the requirements of biodiversity planning policy, guidance and legislation.

LANCASHIRE COUNTY
COUNCIL PLANNING
CONTRIBUTIONS:

Based upon the Policy Paper Planning Obligations in Lancashire the contribution request is as follows:

Transport

Based on the pre-application advice, and an accessibility score of 25, a sum of £1,550 was identified for each unit. Therefore, for 270 properties a highway contribution in the region of £418,500 would be sought.

Education

Using the LCC Planning Obligations Policy Paper, a yield of 0.35 primary and 0.25 secondary pupils per house has been used. Therefore, there is a possible yield of 95 primary and 68 secondary aged pupils.

Primary School Places

Whilst there are projected to be sufficient places in this area for the next 5 years, this does not take into account other developments which have been applied for but not yet received planning permission in the area.

Therefore the number of available places would be 102 less 33 = 69 places. Given that this development could yield 95 pupils, we would be seeking to make a claim in respect of the shortfall, ie 26 pupils.

Using the DCSF cost multiplier (£12,257 x 0.9) x 1.0733 per place = £307,837.

Secondary School Places

Whilst there are projected to be approximately 173 available places in 5 years, without the added impact of new housing developments coming forward, a number of recent housing developments seeking planning permission will already impact upon these schools. These developments (Victoria Mill, Primrose Mill, Former Cobden Mill, Calderstones, Barkers Garden Centre and Barrow Brook) are estimated to yield approximately 91 additional secondary pupils. The approval of all these sites will leave 82 places. Therefore, as this site is expected to yield approximately 68 pupils, we would not be seeking a contribution towards secondary places.

Please note that the number of school places in this area are under pressure from increased numbers of housing developments. If we are unable to secure this contribution for school places, Lancashire County Council will be unable to guarantee that children in this area will be able to secure a school place within a reasonable distance from their home.

Waste Management

The County Council makes vital major investments in waste management infrastructure for reasons of environmental protection and sustainability. Every district in the County is being provided with advanced treatment facilities to treat waste prior to landfilling, either directly or via purpose designed transfer stations. Since each and every new house, wherever it is in the County, has to be provided with this basic service and the Council has to comply with significant new requirements relating to the management of waste, it is considered that the Council is justified in requesting a contribution towards waste management. Based upon the Policy Paper methodology for Waste Management, the request is £129,600.

By way of summary, the likely planning contribution request for Lancashire County Council services is as follows:

Transport	£418,500
Education	£307,837
Waste Management	£129,600
<hr/>	
Grand Total	£855,937

ENVIRONMENT AGENCY: The application is accompanied by a flood risk assessment. This has been reviewed and as submitted we are satisfied that the proposed development would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. We recommend that any subsequent approval is conditioned appropriately.

UNITED UTILITIES: Have no objections to the proposal.

ADDITIONAL REPRESENTATIONS: A total of 164 letters of objection (including one with 10 signatures and a representation made on behalf of the Henthorn Housing Action Group) were received to the application as originally submitted and revised to incorporate a doctor's surgery and off site highway works. Since the scheme's presentation to Committee on 14 July 2011 there have been a further 33 letters of objection submitted. Members are referred to the file for full details of these which can be summarised as follows:

1. Concerns over the application's relationship to the wider planning process. The application was submitted ten days before the beginning of the consultation period for the Ribble Valley Local Development Framework Core Strategy. The Core Strategy suggests three broad options for development in different proportions across Ribble Valley with an open fourth possible option for alternate suggestions. Because of the size of Gladman's proposed development (which is not a preferred option) to allow outline planning permission at this stage would pre-empt the community consultation taking place on the core strategy.
2. Landowners are attempting to by-pass the Core Strategy/LDF process by submitting planning applications for individual schemes which may result in uncoordinated and poorly planned development in Ribble Valley.
3. Although the application site has been included in the SHLAA it is important to note that this does not infer that this land will ever be developed even if it complied with all current or future plan policies. As stated in the SHLAA "*the SHLAA is not a statement of Council policy, nor does it allocate land or grant planning permission.*"

4. The Regional Spatial Strategy was revoked on 6 July and no longer forms part of the development plan.
5. Concerns over the inadequacy of the Gladman consultation process for the public exhibition prior to submission of the application.
6. PPS3 'Housing' requires housing developments to be built in suitable locations which offer a good range of community facilities and with good access to jobs, key services and infrastructure. The site is not in a location which allows good access to the range of services referred to in the PPS. It also requires developments to be well integrated with neighbouring buildings and develop a mixed, sustainable community. The development will be located outside of the settlement boundary and not incorporated into any of the existing residential areas. It fails to meet essential sustainability criteria for schools, shops, health (doctors and dentists).
7. The site is outside the settlement boundary where Policy G5 states planning consent will only be granted for small scale developments. This site at 15.7 hectare cannot be considered small scale. Policy G5 recognises the need to protect the countryside from inappropriate development and therefore this large scale development should not be given planning consent.
8. The Districtwide Local Plan Section 2.1.6 states - *major expansion is not envisaged for the area, as it would not be consistent with the regional and local need to minimise unnecessary travel and protect the quality of the countryside.*

This development should be considered major expansion due to its size and scale. The Local Plan also states - *development should be directed to those parts of the area most capable of accommodating it on the basis of the need to redevelop/reclaim unused, unattractive or derelict land, the availability of public transport, the availability of existing infrastructure and services and the absence of environmental harm.* The proposed site is on greenfield land, the availability of public transport is unsatisfactory and environmental harm will be caused with loss of wildlife. Therefore as the development is not located in a suitable area an alternative should be sought.

9. Policy G8 and PPS7 seek to concentrate new housing on brownfield sites in preference to greenfield land. There are plenty of brownfield areas to build on.

10. The site lies beyond the urban boundary and will create urban sprawl.
11. It is important to retain the open spaces between the present town and river.
12. The development would detrimentally alter the area's character.
13. Policies G1, G2, G5, G8, H2, H8, H19, H21, ENV3, ENV6, ENV7, ENV9, T1 and T2 of the Districtwide Local Plan would preclude development of this site. The scheme is also contrary to the provisions of PPS1, PPS3, PPS7, PPS9, PPS13.
14. The area is Green Belt.
15. If housing is really needed then there are more appropriate sites such as the Grammar school land by Clitheroe Hospital and also opposite giving good access to the A59.
16. Building 270 houses on this site is excessive.
17. No plans to build shops or community facilities as part of the scheme.
18. There are many houses for sale so why do we need more.
19. Should we wait until the findings of the review into Government targets for housing are published.
20. Paragraph 3.2.7 of the Districtwide Local Plan states that proposals on sites covering open land in excess of 1 hectare will not be considered appropriate.
21. No information has been submitted in respect of a full survey of the extent of housing need and methods by which the accommodation shall be let/sold or managed and retained as suitable for its original purposes has been provided.
22. The majority of homes are three and four bed so not affordable.
23. The proposal amounts to 34% of the identified housing need in Ribble Valley for the next five years which is disproportionate.
24. There is no provision for the elderly or those with mobility problems.

25. The area is not sensible relative to the town's size and form, ie access to and from the site – only road is a cul-de-sac.
26. The site is remote from the A59 which is the main route across the Borough. A significant proportion of the road journeys to and from the site would involve the use of the A59 and access to the A59 from the site is extremely torturous via the town centre or the residential areas to the south and east of the town. This road network cannot cope with additional traffic.
27. The site is on the western side of the Ribble Valley railway line which is crossed by a level crossing at Thorn Street/Eshton Terrace which already causes bottlenecks on the road network when the gates/barriers are down.
28. 500 plus extra vehicles would add to existing traffic congestion.
29. Any public transport would have to travel back and forth along a road which, at present, causes problems for bus drivers.
30. The additional traffic would be dangerous for school children crossing the road near the park.
31. The only sensible highway option would be to build a branch road from Whalley Road straight across to Henthorn cutting out Greenacre Street and Woone Lane completely.
32. The proposed exit from the site onto the lane is not wide enough to take the extra traffic which will start to use the verges.
33. Traffic calming measures are needed on Henthorn Road.
34. The findings of the Traffic Assessment submitted in support of the application are questioned.
35. The traffic situation will be worsened by the closing of Petre Recycling Centre for which Henthorn is the recommended alternative.
36. The Travel Plan has no chance of working.
37. The development will lead to more congestion on the roads.
38. Henthorn Road is a popular route for dog walkers.

39. Pollution from the increased traffic levels.
40. The site is too far away from the railway station and primary bus stops.
41. The local bus service is not certain.
42. The proposed phased delivery of the site means that residents and construction traffic will be in conflict.
43. Increasing the housing stock without any increase in employment would in no way reduce the need to travel, quite the reverse – are we becoming a commuter town or have jobless people claiming benefit?
44. The cycle ways serve no useful purpose and are there to conform with a policy of national sustainable development.
45. The community park would not be accessible to all (as Gladmans claim) as those on Fairfield Estate would have to walk a mile to access it.
46. The community park and open space are to be sold to the Council and maintained by them. Is this not a heavy burden and unfair expense on ratepayers. This cost should be borne by the developer.
47. The play area is situated near the kennels and cattery and the dogs will be subject to noise disturbance which means they will bark and it will become more difficult for the owners of the kennels to keep within prescribed limited.
48. One of the play areas will result in noise disturbance – especially likely as it features a kick about area which is unnecessary as it is sited a matter of yards from current existing facilities.
49. The plans show a footpath to the football pitches and track to the caravan site – how soon before they build a road there instead?
50. No form of cycle path to the town.
51. Question whether the ecological appraisal is fully representative of the main varieties of wildlife supported within the site area throughout a yearly cycle.
52. The plan fails to adequately address the impact on the bat roost to the rear of Henthorn Farm and the colony of bats which can be seen every day behind Fairfield Drive – the developer has failed to commission a bat survey.

53. Newts are living in the waters on the proposed site.
54. Developing close to the river will have an adverse impact on its nature conservation value and effect the recreational area by it.
55. There will be a flood risk from developing close to the river.
56. The wildlife in the area would disappear.
57. The developers say they will retain hedges and trees but there will be some destruction for making way for roadways and access onto Henthorn Road with a disturbance of the root system of the trees some of which are over 100 years old.
58. Opening up the watercourse and creating ponds – will this not expose the site to potential flooding? The land already gets waterlogged after heavy rain and is slow to drain.
59. Open ponds – does this not expose children to enhanced dangers?
60. The agricultural land is not Grade 4 or 5 as Gladman's state but 3.
61. Building close to the river may cause health problems to future residents.
62. Consideration should be given to the farmer who currently uses the field and impact on his business.
63. Told that Radon gas might be in the area.
64. The developer outlined how additional funding would be directed to local schools but fails to provide sufficient consideration for medium to longer term. All the schools (5 primary and 2 secondary) are at capacity.
65. Object to the planned destruction and artificial channelling of culverts and the construction of a new culvert.
66. Question the Utilities Appraisal Report in terms of capacity issues to cope with this development – water supplies, sewage treatment, gas and electric services are at maximum capacity.
67. Hospitals are miles away placing a strain on the Ambulance service as well as Fire Brigade and Police.

68. We ought to be preserving our farmland and green countryside for future generations.
69. Daylight, sunlight and privacy concerns of adjacent residents.
70. Noise pollution.
71. Dust pollution.
72. Loss of views.
73. The campsite would be overlooked by houses which would discourage visitors.
74. Set a dangerous precedent.
75. Increase in pet numbers could impact on local wildlife.
76. The only people to benefit will be the builders with no benefit to the local community.
77. If land is needed why not use the desolated land near Primrose Lodge.
78. This is a moneymaking opportunity for people who have no regard for the area.
79. Although we need affordable housing, this is not the right place to build.
80. Concerns that the developer had modified the plans without public consultation.
81. With a doctor's surgery and pharmacy, it would become a mixed use site with different effects on existing communities.
82. The revised illustrative masterplan differs greatly from the original masterplan with an increase from 9 landmark buildings to at least 21 buildings of 2.5 storey height. Furthermore the majority of these are not proposed for the central part of the site inside the main road link as stated.
83. Questions over the doctor's surgery in terms of staffing and relationship with existing health centre. It is considered contrary to the provisions of PPS13.
84. Are Gladman's proposing to finance the cost of doctors/nurses/fitting out and maintain the building?
85. If planning permission is granted the developer will change the building dimensions to maximise their profit.

86. The Design and Access Statement does not take into account a non-residential use.
87. There do not appear to be any garages on the plans.
88. Reference to an application in 1979 to develop land on the southern side of Henthorn Road and reason for refusal was single access and exit into the development. Another reason was that development would constitute an undesirable extension of the built up area into the surrounding countryside to the detriment of the landscape amenity of that countryside. Surely this still applies.
89. The new location of the Spar shop changes the developer's assertion that a convenience store is within easy walking distance. The existing shop/newsagents on Henthorn Road is too small to be looked upon as a meaningful convenience store.
90. The late proposal for a doctors surgery/pharmacy has now been modified to just a surgery. It is noted that there appears to be no response from the PCT or other NHS body regarding the suitability of basing a single satellite facility on the site when a highly efficient comprehensive facility already exists within the town.
91. The revised site plan deletes the proposed access onto the playing field but it is still shown on the revised Design and Access Statement (pages 20, 29, 36, 38, 40 and 50).
92. Query the accuracy of the application form responses to questions 18, 19 and 20.
93. The creation of 2m parking bays instead of the agreed standard 2.4m bays would encourage parking on footways thus causing obstructions to pedestrians on Woone Lane. It is not acceptable for Mr Nugent to agree to a derogation of the agreed standard.
94. The creation of passing points on the modified two-way road would remove a significant number of parking places which are currently well used throughout the day. Their removal would incur the wrath of many local workers. A one way system would allow most parking to remain, without the need to park partly on the pavement as at present.
95. Question the swept path analysis of the non TRO proposal.
96. Given the uncertainty of obtaining a TRO this should be secured before the application be determined.

97. Even if a pedestrian/cycle link were created to reach Edisford Road the development would still only have a single vehicular access. If there was a blockage on the highway all vehicular access would be blocked.
98. The timing of highway provisions within the legal agreement by the time the 51st dwelling is occupied would not mitigate the effects created from the start of the development. Earlier provision of these contributions should be sought.
99. The highway scheme now put forward along Woone Lane does not address Martin Nugent's previous concern and will lead to longer delays, detours affecting other areas of the road network and potentially affecting emergency vehicle response times.
100. If 2 large vehicles meet at the passing places it will be very difficult to pass each other resulting in long delays.
101. The fallback position does not have any provision for cyclists.
102. Question why Members of the Committee were not informed of the many criticisms of the proposal which Mr Nugent, supported by his colleague Mr Watson, listed in his original submission.
103. Henthorn Farmhouse is Grade II listed and its setting must be preserved.
104. It has been demonstrated by Government Planning Inspectors at various appeal hearings that saved policies are still valid. Reference is made to recent appeals (for applications with very similar characteristics to the Henthorn proposal) that have identified matters which have elements in common with this application.

Proposal

This is an outline application to develop a site for residential use including landscaped areas, open space, highways and associated works and as amended incorporates a doctor's surgery. The site is greenfield and has an overall site area of approximately 15.7 hectare. Matters of access are being applied for at this time. The component parts of the application are as follows:

Residential (8.27 hectare)

The proposed development will comprise up to 270 dwellings on approximately 8.27 hectare of the overall site. With regards to a mix of dwellings, this had not been fixed at this stage but the Design and Access Statement submitted in support of the application, proposes a mix of dwelling types from 2 to 5 bedroom units, comprising a range of house types with predominantly

semi detached and detached properties and also some terrace/linked mews cottages which would offer a mix of market housing from first time homes to larger family homes.

The proposed layout is a reserved matter for consideration at a later stage. However an illustrative layout has been provided which indicates the principle of the urban structure (ie the framework and the layout of the streets and routes) and the urban grain (ie the location, arrangement and design of the development blocks, plot arrangement and the green infrastructure). The plan provides an approximate location of buildings within the residential zone and how the built form could relate to the streets and the public realm. It shows vehicular access to the site via a realignment of Henthorn Road (details discussed under highway section) with this one primary access point looping around the core of the site. A lower density arrangement of Lanes will extend outwards from the loop to serve the north and northwestern sections of the overall site. The central loop has been designed to provide a strong sense of place with landmark (2.5 storey) buildings located at key junctions and arrival points. The layout of streets throughout would provide a well overlooked network of public spaces. The submitted Design and Access Statement refers to the indicative layout as a distorted grid which will allow for some block and building variation to create visual relief and variety within the street network.

The approach to site layout means that there will be a range of block densities from 30 to 40 dwellings per hectare. The average net density across the site is stated as 32.6 dwellings per hectare.

The scale of the built development would vary around the site. In general the lower density areas of the site's new properties would be two storeys in height (up to 9m maximum height) with some focal buildings of 2.5 storey (up to 10m maximum height) fronting a traditional street layout. The lower density areas would occupy the periphery of the site backing onto the existing residential edge and fronting onto peripheral landscape buffers and public open space. The principle is that both wide and narrow plan forms will be used to give variety to the streetscene. Wide plan dwellings are defined as having a wide frontage onto the street with a shallow depth. These will be between 7-15m in length with a building width (depth) of around 6-10m. Narrow plan dwellings are defined as having a narrow frontage onto streets. They will have a frontage which is between 4-6m in length with a building depth of around 11-15m.

Affordable Housing

In respect of the affordable housing element the overall housing mix will include up to 30% affordable housing which will be accommodated in small clusters and evenly distributed around the development.

The affordable units will comprise the following and be provided on a phased basis in relation to occupancy of the market dwellings on site.

Social rented housing 27 units	(6x2 bedroom dwellings) (6x3 bedroom dwellings) (5x4 bedroom dwellings) (10 bungalows)
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Affordable rented housing 27 units	(9x2 bedroom dwellings) (9x3 bedroom dwellings) (9x4 bedroom dwellings)
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Shared ownership 27 units (6x2 bedroom dwellings)
 (6x3 bedroom dwellings)
 (5x4 bedroom dwellings)
 (10 bungalows)

Green Infrastructure/Community Park/Equipped Children's Play Space (7.33 hectare)

The illustrative masterplan shows a strong green framework of structural landscape and habitat areas on approximately 7.33 hectare of the overall site. As originally submitted the draft Legal Agreement made provision for this land to be transferred to Ribble Valley Borough Council with an ongoing maintenance contribution paid. However, this option has now been deleted from the Agreement with all green infrastructure/community parkland and equipped children's play space to be maintained by a management company. The details of this aspect of the proposal are as follows:

Community Park

Given the settlement edge character and existing playing field provision adjacent to the site no formal sports facilities are proposed for the development. Instead a new informal rural edge community park is proposed at the site's western extreme which will incorporate new footway connections to the riverside recreational areas. It would be a parkland with meadow and tree/woodland planting. There would be two water features for ecological enhancement and a balancing pond as part of the sustainable urban drainage proposals for the overall site.

Equipped Children's Play Space

Two local equipped areas of play are proposed offering toddler, child and teenage play provision. One of these is at the point where the community park meets the residential zone of the proposed development with the other to the northern tip of the site where it abuts a kennels and cattery facility and playing fields.

Green Infrastructure and Landscaping

The plans show strengthened landscape planting at the site boundaries and a green corridor running north/south through the central core of the site with ecological enhancement including a reinstated watercourse. There is to be another watercourse running north/south at the western extreme where the site borders a caravan site. In addition to the landscape buffer planting, there are small areas of general landscaped areas within the overall site and street scene that include both planting and balancing pond (4 in total) for the sustainable urban drainage system proposals.

Acoustic Measures

There is a kennels and cattery to the north of one of the proposed play areas and in order to mitigate any noise an acoustic fence is shown on the illustrative masterplan. At this outline stage, no precise details of this have been submitted.

Highways

Vehicular

It is proposed that vehicular access to the site is via a realignment of Henthorn Road south of the property named White House. The new alignment will provided a route into the application

site and is to be designated a priority route. The existing length of Henthorn Road south west of the new site access alignment is to be realigned to form a priority (give way) control 'T' junction with the new site access road alignment. The internal road layout for the outline application is to be the subject of reserved matters application(s).

Pedestrian

Improvements to local pedestrian infrastructure are identified to be implemented with the underlying principle and objective being to achieve improvements to assist pedestrians at crossing desire lines from the site along the walk route of:

- Henthorn Road; and
- Garnett Road/Lancaster Drive (to Edisford Road).

Pedestrian improvement works will comprise:

- Reduce corner radii at junctions to reduce pedestrian crossing width.
- Introduce dropped kerbs on pedestrian desire line, ie shortest walk distance instead of expecting pedestrians to walk longer distance around corners, diverting from the crossing desire line.
- Introduce pedestrian refuges on roundabout arms.

In addition to these measures, further discussions between the applicant's highway consultants and the County Surveyor have led to the addition of funding for the introduction of improvements to assist pedestrian crossing movements as follows:

- Henthorn Road: pedestrian crossing assistance near the park entrance (zebra crossing) complimented by cycle signage. The precise location and details will be confirmed by LCC at the time when this is to be introduced.
- Whalley Road: existing pedestrian crossing just south of Greenacre Street to be upgraded to a Toucan crossing (ie pedestrians and cyclists).

The requirement of the developer in respect of these would be fully discharged by the entering into the appropriate legal agreement to make the required funding available. The responsibility for introducing the measures would rest with LCC.

Bus Service Provision

It is proposed that, as part of the proposed residential development, a new bus stop is introduced within the site, the detailed location to be agreed as part of the reserved matters application for the internal site road layout.

The applicants have undertaken investigations and made enquiries of various parties in respect of bus service provision. This included formal approaches to three bus companies with all three expressing interest in operating a replacement/extended C1 service. On the basis of this, the applicants undertake to make the following commitments:

- To fully fund for five years of operation a bus service based on the current C1 service, extended to serve the development with access via Henthorn Road.

- The details of the routing of the bus service will be determined by LCC, with the provisos that the service route must include the development's bus stop on every scheduled run, and that the route must operate between the site and Clitheroe town centre including a stop at the rail station.
- The bus service will operate through the day and in the evenings on Monday to Saturday and additionally a Sunday service at reduced frequency.
- The bus service must be operating prior to occupation of the 51st dwelling.
- 100% of the fare box revenues from the bus service funded by the developer are to be placed in a fund to be ring-fenced and retained solely for the purpose of providing further funding for the bus service to continue to operate when the five years funding provided by the developer ends. For the avoidance of doubt the developer commits to retaining none of the fare box revenue.
- A bus stop is to be provided on the development's internal road network prior to the occupation of the 51st dwelling. This is to be to the LCC bus stop quality standard, and the location is to be agreed with LCC.
- The carriageway width of the internal road layout, that remains to be approved as reserved matters, must be adequate to accommodate the bus service along the length of development road that it is to be routed.
- In the interim period between the occupation of the first dwelling and until the occupation of the 51st dwelling, a temporary additional bus stop, of a flag and pole type, is to be introduced on Henthorn Road near the development site access, the detailed location to be as required by LCC.

The applicant's traffic consultant concludes that the developer bus service is 100% guaranteed into the future for in excess of five years, for at least 7 or 8 years or perhaps even more.

Pedestrian/Cycle Link to Caravan Road

As stated the scheme provides cycleways and pedestrian links to the Ribble Way long distance footpath. Negotiations between the applicant's Highway Engineer and the County Surveyor have led to the submission of a detailed plan to indicate a 3m wide pedestrian/cycle link between the site and Caravan Road. Thence pedestrians and cyclists can traverse the tarmac surface of the Caravan Road to make their way to/from Edisford Road and various amenities.

Cycle Parking

Following negotiations, it is proposed to introduce cycle parking at the following locations:

- Development play area - parking stand to accommodate 4 cycles (developer to provide).
- Clitheroe town centre - parking stand to accommodate 4 cycles, location to be determined by LCC (developer responsibility fully discharged by entering into the appropriate legal agreement to make the required funding available). The responsibility for introducing the cycle parking resting with LCC.

Henthorn Road Traffic Management and Road Marking Scheme

The applicant will provide funding for a 20mph sign only scheme with complimentary road markings on Henthorn Road. A zebra crossing (referred to under 'pedestrian' sub heading) forms part of the Henthorn Road Traffic Management and road marking scheme. This has been secured through negotiations with the County Surveyor.

Woone Lane Traffic Management

As a result of extensive discussions between the applicant's traffic consultant and the County Surveyor it is proposed to introduce traffic management measures on Woone Lane.

The preferred option would be to introduce one-way operation on Woone Lane in an easterly direction from Eshton Terrace towards Moor Lane. Should planning consent be forthcoming LCC would pursue this, including consultations, Traffic Regulation Order (TRO) process and if the TRO is successful then implementation of the scheme. The funding for this would be secured fully from the applicant.

However, if the TRO process is not successful LCC will implement an alternative scheme which does not require any TRO and can be implemented within the powers of the highway authority. This scheme includes priority working on Woone Lane with the formation of kerbed build outs and raised tables. A 3.1m carriageway width will be formed along the length of Woone Lane with protected parking bays created.

Doctor's Surgery

The scheme has been amended since first submission to incorporate a doctor's surgery (PCT facility). This would be positioned within the central core of the development site as outlined on the illustrative masterplan and be a single storey building with pitched roof and approximately 125m² gross floor area. The draft Legal Agreement outlines that land for this facility would be reserved for a period of three years with a sum of £156,250 as a contribution towards the costs of constructing the PCT facility.

Phasing

It is proposed that the scheme be developed in three phases with an indicative plan submitted that roughly splits the site down as follows:

Phase 1 – 100 dwellings.

Phase 2 – 70 dwellings.

Phase 3 – 100 dwellings.

The provision of affordable housing would be incorporated into each phase with not more than 50% of the market dwellings of any phase being occupied until the affordable element for that phase has been completed ready for occupation (see separate section on Legal Agreement content under the issues section).

The provision of open space (formal laid out and informal incidental) will also be subject to phasing and this would be specified in a Legal Agreement.

The delivery of the community woodland would also be phased in accordance with details to be set out in a Legal Agreement.

Site Location

The site is located to the northwest of Henthorn Road. Rear gardens of properties fronting Fairfield Drive abut its north-eastern extreme; directly to the north are a kennels and cattery and playing fields; to the west Clitheroe Caravan and Camping Club and the Ribble Way long distance footpath alongside the river and to the south by Siddows Hall and agricultural land. The eastern boundary of the site to Henthorn Road dog-legs around the rear of Henthorn Farmhouse (a Grade II listed building), the White House and other properties fronting Henthorn Road.

The site is approximately 15.7 hectare in size, is greenfield and in agricultural use. It lies outside the settlement limit within land designated Open Countryside with the settlement boundary immediately abutting the rear garden boundaries of properties fronting Fairfield Drive ie the north eastern boundary of the site.

The site is roughly 'L' shaped in appearance. Its topography varies throughout with land rising away from Henthorn Road with the western field descending towards the river.

Relevant History

None.

Relevant Policies

Policy G1 - Development Control.

Policy G5 - Settlement Strategy.

Policy G11 - Crime Prevention.

Policy ENV3 - Development in Open Countryside.

Policy ENV6 - Development Involving Agricultural Land.

Policy ENV7 - Species Protection.

Policy ENV9 - Important Wildlife Site

Policy ENV10 - Development Affecting Nature Conservation.

Policy ENV13 - Landscape Protection.

Policy ENV14 - Ancient Monuments and Other Important Archaeological Remains.

Policy ENV19 - Listed Buildings.

Policy H2 - Dwellings in the Open Countryside.

Policy H20 - Affordable Housing - Villages and Countryside.

Policy H21 - Affordable Housing - Information Needed.

Policy RT8 - Open Space Provision.

Policy RT18 - Footpaths and Bridleways - Improvements.

Policy RT19 - Development Which Prejudices Footpaths.

Policy T1 - Development Proposals - Transport Implications.

Policy T7 - Parking Provision.

Affordable Housing Memorandum of Understanding.

Policy DP1 – Spatial Principles – North West of England Regional Spatial Strategy to 2021.

Policy DP2 – Promote Sustainable Communities - North West of England Regional Spatial Strategy to 2021.

Policy DP7 – Promote Environmental Quality - North West of England Regional Spatial Strategy to 2021.

Policy L1 – Health, Sport, Recreation, Cultural and Education Services Provision - North West of England Regional Spatial Strategy to 2021.

Policy L4 – Regional Housing Provision - North West of England Regional Spatial Strategy to 2021.

Policy L5 – Affordable Housing - North West of England Regional Spatial Strategy to 2021.
PPS1 – Delivering Sustainable Development.
PPS3 – Housing.
PPS5 – Planning for the Historic Environment.
PPS7 – Sustainable Development in Rural Areas.
PPS9 – Biodiversity and Geological Conservation.
PPG13 – Transport.
PPG17 – Planning for Open Space, Sport and Recreation.
PPS22 – Renewable Energy.
PPS25 – Development and Flood Risk.

Environmental, AONB, Human Rights and Other Issues

Members will recall this application was deferred from the meeting on 14 July 2011 in order to seek further clarification from officers on a range of issues including highway and education matters. It is the intention that such information will be provided at the meeting but should it become available before the date of Committee it will be circulated separately to Members with copies of relevant information placed on file. The text of the previous report is repeated here with some additions in respect of reference to number and content of letters of objection received; traffic counts on the barrier controlled crossing on Eshton Terrace; a discussion about air pollution and reference to documentation submitted by the applicant about a recent decision elsewhere which they consider has a bearing on the determination of this scheme. There is also a revision to condition 12 and an additional condition relating to a travel plan.

The matters for consideration in the determination of this application are the principle of development, highway safety, infrastructure provision, ecological considerations, visual and residential amenity. For ease of reference these are broken down into the following sub-headings for discussion:

Establishing Whether the Principle of Residential Development is Acceptable on this Site/Prematurity/Applicability of RSS Housing Figures

The policy basis against which this scheme should be appraised is set out in the context of national, regional and local development plan policies. The site lies to the west of Clitheroe and is outside the existing defined settlement boundary as shown in the Districtwide Local Plan. The proposal represents a relatively significant amount of new development and the preference of the Council's Head of Regeneration and Housing would always be for schemes of this nature to be addressed through the current LDF process. The Council is at present seeking to progress its Core Strategy that will establish patterns of growth and locations where developments should be directed. It is anticipated that a preferred strategy will be published in Autumn 2011 following the consultation undertaken. It is recognised however that the Council has to determine this application, taking account of existing policy provisions and that prematurity measured against the emerging LDF is not a reason in itself to refuse the application.

The current development plan comprises both the saved policies of the Districtwide Local Plan and the Regional Spatial Strategy (RSS). Whilst Government has stated its intention to abolish the RSS, formal revocation has not yet occurred, regard must therefore be given to the RSS policies as part of the assessment process. The Council has determined in June 2010 to continue to use RSS housing requirements for both determining planning applications and progressing the Core Strategy. As Members are aware work is being undertaken on a review of housing requirements but at present there is no alternative, evidenced and tested requirement, consequently the RSS position prevails.

It is important to bear in mind however that the Adopted Saved Local Plan was prepared in the 1990's against previous Lancashire Structure Plan policies that have been superseded by Policies of the RSS. RSS policies promote different levels of growth and planned for a period beyond that of the 2006 end date for the current Local Plan. Whilst policies have been saved, there have been no revisions of the old policies to reflect new growth and the need as a result to review settlement boundaries.

In relation to the current proposal, it should be judged in the first instance against requirements of Planning Policy Statement 3 – 'Housing'. It is also important to note that the provisions within PPS3 explicitly provide for its policies to supersede existing development plan provisions. The Council cannot demonstrate a five-year supply as it is required to do therefore the tests of paragraph 69 must be applied. The main element of principle therefore becomes one of whether the site is a suitable site for residential development. PPS3 creates a presumption in favour of residential development where the tests set out in the Statement are met.

The site would be an extension to the existing settlement – Clitheroe is the main settlement in the borough in the location where growth would be expected to be directed and that would ultimately require the change to the existing settlement boundary.

Whilst there are issues of infrastructure delivery to consider as in any such large scheme from such viewpoints as highway, education, health provisions and wider impact on the town centre, overall the Council's Head of Regeneration and Housing views the site as acceptable as a land use principle. He supports the proposal's inclusion of open space and recreational enhancement of the riverside and would want to ensure that infrastructure matters generated by the scheme were capable of being delivered in a timely manner. He has also commented that in his opinion it is a pre-requisite to any approval to have a robust mechanism incorporated into any approval to ensure any infrastructure delivery is both programmed and capable of being brought forward at the appropriate time. These matters are discussed elsewhere within this report.

Affordable Housing

In considering the affordable housing element of the proposal, it is important to have regard to Policies H20 and H21 of the Ribble Valley Districtwide Local Plan and the Council's Affordable Housing Memorandum of Understanding (AHMU). Policy H20 of the Plan identifies that on sites outside defined settlement limits, schemes should provide for 100% affordable needs. However, having regard to material considerations, namely PPS3 as outlined above, I am of the opinion that as the scheme immediately abuts the saved settlement limit of Clitheroe a more relaxed approach is in order and that it is the requirements of the AHMU and Policy H21 that the affordable elements of the scheme should be assessed against.

In terms of assessing the development under the requirements of the AHMU a scheme outside defined settlement limits for three or more dwellings (or sites of 0.1 hectare or more) should provide 30% of the site for affordable provision. Policy H21 sets out the information to be submitted in support of affordable schemes in terms of who the accommodation is intended to be provided for and details of the methods by which the accommodation will be sold, let, managed and retained a suitable for its original purpose.

The scheme is made in outline for a maximum of 270 units. A draft Legal Agreement was submitted with the application and has been the subject of negotiations with the Council's Housing Strategy Officer in order to ensure that the scheme matches identified needs. Given the scheme is within the Clitheroe area, the approach taken is that development in this key

service centre should meet housing needs expressed throughout the borough and not just those specific to the parish as is the case in the villages. The negotiations have secured revisions to the originally submitted agreement with the Legal Agreement content sub-heading later within this report providing specific details of the clauses covering the affordable elements. Given the overall scale of this development at 270 dwellings, it is likely that it will be sometime before the whole development is complete if undertaken by a single house builder. Indeed it has become apparent through discussions whilst progressing this application, that it is envisaged the scheme would be developed in three phases. Due to the amount of time it may take to bring the entire scheme forward, a wording is to be incorporated into the Legal Agreement that would mean the split of dwellings referred to earlier, that reflects current housing needs, is not specifically fixed but could, if agreed in writing, be revised subject to the proviso that it still consists of not less than 30% of the residential units. Details of the 'affordable housing scheme' would be required for further submission in terms of number, type, mix, tenure and location prior to occupation of the first market dwelling. Such an approach recognises that housing needs may change over the period of time that would be involved in the implementation of such a major scheme. This approach and the content of the draft Legal Agreement have been discussed by the Strategic Housing Working Group. Originally the Group had asked that the affordable units be delivered in advance of the market units on site. However, following the submission of an independent report focussing on the merit and feasibility of this option the Group have accepted the contents of the report which clearly demonstrate that such an approach would be unviable. The general phasing agreements as outlined are acceptable with a request that as part of the details of the 'affordable housing scheme' certainty is given as to which registered provider is to be used with copies of any agreements with registered providers provided to the Council.

Highway Safety

As Members will note from the description of the various aspects of the scheme, matters surrounding highway safety have been the subject of extensive discussions between the County Surveyor and the applicant's highway consultants in order to address concerns over pedestrian and vehicular movements. The revisions to the scheme as outlined earlier within this report are considered by the County Surveyor to satisfactorily address those concerns in relation to the bus service provision, pedestrian and cycle assistance, pedestrian crossings, pedestrian/cycle link to the caravan and camping access road, cycle parking and traffic impact on both Henthorn Road and Woone Lane. In reaching this conclusion he was made aware of the comprehensive highways objection received to the development by another highways consultant (Dennis Wilson) but is satisfied that the approach and methodology adopted in assessing this scheme is reasonable in nature and robust in detail.

Members may recall that one of the local Councillors had enquired as to the accuracy of the information submitted by the applicants in terms of the number of times the barrier controlled level crossing on Eshton Terrace was closed during the peak periods. In response to this the applicants undertook further surveys of the level crossing to establish more comprehensive daily rail movements between the hours of 0700 to 1900 on two separate days during a normal working week (Friday, 8 July and Monday, 11 July). The survey identified both passenger trains and freight trains and concluded that the barriers were closed for 2 minutes on each occasion during peak periods with a maximum of 14 vehicles queuing at the barrier during this time. On the basis of the finding of the further survey work the applicants conclude that, as highlighted in the original Traffic Assessment, there would be no adverse effect upon normal traffic operations along Eshton Terrace due to the closure of the barrier. These figures were discussed with the County Surveyor from Lancashire County Council who has not made any revisions to his comments on this scheme.

It is evident from the detailed observations submitted in response to the application and its amendments, that any concerns over highway safety matters that the County Surveyor may have originally expressed have now been addressed in an appropriate manner by the applicants. Members will note that reference is made under the proposals section of this report to the potential for one-way operation on Woone Lane but that the response from the County Surveyor focuses on the scheme for priority working arrangements along Woone Lane. The reason for this is that there is no certainty that a TRO can be secured for the one-way operation - it is subject to a process outside of the remit of planning. That process is subject to public consultation with no guarantee of the outcome. Thus the County Surveyor was focussed on securing a highway scheme that can be carried out without such consultation and can be appropriately conditioned under the scope of this planning application. Therefore, for clarity, when considering the highway safety implications of this development it is the scheme for the priority working, formation of kerbed build outs and protected parking that the County Surveyor has deemed acceptable in highway safety terms. Should Committee be minded to approve the application there is a suggested condition that requires submission of off-site highway works and in the event that a TRO was successful then either details of that or the priority arrangements outlined could be submitted to comply with the requirements of that condition.

Thus, on the basis of the detailed observations of the County Surveyor, it is concluded that the scheme in its revised form with the additional off site highway works would not prove significantly detrimental to highway safety. With regard to the implementation and programming of off-site highway works, the applicants have confirmed that they are agreeable to a condition that secures the submission of the details of works linked to a programme to ensure delivery as early as possible in the development period.

Play/Open Space/Community Woodland/Parkland

Policy RT8 of the Districtwide Local Plan requires residential sites over 1 hectare to provide adequate and useable public open space. The supporting text notes that community open space within new residential areas provides a useful informal recreational facility for residents of the neighbourhood and a particular requirement will be the provision of children's play areas.

The illustrative masterplan provides for both formal and informal areas of play/open space via the two designated play areas, green corridor and informal landscaped verges throughout the site and proposed parkland area. As stated previously, the submitted draft Legal Agreement originally had clauses to allow for the transference of the aforementioned areas to the Council with maintenance/management contributions. This was discussed with the Director of Community Services and the clauses were subsequently removed from the agreement. Thus responsibility for the management/maintenance of these areas will not sit with the Local Authority but suitable conditions can be imposed on any consent granted to ensure that the formal play areas are equipped in an appropriate manner with an appropriate maintenance regime.

It would be important to ensure that should consent be forthcoming the delivery of these areas was phased with the development of the overall site and this is a consideration for inclusion in any Legal Agreement. Indeed the applicants have suggested appropriate phasing and this is discussed later within this report under the Legal Agreement heading.

Whilst Policy RT8 does not set specific quotas for establishing the level of provision, I am satisfied that the details submitted would accord with the requirement for adequate and useable space.

In terms of the community parkland area, this is an informal area of open space and would again be phased with the delivery of housing on site. The Legal Agreement will have triggers at which point temporary footpaths, layout specification, landscaping and management plans will need to be submitted/provided with the park being laid out prior to occupation of the 151st residential unit. A new area of woodland planting is welcomed as part of this overall development.

Education

This is a subject raised by objectors to the development. As Members will see from the consultation response from the Planning Contributions Team at Lancashire County Council a sum of £307,837 is sought towards primary provision. They have commented that if this contribution were not secured they would be unable to guarantee that children in this area will be able to secure a school place within reasonable distance of their home. The applicant is aware of the contribution and has included provision for this within the draft Legal Agreement – the wording is specified later in this report and has been the subject of discussions with officers at LCC. In their opinion a financial contribution is the appropriate way forward to provide enhanced primary provision and Members should be satisfied that due consideration has been given to this matter in reaching that conclusion. Thus notwithstanding the concerns expressed regarding education provision an appropriate mechanism can be inserted into any Legal Agreement to ensure a financial contribution.

Flooding/Drainage/Water Supply

There have been objections on the grounds that there will be a flood risk from developing close to the river and questions raised over the utilities appraisal report in terms of capacity issues.

The application has been submitted with a flood risk assessment. The main area of the site where the development is proposed lies within flood zone 1 which is defined as having a low probability of flooding and the Environment Agency are satisfied with the details submitted. They have requested a condition to require the submission of a scheme for surface water drainage and attenuation for the site which is standard practice. Comments have also been made regarding land contamination with a request for a condition to specify that a desk top study to identify all previous site uses and potential contaminants prior to commencement of development be imposed should consent be forthcoming.

United Utilities were consulted on the application and as Members can see from their response, no objections are raised to the development.

Members will note that under the additional representation section of this report, objections have been raised to the planned destruction and artificial channelling of culverts and construction of a new culvert. The Environment Agency have commented in their response to the scheme that they support the proposals for de-culverting the watercourse that runs across the site. They have also commented that due to the overall size of the site and location in relation to the River Ribble, prior to commencement of development, they would visit the site and carry out pollution prevention advice with the developer/contractor.

Nature Conservation – Protected Species/Landscape/Trees

This is a greenfield site and there are trees and hedgerows that align the site's established field boundaries. As part of the application an arboricultural report has been submitted which was carried out to help inform initial design and sign layout considerations. The survey focuses on the major trees within the site and those adjacent to it which may be directly affected by the

proposed development. A total of 25 individual trees and 3 groups of trees were surveyed as part of the assessment including several specimens located directly adjacent to the site boundary yet outside the ownership of the site. Trees present across the site are predominantly Common Ash with a small number of other species represented including Sycamore, Common Alder and English Oak. One specimen was assessed as needing to be removed and this is outside the site boundary within the grounds of the adjacent caravan park. The remaining trees in the main were classed as either low quality or moderate quality with two trees and one group of trees considered of high quality.

Construction of the development as per the illustrative masterplan would not result in the direct loss of trees. The layout for the residential parcels has been designed around the natural features of the site thereby maintaining the key hedgerows and trees contained within them.

The application is also accompanied by an ecological report with the findings of this assessed by not only the Council's Countryside Officer but an ecologist from LCC and the Environment Agency. Comments received confirm that the development has been designed to retain features of biodiversity value (trees, grassland, hedgerows) and that there is sufficient space within the proposed development to deliver effective mitigation/compensation for impacts on biodiversity. The River Ribble is designated as a County Biological Heritage Site and although the proposed housing development will not impact directly upon it (the community parkland being closest to it) it will be important that it is adequately protected during construction. In respect of protected species statutory consultees confirmed that significant impacts seem reasonably unlikely. According to the assessment, ponds in and adjacent to the application site are not suitable to support Great Crested Newts, surveys did not find evidence of roosting bats and it is recommended that should consent be forthcoming, conditions are imposed requiring repeat surveys or compensatory/mitigation measures. Subject to these safeguards it is considered that there is no justifiable reason to withhold consent on ecological grounds.

Noise

Reference has been made by objectors to potential noise issues associated with the play area that is adjacent to an existing kennels/cattery facility to the north of the site. In particular concern is expressed about noise from a kick about area and the relationship with the aforementioned commercial property. This relationship has been discussed with the Head of Environmental Health Services and whilst he has expressed some concern it is considered that the impact can be mitigated by the combination of the acoustic fence as shown on the illustrative masterplan and careful siting and choice of play equipment on this area. The draft Legal Agreement has clauses to ensure submission of details of on the on-site play areas and it can be ensured that no noise generating play equipment be permitted eg metal play walls in the area immediately adjacent to the kennels/cattery to the north and residential properties to the north east.

Air Pollution

Throughout the progress of the application there have been ongoing discussions between the applicant and the Council's Head of Environmental Health Services about the possible implications of this scheme on air pollution both from the residential units and traffic associated with the development. Air quality reports have been submitted and assessed with the detailed observations of the Head of Environmental Health Services available to view on file. For Members' information I shall summarise his comments on the impact of the development on the Air Quality Management Area recently declared by the Council in relation to Whalley Road.

“The consultant has undertaken modelling and has shown that there will undoubtedly be a small contribution to the NO₂ levels attributable to the increased traffic from this development of 0.54/µgm/m³ on the annual mean concentration. This contribution should be a small material factor to be considered and recognised in context.”

Given the small contribution he does not consider that there would be a significant effect on air quality levels that could be sustained as a reason for objecting to this development.

Layout/Scale/Visual Amenity

As stated previously, this is an outline application with the only detailed matter being applied for at this time being the means of access. However there is a requirement for submissions to provide a basic level of information in respect of use, amount of development, indicative layout and scale parameters in order for a Local Planning Authority to make detailed consideration on the use and amount of development proposed.

An illustrative masterplan has been submitted to show how the scheme would fit into the immediate surroundings with built development along its north eastern boundary, a caravan site and river to its west and playing fields to its north. In visual terms, I am of the opinion that, notwithstanding comments received about the need to retain the open spaces between the present town and river, no significant detriment would be caused were the development to be approved. Reference has been made to urban sprawl and this scheme would extend the development edge of the town by approximately 250m beyond that of Fairfield Drive and 350m at the point that the residential development would join the caravan site. Clitheroe has grown incrementally over the years and I do not consider that the level of growth proposed here would be disproportionate in visual terms. The roughly ‘L’ shaped appearance of the site means that the housing is limited to a band that runs roughly parallel to the existing settlement limit following established field boundaries with the dog leg being part of the site that extends westwards towards the river. It is the latter that is to form the community park, thereby maintaining an open setting between the town’s development edge and the riverside. The site rises and the parkland is on the ridgeline as viewed from Henthorn Road and such a use would not I consider significantly compromise the visual amenities of the area.

In respect of scale parameters the height limits of 9m and 10m would not I consider appear over-dominant. Committee should remember these are an indication of the upper height limits for 2 and 2.5m storey properties and further information will then be submitted at reserved matters stage to provide precise details of each unit in terms of scale and appearance. The site would be predominantly two storey in nature with the 2.5 storey units detailed at key junctions within the site (21 in total).

Objectors have commented that the plans show a footpath to the football pitches and track to the caravan site and question how soon it is before a road is built there instead. For Committee’s information the footway link between the northern most play area and adjacent football pitches has been deleted from the scheme following discussions with the Director of Community Services. As for the footway link to the track leading to the caravan site, this has been the subject of negotiation with the County Surveyor in order to increase the accessibility of the site with plans to make this a cycleway. Committee should consider the scheme before them in its own merits and not speculate as to what may or may not come forward at a future date.

Comments have been made that building 270 houses on this site is excessive but PPS3 remarks that using land efficiently is a key consideration in planning for housing. Should 270 units be developed on this land that would represent a density of 32.6 dwellings per hectare and

I do not consider that this would be out of keeping with the character of the immediately surrounding areas.

Residential Amenity

In considering residential amenity it is important to assess the relationship with properties outside of the site as well as that between units proposed as part of this scheme. To the east are properties that front Fairfield Drive and Fairfield Close with properties fronting Henthorn Road to the south east boundary.

Properties on Fairfield Drive would back onto the development with the illustrative masterplan denoting the rear elevation of properties facing onto these units at a distance of approximately 10m from the rear garden boundary. Given that the Fairfield Drive properties are set between 15m and 30m away from the site boundary I consider the relationship between built forms would be acceptable. The two end of cul-de-sac properties on Fairfield Close have their gables to this site boundary and whilst distance between properties here would be reduced this is still considered an appropriate relationship. Having regard to the properties that front Henthorn Road, again I consider the relationship shown on the illustrative master plan to be acceptable.

In terms of the actual scale of development on the areas of the site that abut existing residential areas, these dwellings would be two storey in nature at a maximum height of 9m. Notwithstanding concerns expressed about daylight, sunlight and privacy, I do not consider this would prove significantly detrimental to the residential amenities of properties bordering the site.

In respect of the internal relationship of the development site, the illustrative layout shows properties facing onto internal access roads or landscaped areas. From the submitted plan it would appear that the separation distance between facing blocks of development may be less than the 21m advocated in the Council's SPG on extensions and alterations to dwellings (distances of approximately 15m to 20m). However, it is important to remember that this is a new development and that potential purchasers will be fully aware of the relationship between various residential blocks prior to buying a certain property. It is also important to remember that this is an outline scheme with matters of layout reserved for future submission. Whilst details submitted set the broad parameters of development there would be scope for a minor repositioning of the blocks to achieve a greater separation distance.

Renewable Energy

Whilst this is an application made in outline, it is important to set out at this stage that the Local Planning Authority will be seeking a commitment towards renewable energy in line with Central Government guidance offered in PPS1 and PPS22. Indeed the applicants have submitted a Renewable Energy and Sustainable Resources Strategy and Building for Life Evaluation in response to the Council's requirement of a minimum of 10% of the energy requirements generated by the development to be achieved by renewable energy production methods. It is very difficult to demonstrate definitive compliance against such policy objectives at outline stage as meeting the standards concerned is inherently bound up with detailed design specification issues. Thus an appropriately worded condition should be imposed on any consent granted to require further submission of such details.

Doctor's Surgery (PCT Facility)

This was not included in the original submission but the applicant chose to engage in dialogue with the Primary Care Trust to assess the likely impact of this development on health services in the locality. It was following these discussions that the illustrative masterplan was revised to

indicate a proposed PCT facility. It is not the intention that the applicant would built this facility (see Legal Agreement sub-heading within this report) and the offer made as part of this submission has been discussed with the PCT. They requested some revisions to the drafting of the Legal Agreement which have been secured.

Miscellaneous

There are a number of points raised by objectors that do not sit easily within the headings given to consider the main issues associated with this scheme. Some of the points raised are matters of opinion eg the consultation process for the public exhibition prior to submission of the application and that it is a money making opportunity for the people who have no regard for the area which are not matters for the Local Planning Authority to pass comment on. However, I shall attempt to address the other issues raised.

Objectors have questioned the need to develop the site for housing given the number of dwellings for sale in the area but the Council are required to have a five-year land supply. Thus new land for development within the borough needs to be sought out and permission granted should the scheme comply with plan policies that are in place at the time of determination.

In respect of the suitability of other sites for housing, Committee needs to treat each application on its own merits. It may be that the sites objectors consider to be more suitable may not be held to comply with policy.

The issue of loss of view has been raised but as Members are aware this is not a material planning consideration. As stated earlier the site lies within land designated open countryside and not green belt as some objectors believe. In respect of Radon gas, I have spoken to the Council's Head of Environmental Health who has raised no concerns on those grounds. He has considered potential air quality issues from both the construction of the houses and associated traffic and concludes that any impact would be small and thus does not raise any objections.

I am mindful that Henthorn farmhouse is a Grade II listed building and that regard should be had to paragraph 66(i) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE10 of PPS5. I am of the opinion that there would not be any significant harm to the setting of that building were this development to proceed.

Reference has been made to an application 1979 to develop land on the southern side of Henthorn Road for residential development which was refused on grounds of highways ie a single access/exit and that the scheme would constitute an undesirable extension of the built up area. There have been a number of development plans in place covering Clitheroe in that time and planning policies at both a local and national level have evolved over the intervening years. Whilst the site is outside the settlement boundary and would lead to an extension of the built up area, the planning policy and visual amenity issues associated with this have already been discussed. It is also evident that extensive negotiations have been ongoing to explore highway issues and that under current guidance the scheme is deemed to be acceptable.

The applicant has submitted details of a planning permission granted consent by the Secretary of State on the 21 July 2011 for a site at Clayton-le-Woods, Chorley, where they feel some of the main issues are clearly similar in context to the main issues under consideration for this scheme. That letter is on file for Members to view and concerns a residential development outside a settlement boundary made in outline for up to 300 dwellings.

Legal Agreement Content

The application has been submitted with a draft Legal Agreement to cover matters of affordable housing, open space, on-site play equipment, PCT facility, public transport improvements and education contribution. This report has outlined in detail these aspects and taken account of comments from respective consultees/officers of this Council who are responsible for those matters. To clarify for Members, the Legal Agreement will stipulate the following:

1. *Affordable Housing*

- The total number of affordable units shall consist of not less than 30% of the residential units on site.
- 27 of the units shall be social rented housing (which shall be made up of 6x2 bedroom dwellings, 6x3 bedroom dwellings, 5x4 bedroom dwellings and 10 bungalows).
- 27 of the units shall be shared ownership (which shall be made up of 6x2 bedroom dwellings, 6x3 bedroom dwellings, 5x4 bedroom dwellings and 10 bungalows) to be occupied in accordance with the order of priority set out in the shared ownership occupancy criteria.
- 27 of the units shall be affordable rented housing (which shall be made up of 9 x 2 bedroom dwellings, 9 x 3 bedroom dwellings and 9 x 4 bedroom dwellings) to be allocated in accordance with the Council's prevailing allocations policy.
- Delivery of the affordable units to be phased with the provision of market units to ensure that not more than 50% of the market dwellings of any phase of development shall be occupied until the affordable units located at that phase of development have been completed ready for occupation and transferred to a social landlord.
- In terms of eligibility for the properties, this shall relate to a boroughwide connection.
- The specifics of the affordable housing scheme in terms of precise numbers, type, mix, tenure and location of the affordable units, in line with the general considerations outlined above, to be submitted to and approved in writing by the Local Planning Authority prior to the first market dwelling being occupied.

2. *Open Space*

This is defined in the draft Legal Agreement as structural landscaping and general amenity areas with the following clauses inserted:

- Not to commence development until the details and proposed location of the open space has been submitted to and approved by the Council in writing.
- Not more than 50% of the market dwellings on any phase of development shall be occupied until the open space in relation to that phase of development has been laid out and made available for use.
- The open space shall thereafter be maintained by the owner to the reasonable satisfaction of the Council until a scheme for the long term maintenance of the open

space has been submitted to and approved in writing by the Council and the approved scheme has been implemented to the satisfaction of the Council.

3. *On-site Play Areas*

- Not to commence development until details and the proposed location of the on-site play areas have first been submitted to and approved in writing by the Council.
- Not more than 50% of the market dwellings on any phase of the development shall be occupied until the on-site play area in relation to that phase of development has been provided to the satisfaction of the Council in accordance with the approved details.
- Following provision of the on-site play areas the owner shall at its own cost maintain the same to the satisfaction of the Council until a scheme for securing the long-term repair, maintenance and renewal of the on-site play areas has been submitted to and approved in writing by the Council and the approved scheme has been implemented to the satisfaction of the Council.

4. *Community Park*

- Upon completion of the 25th residential unit to lay out a temporary footpath in accordance with details to be approved in writing by the Council to link the first phase of development to public footpath number 17 within the community park.
- Prior to the first occupation of the 101st residential unit to submit for the approval of the Council details of the proposed layout specification and landscaping of the community park together with details of a scheme for the long-term maintenance and management of the community park.
- Prior to the first occupation of the 151st residential unit to lay out the community park in accordance with the details approved.
- To maintain the community park to the satisfaction of the Council until a scheme for the long-term maintenance and management of the community park has been approved.

5. *PCT Facility*

This is defined in the draft Legal Agreement as meaning a building having 125m² gross internal floorspace for use for the provision of community health facilities, together with 8 car parking spaces and associated landscaping.

- To reserve the PCT facility area for a period of 3 years and 1 month after the date of commencement of development for use as the PCT facility.
- Upon the date of transfer of the PCT facility area (ie land) to the PCT, the PCT contribution (meaning a sum of £125,000 as a contribution towards the costs of constructing the PCT facility) shall be paid to the Council.

6. *Public Transport Improvements*

- Prior to the first occupation of the 51st residential unit to procure at the cost of the owner with a bus service provider a bus service between the development and Clitheroe town centre which will operate half hourly during the hours 0700 to 0930 and 1630 to 1830 Monday to Friday and hourly at other times Monday to Sunday for a period of 5 years. To have a first departure time from the development of no later than 0730 and a last arrival time of no earlier than 1900 Monday to Saturday (0930 and 1600 on a Sunday).
- In the event that the existing bus service has ceased to operate along Henthorn Road prior to occupation of the first residential unit, the owner shall procure the bus service for a period of 5 years from the date of occupation of the first residential unit.
- All fares generated by the bus service shall be retained by the provider of the bus service to be used towards the ongoing operating costs of the bus service beyond the initial 5 year period.
- Prior to occupation of the 51st residential unit to provide within the development a bus stop to the Lancashire County Council bus stop quality standard at such location and in accordance with such details as have been approved in writing by the County Council.
- Prior to occupation of the first residential unit to pay the bus stop contribution to the County Council.

7. *Education Contribution*

This is defined as £307,837 increased by the indexation factor as a contribution towards the costs of primary school provision to serve the development with the following clauses inserted into the agreement:

- Not to occupy nor permit the occupation of the 101st residential unit until 34% of education contribution has been paid to the County Council.
- Not to occupy nor permit the occupation of the 176th residential unit until a further 33% of the education contribution has been paid to the County Council.
- Not to occupy nor permit the occupation of the 251st residential unit until the balance of the education contribution has been paid to the County Council.

Members will note that it is not proposed to request the sum LCC requested in respect of waste management ie £129,600. The contribution sought by LCC is in accordance with their policy paper on 'Planning Obligations in Lancashire' which has not been formally adopted by this Council. A report presented to Planning and Development Committee on 18 December 2008 identified priorities for this Council when seeking contributions – namely affordable housing, transport safety, open space and education. However, given the scale of development Members may wish to include waste management in the contribution sought under the Legal Agreement. Members will also see that the request for £418,500 for the provision of additional highway safety measures is not being requested. As committee will see from the content of this report, there are numerous highway improvements being provided as part of this development and it is the view of

the County Surveyor that because of this he would not be seeking the financial contribution indicated by the Planning Contributions Team at LCC.

8. *Other*

The developer is to find the administration and delivery cost totalling £29,160 in providing the appropriate number of wheeled bins.

A contribution of £18,000 in order to enable Lancashire County Council Travel Planning team to provide a range of services to the developer as described in paragraphs 2.1.5.16 and 2.15.17 of the Planning Obligations in Lancashire Paper dated September 2008.

There will also be the need for the applicant to enter into a separate Legal Agreement (S278) with LCC to secure some of the highway works as referred to in the consultation response from the County Surveyor.

Therefore, having carefully considered all the above, I am of the opinion that the scheme accords with plan policy and 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 or be to the detriment of highway safety.

RECOMMENDATION: That the application be deferred and delegated to the Director of Community Services for approval following the satisfactory completion of a Legal Agreement as outlined in paragraphs numbered 1-7 under the Legal Agreement sub heading within this report and subject to the following objections:

1. Application for approval of reserved matters must be made not later than the expiration of 5 years beginning with the date of this permission and the development must be begun not later than whichever is the latter of the following dates:
 - (a) the expiration of 5 years from the date of this permission; or
 - (b) the expiration of 2 years from final approval of the reserved matters, or in the case of approval of different dates, the final approval of the last such matter to be approved.

REASON: In order that the Local Planning Authority shall be satisfied as to the details and because the application was made for outline permission and comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

2. Detailed plans indicating the design and external appearance of the buildings, landscape and boundary treatment, parking and manoeuvring arrangements of vehicles, including a contoured site plan showing existing features, the proposed slab floor level and road level (called the reserved matters) shall be submitted to and approved by the Local Planning Authority before development commences.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and in order that the Local Planning Authority should be satisfied as to the details and because the application was made for outline permission.

3. This outline planning permission shall be read in conjunction with the Legal Agreement dated ...

REASON: For the avoidance of doubt as the application is subject of an agreement.

4. Prior to commencement of development a scheme identifying how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be provided in accordance with the approved details prior to occupation of the development and thereafter retained.

REASON: In order to encourage renewable energy and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

5. Development shall not begin until a scheme for surface water drainage and attenuation for the site, based on sustainable drainage principles and assessment of the hydrological and hydro geological context of the development has been submitted to and approved in writing by the Local Planning Authority. Details of the maintenance and management of the scheme after completion shall be included. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON: In order to comply with Policy G1 of the Ribble Valley Districtwide Local Plan in order to prevent the increased risk of flooding, to improve and protect water quality, to improve habitat and amenity and to ensure future maintenance of the surface water drainage system.

6. Development shall not begin until details of any works that will alter the existing ponds on site or details of any new ponds adjacent to them have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

REASON: In accordance with Policy G1 of the Ribble Valley Districtwide Local Plan to protect, restore and enhance the existing and/or proposed ponds within the site.

7. No development approved by this planning permission shall be commenced until:
 - a) A desktop study has been undertaken to identify all previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. Using this information and diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
 - b) A site investigation has been designed for the site using the information obtained from (a) above. This should be submitted to, and approved in writing, by the Local Planning Authority prior to that investigation being carried out on the site.
 - c) The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the Local Planning Authority.
 - d) A Method Statement and Remediation Strategy, based on the information obtained from c) above has been submitted to and approved in writing by the Local Planning Authority.

The development shall then proceed in strict accordance with the measures approved. Work shall be carried out and completed in accordance with the approved Method Statement and Remediation Strategy referred to in d) above, and to a timescale agreed in writing by the Local Planning Authority: unless otherwise agreed in writing by the Local Planning Authority.

If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.

Upon completion of the remediation detailed in the Method Statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

REASON: In accordance with Policy G1 of the Ribble Valley Districtwide Local Plan to:

- a) identify all previous site uses, potential contaminants that might reasonably be expected to given those uses and the source of contamination, pathways and receptors.
 - b) enable:
 - a risk assessment to be undertaken;
 - Refinement of the conceptual model; and
 - the development of a Method Statement and Remediation Strategy.
 - c) & d) ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site.
8. Any application for the approval of reserved matters shall include specific details of the provision of a suitable noise barrier along the northern and eastern boundaries of the play area situated in the northeastern corner of the site adjacent to an existing kennels/cattery. The measures so submitted and approved in writing by the Local Planning Authority shall then be fully implemented to the written satisfaction of the Local Planning Authority and thereafter retained in perpetuity.

REASON: In accordance with Policy G1 of the Ribble Valley Districtwide Local Plan to prevent noise intrusion from normal activities on the adjacent Highways Council Depot and commercial units on The Sidings Business Park.

9. The submission of reserved matters in respect of layout, scale, appearance and landscaping and implementation of development shall be carried out in substantial accordance with the Design and Access Statement and illustrative masterplan 4370-P-02rev1 as amended dated 13 April 2011.

REASON: For the avoidance of doubt to define the scope of this permission.

10. The new estate road/access between the site and Henthorn Road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

REASON: To comply with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan and to ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

11. Prior to commencement of construction works, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site, the wheel cleaning facilities shall be retained throughout the life of the development.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

12. No part of the development, hereby approved, shall commence until a scheme for the construction of the site access, a bollard or similar barrier arrangement on the pedestrian/cycle link at its junction with the caravan track and the off-site works of highway improvements (including their programming and implementation) has been submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

REASON: To comply with Policies G1 and T1 of the Ribble Valley Districtwide Local Plan and in order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable and scheduled to take place at an appropriate stage of development before work commences on site.

13. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

REASON: To ensure and safeguard the recording of any archaeological deposits in accordance with Policies G1 and ENV14 of the Ribble Valley Districtwide Local Plan.

14. Prior to any works taking place in proximity to habitat suitable for use by otters (*Lutra lutra*), a survey for the presence of otters shall be carried out. The survey, together with proposals for mitigation/compensation (if required) shall be submitted to the Local Planning Authority for approval in writing in consultation with specialist advisors. Any necessary and approved measures for the protection of otters shall thereafter be implemented in full.

REASON: In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan.

15. No site clearance, site preparation or development work shall take place within 5m of the riverbank top unless a water vole (*Arvicola terrestris*) survey has been carried out in advance. The report of the survey (together with a scheme for mitigation/compensation, if required) shall be submitted to the Local Planning Authority for approval in writing in consultation with specialist advisors. Any necessary and approved measures for the protection of water voles shall thereafter be implemented in full.

REASON: In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan.

16. Prior to the commencement of any works to the watercourse there shall be a survey for whiteclawed crayfish (*Austropotamobius pallipes*). The report of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to the Local Planning Authority for approval in writing in consultation with specialist advisors. Any necessary and approved measures for the protection of white-clawed crayfish shall thereafter be implemented in full.

REASON: In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan.

17. Prior to the commencement of works there shall be a repeat survey for the presence of badgers. The report of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to the Local Planning Authority for approval in writing in consultation with specialist advisors. Any necessary and approved measures for the protection of badgers shall thereafter be implemented in full.

REASON: In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan.

18. Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall be avoided between March and July inclusive. In the event that works are carried out during the nesting period a comprehensive risk assessment in order to establish the absence/presence of nesting birds shall be submitted to the Local Planning Authority prior to any works taking place for approval in writing and any mitigation measures outlined therein shall be carried out to the satisfaction of the Local Planning Authority.

REASON: In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7 and ENV10 of the Ribble Valley Districtwide Local Plan.

19. All trees and hedgerows (and the Biological Heritage Site) being retained in or adjacent to the application site shall be protected during construction, in accordance with existing guidelines (e.g. *BS5837: 2005 Trees in relation to construction - Recommendations*).

REASON: In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7, ENV9, ENV10 and ENV13 of the Ribble Valley Districtwide Local Plan.

20. No site clearance, site preparation or development work shall take place until a habitat creation/enhancement and management plan has been submitted to and approved in writing by the Local Planning Authority in consultation with specialist advisors. The approved management plan shall thereafter be implemented in full. The plan shall include (but not be limited to) further details of measures for: the maintenance and enhancement of retained hedgerows, compensation for hedgerow losses; retention and enhancement of species-rich/neutral grassland (and measures for mitigation/compensation, if retention in situ is not possible); enhancement of the stream and associated habitat; native scrub and tree planting; maintenance and enhancement of part of the River Ribble BHS.

REASON: In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7, ENV9, ENV10 and ENV13 of the Ribble Valley Districtwide Local Plan.

21. Himalayan Balsam (*Impatiens glandulifera*) shall be eradicated from the site and working methods shall be adopted to prevent the spread of this species.

REASON: In the interests of protecting nature and conservation issues in accordance with Policies G1, ENV7, ENV9, ENV10 and ENV13 of the Ribble Valley Districtwide Local Plan.

22. Prior to the commencement of works, details of lighting shall be submitted to and approved by Ribble Valley Borough Council in writing. The lighting scheme shall be implemented in accordance with the approved scheme. The scheme shall demonstrate avoidance of artificial illumination of important wildlife habitats (the River Ribble and its banks, trees with bat roost potential, hedgerows used by foraging and commuting bats).

REASON: In the interests of protecting nature and conservation issues in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan.

23. Prior to occupation of the 91st dwelling a residential Travel Plan should be developed and approved in writing by the LCC Travel Plan team (based on the Framework Travel Plan (FTP) produced as part of the planning application) to improve accessibility of the site by sustainable modes.

The full Travel Plan should include the following:

- Appointment of a named Travel Plan Co-ordinator.
- Travel survey.
- Details of cycling, pedestrian and public transport links to the site.
- Details of secure, covered cycle parking.
- Targets for a reduction in private car journeys.
- Action plan of measures to be introduced.
- Details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years.

REASON: To minimise the use of private cars in the interests of sustainable development in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

NOTE(S):

1. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning Area Surveyor East 01254 823831 or writing to the Area Surveyor East, Lancashire County Council, Area Office, Riddings Lane, Whalley, Clitheroe BB7 9RW quoting the planning application number.
2. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement with the County Council as Highway Authority. The Highway Authority may also wish to implement their right to design all works within the highway related to this proposal. The applicant should be advised to contact the Environment Director at PO Box 9, Guild House, Cross Street, Preston, PR1 8RD in the first instance to ascertain the details of such an agreement and the information to be provided.

APPLICATION NO: 3/2011/0460/P (GRID REF: SD 372719 435670)
PROPOSED OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT (34 DWELLINGS)
REVISED PROPOSAL FOLLOWING REFUSAL OF APPLICATION 3/2010/0751/P AT LAND
AT WHALLEY NEW ROAD, BILLINGTON

PARISH COUNCIL: Objects to the application due to the increased amount of traffic that would be joining an already busy road. The Council is also worried about the affects such a large development would have on the local infrastructure such as schools and doctors.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR): Our highway comments regarding this application are broadly similar to those for the previous proposal at this site (03/2010/0751) as follows:

We have no objections to this application on highway safety grounds, subject to the introduction of appropriate highway conditions.

The proposed visibility splays at the access onto Whalley New Road of 2.4m x 70m to the west and 2.4m x 90m to the east are acceptable. The sightline to the west takes a very precise line across the trunk of the tree closest to the access. There is some scope to remove extraneous growth from around the trunk, with no detriment to the tree, and this could assist in achieving an acceptable sightline.

In previous discussions with the Applicant we have referred to the ownership and use of the 'bay' to the west of the site. The Applicant has confirmed that this land is within his control and that the current use by the car sales business opposite will cease as part of the development. This is a necessary change, as the proposed sightline includes this area and would undermine its effectiveness if it continues to be used to accommodate these parked vehicles.

The following additional measures would benefit highway safety and we would look for these to be funded by the Applicant through a Section 106 Agreement:-

1. The remarking of the centre warning lines along Whalley New Road will be required as a result of the junction build-out extension at the entrance to the development.
2. The introduction of interactive signing on Whalley New Road to reinforce compliance with the 30mph Speed Limit.

3. There are no scheduled bus stops within a 250m radius of the site. It would be appropriate to consider improving this provision through the introduction of new stops on Whalley New Road. This could include items such as street furniture and the provision of suitable pedestrian links.

In terms of highway contributions, the Applicant has assessed the Residential Development Accessibility Score for this site to be 24. On this basis, a sum of £1,600 is requested for the 3 bedroom units and £1,070 for each affordable unit. Therefore for the 34 properties proposed a highway contribution of £49,100 would be recommended to fund measures including, but not limited to, the items listed above.

The construction of the build-out for the advanced Give Way at the site access and the other physical measures will require a Section 278 agreement, as will the proposed lengths of footway fronting the highway and the drop kerbs opposite.

Therefore, I have no objections in principle to the proposed development, subject to the highway improvements being introduced as specified and following agreement in respect of the proposed Section 278 works.

LANCASHIRE COUNTY
COUNCIL PLANNING
CONTRIBUTIONS:

Consultation response outlines the planning contribution request for Lancashire County Council's Services based on the Policy Paper 'Planning Obligations in Lancashire' as follows:

Transport

The request is for £49,100 as described in the consultation response from the County Surveyor (see above).

Education

Using the LCC planning obligations policy paper, a yield of 0.35 primary and 0.25 secondary pupils per house has been used. Therefore, there is a possible yield of 12 primary and 9 secondary aged pupils.

Primary School Places

There are currently 18 places in the local primary schools, there is a forecast to be a shortage of places in the next five years, even without the impact from this development. As the development would therefore create a further need for additional school places, a contribution from the developer in respect of the full potential yield of this development (ie 12 pupils) will be sought. Using the DCSF cost multiplier (£12,257 x 0.9) x 1.0733 per place = £142,079.

Should the Borough Council be unable to secure this contribution from the developer, the County Council is unable to guarantee that the pupils in this area will be able to secure a school place within a reasonable distance from their home.

NB: Planners need to be aware that, due to the significant levels of development coming forward in this area, we would also need to ensure that a site is earmarked in the area, as part of ongoing discussions with developers, as it may be that the small group of schools serving this area are unable to be extended any further.

Secondary School Places

No contribution is sought because it is calculated that there would be 15 available spaces at the local secondary school (St Augustine's) when the anticipated yield from this development is 9 pupils.

Waste Management

The County Council makes vital major investments in waste management infrastructure for reasons of environmental protection and sustainability. Also the necessity to secure the County Council's budget position as a waste disposal authority, for investing in an early switch away from land filling, has become all the more apparent, since the recent announcement on the rise in landfill tax in this year's National Budget. Every district in the county is being provided with advanced treatment facilities to treat waste prior to land filling, either directly or via purpose designed transfer stations. Since every new house in

the county has to be provided with this basic service, and the Council has to comply with significant new requirements relating to the management of waste, it is considered that the Council is justified in requesting a contribution towards waste management. Based upon the policy paper methodology for waste management, the request is £16,320.

ENVIRONMENT AGENCY:

Has no objections in principle to the proposed development subject to the imposition of conditions requiring the submission for approval and subsequent implementation of a scheme for the disposal of foul and surface waters; and the submission for approval and subsequent implementation of a surface water regulation system.

The Environment Agency also offers guidance to the developer on issues such as sustainable drainage systems, and advises that Environment Agency Consent would be required for any works involving alterations to a watercourse. As the Environment Agency's letter was copied to the applicants/agents, this can be referred to in an advisory note on the decision notice in the event of planning permission being granted.

UNITED UTILITIES:

Has no objections as the drainage design submitted in the application is acceptable to United Utilities. (This development will drain to the Billington Treatment Works which has the capacity to accommodate the proposed development, as opposed to the Whalley Treatment Works.)

LANCASHIRE COUNTY COUNCIL (FOOTPATHS):

Commented in relation to the previous application that public footpath number 32 that butts the site must not be obstructed during the proposed development.

ADDITIONAL REPRESENTATIONS:

Six letters have been received from nearby residents in which concerns and objections are expressed as summarised below:

1. The proposal, especially when added to the 18 houses to be built on the adjoining Manchester Offices would exacerbate existing traffic problems both in the vicinity of the site and in Whalley Village. Further housing development at Calderstones and Barrow are also adding to this problem in Whalley Village.
2. The application does not address the reason for refusal of the previous application. The proposal would still over-burden the infrastructure provision in terms of drainage, health and education facilities.
3. Harm to the privacy of houses in Painterwood and Bank Cottages.
4. The proposal will exacerbate existing drainage and flooding problems in the area. It would appear that water from the development is to be routed into a culvert which runs down the back of Bank Cottages and into a drain down the side of the cottages. This drain is damaged, unmaintained and blocked and already causes flooding to the back of Bank Cottages. We have been informed by the Environment Agency that the hydraulic capacity of the existing culvert cannot accommodate the additional surface water run-off from this proposed development. We have also been told on numerous occasions by the Council that this is private land and that the drain should be maintained by the residents. If this is the case, it would appear that the developers have no right to drain into it. If this drain is used to serve the development, then it should be

repaired and maintained by the Council or the developers.

5. It is stated in the application that traffic generation is likely to be low. There are no major employers in the immediate vicinity and most of the homes will require two vehicles. This development, together with the 18 units planned for the adjoining site will unquestionably generate significant extra traffic.
6. The proposed development is outside the settlement boundary and has as a result been considered unsuitable for housing for many years. It is a greenfield site and as such it is paramount to preserve its integrity. This field provides one of the few green spaces between Billington and Whalley. If permission is granted it will lead to almost continuous development between the two settlements. The proposal also appears to be in breach of the current planning policies as it is outside the settlement boundary specifically protected by planning policy ENV5.
7. Permission has already been granted on the adjoining Brownfield site and the requirement for affordable housing can be met by that development.
8. The development is visually intrusive in the landscape as the site is on the lower slopes of Whalley Nab.
9. The proposal is for family homes and yet there is no primary school within walking distance. This will therefore generate even more traffic at peak times.
10. The proposed public open space which may subsequently develop into a children's play area will cause noise disruption primarily to residents on Painterwood.
11. The proposed access onto Whalley New Road is extremely dangerous. If this development proceeds there will be cars emerging for the 34 homes in this development plus those from 18 homes on the adjoining site. This is an extremely narrow stretch of road and vision is impaired by the railway bridge. The safety of the many walkers in the locality will also be compromised.
12. Noise nuisance to residents of Painterwood.

Proposal

This is a resubmission of a previously refused scheme (3/2010/0751/P) which was considered by Committee on 13 January 2011. It sought outline permission for a development of 39

houses, with approval only sought for the means of access. It was recommended that the application be deferred and delegated to the Director of Development Services for approval following the satisfactory completion of a section 106 Agreement and subject to a number of conditions. Committee, however, resolved to refuse the application for the following reason:

“The proposed development is considered contrary to Policy G1 of the Ribble Valley Districtwide Local Plan in that the proposal would be detrimental to highway safety due to individual access points on Whalley Old Road and also would lead to an overburden on existing infrastructure provision in terms of drainage, health and education facilities.”

That scheme had the main access onto Whalley New Road serving 34 dwellings with the other five being detached houses with individual accesses, driveways and turning facilities from Painterwood. Eleven of the dwellings (representing 30%) were to be affordable. It was proposed that five units would be made available on a shared ownership basis and the other six on a social rented basis, with the units to be delivered through a Housing Association.

This current application is again submitted in outline with only the means of access being considered at this stage. The proposed access onto Whalley Road is the same as in the previous application, and it would serve 34 dwellings as previously. That represents all the dwellings in this current application as the five dwellings with individual accesses onto Whalley Old Road (Painterwood) have been deleted from the scheme. The 10 houses towards the southern end of the site now have long rear gardens extending up to the site boundary to Painterwood.

Ten of the dwellings (still representing 30%) are to be “affordable” of which five would be rented and five would be shared ownership.

The provision of the area of public open space, the proposed tree planting and the retention of the footpath with a link into the development all remain the same as in the previous application.

Site Location

The site is just outside the settlement boundary of Billington such that the northern and eastern site boundaries actually follow the line of the settlement boundary. The site is approximately 750m to the south west of the centre of Whalley.

The site comprises approximately 1.5 hectares of grassland that slopes downwards from south (Painterwood) to north (Whalley New Road).

The site is bounded to the north, south and west by hedgerows and to the east by a post and wire fence alongside the public footpath that connects Whalley New Road with Whalley Old Road/Painterwood. Beyond the north and south boundaries of the site are the two roads of Whalley New Road and Painterwood. On the opposite side of Whalley New Road is an area of housing including the terraced houses at Bank Cottages that (together with their gardens) back on to Whalley New Road. On the opposite side of Painterwood, is a ribbon of housing development including a number of post war detached houses. To the east of the site is the Richard Wilkinson and Sons commercial vehicle bodybuilders premises, and an area of grazing land to the rear of terraced houses on the north side of Painterwood. To the west the site is adjoined by open fields.

Relevant History

3/2010/0751/P – Outline application for a development of 39 dwellings on this site. Refused.

3/2010/0078/P – Proposed redevelopment of the Wilkinsons site to the east of the application site with 17 dwellings. Planning and Development Committee resolved on 20 May 2010 to grant permission subject to a Section 106 Agreement relating to affordable housing and financial contributions. The Section 106 Agreement has not been finalised so the permission has not yet been granted.

Relevant Policies

Policy G1 - Development Control.

Policy G2 - Settlement Strategy.

Policy ENV5 - Protected Open Land.

Policy H19 - Affordable Housing - Large Developments and Main Settlements.

Policy H21 - Affordable Housing - Information Needed.

Policy RT8 - Open Space Provision.

Policy RT19 - Development Which Prejudices Footpaths.

Policy T1 - Development Proposals - Transport Implications.

Policy DP1 'Spatial Principles' - North West of England Regional Spatial Strategy to 2021.

Policy L4 'Regional Housing Provision' - North West of England Regional Spatial Strategy to 2021.

Policy L5 'Affordable Housing' - North West of England Regional Spatial Strategy to 2021.

Policy DP7 'Environmental Quality' - North West of England Regional Spatial Strategy to 2021.

Affordable Housing Memorandum of Understanding.

PPS1 Delivering Sustainable Development.

PPS3 Housing.

Environmental, AONB, Human Rights and Other Issues

Members will recall that a similar application, but for 39 dwellings was considered by the Committee on 13 January 2011 when permission was refused for a reason stated earlier in this report. This current application has sought to address one of the specific objections to the previous proposal by the deletion of the five units for which access was proposed onto Painterwood.

With regards to the reference in the reason for refusal to drainage infrastructure, both the Environment Agency and United Utilities have no objections to this application. With regards to United Utilities, this is because this development will drain to the Billington Treatment Works which has the capacity to accommodate the proposed development, as opposed to the Whalley Treatment Works (this was not made clear in the observations of United Utilities in relation to the previous application). With regards to the reference to education facilities, the County Council has expressed no objection to this amended application subject to a financial contribution (that the applicant has expressed a willingness to pay). The Council has no evidence that this proposal for 34 dwellings would overburden the provision of health services.

Matters for consideration in the determination of this current application are the same as those considered in relation to previous application 3/2010/0751/P. They relate to the principle of development; affordable housing; highways access and accessibility; impact upon the landscape/trees/visual amenity; public open space; neighbour amenity/noise; flood risk and drainage, which will each be discussed below under appropriate sub-headings.

Establishing Whether the Principle of Residential Development is Acceptable on this Site

The policy basis against which this scheme should be appraised is set out in the context of National, Regional and Local Development Plan policies.

At National level, Planning Policy Statement 3 – Housing confirms that Local Planning Authorities must identify a 5 year housing land supply and where they cannot, residential developments should be favourably considered taking account of policies in PPS3 and in particular paragraph 69 which specifically refers to:

- achieving high quality housing;
- ensuring a good mix of housing;
- the suitability of the site for housing;
- using land effectively and efficiently;
- ensuring the proposal is in line with planning for housing objectives.

Recent monitoring demonstrates that the Council is unable to identify a 5-year supply, and consequently the provisions of PPS3 are applicable until the point at which a 5-year supply is available. We currently have 3 years supply measured against our requirements.

To help to determine the suitability of any site against the requirements of PPS3, it necessary to refer to the saved policies of the Districtwide Local Plan. As previously stated, this site is outside, but immediately adjoins, the settlement boundary of Billington. It is designated by Policy ENV5 of the Local Plan (along with one other area of land in Wilpshire) as “open land”. That policy states that “until such time as those areas defined on the proposals map as open land at Billington and Wilpshire may be allocated for development in a review of, or alteration to this plan, planning permission will be refused for the erection of new buildings other than for the purposes of agriculture, forestry, essential facilities for outdoor sport and recreation, cemeteries or other uses appropriate to a rural area”.

In the supporting text it is stated that the policy is intended to protect open land, which is not subject to other protected designations (which are expected to last beyond the plan period) from inappropriate developments; that the policy acknowledges that there may be a need for further land release after the plan period, that seeks to secure boundaries that can endure in the long term; and that sufficient land is allocated in the plan for development needs up until 2006, and that consequently this land can be protected from development.

We are now, of course, well beyond the plan period, and circumstances and policies have changed, as described above. As there is no replacement plan yet in place, and the Council does not have an identified five-year supply of deliverable sites, the proposal must be considered favourably subject to compliance with the criteria in paragraph 69 of PPS3.

With regards to those criteria, it must be remembered that this current application (similar to the previous application) is in outline with many detailed considerations to be made at reserved matters application stage. However, it is considered that the general layout of the scheme (as shown on the illustrative layout drawing) is such that the development will integrate well with the locality. The site is accessible to public transport and is within cycling and walking distance of the range of services in Whalley, including the railway station.

Policy G2 of the Local Plan states that developments will be mainly directed towards land within the boundaries of the main settlements of Wilpshire, Clitheroe, Billington, Longridge and Whalley. As this site immediately adjoins the settlement boundary of Billington, and in the policy

circumstances described above, it is considered that the scale and general location of the site is in accordance with the overall settlement strategy as outlined in the local plan.

It is considered that, although this is a green field site, it is recognised both nationally and locally that not all development can be accommodated on brownfield sites. The proposed density of the development is considered to be appropriate for the site characteristics and the locality; and is similar to the density of the proposed development on the adjoining site to the east.

The proposal would provide a mix of housing types and tenures and would deliver 30% affordable housing in line with the Council's general housing objectives.

Overall, within the current national and local policy context, a housing development on this site is considered to be acceptable in principle.

Affordable Housing

Whilst generally considered to be acceptable in principle, it is still necessary for any development on this site to satisfy the Council's affordable housing requirements before even outline planning permission can be granted.

Saved policy H19 of the Local Plan states that the Council will promote the provision of affordable housing, and that in the main settlements this will be achieved by negotiating for the inclusion of a proportion of affordable housing in all new planning permissions for suitable sites. Saved policy H21 requires details to be submitted with applications of who the accommodation will be expected to accommodate, including a full survey of the extent of the need including details of persons who have expressed an interest in the properties, and how the cost of the accommodation can be matched to those target groups. Details are also required of the methods by which the accommodation will be sold or let, managed and retained for its original purpose.

There is evidence of an unmet need for affordable housing in the Billington area.

This current proposal provides for ten affordable housing units. It is proposed that five units would be made available on a shared ownership basis and the other five units on an affordable rented basis. The units will be delivered through the Great Places Housing Association.

A draft section 106 Agreement has been submitted with the application. The Council's Housing Strategy Officer has been involved in the drafting of the Agreement and is satisfied with its contents. The heads of terms of the Agreement will be described later in this report.

Highways, Access and Accessibility

As already stated, it is considered that the site is in a sustainable location relatively close to all of the services in Whalley and on a bus route with a regular service.

With regards to more detailed highway related matters, the County Surveyor has commented that he has no objections in principle to the application subject to appropriate conditions and traffic management measures to be funded by the applicant (amounting to a request for a financial contribution of £49,100).

In relation to the previous application, Members raised a highway safety concern relating to the proposal to provide individual accesses to 5 dwellings directly onto Painterwood on the southern

part of the site. This matter has been addressed by the deletion of those five dwellings from this current application.

In the event of planning permission being granted, appropriate conditions would be imposed and the required financial contribution will be included within a Section 106 Agreement.

Impact Upon the Landscape/Trees/Visual Amenity

As a development of houses on a sloping Greenfield site, it cannot be denied that this proposal will have an impact upon the landscape. However, I consider it important to note that, whilst the adjoining land to the south and west is Green Belt, the application site was omitted from the Green Belt and covered instead by Policy ENV5 as described earlier in this report. I consider that this designation was a recognition of the fact that, at some time in the future, this land would be appropriate for development because, unlike the adjoining Green Belt land, it is adjoined to the north and south by existing residential development and to the east by a commercial site (that is also now considered to be appropriate for residential redevelopment).

I therefore consider that, whilst the development would be visible from many viewpoints, both near and distant (subject to appropriate care at reserved matters application stage with design and external materials) it would be viewed within the context of other built development. Views of the development would also be “filtered” by trees and hedges, especially the mature trees on the site frontage to Whalley New Road that are to be retained and protected.

In relation to the previous application, the Council’s Countryside Officer was initially concerned about the effect on the trees of the new access road in the position shown on the originally submitted plans. Through the involvement of the Countryside Officer, the position of the access and its width were amended such that, in respect of its effects on the trees, it was considered to be acceptable. The design, dimensions and position of the access proposed in this current application is the same as that which was considered to be acceptable in the previous application.

Overall, within the current policy context, I do not consider that the development would be visually intrusive or that it would be an inappropriate element in the wider landscape. Rather, I consider that it would result in the provision of 34 dwellings (including 10 affordable units) in a manner that would be in keeping with the existing pattern of development in the locality.

Impact Upon Residential Amenity/Noise

The effects of the proposed development on three groups of existing dwellings needs to be considered. There are three large detached houses to the south of the site on the opposite side of Painterwood. These dwellings are set well back from their road frontage, and their ground floor levels are approximately 5m higher than the level of the southern boundary of application site. Following the deletion of the five dwellings facing Painterwood, the nearest proposed dwellings would have long rear gardens and be set between 55m and 90m from the existing dwellings on Painterwood and at approximately 15m lower level. This distance far exceeds normally required minimum separation distances and the existing hedge along the Painterwood frontage of the site would also be retained. As such, I do not consider that the proposed dwellings would have any detrimental effects upon the privacy or amenities of the occupiers of the detached houses on the south side of Painterwood.

The backs of the terrace of properties at Bank Cottages face the northern boundary of the application site. These houses are set well away from Whalley New Road, but they are at a lower ground level. The proposed 12 houses that would face Whalley New Road would be

approximately 70m away from those existing terraced houses. That separation distance is well in excess of the normally accepted distance (21m on a level site). There are also mature trees that are to be retained between the existing and proposed dwellings. Notwithstanding that the proposed dwellings would be on higher ground than the existing, I consider that, due to the large separation distance and the screening effect of the trees, the proposal would not have any seriously detrimental effects upon the amenities of Bank Cottages.

There are two end terrace properties on Painterwood to the east of this site (no's 32 and 49, neither of which directly face the site, with both having angled views across the site. One of these properties has a ground floor window in its gable end elevation, whilst the other has no gable end windows or doors. Given these circumstances and the separation distance to the nearest proposed dwelling of approximately 40m, I do not consider that the amenities of the occupiers of those two dwellings would be seriously harmed by the proposed development.

The indicative layout submitted with this application is also such that there would be more than adequate separation distances to the dwellings shown on the submitted plans of the application for development of 17 houses on the Wilkinson's site to the east of the application site.

Reference has been made in a number of the letters of objection to noise nuisance during construction works, by the future occupiers of the proposed dwellings and their vehicles, and by the use of the proposed area of public open space. Noise during construction works could not be cited as a reason for refusal of the application. Due to the separation distances outlined above, I do not consider that the future occupiers of the proposed dwellings would cause any serious noise nuisance to any existing nearby residents. I do not consider that the daytime use of a small open space/play area would have any seriously detrimental effects upon the amenities of existing nearby residents. The problems identified in relation to the previous application of the noise of additional vehicles passing close to the terraced houses on Painterwood has been addressed in this current application. I do not consider that the additional vehicles from the development using Whalley New Road would have any discernable effects on the amenities of residential properties on or close to that road.

Overall, I consider the proposal to be acceptable with regards to its effects on the amenities of adjoining existing dwellings and the proposed dwellings on the adjoining site.

Flood Risk and Drainage

A number of residents of Bank Cottages have expressed concerns about the development potentially exacerbating existing drainage and flooding problems. This potential problem is something that the applicants recognised as an issue. A comprehensive Flood Risk Assessment (FRA) was therefore submitted with the application. This has been considered by the Environment Agency and United Utilities are neither body has raised any objections to the application. Rather, they recommend conditions to ensure that the surface water drainage scheme and appropriate attenuation measures are agreed prior to the commencement of development. In the event of planning permission being granted, such conditions would be imposed.

Public Open Space

Policy RT8 of the Districtwide Local Plan requires residential sites over 1 hectare to provide adequate and usable public open space. The supporting text notes that community open space within new residential areas provides a useful, informal recreation facility for residents of the neighbourhood and a particular requirement will be the provision of children's play areas.

The indicative layout put forward in this outline application shows a centrally located area of public open space adjacent to the public footpath that would be provided with an equipped children's play area. Additionally, an area of amenity open space is shown alongside the trees close to the Whalley New Road frontage of the site. Whilst Policy RT8 does not set specific quotas for establishing the level of provision, I am satisfied that the details submitted would accord with its requirement for adequate and usable space. As it would not be the intention of the Council to take on any management/maintenance responsibilities for these areas, a management/maintenance regime will need to be arranged. This would need to be covered by an appropriate condition in the event of outline planning permission being granted.

Infrastructure and Phasing

It must be remembered that this is an outline application and there is still, therefore, a lot of detailed design work to be carried out on the proposal. The applicant's agent, however, has stated that this is a relatively small-scale proposal relative to a number of planning applications presently being considered by the Council and that, as such, the scale of the structure requirements and impacts are far less. He comments that their site investigations and technical reports indicate there to be no infrastructure requirements that cannot be satisfied. For instance, the Transport Assessment shows there to be no highway capacity issues (as confirmed by Lancashire County Council) and that all services are available in the locality. Having regard to the submitted Drainage and Flood Risk assessment the Environment Agency has confirmed that it has no objections to the proposal subject to the usual requirement for a detailed drainage scheme to be submitted for approval, and the applicant is fully committed to the delivery of affordable housing as part of the development and in accordance with the Council's policies.

With regards to the phasing of this relatively small development, the agent has stated that he would expect there to be a lead in time from the grant of planning permission to the commencement of development of 18 months and a further 18 months for the development phase.

Education

The County Council has requested a contribution of £142,079 in respect of the provision of primary school places. The applicant's willingness to pay this sum is confirmed in the Draft Section 106 Agreement submitted with the application.

In the formal response on this application, the County Council repeats a 'note' that was also made in relation to the previous application as follows:

"planners need to be aware that, due to the significant levels of development coming forward in this area, we would also need to ensure that a site is earmarked in the area, as part of ongoing discussions with developers, as it may be that the small group of schools serving this area are unable to be extended any further".

The County Council has confirmed that this is a general comment of advice for all persons (planners and developers) involved in future proposed housing developments in this locality; and that it does not represent an objection to this application. The provision of a site for a school would be considered through the LDF process and also in relation to individual applications for considerably larger site than this current application.

Renewable Energy

Whilst this is an application made in outline, it is important to set out at this stage that the Local Planning Authority will be seeking a commitment towards renewable energy in line with Central Government Guidance offered in PPS1. Therefore, in the event that outline permission is to be granted, it is suggested that a condition be imposed requiring the developer to submit a scheme identifying how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods.

Section 106 Agreement Content

In relation to the provision of affordable housing, the key heads of the submitted draft agreement are as follows:

- Affordable units – five affordable rental and five shared ownership.
- Nomination rights – rental units would be allocated by 100% nomination rights on first let to an approved person nominated by the Council. Subsequent let be on the basis of 50% nomination rights by the Council and 50% by the Housing Association.
- Shared ownership occupancy – shared ownership leases shall only be granted to an approved person who will occupy the property as their permanent residence. The minimum share to be purchased shall be 30% with the option to purchase additional shares in units of 10% thus providing for “staircasing” of ownership.
- Perpetuity – all rental units shall remain social rented units in perpetuity and all shared ownership leases shall be restricted as detailed above in perpetuity.
- Approved person – a person approved by the Council and/or the Housing Association to rent or purchase on a shared ownership basis, the affordable units to be provided and who meets eligibility criteria relating to a housing need requirement and can demonstrate that they do not have the finance/income to purchase or rent suitable accommodation on the open market and have a local connection to the Ribble Valley Borough.

Additionally, the draft Agreement specifies the payment of the education contribution of £142,079 and the transport contribution of £49,100 requested by the County Council.

Members will note that £16,320 is also to be requested by the County Council in respect of waste management. This contribution is in accordance with the County Council’s Policy Paper on Planning Obligations in Lancashire which has not been formally adopted by this Council. A report presented to Planning and Development Committee on 18 December 2008 identified priorities for this Council when seeking contributions – namely, affordable housing, transport safety, open space and education. However, in accordance with that report it is therefore not proposed to request the contribution towards waste management in this particular case.

Conclusion

In the current policy situation (ie with the lack of an identified five year housing land supply) the development of this site for housing is considered to be acceptable in principle. Subject to an appropriate Section 106 Agreement as described above; appropriate conditions; and due care with the relevant details at Reserved Matters application stage, it is further considered that the development would also satisfy the more detailed development control criteria regarding visual amenity, residential amenity and highway safety.

I therefore recommend accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposed housing development is acceptable in principle and would have no seriously detrimental impact upon visual amenity, nearby residential amenity or highway safety.

RECOMMENDATION: the application be DEFERRED AND DELEGATED to the Director of Community Services for approval following the satisfactory completion of a Section 106 Agreement (in the terms detailed above in this report) and subject to the following conditions:

1. Application for approval of reserved matters must be made not later than the expiration of 3 years beginning with the date of this permission and the development must be begun not later than whichever is the latter of the following dates:

(a) the expiration of 3 years from the date of this permission; or

(b) the expiration of 2 years from final approval of the reserved matters, or in the case of approval of different dates, the final approval of the last such matter to be approved.

REASON: In order that the Local Planning Authority shall be satisfied as to the details and because the application was made for outline permission and comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

2. Detailed plans indicating the design and external appearance of the buildings, landscape and boundary treatment, parking and manoeuvring arrangements of vehicles, including a contoured site plan showing existing features, the proposed slab floor level and road level (called the reserved matters) shall be submitted to and approved by the Local Planning Authority before development commences.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and in order that the Local Planning Authority should be satisfied as to the details and because the application was made for outline permission.

3. This outline planning permission shall be read in conjunction with the Section 106 Agreement dated ...

REASON: For the avoidance of doubt as the application is subject of an Agreement.

4. Prior to commencement of development a scheme identifying how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be provided in accordance with the approved details prior to occupation of the development and thereafter retained.

REASON: In order to encourage renewable energy and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

5. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.

REASON: To ensure a satisfactory means of drainage in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

6. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

REASON: To reduce the increased risk of flooding and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. Prior to commencement of development a landscape management plan including long term design objectives, timing of the works, management responsibilities and maintenance schedules for all landscaped areas (other than within curtilages of buildings) including the play area shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall also provide precise details of all play equipment and its maintenance and indicate a timescale when the play space shall be provided and made available for use. The landscape management plan shall be carried out in accordance with the details so approved.

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

8. The plans and particulars submitted in accordance with condition 2 above shall include an Arboricultural Method Statement and Tree Protection Plan (including a tree protection monitoring schedule) detailing special mitigation construction issues in accordance with BS5837. The development shall thereafter be carried out in strict accordance with the procedures, working methods and protection measures so identified and approved unless agreed otherwise in writing by the Local Planning Authority.

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 effects of development in accordance with Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan.

9. The new estate road/access between the site and Whalley New Road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

REASON: To comply with Policies G1, T1, T2 and T3 of the Ribble Valley Districtwide Local Plan and to ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

10. Prior to the commencement of construction works, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site, the wheel cleaning facilities to be retained throughout the life of development works.

REASON: To comply with Policy G1 of the Ribble Valley Districtwide Local Plan and to avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

11. This permission, insofar as it relates to matters of access to the site from Whalley New Road shall be implemented in accordance with the proposal as detailed in drawing No T1269/02 dated 6 December 2010 submitted with the application. The visibility splays shown on that

drawing shall be provided prior to the first occupation of any dwelling on the site and shall, thereafter, be retained in perpetuity.

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

12. The submission of reserved matters in respect of layout, scale, appearance and landscaping and implementation of development shall be carried out in substantial accordance with the Design and Access Statement submitted with the application.

REASON: For the avoidance of doubt to define the scope of this permission.

NOTE(S):

1. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning Area Surveyor East 01254 823831 or writing to the Area Surveyor East, Lancashire County Council, Area Office, Riddings Lane, Whalley, Clitheroe BB7 9RW quoting the planning application number.
2. In consideration of condition 4 on renewables the Council would have some regard to energy efficient measures used on buildings.
3. The applicant is advised to pay regard to the advice relating to Sustainable Drainage systems contained in the letter dated 4 July 2011 from the Environment Agency.
4. Public footpath No 32 that abuts the site shall not be obstructed, closed or diverted during the proposed development.

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

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

APPLICATIONS APPROVED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0525/P	Application to discharge of condition no's 5 (materials), condition no. 6 (ground investigation), condition no. 8 (door and window, head and sills), condition no. 11 (archaeology) and condition no. 13 (renewables) of planning consent 3/2009/0646/P	Victoria Street Longridge
3/2011/0086/P	Change of use from a dwellinghouse (Class C3) to a hair/beauty salon (Class A1)	35 King Street Whalley
3/2011/0188/P	Single storey side extension	10 Highmoor Park, Clitheroe
3/2011/0253/P	Single storey to the restaurant and extension of car park	The Avenue Café Bar and Restaurant The Avenue Brockhall Village, Langho
3/2011/0274/P	Proposed Orangery to replace existing conservatory. Re-submission of planning application 3/2010/0941	Bridge House 2 King Street Whalley
3/2011/0279/P	Proposed riding arena	Paddock 1 Northcote Road, Old Langho
3/2011/0314/P	Erection of new dwelling on land adjacent	Orchard House Slaidburn Road, Grindleton
3/2011/0342/P	Part retrospective for proposed single storey rear extension	7 Hawthorne Place Clitheroe
3/2011/0358/P	Replacement of two-storey rear extension and conversion of attached garage/store to provide annex accommodation (Re-submission of 3/2011/0060).	Rose Cottage Blackburn Road Ribchester
3/2011/0404/P	Application for change of use from scrap yard/vehicle dismantlers to haulage operator	Unit 5b Salthill Industrial Estate Lincoln Way, Clitheroe
3/2011/0410/P	Application for the discharge of condition no. 4 and condition no. 5, and part-discharge of condition no. 2 of planning consent 3/2007/1059P	Abbey Cottage Sawley
3/2011/0411/P	Application for the discharge of condition no. 4 and condition no. 5, and part-discharge of condition no. 2 of planning consent 3/2007/1011P	Abbey Cottage Sawley
3/2011/0414/P	Proposed erection of a detached garage with a granny annex	Red Rock, Sabden Road Simonstone

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0418/P	Proposed two-storey side extension together with loft conversion to existing roof void	Newshams Farm Stoneygate Lane Ribchester
3/2011/0419/P	Single storey extension	Vale House Vale House Close, Whalley
3/2011/0433/P	Proposed second storey extension to the side and a proposed two-storey extension to the rear	47 Rogersfield Langho
3/2011/0435/P	Alterations to convert the existing five-bedroom dwelling back into one three-bedroom cottage and one two-bedroom cottage	Fruit Vale Cottage Grindleton Road West Bradford
3/2011/0444/P	Change of Use from Industrial Use to Haulage Operator	T&J Haulage Ltd, Unit 6, Lincoln Way, Clitheroe
3/2011/0452/P	Change of use from first floor flat (Class C3) to shop (Class A1)	17-17A Accrington Road Whalley
3/2011/0454/P	Fascia sign with the shop name and telephone number and illuminated as existing	23 King Street Clitheroe
3/2011/0455/P	Proposed demolition of the Garden Room and construction of a two-storey rear extension	46 Moorland Crescent Clitheroe
3/2011/0464/P	New agricultural building for the storage of manure	Nu Farm Chipping Road, Chaigley
3/2011/0466/P	Change of use of existing dwelling to form 2no. self-contained flats	142 Woone Lane Clitheroe
3/2011/0474/P	Change of use of land extending amenity space for the purpose of rehabilitation of injured and infirm police officers. Works to include levelling of existing land, construction of footpaths, creation of garden areas, erection of gazebo and water fountain	Northwest Police Benevolent Fund St Michaels Lodge Northcote Road Langho
3/2011/0476/P	Two externally illuminated fascia signs	E. H. Booth & Co. Ltd Berry Lane, Longridge
3/2011/0479/P	Proposed extension/Orangery to rear of property	18 Sunnyside Avenue Wilpshire
3/2011/0483/P	Application to renew planning consent 3/2009/0559 for the temporary change of use for part of an existing agricultural building for the manufacture of concrete base blocks for a further two years	Pendle View Farm Tosside
3/2011/0484/P	Proposed demolition of existing dwelling and construction of a replacement dwelling including associated external works (amendments to approved scheme ref: 3/2009/0837)	Greenfields Neddy Lane Billington
3/2011/0485/P	Proposed demolition of the existing lean-to and construction of a two and single storey side extension	Hanson's Farm Eaves Hall Lane West Bradford

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0489/P	Installation of photovoltaic solar panels on the southern roof slope of an existing agricultural building	Grange Farm Parsonage Road Blackburn
3/2011/0493/P	Alterations and extension to existing dwelling to form kitchen/dining room, garage and chimney. Removal of existing outrigger and garage block	Yew Tree Farm 49 Mellor Brow Mellor
3/2011/0494/P	Proposed solar pv installation to five areas	The Sidings Business Park Whalley
3/2011/0496/P	Replacement of conservatory with a porch and removal of utility room and re-building to rear. Re-submission of 3/2011/0287	Stephen Moor Lodge Tosside
3/2011/0507/P	Proposed single storey rear extension following demolition of lean-to passage	Isaacs Farmhouse Parsonage Lane, Chipping
3/2011/0518/P	Proposed demolition of the existing uPVC Conservatory and construction of a replacement and extended Orangery	The Coach House Clitheroe Road Waddington
3/2011/0522/P	Application for the discharge of condition no. 2 (materials) of planning consent 3/2010/0470/P	Samlesbury Aerodrome Myerscough Road Balderstone
3/2011/0523/P	Application for a non-material amendment to planning permission 3/2010/0795/P to allow the installation of 2no 1570mm x 1980mm x 100mm solar thermal collectors to be located on the south elevation and the installation of 12m ² photovoltaic panels to the south elevation	Wellsprings House Woodlands Drive Whalley
3/2011/0525/P	Replacement of existing flat roofed garage with pitched roof garage incorporating utility room and cloakroom	29 Whalley Road Wilpshire
3/2011/0538/P	Proposed replacement dwelling at Oak Bank Farm to include a detached garage/annex and demolition of the existing dwelling and part of the existing detached annex (Re-submission of application 3/2010/0980/P)	Oak Bank Farm Stoneygate Lane Ribchester
3/2011/0551/P	Non-material amendment to planning consent office building at Station Hotel, Station Road to incorporate various design changes including the omission of a handrail to second floor balcony, continuation of a zinc wall to form parapet and reduction of extent of roof lights and repositioning of plant room on north elevation	land adjacent to the Station Hotel Station Road Clitheroe
3/2011/0570/P	Application for a non-material amendment to planning consent 3/2009/0443, to allow construction of a larger conservatory, level access to the rear patio and external door to the study	11 Pasture Grove Calderstones Park Whalley

<u>Plan No:</u> 3/2011/0636/P	<u>Proposal:</u> Non-material amendment to planning consent 3/2011/0257 to increase the highest point of the roof	<u>Location:</u> 2 Valley Terrace Simonstone Lane Simonstone
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APPLICATIONS REFUSED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2010/0983/P	Application for the removal of condition no12 (occupancy) of planning permissions 3/1998/0587/P and 3/1998/0588/P to allow holiday lets to be used as permanent residential dwellings	Hawk and Owl Cottages Crimpton Farm Easington Road Cow Ark	Policy G1 - Development Control, Policy G5 - Settlement Strategy, Policy ENV1 - Area of Outstanding Natural Beauty, Policy H2 - Dwellings in the Open Countryside, Policy H15 - Building Conversions – Location, Policy H17 - Building Conversions - Design Matters, Policy H23 - Removal of Holiday Let Conditions and PPS3 – Housing – unsustainable location for the creation of two dwellings with detrimental effects upon the appearance and character of the locality.
3/2011/0011/P	Installation of PV Solar panels on the roof to the rear of the property	North Barn Back Lane Grindleton	G1, ENV1, ENV16 & H17 – Detrimental visual impact upon the appearance of the barn to the visual detriment of the Area of Outstanding Natural Beauty and Grindleton Conservation Area.

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2011/0472/P	Extensions to create new living space and a double garage	no1 The Walled Garden Woodfold Park Mellor	The proposal would be unduly harmful to the character and significance of Woodfold Park historic park and garden and the setting of Woodfold Hall because of the disruption to important views from the south and the symmetry and simplicity of design of the existing dwellings within the historic walled garden. This would be contrary to Policies ENV21, ENV19 and G1 of the Ribble Valley Districtwide Local Plan.

SECTION 106 APPLICATIONS

<u>Plan No:</u>	<u>Proposal/Location:</u>	<u>Progress:</u>
	NONE	

CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0421/P	Application for a Lawful Development Certificate for a proposed boundary wall, gated access and addition of wooden fence	Smithy Cottage Tosside
3/2011/0428/P	Application for a Lawful Development Certificate for 16no. Solar P.V panels on roof of dwelling	Syke House 1 Sawley Road Grindleton
3/2011/0500/P	Application for a Lawful Development Certificate for the use of land at Plantation Farm, Chipping Road, Chaigley, for the siting of a static caravan that has been used as permanent residential accommodation for over 10 years	Plantation Farm Chipping Road Chaigley

REFUSAL OF CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0521/P	Application for a Lawful Development Certificate for a proposed hipped pitched roof to replace the flat roof on the existing two storey side extension	8 Chatburn Avenue Clitheroe
3/2011/0571/P	Application for a Lawful Development Certificate for the installation of a 'Solartwin' solar roof panel on the South facing hipped gable-end roof area	3 Bright's Close Newton

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 PARTS 6 & 7 PRIOR NOTIFICATION OF AGRICULTURAL AND FORESTRY BUILDINGS AND ROADS PRIOR APPROVAL **NOT** REQUIRED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0600N	Steel framed agricultural building	Bolton Peel Farm Bolton-by-Bowland

APPLICATIONS WITHDRAWN

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0461/P	Dormer to rear roof slope clad with natural blue slate with a pitched roof	44 Padiham Road Sabden
3/2011/0532/P	Proposed re-pointing of bridge to maintain structural integrity and safety for use as a highway bridge	Ribchester Bridge Ribchester

APPEALS UPDATE

<u>Application No:</u>	<u>Date Received:</u>	<u>Applicant/Proposal/Site:</u>	<u>Type of Appeal:</u>	<u>Date of Inquiry/Hearing:</u>	<u>Progress:</u>
3/2010/0635 D	18.1.11	Mr Steve Burke Proposed provision of a pair of handrails to the vestry door in the east elevation of the church At Mary & All Saints Church Church Lane, Whalley	WR	-	APPEAL ALLOWED 1.8.11
3/2010/0820 O	28.3.11	Co-Operative Estates Outline application for a maximum of 80 residential units at land off Riddings Lane with access from Hayhurst Road with all other matters reserved Land to the north of Riddings Lane, Whalley	-	Inquiry held – 4 & 5 Aug 2011	AWAITING DECISION

<u>Application No:</u>	<u>Date Received:</u>	<u>Applicant/Proposal/Site:</u>	<u>Type of Appeal:</u>	<u>Date of Inquiry/Hearing:</u>	<u>Progress:</u>
3/2010/1010 D	3.5.11	Ribble Valley Homes Ltd Scheme to provide Juliet balconies to flats in sheltered housing scheme, involving removal of existing windows and creating large opening to house inward opening patio doors. 25, 26, 27, 28, 29, 31, 32 & 33 Showley Court, Clayton-le-Dale	WR	—	APPEAL ALLOWED/ DISMISSED 3.8.11
3/2010/0923 D	7.6.11	Shire Hotels Ltd Replacement of existing window with glazed external doors to restaurant The Millstone Hotel Church Lane, Mellor	WR	—	APPEAL ALLOWED 26.8.11
3/2011/0120 D	22.6.11	Mr John Rowley Two-storey extension with balcony to form bedroom and dining room Blue Trees, Copster Green	Householder appeal	—	APPEAL ALLOWED 1.8.11
3/2011/0063 D	28.6.11	Mr Andrew Murray Proposed construction of new mezzanine space in roof void to provide seated area with window to front roof, dormer window with sliding/folding door to rear, complete with guard rail Copper Beech 6 The Drive Brockhall Village	Householder appeal	—	APPEAL DISMISSED 27.7.11
3/2011/0183 D	4.7.11	Mr Paul Haythornthwaite Double extension to side of property (Resubmission of application 3/2010/0619P) 26 Mearley Syke, Clitheroe	Householder appeal	—	APPEAL ALLOWED 11.8.11

<u>Application No:</u>	<u>Date Received:</u>	<u>Applicant/Proposal/Site:</u>	<u>Type of Appeal:</u>	<u>Date of Inquiry/Hearing:</u>	<u>Progress:</u>
3/2011/0068 D	11.7.11	Mr Anthony P Sant Proposed garage and loft conversion with dormer windows to front and rear, porch and an increase in roof height 5 Lakeland Drive Calderstones Park, Whalley	Householder appeal	–	APPEAL DISMISSED 22.8.11
3/2011/0208 D	18.7.11	Mr Mark & Victoria Haston Proposed construction of porch extension Carr Meadow Barn Carr Lane, Balderstone	Householder appeal	–	APPEAL ALLOWED 24.8.11

LEGEND

- D – Delegated decision
- C – Committee decision
- O – Overturn