

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 18 DECEMBER 2014
title: PLANNING APPLICATIONS
submitted by: DIRECTOR OF COMMUNITY SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION NO: 3/2014/0940/P (GRID REF: SD 364922 438183)
CHANGE OF USE OF GARAGE/HOME OFFICE TO RESIDENTIAL DWELLING
(RESUBMISSION OF 3/2012/0708P FOR ELEVATIONAL CHANGES) AT NEW ROW
COTTAGES, CLITHEROE ROAD, KNOWLE GREEN, PR3 2YS

PARISH/TOWN COUNCIL: No objections

ADDITIONAL REPRESENTATIONS: No representations have been received

Proposal

Planning permission (3/2012/0708P) was granted in 2012 for the change of use of the garage/home office to a residential dwelling. That planning permission was dated 12 October 2012 and other than the addition of two doors the original application proposed no other external changes to the building. This current application seeks permission for a number of alterations to the existing building as part of its conversion including:

- West elevation: removal of garage doors and insertion of elongated obscure glazed windows with stone effect rendered surrounds; a new front door and formation of adjacent stone pillar; and the extension of roof to form canopy to entrance.
- North elevation: enlargement of existing window openings to create full-length windows.
- East elevation: a new back door and French windows; the removal of a velux window; and the widening of an existing window.

Further amendments include new aluminium double glazed windows throughout, replacement of an existing timber boarded door to the rear, and the formation of a low level render band on the west (front) elevation.

Site Location

The application site lies approximately 4km east of Longridge and is situated within the Forest of Bowland AONB. The existing garage/home office building lies to the east of the cottages of New Row and is accessed off Clitheroe Road (B6243) via New Row.

Relevant History

3/2012/0708/P - Proposed change of use of garage/home office to residential dwelling.

3/2006/0032/P - Demolition of existing outbuildings and erection of detached garage with study over and separate workshop/potting shed.

Relevant Policies

Ribble Valley Core Strategy

Policy G1 - Development Control.

Policy DMG1 – General Considerations

Policy DME3 – Site and Species Protection and Conservation

Policy DMH5 – Residential and Curtilage Extensions

National Planning Policy Framework

Section 7 – Requiring Good Design

Section 11 – Conserving and enhancing the natural environment

Environmental, AONB, Human Rights and Other Issues

In this case the development is proposed on land designated as an Area of Outstanding Natural Beauty (AONB) (see policies EN2 and DME2 of the Core Strategy and section 11 of the National Planning Policy Framework). The AONB has the highest status of protection in relation to landscape and scenic beauty. As such, the landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. The environmental effects of proposals will be a major consideration and the design, materials, scale, massing and landscaping of development will also be important factors.

Whilst paragraph 55 of the NPPF states that ‘Local planning authorities should avoid new isolated homes in the countryside’ the principle of creating a new dwelling in this location has already been determined. As such, the main issues with this application relates to the visual impact on the existing building and visual amenities of the Forest of Bowland AONB and its effect on the amenities of neighbours.

Guidance on proposals to convert buildings to dwellings is provided within Policy DMH3 of the Core Strategy, which notes ‘Within areas defined as Open Countryside or AONB on the proposals map, residential development will be limited to the appropriate conversion of buildings to dwellings, provided they are suitably located and their form, bulk and general design are in keeping with their surroundings. Buildings must be structurally sound and capable of conversion without the need for complete or substantial reconstruction’. Additional advice is also provided by Core Strategy Policy DMH4, which note that planning permission will be granted for the conversion of buildings to dwellings where ‘*there would be no materially damaging effects on the landscape qualities of the area*’ and that ‘*the character of the building to be converted and its materials must be appropriate to its surroundings*’,

The proposed development would be highly visible from footpaths no.1 and 2. In particular, long range views would be gained when approaching the building along footpath no.2 from the north. It is considered that the proposed alterations, particularly the introduction of large openings in the east, north and west elevations, would not reflect local vernacular, style or materials, making the building appear out of context with the surrounding built form, particularly the New Road Cottages which are characterised by traditional features such as timber windows and doors. Particular care should be taken in the choice of materials in the AONB. The proposed dwelling appears to lack any cohesive approach to design with a mix of contemporary and traditional features. As such, it is considered that the proposal does not accord with Core Strategy policies

EN2, DMG1, DMH3, DMH4 and the design principles of the Council's SPG on Extensions and Alterations to Dwellings. However, amended plans have been submitted to include timber window frames and doors and alter the proportions and style of openings to be more appropriate to its surroundings. The low render band has been omitted and stone quoins on the south elevation will remain unadorned. Consequently, concerns regarding the design of the proposed dwelling have been overcome and it is now considered to accord with the relevant planning policies.

With regards to the potential impact on the residential amenity of the occupiers of nearby dwellings, the applicant proposes that all windows to the west elevation are obscure glazed. As such, it is considered that the proposed extension will not have an unacceptable impact on the amenity of the neighbouring occupiers through loss of outlook, privacy or light.

In summary, the proposals would change the visual appearance and design of the proposed dwelling. However, it would not result in significant harm to the character or appearance of the AONB in order to warrant refusal of the application. Accordingly, it is recommended that the application be approved.

It should be noted that should the Core Strategy be adopted reference to the Districtwide Local Plan policies would be omitted.

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 drawing no.

02 - Proposed Block Plan and Location Plan - received 6th October 2014
002 Rev A - Ground Floor Plan & Elevations - received 27th November 2014

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

3. Precise specifications or samples of walling and roofing materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved 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 DMG1, EN2 and DME2 of the Ribble Valley Core Strategy.

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

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 DMG1, EN2 and DME2 of the Ribble Valley Core Strategy.

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

REASON: To ensure that in the event that any bats are present there will be no adverse effects on the favourable conservation status of a bat population in accordance with Policy DME3 of the Ribble Valley Core Strategy.

C APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL

APPLICATION NO: 3/2014/0755/P (LBC) (GRID REF: SD 364931 429867)
PROPOSED IMPROVEMENT WORKS TO EXISTING EXTENSION TO GRADE II LISTED HISTORIC BUILDING AT MELLOR LODGE, PRESTON NEW ROAD, MELLOR, BLACKBURN

PARISH COUNCIL: No objections.

HISTORIC AMENITY SOCIETIES: Consulted – no representations received.

ADDITIONAL REPRESENTATIONS: None received.

Proposal

Re-modelling alterations to the east lodge extension (as built) are proposed to include the rendering of the stonework (not quoins), the enlargement and/or reorientation of some openings, introduction of ashlar stone moulded window surrounds and multi-paned sash windows to match the historic building, the introduction of ashlar stone moulded door surrounds and half-glazed (multi-paned) doors, the introduction of an ashlar stone cornice detailing to match the historic building and the raising of ground levels with perimeter pathway (there is a consequent need from the latter for below ground construction to have damp proof tanking).

A plan indicating what would be the impact of listed building enforcement notice implementation has also been submitted. Interestingly, this identifies the impact of the unauthorised changes to the historic build roof design and the length, width and lack of set back of the extension which it was not considered expedient to pursue (principally because of the inevitability of demolition of the extension) in the listed building enforcement notice.

The submitted plans show the proposed retention of a number of features subject to removal by the listed building enforcement notice. Most importantly, this includes the dominant extension height at wall eaves and the modern windows within the historic build.

The 'Existing' plans are inaccurate and do not show the raised patio and its boundary walling (see listed building enforcement notice); carriage lights, alarm boxes and security lights affixed to the extension and internal plan form (eg interface between historic and new build). Furthermore, reference is made to the use of 'breeze block' in construction.

The submitted 'Assessment of Significance' identifies:

“the gate lodge therefore not only has a historically significant presence in the street scene of the area but it also has a prominent position in the currently redeveloped estate”;

“the gate lodge contributes significantly to the historic character of the area. It is one of a pair of gate lodges that were the main checkpoint to visitors of the Woodfold Hall Estate”;

“the hall was constructed by Manchester architect Charles McNiven”;

“The lodges (alongside the hall itself) are a fine example of 1790s architecture and were used as an outward sign of wealth and significance at the time of their construction”;

“the existing extension as built has been designed, approved (sic) and built in such a way to cause serious harm to the listed gate lodge”;

Site Location

Mellor Lodge is a Grade II listed building which comprises two gatehouses (known informally as ‘west’ and ‘east’ lodges) separated by a pair of gates and railings. They are built in neo-classical style, date from 1790 and are said to have been designed by James Wyatt. The lodges are prominently sited immediately adjacent to Preston New Road (albeit their intended architectural and aesthetic impact has recently been compromised by a Leyland Cypress tree screen).

The list description and Planning Inspector comment suggests that the special interest of the listed building is largely derived from the formality of the neo- classical design of the gatehouses including simple plan and roof forms and architectural details and materials (ashlar stonework, sash windows and doors with architraves and triangular pediments) which provide an elegant and vertical emphasis.

James Wyatt is described by James Stevens Curl in the Oxford Dictionary of Architecture (2000, page 747) as being one of the most outstanding, prolific and successful architects of his time. He evolved an elegant neo-classicism, possibly not only derived from his time in Italy, but from studies of the work of Adam. The Dictionary states of ‘Neo-Classicism’ that *“the movement as a whole ... favoured clarity, stereometrical purity of form, and a lack of superfluous ornament or fussiness to evoke the Antique”*.

Mellor Lodge is also significant as a formal entrance to Woodfold Park. This is included in the English Heritage Register of Historic Parks and Gardens at Grade II. The principal building of the Park is Woodfold Hall (Grade II listed; 1798 by James Wyatt). The Orangery, Mellor Lodge and Middle Lodge are all separately listed at Grade II.

“The Landscape History of Woodfold Park near Blackburn” by CPR Consultants: Alan G Crosby (submitted as part of application 3/2001/0671/P) identifies:

Woodfold Park Hall *“it was without question one of the finest late 18th century houses in northwest England”* (2.3);

“... the views of the house, from the valley, the park and the opposite slope, are the basis of the landscaping and the design of the park was very carefully structured to avoid detracting from that dramatic and stark architectural centrepiece” (3.2);

“The other key element in the overall design was the treatment of the areas near to, and behind, the great new house. The first message conveyed by the design, one still instantly recognisable today, is that there should be an absolute minimum of “designed” landscape on the west, south and east sides of the house, to ensure that its dramatic and bold form remained undiminished. Thus, no planting of trees, no ornamental gardens, no other buildings, no complex patterns of paths and steps, would be permitted. It is remarkable that this forceful aspect of the design was virtually unmodified throughout the life of the house – the photographs of 1920’s and 1930’s, its

last period of splendour, emphasise that the view of the façade was a bare and “minimalist” as it had been over a century earlier.

As a result of this lack of space, and to avoid visual intrusion, the coach house, stables and other large offices were built well away from the house, at the top of the slope and outside the main park at Woodfold Park Farm. The design was ingenious and sophisticated: crucially, the architecture and plan of the house, and the design of the park and grounds were conceived as one” (3.12-3.13);

“It is striking that although by 1850 Woodfold, with its ‘classic’ late C18 architecture and landscape - was seriously unfashionable, nothing was done to reshape its overall character. Thus no formal gardens were ever constructed, no Gothic elements intruded, and the aesthetic aims of the 1790s were not compromised” (5.1).

Woodfold Park historic park and garden has appeared on the English Heritage ‘Heritage at Risk’ register since 2008. The 2014 entry identifies “*The house is now subdivided for multiple ownership and the various estate buildings have been converted as private dwellings. This progressive redevelopment has impacted significantly upon the historic character of this designed landscape*”.

Relevant History

3/2014/0752 – Improvement works to existing extension to Grade II listed historic building. Planning application invalid.

14 August 2014 - Owners prosecuted in Accrington Magistrates for failure to comply with the listed building enforcement notice for Mellor Lodge.

3/2011/0205 (LBC) & 3/2011/0206 (PA) - Retrospective application for extension and alterations, patio to rear and decking walkways. LBC and PP refused 11 July 2011. Appeals (APP/T2350/E/11/2161957 & APP/T2350/A/11/2161961) dismissed 5 April 2012. The Planning Inspector (the same architect/planner as below) states:

“The approved drawing in both cases shows a rectangular extension, nearly three times the plan area of the original building” (paragraph 3);

“The extension is substantially larger than the listed building and its scale, proportions and detailing are critical if it is not to cause harm to the architectural and historic interest of the gate lodge. The extension as built has, given its scale, proportions and detailing, caused serious harm to the listed building. The height of the approved extension was carefully considered so that its gutter and boxed eaves lined through with the stone cornice. This relationship is crucial and must be a feature of an extension to the listed building” (paragraph 8);

“(the raised patio area as built) has exacerbated the dominance of the extension over the listed building” (paragraph 10);

“... must be determined on the facts of the case and on the effect of the extension as built on the character and architectural and historic interest of Mellor Lodge. Furthermore, it is a matter of fact that the extension is higher than shown on the approved drawing” (paragraph 11);

“The other lodge has been the subject of a substantial extension and has an extensive planning history. Harm to this listed building does not justify allowing harm to the appeal building ... The Appellant does find himself in financial difficulty as a consequence of the ongoing situation between himself and the Council. However, listed building consent and planning permission was obtained for an extension and money was subsequently spent building an extension that differs significantly from that approved” (paragraph 12);

“The extension and alterations to Mellor Lodge Gate House have had a serious adverse effect on the character and architectural and historic interest of the listed building” (paragraph 14).

9 December 2010 – Subject to variation, appeals (APP/T2350/F/10/2122977 & 2122978) dismissed and a listed building enforcement notice upheld in respect to unauthorised works to the east lodge and its extension:

The listed building enforcement notice requires:

- (i) the lowering of the height of the extension walling to the level shown on the approved plans for listed building consent 3/2005/0314 and removal of the plastic roof eaves construction;
- (ii) the reconstruction of the extension roof eaves in an ashlar stone matching that of the historic build to the design, extent and height shown on the approved plans for listed building consent 3/2005/0314;
- (iii) the blocking of the window opening in the north west elevation of the extension, in stonework to match that of immediately adjacent walling;
- (iv) the blocking of the patio door opening and the window opening in the south east elevation of the extension, in stonework to match that of immediately adjacent walling;
- (v) the creation of a window opening in the south east elevation of the extension of size, dimension and location as shown on the approved plans for listed building consent 3/2005/0314;
- (vi) the removal of the raised patio at the south east elevation of the extension;
- (vii) the removal of the plastic rainwater downpipes and their replacement with downpipes constructed of cast iron or cast aluminium, to a half round profile, and painted in a colour to match the immediately adjacent stonework;
- (viii) the removal of the windows at the south west and north east elevations of the extension and their replacement with one pane over one pane vertically sliding sash timber windows painted in a colour to match the immediately adjacent stonework;
- (ix) the fenestration of the window opening in the south east elevation of the extension with a one pane over one pane vertically sliding sash timber window painted in a colour to match the immediately adjacent stonework;
- (x) the removal of the windows at the north east and south west elevations of the historic build and their replacement with single glazed six pane over six pane vertically sliding sash timber windows which do not have “horns”, which have glazing bars of not more

than 18mm finished width to a lambs tongue fillet design, and which are painted in a dark brown or dark green colour.

The Planning Inspector (an architect/planner) considered the appeal under ground (k) i.e. the steps “for bringing the building to the state in which it would have been if the terms and conditions of any listed building consent which has been granted for the works had been complied with” [paragraph 6; Section 38(2)(c) of the Act].

The Inspector states:

“the terms of a listed building consent include the information that was approved when the consent was granted. The information, in this case, is mainly included on an approved drawing that has elevations of the original building and the extension” (paragraph 6);

“the elevations on the approved drawing show the height of the extension relative to the original building and indicate that it would have a level gutter fixed to a form of boxed eaves. The drawing indicates that the gutter and boxed eaves would line through with the stone cornice feature of the original building; the top of the gutter would be at the same height as the top of the cornice and the bottom of the boxed eaves would be at the same height as the bottom of the cornice. The plastic gutter and boxed eaves as constructed are at a higher level than as shown on the approved drawing; the underside of the boxed eaves is at the same level as the top of the stone course above the cornice on the original building” (paragraph 8).

“... the external walls of the extension must be lowered for the gutter and boxed eaves to be constructed at the approved level and therefore for the extension to comply with the terms of the listed building consent. ... Step (i) of the listed building enforcement notice is not thus excessive” (paragraph 9).

The Inspector identifies *“the approved drawing shows a rectangular extension, more than twice the plan area of the original building”* (paragraph 3).

The Inspector deleted Step (ii) but confirmed that the material to be used for the reconstructed gutter/box eaves arrangement remained to be approved under condition 5 (it has been constructed in uPVC). He noted (paragraph 4) that no ground (c) appeal had been made and thus the appellant’s acceptance that the works subject of enforcement notice were contraventions of listed building control. He noted that no ground (e) appeal had been made and thus the question of whether listed building consent ought to have been granted could not be considered (see subsequent application 3/2011/0205 & 0206 and appeal above).

3/2008/0204 (PA) & 0272 (LBC) – proposed roof extension and construction of dormers to the west lodge extension refused 21 May 2008. Appeals (APP/T2350/E/08/2087761 and APP/T2350/A/08/2088141) dismissed 7 April 2009. The Planning Inspector states:

“In my view, it is the formality of the neoclassical design of the gatehouses and the simple plan and roof forms, as well as the architectural details and materials which contribute to the special interest of the building. The use of materials including ashlar stonework and sash windows and doors with architraves and triangular pediments, provide an elegance and vertical emphasis respectively” (paragraph 6).

“Given that the appeal proposal would increase the ridge and eaves heights of the end section, I consider that the proposal when combined with the middle section would create a dominant

feature which would detract from the simple form of the original single storey gatehouse ... would accentuate a horizontal emphasis which would not reflect the vertical emphasis of the original lodge building” (paragraph 8);

“Paragraph C.7 of Annex C to PPG15 suggests that modern extensions should not dominate the existing building in scale or situation ... LP Policy ENV20 states that proposals for alteration or repair of listed buildings should be sympathetic to their character and appearance. The supporting information to LP Policy ENV20 also indicates that the original building is of paramount importance” (paragraph 9);

“In addition it would create a prominent feature when approached from Middle Lodge. Therefore, given that Mellor Lodge is an important historic building within the Historic Park and Garden, I consider that a scheme that harms the gatehouse to the extent that I have set out, would clearly harm the Historic Park and Garden as well” (paragraph 10).

25 November 2008 – Planning and Development Committee resolution to serve a listed building enforcement notice in respect of unauthorised works associated with the restoration and extension of the east lodge.

3/2005/0314 – Renewal of 3/96/0767 by present owner. Listed building consent granted 10 August 2005. Conditions attached:

Notwithstanding the proposed treatment of walls with render and stone plinth revised details showing how all extension elevations are to be faced in an appropriately dressed and coursed natural stone shall have been submitted to and approved by the Local Planning Authority before the commencement of the proposed works.

REASON: In order to safeguard the character and setting of the listed building.

Notwithstanding the proposed extension fenestration of multiple-pane windows revised details showing how new windows will complement rather than imitate the historic window style 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 character and setting of the listed building.

Objections received:

“Woodfold Park is of national importance. Advise refusal. The twin lodges, together with the iron railings and gate form a delightful set piece, unfortunately marred by the design and detailing of the existing house. In addition, the development of the unaltered lodge with an extension that is more than double the size of the existing floor area is contrary to the requirements of Planning Policy Guidance 15 which states that extensions to listed buildings should be subservient to the principal building. Recognise that the existing house has already had a detrimental effect on the setting of this building but should not be compounded by allowing the proposed extension to the unaltered lodge” (The Garden History Society);

“The current proposals are considered, by virtue of their size in comparison to the original footprint of the building to constitute more of a new build than an extension, and to be detrimental to the character of the building and its contribution to the countryside, and,

therefore, contrary to Ribble Valley Local Plan Policy ENV19 (iv)” (Lancashire County Council Archaeology).

3/96/0767 and 3/97/0030 – Extension (east lodge) to preserve and restore a listed building and provide extra accommodation (applicant’s description of development). Listed building consent granted 6 March 1997 and planning permission granted 3 July 2006 (NB: delay in the signing of a Section 106 Agreement to prevent the sub-letting or sale of the east lodge and extension as a separate dwelling unit).

31 July 1991 – The Borough Council issued listed building enforcement notices in respect of unauthorised work resulting from the rebuilding of the west lodge and the construction of its extension. The Borough Council conservation officer’s resulting appeal statement identified:

“This building bares no relation to the plans submitted and does not satisfy any of the design elements which caused the original application in 1988 to be given permission. The effect of the whole is unsatisfactory and none of the objectives of the grant of planning permission have been secured”.

A Planning Inspector dismissed the appeals (APP/F/91/T2350/614775-6 and APP/F/91/T2350/614997-8) subject to replacement of a six month period for compliance with a twelve month period. He also refused to grant listed building consent for the retention of the works. Paragraph 18 of the Inspector’s statement suggests that he considered the Borough Council to have under enforced on the issue of the new build dominating the historic building.

19 January 1990 – Conviction of the previous owner at Clitheroe Magistrates Court for the demolition of the west lodge without permission.

2 December 1988 – Listed building enforcement notices served (on site’s previous owner) in respect of the west lodge and its demolition without listed building consent.

3/88/0195 and 0196 – Extension (west lodge) and alterations to gatehouses. Planning permission and listed building consent granted 26 May 1988.

15 October 1987 – Listed building enforcement notice served (on site’s previous owner) in respect of the west lodge and the removal, without listed building consent, of two sliding sash windows with glazing bars and a door.

3/84/0566/P – Extension to form single detached dwelling house (east lodge). Refused planning permission 29 January 1985.

Relevant Policies

Planning (Listed Buildings and Conservation Areas) Act 1990

NPPF

NPPG

HEPPG

Ribble Valley Districtwide Local Plan:

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

Policy ENV19 - Listed Buildings (Setting).

Policy ENV21 - Historic Parks and Gardens.

Policy G1 - Development Control.
Policy ENV4 – Green Belt
Policy ENV3 - Development in Open Countryside

The Core Strategy Submission Version as proposed to be modified:

Policy DME4 – Protecting Heritage Assets.
Policy DMG1 – General Considerations.
Policy DMG2 – Strategic Considerations.

SPG – Extensions and Alterations to Dwellings.

Environmental, AONB, Human Rights and Other Issues

The main consideration in the determination of the listed building consent application is the preservation ('keeping free from harm') of the listed building, its setting and its features of special architectural and historic interest.

Section 16(2) (relating to listed building consents) and 66(i) (the 'General duty as respects listed buildings in exercise of planning functions') of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that *special regard* be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. A number of recent legal cases have examined the weighting of this consideration in the 'planning balance'. The Governance and Legal Director of English Heritage ('Legal Developments' Conservation Bulletin Issue 73: Winter 2014) states in respect to (any level of) harm to a listed building:

"The Lyveden case reaffirmed that this means the conservation of a listed building should be afforded 'considerable weight and importance' ... with the 'great weight' of paragraph 132 and you should appreciate that minor harm does not mean merely a minor concern ... Any harm is to be given 'great weight' whether it is serious, substantial, moderate, minor or less than substantial ... every decision should acknowledge the general priority afforded to heritage conservation in comparison to other planning objectives or public benefits ... Minor harm to a heritage asset can add up to major and irreversible damage. It is obviously right that planning decisions reflect on this threat each and every time".

In respect to the Lyveden Court of Appeal decision, Gordon Nardell QC and Justine Thornton ('Turbines, heritage assets and merits', Local Government Lawyer, 24 April 2014) state:

"the key point is that once a decision-maker finds harm (to setting), there must be some express acknowledgement of the 'considerable' weight to be given, in the balance, to the desirability of avoiding that harm. It is not enough to ask in a general sense whether benefits outweigh harm, but whether they do so sufficiently to rebut the strong presumption against permission".

There is no legal duty to determine listed building consent applications in accordance with the development plan.

Guidance and advice suggests that the extension of this listed building should be approached very carefully:

'The Historic Environment Planning Practice Guide' (HEPPG) states:

"The main issues to consider in proposals for additions to heritage assets, including new development in conservation areas, are proportion, height, massing, bulk, use of materials, use, relationship with adjacent assets, alignment and treatment of setting. Replicating a particular style may be less important, though there are circumstances when it may be appropriate. It would not normally be acceptable for new work to dominate the original asset or its setting in either scale, material or as a result of its siting. Assessment of an asset's significance and its relationship to its setting will usually suggest the forms of extension that might be appropriate" (paragraph 178).

"The junction between new work and the existing fabric needs particular attention, both for its impact on the significance of the existing asset and the impact on the contribution of its setting" (paragraph 180).

"Buildings will often have an important established and historic relationship with the landscaping that exists or used to exist around them. Proposals to alter or renew the landscaping are more likely to be acceptable if the design is based on a sound and well-researched understanding of the building's relationship with its setting, both now and in the past (paragraph 192)."

'Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment' (English Heritage, April 2008) states:

"A desire to retain authenticity tends to suggest that any deliberate change to a significant place should be distinguishable, that is, its extent should be discernible through inspection. The degree of distinction that is appropriate must take account of the aesthetic values of the place" (paragraph 93).

"authenticity lies in whatever most truthfully reflects and embodies the values attached to the place (Principle 4.3). It can therefore relate to, for example, design or function, as well as fabric. Design values, particularly those associated with landscapes or buildings, may be harmed by losses resulting from disaster or physical decay, or through ill-considered alteration or accretion" (paragraph 91).

The National Planning Policy Guidance (NPPG) states:

"Distinctiveness is what often makes a place special and valued. It relies on physical aspects such as:

*building forms;
details and materials;
style and vernacular".*

"When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change".

"Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by ... our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each".

“Heritage assets are an irreplaceable resource and effective conservation delivers wider social, cultural, economic and environmental benefits”.

“Local planning authorities are required to take design into consideration and should refuse permission for development of poor design”.

“Plans, policies and decisions can effectively manage physical form at a variety of scales. This is how planning can help achieve good design and connected objectives. Where appropriate the following should be considered:

- *layout – the way in which buildings and spaces relate to each other*
- *form – the shape of buildings*
- *scale – the size of buildings*
- *detailing – the important smaller elements of building and spaces*
- *materials – what a building is made from”.*

The National Planning Policy Framework (NPPF) paragraph 59 suggests that scale, height, landscape and materials are fundamental to good design:

“design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally”.

‘The Setting of Heritage Assets’ (English Heritage, October 2011) states:

“the cumulative impact of incremental small-scale changes may have as great an effect on the setting of a heritage asset as a large-scale development” (paragraph 4.5).

“many heritage assets have settings that have been designed to enhance their presence and visual interest or to create experiences of drama or surprise. Views and vistas, or their deliberate screening, are key features of these designed settings, providing design axes and establishing their scale, structure, layout and character. These designed settings may also be regarded as heritage assets in their own rights, which, themselves, have a wider setting: a park may form the immediate setting for a great house, while having its own setting that includes lines-of-sight to more distant heritage assets or natural features beyond the park boundary” (paragraph 2.5).

“where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting ... consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset” (paragraph 2.4).

The Garden History Society’s Planning Conservation Advice Note 6 ‘Vehicle Parking and Access’ identifies:

“increasingly from the late 17th century onwards, as designed grounds expanded, the approach to a status residence, through wider estate land, became a designed feature” (paragraph 1.2).

The Garden History Society ‘Planning Conservation Advice Note 7: Treatment of boundaries and entrances’ identifies:

“Visually, the boundary around a designed landscape could be as important as the frame around a picture”.

“Carriage entrances to both public and private landscapes were invariably designed to impress, with structures and landscaping integrated in carefully detailed compositions. These were usually designed to be viewed in more than one direction (e.g. on entrance and exit and, in some instances, the composition or certain features of it, might also form a focus of other views from within the designed landscape)” (Entrances, paragraph 1.6)

“the importance of entrance ‘compositions’ as identification to the passer-by of the status and extent of its designed landscape is well demonstrated on innumerable sites around the country” (paragraph 1.7).

“Where lodges doubled as staff accommodation, that part of the curtilage devoted to domestic trappings (waste, washing, privy etc) would be very carefully screened from all view; the direct antithesis of the remainder of the entrance composition” (paragraph 1.10).

“The balance and integrity of an entrance composition may be seriously compromised by inconsistent treatment of component parts (eg of paired lodges and their curtilages)” (paragraph 5.3).

The Garden History Society’s Planning Conservation Advice Note 1 ‘Changes of Use: Structures and Landscape’ identifies:

“The degree of ornamentation and quality of materials of a building or structure usually reflects its intended status within a designed landscape” (paragraph 1.4).

“The ability of a building or structure to absorb change without adversely affecting the character and quality of the historic landscape is directly related to its status and design function within that landscape” (paragraph 2.1).

‘Garden and Park Structures: Listing Selection Guide’ (English Heritage, April 2011) identifies:

“Entrance Lodges appear from the later seventeenth century both for security and to give the passer-by or visitor a hint of the quality of the family and its house. Generally small but often elaborate (and often designed to anticipate the architectural achievement of the greater house beyond), they survive in large numbers: many thousands were built up to the early twentieth century. Architectural quality will be a key factor when assessing them for listing, together with the degree of alteration. Their importance is enhanced if the accompanying park is registered”.

Building in Context: New Development in Historic Areas (English Heritage, 2001) states:

“Thoughtless haste on the one hand and ill-considered imitation on the other have both over the years damaged the fabric of our historic towns and cities. But there is another way, in the form of buildings that are recognisably of our age while understanding and respecting history and context ... while firmly of today, they draw intelligent inspiration from what surrounds them and in that sense are rooted in the past ... some of the schemes shown here came about only because the planning authority had the courage and conviction to reject inferior schemes and demand something better” (Foreward, Sir Neil Cossons).

“On the one hand are those who believe that new development should simply ‘reflect its own time’ and that if it does this it is absolved from the need to defer or pay heed to its setting in any way ... on the other hand there are those who believe that ... when it (development) does take place it copies the architecture of existing buildings ... the former argument often leads to proposals or developments which show no regard for the context in which they sit and erode, rather than enrich, the character of the area as a result. The latter (a very different matter from authentic reconstruction) leads to a superficial echoing of historic features in new building, which itself erodes the character just as much. Particularly unfortunate results often occur when the two opinions are forced to compromise, often as a result of an attempt to change the architecture of a proposal into a more contextual form. Signs that this has taken place include: stepping down ... random application of historic elements ... matching materials which don’t match ... scaling up (detailing large modern buildings with models taken from small historic ones)” (Introduction).

‘Energy Efficiency and Historic Buildings: Application of Part L of the Building Regulations to Historic and Traditionally Constructed Buildings’ (EH, March 2011) states:

“The installation of vapour barriers into existing buildings of traditional construction is therefore rarely effective, and can actually cause increased damage by concentrating the moisture rather than dispersing it ... Internal tanking for waterproofing, or to control rising damp, has also often been applied to traditional buildings which are perceived to have problems. Very often, however, this will simply direct the moisture in unpredictable ways to alternative places where it can then evaporate away. This might be at a higher level within the building, even an upper storey, or to a connected internal wall. Whenever possible, instances of damp like this are far better dealt with by removing the moisture at source, and reinstating the original external evaporation surfaces to full health, before considering any kind of impervious intervention” (page 33).

‘The Georgian Group Guide No 3: Georgian Doors’ states: *“basic misconceptions about Georgian doors should be quickly demolished ... glass only appeared within the door during the second half of the nineteenth century, and the Georgian door was in most cases totally separated from the glazed fanlight above. It is perfectly acceptable to insert glass into internal doors – a design where the top half of the door is divided into nine glazed panels is quite a common example – but **not** into Georgian front doors”.*

‘18th Century Panelled Doors and their Details’ (J Coath in The Building Conservation Directory, 1995) states: *“There were two other developments in framing configuration in the latter half of the Century. One was the use of part glazing in garden or vestibule doors which entailed all the intermediate framing above the lock rail being left out and replaced with glazing bars in a six or nine paned design generally matching an adjacent window”.*

Conclusions

The Mellor Lodge (east) Planning Inspector considered that there had been *“serious harm to the listed building”* from the *“scale, proportions and detailing”* of the implemented extension and works.

Unfortunately, the proposed works do not address the Planning Inspector’s principal concern that extension height be reduced with *“gutter and boxed eaves lined through with the stone cornice. This relationship is crucial and must be a feature of an extension to the listed building”* (my underline).

The Planning Inspector's comments do not suggest that an incongruous and dominant extension was inevitable even with it being "nearly three times the plan area of the original building". Indeed, the Borough Council sought amendments to the scheme through the imposition of conditions on 3/2005/0314 so that extension materials and details (stonework rather than render; windows without glazing bars) would complement and not compete, imitate or dominate. In my opinion, the proposed imitation of the C18 neo-classic detailing (which is intrinsic to the special interest of the listed building) in the modern addition further undermines the distinction, elegance, careful proportions, authenticity and integrity (literally, 'wholeness, honesty') of the historic building.

The submitted 'Option 2' plan indicates that the implementation of the steps within the listed Building enforcement notice will not achieve the development with listed building consent (3/2005/0314) e.g. some window openings are no longer in proportion and have lost vertical emphasis and wall solid: void ratios are incongruous. This is because the Borough Council did not consider it expedient to request the reversal of all of the unauthorised works. Thus the extension is not only taller than originally proposed but is also wider and longer, is without set back and has diminishing stone block sizes towards the eaves. However, to have addressed these issues would have required the owner to have demolished the extension (the latter issue will largely be addressed by the lowering of eaves height requested in the listed building enforcement notice).

The Planning Inspector did not suggest that the Borough Council had under-enforced. However I would welcome the applicant's attention to the full consequences of the extension not having been built in accordance with the approved plans.

The Borough Council considered the repair and restoration of the historic and listed lodge to be a public benefit justifying its significant extension (3/2005/0314). However, the proposals do not address the mismatch between the approved plans and implemented works in respect to the historic lodge roof pitch and form (see 'Option 1' plans). Furthermore, it is proposed to retain the inappropriate windows considered at appeal (and to replicate them in the new build) and to install an inappropriate half-glazed Victorian doorway. The Planning Inspector stated:

"The alterations to the listed building include the insertion of replacement windows on two of its original openings. These windows are crudely detailed with unduly thick glazing bars to support the double glazed units. Furthermore, their unpainted finish is untypical of windows in buildings of the late 18th century. Comparison with windows installed at Woodfold Hall does not alter the conclusion that the two replacement windows have undermined the architectural and historic interest of the listed building".

The historic front door did not incorporate glazing and was extant but not in-situ during consideration of 3/2005/0314/P. In my opinion and mindful of the Georgian Group and Coath above, the proposed half-glazed doorway (associated with Victorian architecture and non-prominent/interior locations in Georgian architecture) further undermines the significance of the neo-classical design.

A substantial remodelling of historic landscape ground levels (with a consequent need to install 'damp proof tanking' to an undefined area of the building) is proposed on the south-west approach to the lodge from Woodfold Hall. The application does not include internal floor plans or sections to show the full extent and impact of landscape re-modelling and tanking. However, from the information submitted this will result in an incongruous asymmetry to the paired lodges and may compromise historic fabric 'breathability'. The reason for this significant and harmful

intervention is not understood. 'Below ground' construction is not 'breeze block' and is a good visual match to stonework.

I am also mindful of the cumulative loss of significance to this nationally important listed building from works to the west lodge and the 'progressive re-development' concerns of English Heritage in respect to Woodfold Park Historic Park and Garden (Heritage at Risk Register). The Garden History Society's Planning Advice Notes and "The Landscape History of Woodfold Park near Blackburn" suggest that the incongruity, intrusiveness and visual conspicuousness of implemented and proposed works to Mellor Lodge runs counter to the design intentions for 18th century neo-classical entrance lodges and the Woodfold Park landscape and thus listed building significance.

In my opinion, the proposals conflict with the requirements in the NPPF to: conserve heritage assets in a manner appropriate to their significance (paragraph 17); to reinforce local distinctiveness (paragraph 60); to sustain and enhance the significance of heritage assets and to positively contribute to local character and distinctiveness (paragraph 131).

In my opinion and mindful of the guidance in the NPPG and Planning Inspector conclusions the proposals (which include non-compliance with a critical element of the listed building enforcement notice) represent substantial harm to the listed building.

The NPPG states:

"In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed".

The proposals do not address the Planning Inspector's concern of "serious harm to the listed building" (extension) and "serious adverse effect on the character and architectural and historic interest of the listed building" (extension and alterations) – importantly the "crucial" relationship between proposed gutter and existing stone cornice has been ignored.

NPPF paragraph 133 requires, subject to a number of exceptions which do not appear relevant in this case, that consent be refused where a proposed development will lead to substantial harm to a designated heritage asset.

In attaching considerable importance and weight to the preservation of the listed building, its setting and its features of special interest and giving great weight to conservation (NPPF paragraph 132) I would recommend that listed building consent be refused for the proposed works.

RECOMMENDATION: That listed building consent be refused for the following reason:

The proposal would be of substantial harm to the special architectural and historic interest and significance of the listed building because of the scale, height, materials and fenestration and door design (including surrounds) of the proposed extension and the retention of inappropriate fenestration in the historic build. This is contrary to the National Planning Policy Framework Paragraph 17 (conserve heritage assets in a manner appropriate to their significance), Paragraph 131 (development sustaining and enhancing the significance of heritage assets and

positively contributing to local character and distinctiveness), Paragraph 60 (promoting and reinforcing local distinctiveness) and Paragraph 132 (great weight to conservation), Ribble Valley Districtwide Local Plan Policies ENV20, ENV19, ENV21 and G1 and Core Strategy Submission version as proposed to be modified Policies DME4 and DMG1.

APPLICATION NO: 3/2014/0846/P

(GRID REF: SD 374067 438461)

OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED FOR THE ERECTION OF 167 RESIDENTIAL DWELLINGS WITH ACCESS AND ASSOCIATED LANDSCAPING FOLLOWING DEMOLITION OF NO 23 AND 25 OLD ROW, AT LAND AT 23-25 OLD ROW, BARROW

PARISH COUNCIL:

The Parish Council considers that there is insufficient information with this application in order for an informed decision to be made. They believe that a decision should be deferred until a full application, appropriate to this size of development, is made.

However, based on the information that is provided in the application, the Parish Council strongly objects to the application on the following grounds:

1. The application is opportunistic and conflicts with both the emerging Core Strategy and the existing Districtwide Local Plan and should be refused.
2. The proposal would lead to the creation of new residential development in the open countryside in excess of the identified residual number of dwellings proposed to be accommodated in Barrow and would therefore cause harm to the development strategy as set out in the emerging Core Strategy. In recent years there has been a succession of applications to build houses in Barrow and the cumulative effect of these must be considered. In the 2010 Electoral Register, Barrow contained 304 households. Since 2008 permission has been granted for over 750 new dwellings as well as two separate permissions to develop surrounding agricultural land for industrial use. It is considered that Barrow has already had its fair share of development and any further developments should be refused. In the emerging Core Strategy, Barrow is **not** identified as a key service centre and further development in Barrow cannot be justified. In the document, Barrow is included in 'other villages' and the total number of dwellings allocated should be spread across all villages in the Ribble Valley.
3. The proposal is not sustainable development as defined in NPPF. The village has insufficient facilities and infrastructure to support its current population and it cannot accommodate further residential development. At present, residents are required to travel to Whalley or

Clitheroe or even further to obtain the services that they require.

4. The majority of land covered by this application is designated as being for commercial or industrial use as part of the Barrow Brook Business Park, as set out in the emerging Core Strategy. Outline permission has already been granted to allow for this and no change of classification has been applied for or approved.
5. It appears from the submitted plan that all the traffic generated from the development would enter and exit the site on to Whalley Road in Barrow. This area of Whalley Road is mainly fronted by terraced properties without garages and off-street parking so traffic conditions are already hazardous. The proposed development would result in an increase in traffic movement and extra parking on Whalley Road which would reduce it to a single lane road. The local transport system is already at capacity and cannot cope with any extra cars. Traffic often comes to a standstill as buses, large vehicles etc are unable to pass each other, especially during school drop off and pick up times. The cumulative effect of traffic from the other approved applications must also be taken into account, especially the development of 504 dwellings in the locality and other permissions in Whalley and Clitheroe. The Parish Council considers that a more sensible approach would be to have the entry/exit point into the site from the Business Park at the side of Total Foods and then on to the A59 at the roundabout near to the McDonalds Restaurant.
6. The construction traffic would also represent a serious highway safety concern due to large heavy vehicles using Whalley Road. This would be dangerous for pupils walking to school, would bring traffic to a constant gridlock situation and would also affect the quality of life to nearby residents due to dust and noise pollution.
7. The demolition of 25 Old Row is strongly opposed as this is an important part of Barrow's industrial heritage. It is understood that the property was originally known as Barrow House and is thought to have been built before 1830 as a house for the first owner of Barrow Print Works. LCC's Archaeology Service must be fully consulted on this application and an archaeological survey must be carried out before a decision is made.
8. It is understood that the demolition of 23 and 25 Old Row was required for access purposes yet replacement dwellings are shown to be erected on the footprint of these buildings, therefore it is unclear exactly how the access would be improved.
9. There are insufficient places in Barrow Primary School to accommodate the children that would be resident in this development.

10. The sewage facilities of the village are insufficient to cope with this development and there are concerns regarding the surface water draining from the site that would increase pressure on the water systems on Old Row and the rest of the village.
11. The plans do not include any provision for children and it is considered that an application of this size must include a children's play area as Barrow Playing Field does not have the capacity for the additional children from this development.
12. The Parish Council is disappointed that the application does not include any contributions for the benefit of the community in Barrow. Although remaining strongly opposed to the application, the Parish Council believes that if it is approved, the developer should be asked to contribute towards the community.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

The County Surveyor (CS) confirms that access to the site is from Whalley Road only, with no access onto or from the A59 at the eastern end of the development site; and that an earlier outline permission (3/2012/0623) for 23 dwellings on part of the site, with access taken from Whalley Road, shows that an acceptable access is possible from Whalley Road.

The County Surveyor comments that, despite appropriate advice being given by LCC Highways to the developer at pre-application stage, the Transport Assessment submitted with the application is not sufficiently comprehensive and does not fully assess the traffic conditions on the local highway. He is not, therefore, able to comment fully on the application as submitted and consequently he **objects to the application and recommends refusal**. However, if additional information is supplied by the developer, he will comment on the wider aspects of the development proposals in more detail.

At pre-application stage, LCC advised the developer of the transport related information and analysis that was generated by applications for several large residential developments in Barrow and Whalley. This included the highway capacity issues in the centre of Whalley and the impact of the increased traffic resulting from these developments on other routes and locations.

The developer was apprised of the highway issues arising from the Barrowlands proposed developments in Barrow. The developer was directed to the documentation prepared for the local enquiry into the development of 504 dwellings (and also 190 dwellings) off Whalley Road in Barrow, such as the Statement of Common Ground, which informed the inspector and was generally agreed to provide a basis for evaluating the transport issues in this area.

There are, however, a number of highway issues related to this proposed development which need to be resolved and include the following.

1. The accessibility of the site.

The development site extends from Whalley Road in the west to the A59 in the east, a distance of 420m. It is an irregular shaped site with the width varying between 75m and 260m (in the north/ south direction), with the majority of the development within 220m of the A59.

The developer suggests that the site scores a medium accessibility score (of 26) but the CS's assessment is a score of 19, although this may be varied slightly on closer examination of the parameters considered. The reason for a significant difference between these two assessments is that the developer appears to have measured the distance to facilities from close to Whalley Road, whereas the measurement should be taken from the centre of the site.

This will increase the amount of funding that could be requested for highway improvements and off-highway improvements. An estimate is a contribution of £1 850 per dwelling giving a total possible contribution of £308 000.

Another more important ramification of poor accessibility is that of the sustainability of the proposed development. With insufficient local amenity, and few facilities nearby eg. shops, local services and senior schools, the residents of this proposed development will tend to rely on the private motor car rather than public transport or other sustainable transport options. This issue is not fully analysed by the developer and as such it is concluded that this development will not be sustainable.

The permeability of the site is generally poor, with all access (vehicular and pedestrian) being from the western end of the site. Some provision should be made to provide a direct link to the commercial area off Holm Road south of the site rather than expecting residents to walk onto A59.

2. Committed developments.

The transport consultant has omitted to include the residential developments in Whalley: 3/2010/0837, 3/2010/0820, 3/2010/0637 and 3/2012/0179.

3. Impact of the development on local highway network.

Queue lengths at junctions should be recorded so that the junction traffic analysis and assessment can be verified with actual observations on site.

The developer should review the TEMPRO growth rates included in Table 5. The values for the AM and PM peaks do not appear to be consistent.

The CS does not agree with the methodology set out in paragraph 6.1 of the TA. The percentage impact of the traffic generated by this development is not a significant consideration in deciding which junctions should be further assessed in this area and under these conditions of rapid growth. However the developer has not followed this methodology, as junctions which attract less than 5% impact have in fact been further assessed. This further assessment is not sufficiently comprehensive for the King Street Whalley mini roundabouts. The effects of the 167 dwelling development on the capacity of the junctions is determined; but no possible mitigation measures are explained or assessed.

The TA shows that the traffic impact on these junctions is becoming severe. At these junctions even a small increase in traffic flows could result in severe conditions. There are instances where at a local enquiry inspectors have concluded that even the addition of one vehicle at a junction could render the impact as severe. Section 6.5 of the TA promises to discuss mitigation measures, but in fact the developer's solution is to offer to pay the balance of the planning obligation contribution (after the costs of other identified off-site works have been deducted) to LCC to help improve the junction capacity. This amounts to £85 850 as a contribution to mitigation measures on the highway.

Although the works to mitigate the impact of the Barrowlands 504 dwelling development, will help with the accommodation of the traffic generated by this development, the developer would be asked to make proposals to mitigate the effects of this development (at all locations of impact). If there is no prospect of mitigating this additional traffic flow, then making a payment to LCC as a contribution, will not necessarily solve the problem. In this circumstance it would be reasonable to assume that the residual cumulative impacts of this development are severe and the application should be refused.

4. Public Right of Way.

The proposals by the developer to improve this footpath through the site is welcomed. The improvement to the PRoW within the site is to be paid for by the developer as part of the costs of developing the site, and it is agreed that improvements

to the PRow outside of the site would be paid for as a S106 contribution. The developer's estimated cost of this is over £45 000, which seems to be excessive and should be explained.

The sections of the PRow outside of the site include a link to the primary school at the western end of the site, and a link along A59 to the 'crossing' (a break in the central barrier) of the A59 at the eastern end of the site near to the Holm Road roundabout. This latter cost could be avoided if the footpath within the site was re-routed direct to the pedestrian 'crossing'.

The improvements to the PRow to the primary school should include street lighting.

LCC (PLANNING CONTRIBUTIONS):

In relation to education provision LCC has commented that, based upon the latest assessment, they will be seeking a contribution for 37 primary school places and 25 secondary school places.

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

Primary places:

$(£12,257 \times 0.9) \times \text{BCIS Indexation } (314.50 / 288.4 = 1.090499)$

= £12,029.62 per place

$£12,029.62 \times 37 \text{ places} = \mathbf{£445,096}$

Secondary places:

$(£18,469 \times 0.9) \times \text{BCIS Indexation } (314.50 / 288.40 = 1.090499)$

= £18,126.38 per place

$£18,126.38 \times 25 \text{ places} = \mathbf{£453,160}$

However, if any of the pending applications (as listed in their letter) are approved prior to a decision being made on this development, the claim for primary school provision could increase up to maximum of 85 places.

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

$(£12,257 \times 0.9) \times \text{BCIS Indexation } (314.50 / 288.4 = 1.090499)$

= £12,029.62 per place

$£12,029.62 \times 85 \text{ places} = \mathbf{£1,022,518}$

As this is an outline application with no details provided in relation to the number of bedrooms within the dwellings, the above calculation is based on the worst case scenario that all of the dwellings would have four bedrooms. Once detailed bedroom information is available, the impact of the development would be reassessed by LCC Education.

LCC (ARCHAEOLOGY):

The Lancashire County Archaeology Service (LCAS) has commented in relation to previous applications relating to this land that there is a high potential for archaeological deposits relating to settlements of the prehistoric, Roman and/or medieval period to be encountered. A permission for 23 dwellings in 2012 (3/2012/0346/P) was subject to a condition that there would be archaeological investigation of the site. The position of LCAS regarding the need for below-ground works to be undertaken remains unchanged, and that such works should again be a condition of any planning permission.

Comments made by the Parish Council in relation to the previous application for housing development suggested that No 25 Old Row was built prior to 1830 as a house for the then Barrow Printworks owner and is recorded on the 1st Edition Ordnance Survey (Lancashire Sheet 55, surveyed 1844-46) as Barrow House. No 23 is also recorded on the 1st Edition OS as part of a terrace of buildings which may be of a similar date to No 25. As this current application would require the demolition of both buildings, LCAS would recommend that the suggested archaeological investigation of the site should also include an assessment of No's 23 and 25 Old Row, and an appropriate level of archaeological recording should they be considered of sufficient interest to merit such work.

LCAS therefore recommends that if the Local Planning Authority is minded to grant permission, then an appropriate condition should be imposed to cover the matters referred to above.

ENVIRONMENT AGENCY:

The Environment Agency (EA) comments that a Flood risk Assessment (FRA) has been submitted as part of the application in accordance with the requirements of the National Planning Policy Framework (NPPF). Having reviewed the FRA (Ref: ENV/0305/14FRA, dated August 2014) the EA is satisfied that the proposed development would be safe and that it would not be at an unacceptable risk of flooding; nor would it exacerbate the risk of flooding elsewhere, provided that the development was to proceed in accordance with the recommendations of the FRA.

The EA therefore has no objections to the proposed development subject to a condition requiring the development to be carried out fully in accordance with the requirements of the approved FRA.

The EA also recommends the imposition of a condition to require the submission for the approval of the Local Planning Authority of a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme to then be subsequently implemented in accordance with the approved details before the development is completed.

The Environment Agency has also given guidance in relation to the matters of pollution control, biodiversity and measures to be taken in respect of a watercourse that crosses the site. In the event that outline planning permission is granted, these matters would be covered by appropriate informatives on the Notice of Planning Permission.

UNITED UTILITIES:

United Utilities draw attention to a number of matters in order to facilitate sustainable development within the region as follows.

In accordance with NPPF and the Building Regulations, the site should be drained on a separate system with foul drainage to the public sewer and surface water draining in the most sustainable way. Building Regulation H3 clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. The developer is asked to consider the drainage options in the following order of priority:

- a) An adequate soakaway or some other adequate infiltration system or, where that is not reasonably practicable –
- b) A watercourse or, where that is not reasonably practicable –
- c) A sewer.

To reduce the volume of surface water draining from the site, United Utilities would promote the use of permeable paving on all driveways and other hard standing areas, including footpaths and parking areas.

Overall, United Utilities would have no objection to the proposed development subject to appropriate conditions and advisory notes being included on any planning permission.

ELECTRICITY NORTH
WEST:

Do not express any objections to the application but point out that the development could have an impact upon their infrastructure. They therefore advise that the applicant should be informed that, should there be any requirement to divert any apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant. ENW also advises that the applicant should be aware of their requirements for access to inspect, and maintain, adjust, repair, or alter any of their distribution equipment.

ADDITIONAL
REPRESENTATIONS:

At the time of report preparation, a total of 25 letters have been received from 18 local households. The letters are on file and available for viewing by Members, but a summary of the objections that they contain is as follows:

1. Number of houses – a permission for this application would bring the number of houses either recently built or proposed in Barrow to over 1,000. This is a totally unacceptable number to be imposed on a small village with no facilities or infrastructure to cope with such an influx.
2. The additional traffic from this development, when added to the other recently approved/built developments in Barrow would be seriously detrimental to highway safety on Whalley Road and also on the traffic routes via Whiteacre Lane and through Wiswell using country lanes that are not suitable for such a volume of traffic and that are already used as a rat run. Access to the development should be from the A59 and not from Whalley Road.
3. The proposed demolition of the existing historic properties (numbers 23 and 25 Old Row) thereby also spoiling the rest of the terrace, is not justified and is “little more than vandalism”.
4. Strain on services and facilities – any further development in Barrow will have a very serious detrimental effect on residents living in and around the area. Local facilities including the immediate primary school and surrounding public services including secondary schools and doctors are already seriously oversubscribed. Barrow Primary School is overfull and cannot comfortably accommodate the children that it already has. It therefore seems inconceivable that consideration can be given to applying even further strain on this school and its resources by allowing even further new housing development in this area. The proposal would also put further strain on the existing surface water and sewage disposal systems.

5. This application has been submitted at this time in order to pre-empt the finalisation of the Council's Core Strategy if the development is approved at this stage then the process to determine Ribble Valley's Core Strategy will have been a waste of time.
6. Under the Districtwide Local Plan, the site falls outside the settlement boundary and is designated as open countryside. These are agricultural fields that form the rural setting for the village and the wider area south of Clitheroe and west of the A59. The development would have a significant visual impact on the area and would be seen from many locations as far away as Pendle Hill, Wiswell Moor, Waddington Fell, and Longridge Fell.
7. The proposal would be part of the ongoing creation of urban sprawl from the boundary of Wilpshire through Langho, Billington, Whalley, Barrow and Clitheroe to Chatburn on the west side of the A59.
8. Contrary to statements in the application, Barrow is not a "service centre" and contains only limited facilities. It is unrealistic to think that residents would use public transport to undertake their daily living activities. Employment, schools and shops are external to Barrow and people will not walk over 2 miles to the rail station, wait for buses or use cycles to shop and take children to school.
9. The proposed development on these fields would be detrimental to local wildlife.
10. This land should be kept for industrial use as in time to come where are the future generations going to find employment. In the beginning of the printworks development numerous jobs were projected but the actual number has fallen short of what was anticipated. More jobs are needed in this locality not more houses.

Proposal

The application seeks outline planning permission with all matters reserved for the erection of 167 residential dwellings with access, parking and associated landscaping following the demolition of No's 23 and 25 Old Row, Barrow.

Although all matters are reserved for subsequent consideration, information relating to the use, amount, access, layout and scale parameters have been provided in the form of an illustrative master plan and a Planning Statement in accordance with the requirements of Article 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and Circular 01/2006.

As stated, the application proposes 167 residential dwellings. As shown on the indicative layout these comprise a range of house types and sizes, although the exact mix of bedroom sizes is not known at this stage.

The whole development is to be served by a single access onto Whalley Road. An indicative drawing of the proposed access has been submitted with the application and this will be delivered following the demolition of the former La Taverna Restaurant (no's 23 and 25 Old Row). The access would involve the modification of the existing access to a suitable standard to serve a residential development of this size.

The indicative layout shows that car parking provision would be made for existing nearby residents by the provision of a car park along the western boundary of the site to the rear of numbers 41 – 21 Old Row.

It is proposed that a pedestrian access will be provided to the children's play area to the south of the site (near to Washbrook Close) and to the adjacent paying field.

A public right of way currently crosses the site but it is stated that this would be diverted as part of the proposal.

In relation to the matters of scale and appearance, the following points are made in the Planning Statement indicates:

- Houses would be two storey or two and a half in height with varying ridges and eaves height.
- Houses would be set back on the plots in order to provide front garden areas with on-site car parking provided to the front, side or rear of dwellings (where appropriate).
- Rear gardens would be private spaces with an average depth of 10.5m. The amenities of existing neighbouring residents will be protected by providing suitable separation distances to the site boundaries from habitable room windows.
- Soft landscaping is proposed within the development especially around the turning heads. There will be new tree planting as the site currently has limited natural features.
- A wildlife corridor is to be created to the eastern boundary of the site in order to provide an area of public open space whilst encouraging biodiversity and also screening the development from the A59.
- There would be other parcels of public open space throughout the development. In total there would be 1.22 hectares of public open space within the development.
- Dwelling would be orientated to take advantage of solar gain;
- be constructed to meet the Code for Sustainable Homes Level 4 and built to life time standard;

Site Location

The 'L' shaped application site has an area of approximately 7 hectares and comprises a number of agricultural fields; an informal parking area at the rear of Old Row Barrow; and the former restaurant/public house and cottage, no's 23 and 25 Old Row. The site is situated to the north eastern side of Barrow Village. In the Local Plan, the site is within the open countryside outside the settlement boundary of Barrow.

At the south western corner of the site is a piece of land (that includes the informal parking area) with an area of 1.13 hectares which has the benefit of outline permission for a development of 23 houses (3/2012/0623/P).

The larger part of the site (with an area of approximately 6 hectares) comprises a number of fields that are currently down to grass and accordingly the northern boundary of the site is marked by an existing field boundary. The eastern edge of the site is defined by the A59. The northern half of the western boundary is adjoined by existing residential development. To the south, the site is adjoined by the existing Barrow Brook Business Village that is accessed directly off the A59. Hey Road links the A59 roundabout to the business park, providing access to the existing petrol filling station, Co-operative food store, McDonald's restaurant, the Total Foods Services distribution centre, offices and recently constructed residential development.

This larger part of the site has the benefit of two outline planning permissions for employment development that we both granted in February 2013 and will therefore remain extant until February 2016 (see Relevant History below).

Relevant History

3/2012/0346/P – Outline application for mixed use B1, B2 and B8 industrial development including means of access relating to an area comprising approximately 6 hectares of the current application site – approved subject to conditions.

3/2012/0739/P – Outline application for a development of up to 13,000m² of mixed use B1, B2 and B8 employment floor space relating to approximately 3 hectares of the current application site – approved subject to conditions.

3/2012/0623/P – Outline application for residential development of 23 dwellings on a site comprising approximately 1.1 hectares of the current application site – approved subject to conditions.

Relevant Policies

Ribble Valley Districtwide Local Plan

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 ENV10 - Development Affecting Nature Conservation.

Policy ENV13 - Landscape Protection.

Policy H20 - Affordable Housing - Villages and Countryside.

Policy H21 - Affordable Housing - Information Needed.
Policy RT8 - Open Space Provision.
Policy T1 - Development Proposals - Transport Implications.
Policy T7 - Parking Provision.

The Core Strategy Submission version as proposed to be modified

Key Statement DS1 – Development Strategy.
Key Statement DS2 – Presumption in favour of Sustainable Development
Key Statement EC1 – Business and Employment Development.
Key Statement EN3 – Sustainable Development and Climate Change.
Key Statement EN4 – Biodiversity and Geodiversity.
Policy DMG1 – General Considerations.
Policy DMG2 – Strategic Considerations.
Policy DMG3 – Transport and Mobility.
Policy DMB1 – Supporting Business Growth and the Local Economy.
Policy DME1 – Protecting Trees and Woodland.
Policy DME2 – Landscape and Townscape Protection.
Policy DME3 – Site and Species Protection and Conservation.
Policy DMH3 – Dwellings in the Open Countryside and AONB.

National Planning Policy Framework (NPPF).
National Planning Policy Guidance (NPPG).

Environmental, AONB, Human Rights and Other Issues

This is an outline application with all detailed matters reserved for subsequent consideration at reserved matters application stage. The main considerations therefore concern the principle of the proposed residential development and its effects in relation to regeneration and economic matters. The matters of landscape/visual amenity, residential amenity, tree/ecology considerations, archaeology, infrastructure provision, highway/traffic implications, public footpath issue and contaminated land issues do, however, also have to be given some consideration. For ease of reference these matters are broken down into the following sub-headings for discussion.

Principle of Development

The Inspector's Report on the Council's Core Strategy has now been received and publicised. The Inspector concludes that with some modifications as set out in the Appendix to his Report, the Core Strategy satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the NPPF.

The weight that can be given to relevant policies in the Core Strategy is guided by para. 216 of the NPPF. In relation to the criteria set out in para. 216:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that can be given);
The stage is very advanced so significant weight can be given in this regard. There is to be no further consultation and the only outstanding stage is adoption of the plan.
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that can be given);

The Examination of the plan has considered the objections and the Inspector's Report and Modifications effectively provides a final view on such matters. There is no further stage of consultation. As such, significant weight can be given.

- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies of the NPPF, the greater the weight that can be given).

The Inspector's Report concludes that with the Main Modifications put forward, the plan's approach to various aspects of the strategy are justified, effective and consistent with national policy. As such significant weight can be given.

In conclusion the Council considers that significant weight can now be attributed to the policies of the Core Strategy. The principle of this proposed development is therefore examined below within this context.

The large site is located outside but adjacent to the settlement boundary and is allocated as Open Countryside in the Districtwide Local Plan (DWLP). Policies G2, G5 and ENV3 apply. In keeping with these policies, only development which is for small scale development of the types specified in policy G5 would be permissible; development of this type and scale would not meet the criteria. ENV3 requires that development is required to be in keeping with the landscape character of the area and states that only development which has benefits to the area will be allowed.

In addition, a small parcel of the site is covered by policy G6 which restricts development on this essential open space land. However, whilst the DWLP policies set out above are saved policies, aspects are considered to be dated as they relate to a development strategy contained in a dated Plan which sought to guide development up to 2006. As stated above, the Core Strategy is now at a very advanced stage. Until the Core Strategy has been adopted, however, the Local Plan Policies still need to be considered, although the weight given to them is limited.

In terms of the Settlement Boundaries as set out in the DWLP, at its meeting on 18th September 2014 RVBC's Planning and Development Committee resolved to agree to continue to use the settlement boundaries contained within the DWLP where appropriate for Development Management purposes. It has already been accepted that settlement boundaries are out of date in Barrow due to the various permissions that have been granted.

NPPF para. 49 requires that "Housing applications should be considered in the context of the presumption in favour of sustainable development." This re-iterates the Framework's general presumption in favour of sustainable development set out at para. 14 and included is Key Statement DS2 of the Core Strategy as proposed to be modified.

In terms of housing land supply the Council is mindful of the NPPF requirement to ensure a five year supply of deliverable sites. The Council's latest published position is that it has a 5.1 year supply at 30th June 2014 based on an annual requirement of 280 dwellings per year. Further applications have been approved since that date, which are likely to add to supply.

Policy DS1 of the Core Strategy states that, "*the majority of new housing development will be concentrated within an identified strategic site located to the south of Clitheroe towards the A59; and the principal settlements of Clitheroe, Longridge and Whalley...In addition to the identified strategic site at Standen and the borough's principal settlements, development will be focused toward the nine Tier 1 villages (including Barrow) which are the more sustainable of the 32 defined settlements:*

Development that has recognised regeneration benefits, is for identified local needs or satisfies neighbourhood planning legislation, will be considered in all the borough's settlements, including small-scale development in the smaller settlements that are appropriate for consolidation and expansion or rounding-off of the built up area.

Latest monitoring at 30th June 2014 identifies that there have been 710 commitments (permissions or completions) in Barrow since the beginning of the plan period. It highlights that there is no residual requirement for dwellings in Barrow for the remainder of the plan period (up to 2028) in accordance with the spatial distribution of housing as per DS1 (as proposed to be modified). Subsequently at this point in time there is no quantifiable need for additional dwellings in Barrow.

It is evident therefore that the proposals would be contrary to the proposed Core Strategy Development Strategy. It is considered that Barrow has received a significant number of housing commitments since the start of the plan period, and any additional residential development in this location would be unacceptable in terms of effectively delivering Policy DS1.

In conclusion therefore, it is considered that, in the principle, the proposal is contrary to the adopted DWLP and the Policies of the Core Strategy (that is now at a very advanced stage) and would not satisfy the sustainability requirements of NPPF.

Regeneration/Economic Considerations

This proposed residential development would result in the removal of employment growth opportunities in a strategic location. The importance of strategic locations for employment growth is addressed within the Ribble Valley Economic Strategy that cites the contribution which Barrow Brook can make towards the economic development opportunities within the Borough and also in the Ribble Valley Employment Land Study Refresh 2013 that recognises that the most suitable locations are those that are well related to the A59 corridor as having the potential to deliver economic growth through the delivery of appropriate sites, and as such highlights Barrow Brook Enterprise Park as a key strategic location.

The two existing planning permissions that are in place for business development on the site, (3/12/0346 and 3/12/0739), both provide the capacity for employment generation and it is considered that the loss of future employment land provision to a residential use, as proposed in this application, would cause harm to the future growth prospects within the local economy and be contrary to the Core Strategy and the aims of the Economic Strategy.

The Core Strategy 2008-2028 highlights the limited number of employment opportunities available in the borough, which results in a high level of daily out commuting to access employment opportunities, and therefore this site would support the underlying strategic approach to of align jobs with homes in key areas, and has the potential to deliver benefits such as reducing the levels of out-commuting and increasing self-containment. The Core Strategy clearly sets out in section 7 that 'the Council considers Barrow Enterprise Park to be an important employment land resource that has the significant potential to provide for economic growth and deliver sustainable development for the borough' and this specific site is intended to be a key identification within the Housing and Economic Development DPD for employment use.

This application is considered to be in conflict with sustainable development principles within NPPF – the recent appeal decision relating to the ‘Barrowlands’ development close to this site, allowed on appeal in February 2014 (APP/T2350/A/13/2190088) raised the issues of sustainability, and it was noted by the inspector in the decision statement that “the location of the Council’s main strategic employment area in Barrow is an important consideration in favour of the appeal scheme in sustainability terms” (para. 16, APP/T2350/A/13/2190088). The appeal decision also considered the sustainability of the appeal site in relation to the possibility that non-car modes of transport could be utilised, helped in part by the proximity of the strategic employment location at Barrow Enterprise Park to access employment. A permission for this current application would prevent that sustainable development being achieved and therefore, the loss of employment land on the application site would compromise the sustainability of the area and be contrary to the delivery of the economic elements of the Core Strategy.

As a supporting document to the application, the applicants have submitted a letter from a chartered surveyor that relates to the viability of the application site for employment use. The conclusion of the letter is that, for a number of reasons, the site is currently unviable for employment use development. Whilst not accepting that conclusion, the important consideration is that Key Statement DS1 of the Council’s Core Strategy identifies the Barrow Enterprise Site as a main location for employment in the borough. This intention relates to the whole of the Plan period up until 2028. The granting of permission for housing development on this 7 hectare application site would therefore be seriously prejudicial to a principal aspect of the Council’s Core Strategy; and would also be in conflict with the sustainability requirements of NPPF.

It is therefore considered that the p[r] would compromise the delivery of the economic element of the Core Strategy and the economic strand of NPPF sustainability.

Highways/Traffic/Public Footpath Considerations

The comprehensive comments of LCC Highways on this application have been given earlier in this report. From those comments it can be seen that insufficient information has been submitted with the application to enable LCC Highways to full assess the impact of the proposed development on the local highway network. As such, the proposed development could be detrimental to highway safety and LCC Highways therefore recommend accordingly that permission should be refused for the application as submitted. It should be noted, however, that the submission of additional information by the applicants for consideration by LCC Highways could result in the issues being resolved.

The Highway Officers also refer to the public footpath that crosses the site and say that the improvement to this footpath as proposed in the application is welcomed. In the event of outline planning permission being granted, however, the diversion of this footpath would still also need to be the subject of a Footpath Diversion Order.

Landscape/Visual Amenity

In relation to this consideration, it is considered worthy of note that approximately 6 hectares of the application site has outline planning permission for employment development in the remaining approximately 1 hectares as outline planning permission for residential development. Those permissions were granted following a consideration of the relevant matters as described below.

NPPF defines three dimensions of sustainable development as economic, social and environmental. The environmental role is aimed at contributing to protecting and enhancing our natural environment. Saved Policy ENV3 of the Local Plan and Policy DME2 of the Core Strategy define an intention to protect and, where possible, enhance the local landscape.

The application site is not subject to any local or national landscape designation. It is within the Undulating Lowland Landscape character area that is defined by farmland. The adjoining land to the south, which is within the same Landscape Character Area, has been considered appropriate for a mix of commercial and residential development. In the event of this outline planning permission being granted, it could be ensured through appropriate care at reserved matters application stage, in relation to the siting, size, design and external materials of the dwellings, that the development would appear as an appropriate extension to the existing older and more recent residential development in the area without any serious detriment to the visual amenities of the locality.

In relation to this particular detailed consideration, the application would therefore be acceptable subject to appropriate conditions.

Considerations Relating to Trees and Ecology

It is also considered relevant in relation to this consideration to be mindful that the whole of the site has the benefit of extant outline planning permissions for housing and employment development.

Appropriate ecological and arboricultural reports were submitted with those applications. Following consideration of those reports, it was considered that the proposed developments were acceptable in relation to those considerations subject to appropriate conditions.

A recent Ecological Appraisal, Tree Survey and Schedule of Arboricultural Constraints Appraisal have also been submitted with this current application. The Ecological Appraisal included surveys of the land, trees and buildings within the site for the presence of protected species. The conclusion was that no protected species inhabited the site although a number of trees did possess features that would make them potential bat roosts.

Overall, the Appraisal did not refer to any matters that would justify refusal of the application. A number of recommendations were made, however, in relation to:

- Reinforced planting on the eastern and western boundaries of the site in order to maintain and enhance a wildlife corridor around the site and to maintain a link for wildlife to habitats within the wider landscape.
- Any planting of tree/shrubs to include species that would attract fauna on to the site, eg plant species that produce pollen, seed or berries.
- To enhance habitat diversity on the site consideration should be given to the provision of species which grasslands in appropriate areas.
- Soil not to be enriched.
- Two ponds to be created as part of the ecological enhancement of the site.
- In relation to bats – all lighting on site to be focused away from surrounding vegetation to encourage the on-site use of this habitat by bats for foraging; and mitigation measures in the event that bats are found during development works.
- Site clearance at appropriate times of the year in recognition of the bird nesting season;

- Appropriate removal and disposal of Japanese Knotweed that was found on a small part of the site.

The submitted Arboricultural Assessment recommended the removal of only a few trees due to their poor structural condition. The majority of the existing trees are on or close to the site boundaries and can therefore be retained.

The Council's Countryside Officer has studied the Ecological and Arboricultural Assessments and, subject to the appropriate protection of trees that are to be retained, and the implementation of conditions to cover the recommendations of the Ecological Appraisal, he has no objections to the proposed development.

In relation to this particular detailed consideration, the application would therefore be acceptable subject to appropriate conditions.

Archaeology

The County Archaeologist has considered the application in relation to both the possibility of archaeological deposits being found on the site and the historic importance of No's 23 and 25 Old Row that are to be demolished. Subject to an appropriate condition, he has confirmed that he has no objections to the proposed development.

Therefore, subject to an appropriate condition, the application is acceptable in relation to this particular detailed consideration.

Residential Amenity

The submitted illustrative layout shows the provision of a planted belt along the southern boundary of the site. This would separate the proposed dwellings on the south western part of the site from existing dwellings on Washbrook Close. The proposed provision of a parking area for existing residents also has the effect of separating the proposed dwellings in the south western corner of the site from the existing dwellings at Old Row. The only other location where the application site adjoins existing residential properties is at the north western corner of the site; but the existing dwellings in this location have large curtilages such that they are well separated from the proposed dwellings. The illustrative layout also shows the dwellings on this part of the site having side elevations, rather than principal elevations, facing the existing dwellings.

Any reserved matters application would be expected to broadly comply with the illustrative site layout. Through such appropriate screen planting and appropriate separation distances between existing and proposed dwellings, the specific effects of the development on the amenities of existing nearby residents would be properly assessed and addressed at reserved matters application stage.

The level of amenity to be provided to the future occupiers of the proposed dwellings is also a relevant consideration, particularly in respect of the dwellings close to the southern boundary of the site that would adjoin existing (and possible future) commercial developments. Outline permission, of course, already exists for 23 houses at the south western end of the site. That permission was subject to a condition that 'prior to the commencement of development, a scheme of noise mitigation measures shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved

details'. In the event that permission was to be granted in respect of this current application, the imposition of a similar condition would address this particular concern.

Overall, therefore, in relation to the consideration of residential amenity, the application is considered to be acceptable subject to appropriate conditions.

Infrastructure Provision

Concerns have been raised by persons objecting to the application about the inability of the local school to cope with the demand for places that would result from this development; and possible detrimental effects upon the existing surface water and sewage disposal systems.

The County Council has requested a financial contribution to address the shortfall in both primary and secondary school places. This is in accordance with the normal practice. The applicants have submitted a draft Section 106 Agreement with the application in which there is an undertaking to pay to Lancashire County Council a contribution towards the provision of school places.

Subject to conditions, the Environment Agency does not express any objections to this application and United Utilities have also not expressed any objections to the application.

In the event that outline planning permission was to be granted, these concerns would therefore be appropriately addressed by conditions or requirements within a Section 106 Agreement.

Contaminated Land

A Phase 1 Contaminated Land Study has been submitted with the application. The Study provides an investigation of the land use history of the site and surroundings to establish whether any contamination is present that may impact on a sensitive end land use. The report identifies a number of contaminants; ground gasses and contaminated ground water generated by historic landfill within 250m of the site; previous agricultural pesticides and insecticides; a historic gasometer 150m to the south of the site and filter beds associated with sewage works. However, the conclusion of the report is that the level of contamination is considered to be low but that further investigation works are recommended should outline planning permission be granted.

The Borough Engineer has confirmed that there are no objections to the application subject to a condition requiring further investigations works and the implementation of any mitigation measures that might be considered necessary.

Therefore, in relation to this particular detailed consideration, the application is acceptable subject to appropriate conditions.

Possible Section 106 Agreement Content

The applicants have submitted a draft Section 106 Agreement with the application in which the following matters are covered:

1. The provision of 30% affordable housing in accordance with the Council's policies.

2. The payment of an appropriate contribution towards public open space provision and maintenance.
3. The payment of an appropriate contribution towards education provision.

In the event that outline planning permission is to be granted, a Section 106 Agreement would be required which would cover the above matters but would also require a contribution towards off-site highway improvements and sustainable transport measures.

Conclusion/Planning Balance

In previous sections of this report, the conclusion has been reached that the proposal is unacceptable in principle because it would not comply with the Council's Core Strategy that is now at a very advanced stage. The proposed development conflicts with the Development Strategy because it would provide 167 dwellings partly within but predominantly outside the settlement boundary of Barrow (a Tier 1 settlement) where there is presently no residual requirement for any additional dwellings in Barrow. This is the result of recent planning permissions for a number of large-scale housing developments in the Barrow locality.

The proposal would also cause serious harm to the delivery of the employment and economic elements of the Core Strategy as the development would be primarily on land that has extant planning permissions for employment development; and would conflict with the intention defined in Key Statement DS1 that "strategic employment opportunities will be promoted through the development of the Barrow Enterprise Site as a main location for employment".

For reasons also explained previously in the report, it is considered that, partly as a result of the submission of insufficient details, it is considered that the proposed development could be detrimental to highway safety. This is considered to also represent a sustainable reason for refusal of the application.

In relation to all other relevant matters, there are not considered to be any other reasons for refusal of the application.

In making the planning balance, regard must be paid to the benefits of the development such as job creation; financial benefits through additional spending in the locality by future occupiers of the proposed development; the provision of a range of affordable and open market housing; the provision of areas of public open space; the provision of improved public footpaths through the site; and the provision of a parking area for existing nearby residents.

To be weighed against these benefits is the harm to the Council's Development Strategy as defined by Key Statement DS1 of the Core Strategy. As described earlier in this report, the Council's Core Strategy is now at a very advanced stage in the plan-making process such that its policies must be afforded significant weight in the decision-making process.

The underlying basis of the Core Strategy is that the Development Strategy as defined in Key Statement DS1 seeks to concentrate the majority of new housing development within an identified strategic site (Standen) located to the south of Clitheroe towards the A59 and to the principal settlements of Clitheroe, Longridge and Whalley. In addition to the strategic site in the principal settlements, developments are then allocated to a number of defined settlements (ie the 9, more sustainable, Tier 1 villages, including Barrow). Although the site is predominantly outside the settlement boundary of Barrow and in the open countryside, it does immediately

adjoin the settlement. For this reason it is considered that it would be appropriate to consider the application in relation to any residual housing requirement for Barrow rather than against Policy DMH3 that relates to dwellings in the open countryside. However, the current position is that there is no residual requirement for further housing development in Barrow.

The Council obviously considers it important that the Core Strategy is not undermined and also considers that the granting of planning permission that is not in accordance with the Core Strategy could create a harmful precedent for the acceptance of other similar unjustified proposals which would have a cumulative adverse impact on the implementation of the Core Strategy. Overall, on balance, it is considered that the harm to the development strategy that would be caused by a permission in relation to this application (and by the precedent that such a permission would create) would outweigh the economic and social benefits of the proposed development as listed above in this section of the report.

It is accordingly recommended that outline planning permission be refused for the reasons stated in the recommendation below. It should be noted that should the Council adopt the Core Strategy, following the Inspector's report, it may be necessary to modify the reasons for refusal to reflect relevant policies.

RECOMMENDATION: That outline planning permission be refused for the following reasons:

1. The proposal, by reason of its scale and location, would lead to the creation of new residential development in the open countryside in excess of the identified residual number of dwellings proposed to be accommodated in Barrow. The proposal would undermine the social dimensions of sustainable development and would cause harm to the development strategy set out in the emerging Ribble Valley Core Strategy Submission Version as proposed to be modified. As such, the proposal does not comprise sustainable development and is therefore considered to be contrary to Policies G5 and H2 of the Ribble Valley Districtwide Local Plan, Key Statements DS1, DS2 and EN3 and Policies DMG1 and DMG2 of the emerging Ribble Valley Core Strategy Submission Version as proposed to be modified and the National Planning Policy Framework.
2. The majority of the application site (approximately 6 hectares) has the benefit of an extant planning permission for employment generating B1, B2 and B8 commercial uses. That extant permission is compliant with the intention of the Council's emerging Core Strategy (Key Statement DS1) that 'strategic employment opportunities will be promoted through the development of the Barrow Enterprise Site as a main location for employment'. A permission for residential development on this site would cause harm to the future growth prospects within the local economy and would seriously undermine the delivery of the economic aspects of the Core Strategy. For these reasons, the proposal would be contrary to Key Statements DS1, DS2, EC1 and EN3 and Policies DMG2 and DMB1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified; and would also be contrary to the sustainability requirements of NPPF.
3. The proposed development would result in a significant increase in vehicle flows to and from the existing highway network from the proposed access point on to Whalley Road. The submitted Transport Assessment is not sufficiently comprehensive and does not fully assess the impact of the proposed development upon traffic conditions on the local highway network. The granting of outline planning permission at this stage is therefore considered to be detrimental to highway safety contrary to saved Policy G1 of the Ribble Valley

Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

4. The proposal would create a harmful precedent for the acceptance of similar unjustified proposals, which would have an adverse impact on the implementation of the emerging planning policies of the Council, contrary to the interests of the proper planning of the area and the core principles and policies of the National Planning Policy Framework.

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

APPLICATION NO: 3/2014/0183/P (GRID REF: SD 362058 443496)
PROPOSED HYBRID PLANNING APPLICATION SEEKING BOTH FULL AND OUTLINE PLANNING PERMISSION AS FOLLOWS: FULL PLANNING PERMISSION FOR WORKS AND A CHANGE OF USE TO A GRADE II LISTED KIRK MILL TO CREATE A HOTEL (18 BED, USE CLASS C1) AND BAR RESTAURANT (USE CLASS A3), WORKS TO THE BARN BUILDING TO CREATE 7 HOLIDAY COTTAGES (USE CLASS C1), CONSTRUCTION OF A HOTEL AND SPA (20 BED USE CLASS C1), WEDDING VENUE (USE CLASS D1), KIDS CLUB (USE CLASS D1) AND TRAILHEAD CENTRE (USE CLASS D1 AND A3), CHANGE OF USE OF MALT KILN HOUSE FROM RESIDENTIAL TO USE CLASS C1, CONSTRUCTION OF A NEW CRICKET PAVILION (SUI GENERIS), DEMOLITION OF THE GROUP OF DERELICT FACTORY BUILDINGS. OUTLINE PLANNING PERMISSION FOR 60 RESIDENTIAL DWELLINGS, SPLIT OVER TWO SITES, WITH A MAXIMUM OF 56 AND 4 UNITS ON EACH WILL ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS AT LAND AT MALT KILN BROW, CHIPPING

CHIPPING PARISH COUNCIL:

This response is based on information from both the Village Plan and a public meeting held on 27 March 2014 to discuss this planning application. The Parish Council opposes the plan to develop the cricket field and build 56 houses with points raised in a letter summarised as follows:

1. Oppose building on a greenfield site and precedent this may set.
2. The scale of the housing scheme is much bigger than agreed in the Village Plan and bigger than required according to the RVBC Housing Needs Survey.
3. A smaller housing development on the former factory site would be welcomed to maintain local schools and businesses.

The Parish Council response then lists some of the comments drawn from the public meeting under the headings of community, economic development, heritage, highways, infrastructure and planning and these issues have been raised by individuals commenting on this proposal and summarised later within this report.

BOWLAND WITH LEAGRAM PARISH COUNCIL:

Wish to make the following observations:

1. The applicant was invited to attend a public meeting on 27 March to present their case and answer questions but declined the invitation.

2. The meeting was attended by approximately 170 people with the overwhelming feeling being that of concerns over the scale of development being unsuitable for the AONB and that the narrow roads and infrastructure are unable to cope with such a large development.
3. The application does not include all comments gathered from the open days in April 2013.
4. Question the level of affordable housing against the Council's policy for 30% and states there is a need for affordable bungalows for the elderly which the applicant should consider.
5. The proposals do not concur with the Village Plan 2011 – it is building on greenfield land and is excessive. The Plan states all housing should be on brownfield land with a maximum of 50 properties to be built over 10 years.
6. The cricket ground should be retained as a sporting amenity for the village and the adjacent millennium woodland retained as a natural habitat.
7. If consent is granted, stringent conditions should be imposed regarding timing/phasing of the works to ensure the old mill is developed not just housing.
8. There have been many houses on the market for some time.
9. The market houses could only be afforded by commuters.
10. Great concern over the commercial viability and sustainability of two hotels in the village (this proposal and the Talbot). There is also the Gibbon Bridge approximately 2 miles away and the village hall in the centre of Chipping, which is a popular destination.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

Commented on 6 May 2014 that this application has been the subject of pre application discussions and generally, with the exception of the relocated cricket field, the proposals are acceptable in general terms. The traffic generation and distribution figures are acceptable and do not suggest any highway capacity concerns.

Since the proposal deals with various areas in Chipping I shall provide comments on each individual element, followed by the development as a whole and finally a section on planning conditions.

Residential development on the cricket ground off Fish House Lane

This site has a single proposed vehicle and pedestrian access point onto Fish House Lane. The boundary of the site fronting Fish House Lane has a high hedge atop a high bank. This would raise a number of issues related to visibility splays and the gradient of the internal access road. It will therefore be necessary to submit detailed plans of the access for approval showing the works necessary. In respect of pedestrian access the exit on to Fish House Lane is within the derestricted speed limit section with no provision for pedestrians. The approved site access scheme should therefore include details of pedestrian improvements to Fish House Lane to link to the footway that will be required along the frontage to the trail head car park access. It would also be prudent at this stage to mention that the County Council would seek to extend the existing 30mph speed limit and street lighting and replace the street lighting on Church Raikie and Malt Kiln Brow to heritage standard similar to the existing provision.

As mentioned previously there is only one pedestrian access shown to this large residential development, it would be advantageous to consider an additional route in addition to that via Fish House Lane and there would appear to be options to link into Kirkfield and the path that runs along the north side of this estate. This possibility should be actively explored by the applicant.

Small housing development off Malt Kiln Brow (5 units)

It is envisaged that the access to this development will remain unadopted, however I will be requesting the submission a more detailed plan for the site access proposals.

Kirk Mills

It is understood that the hotel at this location will operate a valet parking system, however it is not clear where the guests cars will be taken to and by which route. As with the previous elements of the development I would need to see a scheme showing the proposed amendments to the mill forecourt, also the swept path analysis submitted only indicates an analysis for a large car, no details are given of the requirements for deliveries, refuse collection etc.

The Barn, Child Centre, Hotel/Spa complex and Wedding Venue

It is unclear from the plans submitted whether or not these elements benefit from their own parking provision. If they do then the layout proposed should be shown including secure covered parking for cycles/motor cycles and mobility standard spaces at a ratio of 1:10. Safe pedestrian routes will be required within this complex to permit the safe movement of

pedestrians between the various elements of the complex.

There are 2 existing vehicular access routes into these facilities off Malt Kiln Brow in addition to the proposed access to the Trail Head Centre off Church Raike, unfortunately it is unclear if these 2 existing access points are to be retained or closed to vehicular traffic. If it is the intention to close them this should be enforced by an appropriate planning condition and details submitted for approval showing how this is to be affected.

Trail Head and Car Park

The proposed site access will need to be submitted in more detail to ensure that the works proposed re visibility and gradients are achievable. A footway should also be provided along the frontage onto Church Raike to maintain visibility splays and provide for pedestrians. This should link to the pedestrian route to the residential development on the cricket field as mentioned in 1 above and link to the recently completed housing on Church Raike. Details will also be required showing how the various car parks will be managed to prevent unauthorised occupation/ inappropriate after hours use.

In the pre application discussions I recall that it was suggested linking the car park to Talbot Street via the Talbot Hotel. Is this to be pursued and if so details will need to be submitted.

New Cricket Ground

Whilst I would have no concerns with the proposed location of the new ground the proposed access to the car park is a cause of some concern. The visibility to the right on exit is substandard and virtually non-existent due to a large tree and the adjacent property boundary. As such it is a safety issue both for emerging vehicles and also vehicles wishing to turn left into the site. This is not assisted by the fact that the narrow bridge is also carries a public right of way. As it stands the access is not acceptable, however there is the option to relocate the access further south which would provide improved sight lines and remove the conflict with users of the public footpath. This option should be actively explored and plans submitted for approval.

A development of this scale would inevitably lead to some inconvenience to the residents and visitors to the village during the construction phase. It would be beneficial if the developer could provide details of the phasing of the works prior to any works commencing also a close liaison with the Parish Council would be needed to air any ongoing concerns that may arise.

Bearing in mind the above comments relating to the various elements of the proposals, if your council is minded to approve

the application I would request that conditions be attached to any permission that may be granted (the response details a series of conditions and Members are referred to the file for full details of these).

In light of the above comments it may be worthwhile having a further meeting with the applicants to discuss the nature of the works /amendments required

LCC PLANNING
CONTRIBUTIONS:

The application has been assessed by the LCC education team and has not resulted in a request for a planning contribution. There may be a request for a contribution from the LCC highways and sustainable transport teams in relation to this proposal. However, the level of such a contribution has not yet been determined and will be submitted in due course.

LCC ARCHAEOLOGY:

Kirk Mill is a designated heritage asset, a grade II listed building, recorded on the Lancashire County Historic Environment record, PRN5762, as the site of a 17th century water powered corn mill, rebuilt in 1785 as a water and steam powered cotton spinning mill, and which lies within the Kirk Mill Conservation Area, and also a designated heritage asset.

Comments posted on the Borough Council's planning web pages from English Heritage have indicated that although they do support the principle of the development in order to secure the future of the site, problems with the detailed design of the project remain and they have therefore recommended a number of changes. The Lancashire County Archaeology service would like to take this opportunity to add their support to the recommendations for the changes made by English Heritage.

The Heritage Assessment by Oxford Archaeology North has outlined a number of proposed mitigation measures which LCAS is in agreement with. LCAS would therefore recommend that should the Local Planning Authority be minded to grant planning permission for this or any similar scheme, that the applicants be required to undertake those works proposed in section 7.2 of OAN's 2013 Heritage Assessment, and that such works are secured by the means of an appropriately worded condition. This is in accordance with NPPF paragraph 141 *'Local Planning Authorities should ... require developers to record and advance understanding of the significance of any heritage asset to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) public accessible'*.

PRINCIPAL AONB
OFFICER:

The Forest of Bowland AONB welcomes the plan to regenerate and re-use the Grade II listed Kirk Mill, securing a long-term use for a listed building. In addition, the demolition and removal

of the more modern buildings of the former chairworks is also likely to secure improvements to the AONB landscape within the environs of Chipping village.

However, the AONB believes the applicant has not provided sufficient information to demonstrate the proposed developments (including the full application for Kirk Mill restoration and hotel development and the Former Cricket Field and Malt Kiln House field residential developments) to be in the public interest. In particular, the AONB recommends that further consideration is necessary on several aspects of the full and outline application elements and advises the Council to seek further information from the applicant on a number of issues relating to the submitted Landscape and Visual Impact Assessment (full details of these are within the full consultation response available to view on the officer file).

Overall the weaknesses and omissions outlined undermine the value of the applicant's LVIA and bring into question the judgments presented on the importance of the outline proposals' likely landscape and visual effects. I recommend that the Local Planning Authority seek to have the various issues addressed, especially the absence of methodology, suitable rendered photomontages and ZTV mapping. In the meantime, it would be prudent to exercise a degree of caution when considering the findings of the applicant's LVIA in respect of the proposal's likely landscape and visual effects.

Likely Landscape and Visual Effects

Kirk Mills Site

In principle, I support the proposal to re-use the vacant and clearly at risk Kirk Mills and redevelopment of the main mill complex which, fortunately, would involve removal of the vacant industrial buildings which were of a style, scale and massing that was inappropriate for the area's landscape character.

Many of the key design elements of the outline proposals for the Kirk Mills site – removal of inappropriate built features, building scale, massing, layout, vernacular style and overall character – are, in principle, sound and appropriate for the area's landscape character. However, there are some elements of the proposals which have not been well resolved and as such would likely affect the setting and character of the historic mill site and the area's landscape character. Of most concern are the following:

- a) degradation of Kirk Mills architectural and historical integrity through the addition of incongruous features e.g.

the substantial and dominating glazed circulation space, glazed lean-to and the rather crudely designed 'Orangery'.

b) large car park.

The applicant proposes to concentrate the bulk of the proposed parking in one relatively large and regimentally laid out car park (within a Conservation Area and the AONB) surfaced with tarmac. The size of the proposed car park and low cost tarmac surfacing are a cause for concern. The applicant proposes some planting within the car park but this would not be sufficient to break up the large expanse of tarmac surfacing, a material which really should be used sparingly in a designated area characterised by the use of local stone building materials. In addition, insufficient space for screen planting would be provided on the eastern facing boundaries. An irregular layout, possibly related more strongly to and centred around the trailhead centre building and heavily interplanted with native trees and shrubs would have been more appropriate in landscape terms.

c) the height and scale of the Spa Hotel roof is likely dominate and potentially lead to a loss of character within the Kirk Mills Conservation Area

Malt Kiln Brow Housing Site

Whilst the scale of proposed house development on this site would not be large enough to result in substantial landscape and visual effects I nevertheless consider this component of the scheme to be unacceptable in landscape terms as it would extend the urbanising effect of built development even further into the countryside, further fragment Chipping's northern rural fringe, increase overall visibility of built development, further erode landscape character/landscape amenity/landscape tranquillity and, effect the setting of Kirk Mill Conservation Area. There would also be landscape fabric losses which the applicant has no plans to compensate for.

Church Raike Housing Site

There would likely be landscape amenity implications arising from completely relocating the village cricket pitch. I would not say that the pitch is a key feature of the village's landscape character – its location on the northern fringe ensures that it does not form a defining central feature around which the village buildings radiate – but it is part of the main village core being linked both geographically and socially. Relocating the cricket pitch to the very southern tip of the village would likely be seen by some local people as an unwanted disconnect of this – in the context of the village – important

cultural/landscape feature.

Historically, one of the key features of Chipping has been its 'nucleated' settlement pattern focused around the junctions of Church Raikie, Club Lane, Windy Street and Talbot Street. In more recent times, this historic settlement pattern has been diluted to some extent by a more dispersed form of development such as that at Broad Meadow and the somewhat uneven northern expansion of the village in the vicinity of Kirkfield. The proposal to build a relatively substantial group of new houses at the Church Raikie site would further exacerbate this loss of historic pattern by concentrating yet more development on the northern fringe of the village.

The entrance/exit from the proposed Former Cricket Field residential development appears to include footways with kerbing etc. extending out into Church Raikie. This is likely to have an urbanising effect on what is currently a country lane in character. The AONB would suggest removing these from the proposals. In addition, the AONB suggests the applicant considers whether improved pedestrian access to/from the Former Cricket Field to the village centre can be achieved which keeps pedestrians off what will become busy roads (Church Raikie/Malt Kiln Brow).

The landscape mitigation proposals illustrated on the Indicative Masterplan submitted with the application have some weaknesses – insufficient planting along sections of the northern and southern boundaries – that, hopefully, would be addressed by more detailed design. However, it should be born in mind that effective mitigation through extensive tree/shrub planting of the proposed housing's landscape and visual impacts would significantly affect rear views from some of the existing properties along Kirkfield; the open aspect which provides dramatic views of the northern moors would be lost.

Also of significance is the fact that development of the cricket ground would result in substantial and permanent losses of landscape fabric and open green space. The applicant proposes to establish a new cricket pitch but as this would be on existing open green space, there would be no actual compensation for the fabric/green space losses arising from the housing development.

As with the Malt Kiln Brow Housing Site, the proposed housing would affect the setting of Kirk Mill Conservation Area through the introduction of built features in views where currently there is open space.

Despite these issues, it is considered that more appropriate mitigation of likely landscape and visual effects, especially

along the southern site boundary together with a scaled back area of development to maintain the setting of Kirk Mill Conservation Area could make this site viable for housing.

New Cricket Field

The proposed changes to the small bridge at Town End leading to the proposed new cricket field is likely to lead to a loss of local landscape character and result in significant change to what is an locally important heritage asset (listed in the County's Historic Environment Record)

Conclusion

It is clear to me that in landscape terms, there is the capacity *in principle* to accommodate the following aspects of the proposals:

- a) redevelopment of the Kirk Mills site.
- b) development of housing on the Church Raikie site.
- c) the new location for the cricket pitch.

However, as briefly outlined above, apart from the new cricket pitch, the applicant's proposals for these sites do have some significant shortcomings which need to be addressed and the LVIA has some serious weaknesses and omissions. In my view it would not be appropriate to approve the scheme until these matters had been satisfactorily addressed.

The effects of the proposed development at the Malt Kiln Brow Site would be unacceptable in landscape terms and there appears to be no real scope to mitigate them to acceptable levels. Consequently, I recommend that this aspect of the proposed scheme is deleted from the application.

For all these reasons the overall likely landscape and visual effects of the proposed housing and Kirk Mill redevelopment are deemed to be unacceptable. However, a combination of careful redesign (supported with a better Landscape and Visual Impact Assessment) of the Kirk Mill site, removal of the Malt Kiln Brow Site from the proposals and a scaling back of the extent of development on the cricket pitch may moderate the likely substantial landscape and visual effects to acceptable levels.

Additional comments were received on 27 August 2014 in response to information received from the applicant to address the issues raised above. Those details did address some of the concerns but some key concerns raised have not been satisfactorily addressed and thus remain as outstanding issues in the AONB Officer's opinion.

ENGLISH HERITAGE:

The initiative to regenerate and re-use Kirk Mill and the adjoining Main Mills complex is welcome and has potential to secure a long term use for a listed building which is vacant and clearly at risk of further deterioration. We support the proposed use and the principle of converting the Mill, however we recommend that several aspects of the scheme, outlined below, are given further consideration and that amended proposals are brought forward to avoid harming the significance of the heritage assets affected by the proposals. The application relates to five parcels of land, four of which are located on the northern edge of the settlement, within the Kirk Mills Conservation Area and its immediate setting.

The proposals have potential to affect the significance of several designated heritage assets, particularly Kirk Mill and the related Conservation Area. The mill was developed in several phases from 1785 and is considered, in the applicant's comprehensive Heritage Assessment, to be a rare survival of a largely intact water-powered mill in Lancashire. The southern front elevation is the only surviving part of the original Arkwright-type mill and is assessed as being of high significance in the Heritage Assessment. Later phases replaced much of the original mill, however each phase is legible in the floor plan and elevations and adds to the understanding of the mill as it was expanded and remodelled.

The power source evolved during the early phases with a succession of larger water wheels being accommodated, and an early C19th phase possibly being associated with the installation of a steam engine. The engine house is expressed on the southern elevation with a 32 light window which is assessed as having high significance.

The mill is located in a narrow steep sided valley, cut into the surrounding rolling agricultural land. The landform has strongly influenced the settlement pattern with a clear distinction between the small cluster of mill buildings confined to the narrow valley and the farmstead, known as Old Hive, in an isolated position in the farmland to the west. Immediately north of the mill is the mill pond and race which make a highly significant contribution to the character and appearance of the industrial settlement.

The principle of re-using Kirk Mill is clearly welcome. The vacant and, to an extent, derelict condition of the mill dominates the Conservation Area and the constructive reuse of the building could be highly beneficial. Similarly the redevelopment of the vacant Main Mill complex, which overshadows the Conservation Area as a whole, with a contextual bespoke design could significantly enhance the character and appearance of the area. The introduction of a

mix of complementary uses should have potential to regenerate the site and benefit the settings of both the Kirk Mill and Chipping Conservation Areas.

We therefore support the principle of the scheme. However there are several aspects of the detailed design which have potential to harm the significance of key heritage assets:

The proposed three storey glazed circulation space to the south elevation of Kirk Mill would obscure key elements of the elevation, including the two storey 32-light window to the engine house. It would dominate the only remaining part of the original Arkwright-type mill from 1785, in contrast to the proposals to remove the C20th dust extraction tower which would clearly enhance the elevation. Although mitigation is offered in the form of the glazed elevations to the proposed addition, the scheme would have a significant impact on one of the most significant aspects of the listed building.

The proposed orangery would extend the full length of the ground floor of the original south elevation, obscuring parts of the building and adopting an architectural approach and materiality that have potential to confuse the historic phases of the building.

The proposed room plan will subdivide the large open floor plan to the mill to create the cellular form required for the hotel rooms. This will be mitigated to an extent by the central corridor that will extend the full length of the existing open space and allow a sense of the original scale of the interior.

Malt House Brow forms a spur connecting the narrow valley with the rolling area of land associated with the Old Hive farmstead. It provides a clear area of separation between the industrial hamlet of Kirk Mill, confined to the valley, and the more dispersed agricultural pattern of development of the surrounding landscape. In this context the proposed self-build plots would blur the distinction between the contrasting settlement patterns and undermine the setting of the Conservation Area and mill.

The steep pitch and dominant roof form to the proposed spa hotel on the Main Mills site could have potential to overwhelm the domestic scale of the existing cottages that form part of the context for the mill. The LPA should ensure that the proposed roofscape will sustain and enhance the character and appearance of the Conservation Area. The photomontage images provide only a wire-line assessment of the impact of the scheme and we recommend that fully rendered images are requested to illustrate the potential visual impact of the proposals. Precise viewpoints should be agreed with the LPA,

however a view from just south-east of the junction of Church Raike and Malt Kiln Brow towards Kirk Mill could be helpful in this respect.

While the scheme undoubtedly has potential to resolve a fundamental regeneration challenge within the Kirk Mill Conservation Area the NPPF requires LPAs to consider the desirability of sustaining and enhancing significance. Further, the NPPF also requires opportunities to be sought for new development to enhance or better reveal the significance of heritage assets (NPPF 137).

In this context our view is that further consideration should be given to the above harmful impacts in order to fully integrate the proposed developed with the heritage assets that would be affected. We therefore recommend that the above issues area addressed and that the current application is amended. Solutions could involve:

- The redesign of the south wing of Kirk Mill, which is to be taken down and reconstructed, to house the circulation core, rather than the glass box approach.
- The repositioning of the orangery to project out from the west wing, rather than the original 1785 frontage, this could also have the benefit of retaining a more generous space in front of the mill, a space currently attributed high value on the heritage assessment.
- Removing the Malt House Brow self-build units from the application. The Supplementary Planning Statement refers to a viability report as part of the justification for the proposed quantum of development. The four self-build units represent a very small proportion of the total development. However, there could be potential for increasing the intensity of development on the Main Mill site.

Recommendation

We recommend that amended proposals are brought forward to address the above points to enable the regeneration of the application site to be achieved without causing harm to the designated heritage assets affected by the proposals.

We would welcome the opportunity of advising further. Please consult us again if any additional information or amendments are submitted.

COUNCIL FOR BRITISH
ARCHAEOLOGY:

The CBA supports the principle of reuse of this building. However, there are various elements of the proposal which do not protect or enhance the significance of the heritage asset as encouraged by NPPF paragraph 131 and the CBA recommends revision to the plans as detailed below.

Significance

Kirk Mill is significant as an early example of an Arkwright - type cotton mill. Built in 1785, coinciding with the lapse of the patent for Arkwright's water frame, the mill is part of the early series of mill innovation. The expansion of the cotton spinning industry is clearly shown through alterations to the mill as early as 1790 –1801. The extensions and alterations to the mill, in such a legible fashion through its history, provide much of the historic character and special interest of this building. They represent an architectural form regularly adapted for functionality with a consistency in materials and details such as quoining. The extensions to house larger waterwheels are a clear example of this, where the former wheel house and its later counterpart to house a larger wheel can still be clearly read in the building's fabric.

The key features of the building include the water wheel with associated gears, and the visibility of the watercourse. Evidence of the line shafting permits reading of the functionality of the building, as does the relationship of the building to the mill pond.

Heritage protection

Kirk Mill and its associated mill pond are Grade II listed, highlighting their national significance. The mill is also of central importance to the Kirk Mill Conservation Area.

Proposal comments

The principle of returning the building to use is supported. However, the CBA have concerns about various elements of the application.

Firstly, the CBA advises that further information on the conservation and maintenance of the waterwheel is sought. The application lacks details as to the future provision for this key historic feature on the site.

Another aspect key to the character and understanding of the building are the external walls with patterns of alteration. There is a large amount of intervention proposed to the south façade, particularly at ground floor level. This façade displays the evidence of the changes that the building went through in its time as a functioning industrial building, and therefore is significant to the character and legibility. Although the façade is not neat and regular this is the character of the listed building and as such should be respected. The CBA recommends revision to the plans to respect the listed building, perhaps including greater visibility of the walls or an approach with less intervention at ground floor level.

In conclusion, as the proposal stands, it would harm the significance of the Grade II listed heritage asset. However, the CBA supports the principle of returning the building to a suitable new use, and therefore recommends that the proposals are amended in order to better sustain the heritage asset.

SPAB:

Kirk Mill is a mill of considerable importance. It is a rare surviving example in the North West of an Arkwright type cotton spinning mill and retains many of its original features.

While the waterwheel and machinery are surveyed and assessed in the supporting documents, where they are identified as being of high to exceptional significance, we were concerned to note that no mention was made of the planned treatment of these features. We would particularly like to emphasize the importance of retaining and preserving the remains of the breast shot waterwheel with pitch pine arms and of the associated gearing.

The wheel, after it ceased powering the cotton spinning machinery, was used to generate electricity for the mills and surrounding properties. While the proposals mention the possibility of installing hydropower facilities in future, there is no indication that the wheel is to be brought back into use, but this is something we would suggest could be investigated.

NATURAL ENGLAND:

From the information available Natural England is unable to advise on the potential significance of impacts on the Forest of Bowland Area of Outstanding Natural Beauty (AONB). We are not convinced that the LVIA provides us with a complete assessment of landscape impacts, however we are reasonably confident that there is not a significant risk to the AONB. The LVIA gives a good assessment of visual impacts from local viewpoints (VPs), but we are not clear how the development will be viewed from longer distance VPs. For example the visual impact of the proposed development from the areas of higher ground to the north-west, including from the various footpaths leading up to the summit of Parlick.

However, we advise you to seek the advice of the Forest of Bowland AONB Partnership. Their knowledge of the location and wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the AONB designation. They will also be able advise on whether the development accords with the aims and policies set out in the AONB management plan.

Protected species

We have not assessed this application and associated documents for impacts on protected species. Natural England

has published Standing Advice on protected species. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*. Section 40(3) of the same Act also states that *'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'*.

CPRE:

No comments received at time of report preparation.

LCC ECOLOGY:

Please note Lancashire County Council does not support or object to planning applications when providing advice on ecological matters. The comments are intended solely to inform your decision-making, having regard to the requirements of relevant biodiversity legislation, planning policy and guidance.

Initially stated on 12 July 2014 that they were unable to provide full comments at this stage. At this stage the principal of the proposed development has not been established and the applicant has not demonstrated that the proposals would comply with the relevant legislation, planning policies and guidance as listed below. I will be able to provide further comments once information has been submitted to address the matters listed below.

RECOMMENDATIONS (summary - see main file for full details)

The following matters will need to be addressed before the application is determined:

- It is not clear what is proposed for parcel 5, parcel 4 or the south-east area of parcel 1 as part of this application or what the ecological impacts of any proposals would be. This should be clarified.
- There does not appear to have been an assessment of likely impacts on amphibians. There are waterbodies within 250m of the proposed development areas which may be suitable to support amphibians, such as Great Crested Newt (European Protected Species) and Common Toad (Species of Principal Importance), and the site supports suitable habitat for amphibians. Information should be submitted (including the results of any necessary surveys) to address this matter. The likely impacts on amphibians need to be established prior to determination of the application. If impacts are likely then mitigation measures will need to be submitted.
- Reptile surveys have been carried out and the results include details of reptiles observed only. I recommend that information is also provided on any amphibian observed during these surveys (if any).
- It appears that the badger survey was restricted to land within the site boundaries only. The badger survey will need to be extended to include suitable habitat up to 30m from the site boundaries.
- It is not clear whether the level of survey effort on buildings to be affected is sufficient (in accordance recognised Bat Conservation Trust good practice guidelines) to establish the presence/absence of bat roosts.
- In addition, an assessment of the potential each building to be affected has to support roosting bats does not appear to be provided and I am therefore unable to assess what potential each building has to support roosting bats and whether the level of survey effort is in accordance with the BCT good practice guidelines.
- The presence of bat roosts in buildings 1 & 13 has been established (para 5.3.7, *Ecological Assessment*, Ecology Solutions Ltd, November 2013) and it is considered there is a need for a Natural England licence (para 5.3.11). Ribble Valley Borough Council should not approve the application if there is reason to believe that Natural England would not issue a licence. Ribble Valley Borough Council should therefore have regard to the requirements of the Habitats Directive in reaching the planning decision.

Before the application is determined, information should be provided by the applicant to demonstrate how the three tests will be addressed.

- The proposals include works to the bridge across to the proposed Cricket Pavilion (parcel 6), such as re-pointing works. Such works have the potential to result in impacts on bats and their roosts and there does not appear to be any information about the likely impacts on bats resulting from these works.
- There does not appear to be any information submitted regarding likely impacts on Barn Owl. Buildings are to be affected which may be suitable for use by barn owls for roosting and/or nesting.
- The likely impacts on birds are not clear. Further information should be submitted to address this matter prior to determination of the application in order to inform the mitigation/compensation measures required.
- I recommend that the Environment Agency and/or Lancashire County Council Flood Risk Management team is consulted regarding the proposals to discharge surface water into existing watercourse (as indicated on the submitted application form), de-culvert a stretch of watercourse, proposed works to the existing bridge and the proposed new bridge to access the proposed new cricket pavilion site.

Further information is required in order to demonstrate that the proposed development would comply with current legislation, policies and guidance.

The above comments are made without the benefit of a site visit and are based on a review of documents submitted with the planning application as well as a review of ecological records, maps, aerial photographs and images accessible to Lancashire County Council.

The County Council provides comments with regard to relevant wildlife legislation. The comments do not constitute professional legal advice.

Further comments were received dated 28 August 2014 in response to additional information submitted by the applicant and at that time the outstanding matters had been reduced to the need for more details to establish the presence/absence of bat roosts in the bridge to be affected and an appropriate assessment of likely impacts on amphibians. These matters remain unresolved in the most recent correspondence.

ENVIRONMENT AGENCY:	Have reviewed the submitted FRA in relation to the risk of flooding on and off site and are satisfied that the proposed development would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere, provided that any subsequent development proceeds in accordance with the recommendations outlined in the FRA. Therefore, no objections are raised in principle subject to the imposition of conditions.
UNITED UTILITIES:	No objections subject to the imposition of conditions.
RIBBLE RIVERS TRUST:	In summary object on the basis of insufficient consideration to the riverine environment, specifically lacking in understanding of the impacts on the brook but also a failure to implement sufficient mitigation measures. Members are referred to the file for full details of the response.
SPORT ENGLAND:	Objects to the application because the replacement cricket ground does not meet England Cricket Boards design guidance and there are limited details of the timing of the provision and completion of the new ground. Additionally the proposed pavilion is not considered fit for purpose as it has no storage, no disabled toilets, no showers and no umpire changing.
ELECTRICITY NORTH WEST:	The development could have an impact on our infrastructure. The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity.
LANCASHIRE CONSTABULARY ARCHITECTURAL LIAISON OFFICER: ADDITIONAL REPRESENTATIONS:	<p>Recommend that the development be built to secure by design to reduce the likelihood of crime affecting future visitors and residents.</p> <p>69 letters have been received in relation to this application. One is in favour subject to securing safeguards and whilst many of the remainder accept the need for some development to take place, specific detailed objections are raised. Members are referred to the file for full details of all of these responses which can be summarised under the following headings:</p> <p><u>Policy/Principle</u></p> <ol style="list-style-type: none"> 1. A recognition that Council's must provide housing for the future but 60 houses in one village is too many for one development – the scale is out of keeping with a country village and will change the community beyond recognition 2. 60dws is greater in number than what has occurred in the past 40yrs and the building of a hotel and restaurant has never been mentioned in the Chipping Village Plan

3. At the launch of the project the owners admitted that the sale of the land for 60dws was necessary to fund the renovation of the mill. Can we guarantee that if planning permission is granted and the land is sold off to property developers plans for Kirk Mill would still go ahead?
4. Reference to the historic situation at the Talbot Hotel and promises that support for those plans would mean development would commence immediately. We are still waiting for that to happen
5. Overall approve of the plans and recognise that the area needs to be developed in some way but specific detailed objections
6. Surprise at the enormous scale of the application and question whether it is too large for existing infrastructure
7. Any development should be limited to the brownfield site at Kirk Mill and there should be no loss of greenfield land
8. The wedding venue/function room facility already exists at the village hall and nearby hotels (the Talbot has consent for a multi bedroomed hotel/restaurant/banqueting facility and the Gibbon Bridge is only 1.5 miles away) so does the village need 2 hotels/is it necessary?
9. This would undermine the Talbot in the heart of the village which has been an eyesore for many years. If Chipping is to have a hotel that is the logical place and not further out of the village centre
10. Question what market research has been done for the demand for hotel/restaurant of this size in this location
11. It is unlikely to create much local employment as present practice is to employ cheaper foreign workers
12. Only type of housing needed is for the elderly residents who wish to remain in the village not large expensive family houses
13. Chipping is a village not a town
14. It would be good for the village to have more facilities but other than the swimming pool the village already has a gym and conference facilities in the village hall
15. If planning permission is granted the potential separation of land from the redevelopment of the factory site is seen as a big risk for the completion of the whole project
16. No objection to the development of the Kirk Mill site into

hotel, bar and restaurant and new cricket pavilion but the new housing would have a major disadvantageous impact on the village

17. There are other sites round the village which would have less of an impact if developed for housing
18. Sites that have been developed for housing remain vacant so there is no need for anymore
19. This development in spirit and content contradicts much of the previously controlled development which has been used over the years to ensure that the village and surrounding area continues to be a special place beauty

Highway Safety

1. The proposed bridge for the relocated cricket pitch has inadequate visibility
2. Insufficient parking for a hotel and restaurant in the valley bottom will cause the road to be blocked by those waiting to access the hotel and prevent access for residents
3. There has been a significant increase in vehicles using Fish House Lane which is a narrow country lane and due to the increased usage there has been a significant road deterioration.
4. Concern about congestion in the narrow sections of Windy Street and outside the school, traffic turning into Church Raiké by the Cobbled Corner Café and extra traffic throughout the village both during construction and post completion of development
5. It doesn't make sense to build houses in this inaccessible part of the village
6. Congestion and noise disturbance
7. Wedding venue traffic would add to the traffic congestion as people arrive and depart at the same time meaning large volumes of traffic travelling in and out of the village
8. During construction such a large development will cause major disruption and safety issues within the village and surrounding roads
9. The safety of pedestrians, cyclists, horse riders and road users is a concern for a village with narrow streets of a defined character
10. In order to reduce traffic issues on narrow streets why not build housing on the proposed cricket pitch?

11. On street parking has become more of an issue since parking charges were introduced on the village car park making it more difficult to negotiate the narrow village streets
12. There are a number of quiet lanes in and around the village which would suffer from an increase in traffic
13. Question some of the highway assumptions in the submitted information and contest the amount of traffic generated by Berry's Chairworks when operational
14. The current level and type of traffic from farm machinery and heavy goods vehicles already cause congestion and vibration which will become much worse
15. The bus service is under threat thereby questioning the sustainability of the village

Ecology

1. The proposed cricket pitch is a traditional wildlife meadow – one of the few remaining in the County. Also it will result in local wildlife being pushed further out due to the loss of their natural habitat
2. Any development in the area and any measures taken to reduce flood risk are likely to affect the character and quality of Chipping Brook and threaten the existence of its wildlife
3. Land to the rear of Malt Kiln House is a valuable ecological site being ancient meadow land containing a diverse selection of wildlife and flora
4. Concern about plans to empty and inspect Kirk Mill pond with no guarantee that it will be refilled – there is an opportunity to work with the RSPB or other agencies to secure its long term future. Question how it will be managed long term – it would be a great loss if this pond were to be abandoned

Heritage

1. Chipping is a village steeped in history and the character of this place needs to be preserved for the future generations to enjoy
2. What is required is the development of the Mill into a heritage centre and accommodation to promote the only asset the village has
3. There are opportunities to include the old mill in National Lottery and other funding will be lost if this development proceeds. Much of the historic archaeological content

associated with the old mill is at risk of being lost because of its belated categorisation and listed status

4. The historic pack horse bridge at the entrance to the village is not suitable for widening as an access road to the proposed cricket pitch. Building a new bridge alongside it would completely obscure views on arrival at the south side of the village and require the re-siting or removal of the Chipping village welcome sign. Land for the new bridge is not in the ownership of the developers
5. Agreement with the comments of English Heritage regarding the works to the Mill both internally and externally
6. A number of properties in the heart of the village are Grade II listed which will inevitably deteriorate due to increased traffic and inability to repair properties

Landscape

1. Visual impact would be detrimental to the historic and scenic area of the village
2. It would encroach into the hamlet of Old Hive making it part of one large village which would spoil the whole aspect of Old Hive with light pollution and views being destroyed
3. Plans do not reflect the fact that Chipping is situated in the AONB
4. The leisure centre, spa, hotel complex and car park in the factory yard and valley floor would be an alien intrusion in a quiet corner of Chipping
5. Would involve the loss of agricultural land used for grazing and recreation ground as well as semi mature woodland and the wildlife habitat that provides
6. Building on green belt land in the AONB is totally unacceptable

Miscellaneous

1. Object to noise from the kitchen area of the Kirk Mill Hotel/restaurant as it faces onto an existing property. There will be extractor noise, general kitchen noise and delivery vehicles early morning and late at night
2. Chipping does not have the infrastructure to support this development – sewerage, electricity, schools, doctors
3. Location of the new cricket ground would compromise the privacy of residents

4. The potential loss of the cricket club field for the building of houses in a prominent location has come about because of a mistake when the previous owners failed to make legal the gift of the land to the village cricket club as was always intended
5. The cricket pitch has been registered as an asset of community interest and would be purchased and preserved by the community were it made available
6. Much of the chairworks site is in a floodplain. It is unsuitable for building without special measures and if this involves raising the land level or building containment walls this will increase the risk of flooding downstream because of the reduced floodplain land
7. Adverse impact to existing dwellings from building on the existing cricket pitch through loss of light, increased noise, air and light pollution, litter and loss of privacy as properties on Kirkfields are set at a lower level
8. Devaluation of property prices
9. The cricket pitch area is subject to flooding so building a pavilion is questioned as is the ability of the club to get insurance
10. Issues raised regarding the public consultation – concerns about misinformation on how the scheme has been publicised
11. A need for a mechanism to ensure that the housing land is not sold off and the rest of the site remains unchanged
12. The cricket pitch is an important asset that should not be moved
13. Currently there is no crime/vandalism but an increase in population of this scale can only cause this to change
14. Building a large development would change the quiet nature of the village and discourage visitors
15. The wood was promised as a community amenity and funded by grant money so should not be removed
16. There should be a thorough examination of the viability information submitted in support of the application and appropriate triggers incorporated into any S106 agreement regarding the overall phasing of the development
17. The applicant should secure funding for the hotel etc independently and not seek to generate the income from

the sale of the fields with outline consent for housing

18. Questions raised regarding water management namely a weir and water inlet upstream of Chipping Brook, a culvert supplying the pond and water wheel chamber and a culvert conveying water from the water wheel to the chamber to Chipping Brook under the modern factory yard
19. A concern that naturalising the banks of the Brook by removing the concrete protection could have consequences – if the unprotected banks erode debris could be carried downstream causing blockages, divert flood water and cause problems in the village
20. This should be looked at in its individual parts not as a whole planning application.

Proposal

The planning application is a 'hybrid' application including both full and outline elements briefly summarised as follows:

Full planning permission for:

- Works (including partial demolition) and a change of use to the Grade II listed Kirk Mill to create a hotel (18 bed) and bar restaurant;
- Demolition of redundant factory buildings;
- Works to the Barn building to create 7 holiday cottages;
- Construction of a Hotel and Spa (20 bed), Wedding Venue, Kid's Club and Trailhead Centre;
- Change of use of Malt Kiln House to hotel use;
- Provision of Public Open Space;
- Provision of a new cricket pitch and construction of a new pavilion; and

Outline planning permission for:

- Up to 60 residential dwellings, split over two sites with a maximum of 56 and 4 units on each

The application proposals are described more comprehensively below:

Full planning permission

Works and a change of use to the Grade II Listed Kirk Mill to create a hotel (18 bed) and bar restaurant

It is proposed to refurbish the existing Kirk Mill to create an 18 bedroom hotel (Use Class C1) and restaurant bar (Use Class A3). The internal layout shows a kitchen, bar/restaurant at ground floor level alongside the hotel reception, with rooms on upper floors. A single storey lean to extension is proposed on the western gable elevation to accommodate restaurant facilities with an orangery proposed on the front elevation and flat roofed glazed extension up to

the eaves of the Mill to house the reception, lift and stairwell. It is proposed to remove elements of the building which are later additions to the original building, in part replacing them with more modern, development. Materials to be used are slate as well as lead clad roof edging, large expanses of glazing and sandstone. Minimal planting is proposed within the area immediately adjacent to the Mill and the plans denote a 'pick up and drop off' area at the front of the hotel, with parking provided at the main mills complex.

The Barn

The existing barn on the former factory site will be refurbished with the addition of a 2 storey extension (approximately 26.4m x 11.3m x 7.4m to ridge) to create 7 holiday cottages (Use Class C1). The cottages will offer lounge, bathrooms and bedrooms with kitchenette facilities. A total of 18 bedrooms will be provided, through a mix of 2 and 3 bedroom cottages with 3 of these in the original barn and the remainder in the 2 storey extension. Materials to be used are sandstone with dressed quoins, timber framed windows and slate to match existing. Ornamental tree planting will provide the cottages with an area of semi-private gardens. Vehicular access will be taken into the main body of the site, with pedestrian access only to the cottages.

Hotel/Spa

It is proposed to erect a Hotel & Spa (Use Class C1) again on the former factory site with the building providing a reception area for the leisure facilities and a pool which is part indoor, part external. A gym will be provided at first floor level above the pool with a plant room on the second floor above, with the rest of the building providing hotel rooms (20 in total) on ground and first floors. Materials will be in-keeping with the aforementioned buildings, using slate and sandstone, with timber framed windows. Landscaping for this part of the site will be designed to provide therapeutic gardens using informal planting. The height of the spa block to ridge will be 12m, the hotel block 9.3m and the entrance block 3.3m with the spa building being of a design that has a Scandinavian approach with timber boarded gables. Vehicular access will be gained to the car park to the south of the building, with limited access close to the reception area.

Wedding Venue

The proposal seeks approval for the erection of a Wedding Venue (Use Class D1) with the building providing seating for c.150 guests as well as toilets and a kitchen/preparation area. Materials will include sandstone with dressed quoins, timber framed windows and slate roof. An ornamental woodland garden is proposed. The height to roof ridge will be 9m with the building being rectangular in shape measuring approximately 25.8m x 7.9m. Limited vehicular access will be available.

Kid's Club

Details are provided for the erection of a Kid's Club/Crèche (Use Class D1 Non-residential institutions). The Club will provide a two room layout – one room for infants and the other for juniors, with toilet facilities. Materials proposed are sandstone with dressed quoins, timber framed windows and a slate roof. Ornamental planting is proposed which will provide natural shading, whilst a wooden fence will be provided to ensure the areas are secure for children's play. The height to ridge will be 5.3m with a footprint of approximately 13.6m x 4.9m and in terms of access walkways will provide access to the building.

Trailhead Centre

The proposed development seeks approval of part of the former factory site to provide car parking facilities together with a new Trail Head centre with café (Use Class A3). The trailhead centre will provide a boot cleaning area, toilets, exhibition/store space, a shower and a refreshment kiosk in a building having overall floorspace approximate dimensions of 10.2m x 10.9m x 4.9m in height (the overhanging eaves design means a roofspan of approximately 14.3m x 15m). Sandstone and timber will be used with a slate roof. New tree and shrub planting is proposed in the vicinity. Access is gained via a new embanked route off Church Raike which will be planted with a woodland mix to blend with the tree planting that occurs on the existing steep banks that bound the area to the south west. The extensive concrete plinth, a legacy of previous uses, will be retained and utilised for a new parking area accommodating circa 100 car parking spaces for the proposed facilities. Concrete beams, recycled from the demolition of the large factory sheds will be used as an informal edge of car park restraint that can also be used as an informal seating element.

Plant Building

This building is required to house plant which will service the site having overall approximate dimensions of 17.8m x 11.8m x 5m in height. The building has been designed specifically to accommodate the required plant; which requires the building to be divided into several rooms. Materials proposed are sandstone, render, slate, timber and aluminium flashing to be in keeping with the other buildings proposed. A variety of planting is proposed close to the site, including the car park area which is adjacent. Access will be achieved from a new point off Church Raike.

Cricket Facilities

A new cricket pitch is proposed with a new build structure serve as a cricket pavilion (Use Class: Sui Generis). The pavilion will provide 2 changing rooms, a kitchenette, a toilet and an outdoor seating area. Modest car parking is to be provided. The building will consist of timber cladding with a shingles roof and will measure approximately 5.5m x 8.5m with a height to ridge of 3.45m. Existing vegetation will be retained and enhanced through the reinstatement of boundary hedges, with intermittent standard trees together with a small block of woodland planting encompassing the car park and pavilion area. Access is to be gained using the existing bridge leading from Longridge Road.

Public Open Space

Areas of land not previously open to the public will be created by the development and part of this will be provided in the heart of the development, forming an area which could be used for a variety of purposes, such as a farmers market.

Outline Application Parameters

Outline planning permission is sought for up to 60 residential dwellings - 56 dwellings are proposed on the former cricket pitch and juvenile woodland to the immediate north of the Kirkland and Kirkfield residential areas (the "Church Raike Housing – The Hive") and 4 self-build dwellings are proposed in the field accessed from Malt Kiln Brow, (the "Malt Kiln Brow Housing"). Details of layout are not being submitted as part of the outline application. However, an Illustrative Masterplan has been submitted as a tool to agree key design principles for the site for subsequent reserved matters application(s). A development area has been identified on

the Malt Kiln Brow Housing site which is outside the Conservation Area. In terms of scale the Church Raiké Housing – The Hive: Residential dwelling will be a maximum of 2 storeys. In respect of the Malt Kiln Brow Housing the Design and Access Statement sets out considerations in relation to scale in order to establish how development can be achieved and this is supplemented by a Decision Code for these 4 units. It is understood that these 4 plots would be developed as self-build units.

Access is being applied for at this time in relation to the 2 housing sites and in terms of the Church Raiké Housing – The Hive, the proposed access road will be located 125m to the west of the Church Raiké / Malt kiln Brow junction. As for the Malt Kiln Brow Housing a new access road will be delivered on Malt Kiln Brow approximately 50m to the north of the junction with Church Raiké. Access is defined as the accessibility to and within a site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network. Whilst layout is not being applied for at this time this does fix to an extent certain aspects of the footprint of development on these two parcels of land.

Site Location

The application covers 5 distinctive development parcels comprising approximately 5.67 hectares in total. All parcels of land lie within the Forest of Bowland Area of Outstanding Natural Beauty (AONB) and outside the settlement limit of Chipping as defined in the Districtwide Local Plan (DWLP). The land parcels are best described as follows:

i. Kirk Mill

Located within the Kirk Mill Conservation Area this is an early example of an Arkwright type cotton mill and is a traditional three storey stone mill containing a former waterwheel (or remnants of), associated wheel pit and associated water management system.

The Mill has been subject to a number of exterior alterations. There is a small yard area to the front which overlooks the River (Chipping Brook) and includes a large derelict crane which was previously used to get materials to the Mill. To the rear is the mill pond which contains the water that previously powered the Mill. The mill pond is bounded by Malt Kiln Brow and Mill Pond House to the east. Woodland borders it to the north and west.

Access to Kirk Mill is currently taken directly from Malt Kiln Brow which runs north to south, adjacent to the mill to the east.

ii. Main Mill Complex

This is the largest area of development and occupies the site of the former HJ Berry Chair making factory site. It is a brownfield site comprising a range of buildings from a traditional historic stone barn to large scale modern industrial buildings. There are also extensive areas of hard standing including an open sided timber store, which have been formed around Chipping Brook which runs through the site. The northern aspect lies within the Kirk Mill Conservation Area.

Access is gained either from the vehicular gate at the northern extremity of the site or from the main vehicular access to the site from Malt Kiln Brow.

iii. The Hive (Land off Church Raiké/Malt Kiln Brow)

This area is situated to the south west of Malt Kiln Cottage and the wider Kirk Mills complex. It extends to approximately 1.82ha and comprises a largely open area of land which is currently

used as a cricket ground. There is a small pavilion towards the site's southern boundary with the residential developments of Kirklands and Kirkfields set running parallel to the south.

iv. Malt Kiln House and Surrounding Land

Located within the Kirk Mill Conservation Area Malt Kiln House sits on a corner plot accessed from Malt Kiln Brow. This is a detached stone cottage which has a small garden area to the front. Malt Kiln House overlooks the Main Mills Complex to the east. To the west of Malt Kiln House lies the 2nd proposed residential parcel of land with the northern most section of the filed lying within the Kirk Mill Conservation Area. The southern section on which the housing is proposed is outside the aforementioned Conservation Area.

v. New Cricket Pitch Site

The site for the new cricket pitch lies to the east of the southern gateway to the village. The site is greenfield and is approximately 1.39ha in size. To the west of the site runs Chipping Brook with access to the field gained via a stone bridge off Longridge Road to the south of Town End Barn. This bridge also forms the start point for a number of local footpaths. Further west lies a small residential community off Brooklands. To the north, east and south of the site are greenfields and agricultural land.

Relevant History

3/2014/0226/P - Works and a change of use to the Grade 11 Listed Kirk Mill to create a hotel (18 Bed) and bar/restaurant. Works comprising partial demolition and extension of Kirk Mill including demolition of the later addition to the east of the Mill and erection of a new extension built on the same footprint in traditional stone to match the existing mill; and removal of further modern alterations to the facade to restore the historic character of the building. Yet to be determined.

Relevant Policies

Districtwide Local Plan

Policy G1 - Development Control

Policy G5 - Settlement Strategy

Policy G11 - Crime Prevention

Policy ENV1 - Development in Area of Outstanding Natural Beauty

Policy ENV6 - Development Involving Agricultural Land

Policy ENV7 - Species Protection

Policy ENV9 – Other Important Wildlife Sites

Policy ENV10 – Other Important Wildlife Sites

Policy ENV8 - Sites of Special Scientific Interest

Policy ENV13 - Landscape Protection

Policy ENV16 - Development within Conservation Areas

Policy ENV17 - Development within Conservation Areas (information requirements)

Policy ENV18 - Development within Conservation Areas (demolition)

Policy ENV19 - Listed Buildings (setting)

Policy ENV20 - Listed Building (demolition)

Policy H2 - Dwellings in the Open Countryside

Policy H20 - Affordable Housing - Villages and Countryside

Policy H21 - Affordable Housing - Information Needed

Policy EMP9 - Conversions for Employment Uses

Policy EMP11 - Loss of Employment Land

Policy RT1 - General Recreation and Tourism Policy
Policy RT2 - Small Hotels and Guesthouses
Policy RT3 - Conversion of Buildings for Tourism Related Uses
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

Core Strategy Submission Version as proposed to be modified
Key Statement DS1 – Development Strategy
Key Statement DS2 – Presumption in Favour of Sustainable Development
Key Statement EN2 – Landscape
Key Statement EN3 – Sustainable Development and Climate Change
Key Statement EN4 – Biodiversity and Geodiversity
Key Statement EN5 – Heritage Assets
Key Statement H1 – Housing Provision
Key Statement H2 – Housing Balance
Key Statement H3 – Affordable Housing
Key Statement EC1 – Business and Employment Development
Key Statement EC3 – Visitor Economy
Key Statement DMI1 – Planning Obligations
Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME1 – Protecting Trees and Woodlands
Policy DME2 – Landscape and Townscape Protection
Policy DME3 – Site and Species Protection and Conservation
Policy DME4 – Protecting Heritage Assets
Policy DME5 – Renewable Energy
Policy DME6 – Water Management
Policy DMH1 – Affordable Housing Criteria
Policy DMH3 – Dwellings in the Open Countryside and AONB
Policy DMB1 – Supporting Business Growth and the Local Economy
Policy DMB2 – The Conversion of Barns and Other Rural Buildings for Employment Uses
Policy DMB3 – Recreation and Tourism
Policy DMB4 – Open Space Provision
Policy DMB5 – Footpaths and Bridleways

Historic Environment Planning Practice Guidance (HEPPG)
National Planning Policy Framework
Technical Guidance to National Planning Policy Framework
National Planning Practice Guide
Chipping Conservation Area Appraisal and Management Guidance
Kirk Mill Conservation Area

Environmental, AONB, Human Rights and Other Issues

This is a hybrid application seeking detailed consent for the leisure/tourism parts of the scheme and outline consent (save for access) for the residential elements (60 dwellings).

In assessing the outline part of the application a decision on the general principle of how the 2 land parcels can be developed is required with the details submitted needing to demonstrate that the proposals have been properly considered in the light of relevant policies and the sites' constraints and opportunities. Outline permission would be granted for the residential elements subject to a condition (s) requiring subsequent approval of one or more reserved matters. As this part of the overall scheme is made in outline with matters of access applied for at this stage (ie Access – in relation to reserved matters, means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulate routes and how these fit into the surrounding access network) the reserved matters to be the subject of further detailed applications would be layout (the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development); scale (the height, width and length of each building proposed within the development in relation to its surroundings); appearance (the aspect of a building or place within the development which determine the visual impression of the building or place makes, including the external built form of the development, its architecture, materials, declaration, lighting, colour and texture) and landscaping (the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes screening by fences, walls or other means; the planting of trees, hedges, shrubs or grass; the formation of banks, terraces or other earthworks; laying out or provision of gardens, courts, squares, water features, sculpture or public art; and the provision of other amenity features).

The leisure and tourism aspects of the proposal are, as stated, applied for in full and thus detailed plans and particulars are provided for these elements in order to make a considered assessment of their potential impact. Members are required in both aspects of this proposal (full and outline elements) to give due regard to the use and amount of development and in this context the matters for consideration in the determination of this application are the principle of development, highway safety, infrastructure provision, ecological considerations, impact on heritage assets, visual and residential amenity. For ease of reference these are broken down into the following sub headings for discussion.

Statutory Tests

It is first important to emphasise to Committee that this application must be determined against the following statutory tests:

- i) Section 70(2) of the Town and Country Planning Act (1990) which requires that in dealing with applications authorities shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations;
- ii) Section 38(6) Planning and Compulsory Purchase Act 2004 which requires the application to be determined in accordance with the Development Plan unless material considerations indicate otherwise; and

- iii) Section 66(1) Planning (Listed Buildings and Conservation Areas) Act (1990) which requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Section 66 duty applies equally to a listed building as to its setting.
- iv) Section 72(1) provides that, with respect to any buildings or other land in a Conservation Area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area in decision making.

It is also important to make Members aware of the relevant policies for decision-making in the NPPF – namely 196, 197, 14 and 6. To summarise these reiterate the duties in i) and ii) above and that in determining development proposals the presumption in favour of sustainable development should be applied.

Assets of Community Value

The cricket ground (on which it is proposed to erect up to 56 dwellings) was entered onto the Council's List of Assets of Community Value (ACV) on 12 March 2014. For Members information paragraph 2.20 of the Department for Communities and Local Government's Non-Statutory Guidance on ACV's provides that:

It is open to the Local Planning Authority (LPA) to decide whether listing as an ACV is a material consideration if an application for a change of use is submitted considering all the circumstances of the case.

In this particular instance, whilst it is acknowledged that the land has been used for a considerable period of time for community use, the proposal seeks to provide mitigation by way of a replacement cricket pitch and pavilion at the other side of the village. Therefore whilst recognising the ACV status of the land, I do not consider that it should in itself carry substantial weight in the overall planning balance which I discuss later within this report, as replacement facilities that will enable continued use to further the social well-being of the community are to be provided.

Establishing the Principle of Development

The application is for a mixed land use proposal comprising tourism and leisure facilities, relocated cricket pitch, including new pavilion, and housing (the latter aspect being applied for in outline). In establishing the principle of development relevant policies to have regard to are the saved policies of the Districtwide Local Plan (as the applicable Development Plan), the policies of the submission version of the Core Strategy as proposed to be modified and those set out in the National Planning Policy Framework (NPPF). Guidance is also available within the National Planning Policy Guidance (NPPG).

In relation to the saved Local Plan the full aspects of the proposal (except for the cricket pitch and change of use of Malt Kiln House to hotel use) seek to reuse buildings and land that have previously been in employment use but remained empty and dormant for a number of years. The uses sought under this proposal would bring job opportunities to the village and promote tourism. Policy G5 of the DWLP seeks to restrict development outside settlement boundaries and as has been explained previously all of the application site(s) lie outside the defined village

boundary of Chipping. Policies that are saved allow for tourism and recreational uses and whilst the caveat of small-scale is applied, Members need to remember that the glossary to the DWLP defines this as development whose overall size dimensions are small in relation to those of neighbouring development. The former factory site has numerous buildings already in situ and thus the reuse of this site with a different mass and footprint of built form in my mind accords with the intent of the policy. This was a major employment site within the village and bringing employment opportunities to the local community is an important consideration. Thus I am of the opinion that in principle and subject to matters of detail design and other Development Management considerations these uses, and indeed the relocated cricket pitch and conversion of Malt Kiln House, accord with the saved Policies of the DWLP. It should be recognised however that the strategic policies in relation to settlement boundaries are considered dated and that there may be a need to accommodate development on greenfield land outside the existing settlement boundaries having regard to the emerging Development Strategy of the Core Strategy when making an assessment of housing and employment land provision. As such the policies of the NPPF, NPPG and emerging Core Strategy become far more material to the determination of planning applications in this respect.

The NPPF at its heart has a presumption in favour of sustainable development. It makes clear in paragraph 14 that for decision taking purposes this means (unless material considerations indicate otherwise:

- approving development proposals that accord with the Development Plan without delay; and
- where the Development Plan is absent, silent or relevant policies are out of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - Specific policies in this Framework indicate development should be restricted eg AONB.

Paragraph 7 of the Framework identifies three dimensions to sustainable development - economic, social and environmental, and paragraph 6 confirms that policies set out in paragraphs 18 to 219 of the Framework taken as a whole, constitute the meaning of sustainable development. The 3 dimensions of sustainable development are set out below in full:-

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right place and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and; as part of this, helping to improve biodiversity, use natural resources prudently, minimize waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

These are key themes which should not be undertaken in isolation (“... *to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system*) and they will be referenced throughout the remainder of this report and drawn together when considering the planning balance in accordance with paragraph 14 of the Framework.

The Framework contains a set of 12 land use planning principles to underpin both plan making and decision taking at paragraph 17 and in the determination of this application it is important to have regard to the following:

planning should:

- *be genuinely plan-led ... Plans should ... provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;*
- *proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;*
- *always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*
- *take account of the different roles and character of different areas... recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;*
- *contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;*
- *encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;*
- *promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);*
- *conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations; and*
- *actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.*

The NPPF seeks to support sustainable economic growth outlining that planning should operate to encourage and not act as an impediment to such growth. It recognises that economic growth in rural areas such as Ribble Valley should be supported through the planning system in order to create jobs and prosperity both through the conversion of existing buildings and well-designed new buildings. Rural tourism and leisure development are encouraged and local plans should promote the retention and development of local services and community facilities in villages.

The use classes applied for in full under this proposal accord in principle with the thrust of NPPF in terms of utilizing brownfield sites and promoting economic growth to create in the region of 100 employees (equivalent number of full-time). As Members will be aware the mill and factory site closed in 2010 and HJ Berry was (according to the Chipping Village Plan 2011) the biggest employer in the village with a workforce of about 85. The proposal, the subject of this application, clearly offers different employment opportunities to those lost but nonetheless the scheme seeks to create jobs and promote Chipping as a destination for tourism and leisure. I am mindful that reference has been made by objectors to the presence in the wider area of other wedding/function venues and the history of The Talbot in the village centre. However it is for the market to decide whether all of these venues can operate successfully. The role of planning in this respect, in this location, is to provide the policy framework within which developments can be assessed and the NPPF promotes a pro-growth agenda. That is not to say that due consideration is not to be given to the detailed aspects of design and impact on landscape/townscape features and these are explored in detail elsewhere within this report. However as a principle, the conversion of the mill and other buildings with associated new build structures for tourism and leisure uses does, I consider accord with the aims and objectives of the Framework in respect of supporting a prosperous rural economy as outlined in paragraph 28 of the NPPF.

Turning to the relocated cricket pitch, the NPPF considers the issue of promoting healthy communities and makes clear that existing facilities should not be built upon unless the loss would be replaced by equivalent or better provision. This matter is discussed in detail under a separate heading but the framework does allow for such eventualities subject to a set of criteria. I believe the proposal meets those criteria.

With regard to the economic role of sustainable development housing development is a key component of economic growth and is fully recognised as such not only within the Framework but within the Government policy 'The Plan for Growth'. The proposed delivery of new housing of the right type, at the right time and in the right location is fundamental to economic growth. In assessing this aspect of the proposal it is important to have regard to the emerging spatial strategy of the Core Strategy. The CS was submitted to the Secretary of State for Examination in September 2012 with the formal Hearing Sessions of the Examination in Public (EiP) taking place in January 2014. Following those sessions it was considered that a series of Main Modifications be made for the purposes of soundness with those proposed Modifications published for a six week consultation period from 23 May to 7 July 2014 with a further 6 week consultation period ending on 5 September 2014. The Development Strategy put forward in Key Statement DS1 as proposed to be modified (Main Modification 21 & 25) seeks to direct the main focus of new house building to the Strategic Site and the Principal Settlements of Clitheroe, Longridge and Whalley and Tier 1 villages which are considered the more sustainable of the 32 defined settlements. Members of this Committee ratified those modifications (on 8th May 2014) and the policies set out in the Core Strategy (as proposed to be modified) therefore represent the Council's proposed policy position. It is considered that the plan is at an advanced stage in the plan making process and the policies within the CS must therefore be

afforded significant weight in the decision making process having regard to the guidance in paragraph 216 of the NPPF that concern itself with the weight to be given to relevant policies in emerging plans.

Paragraph 47 of the NPPF requires Local Planning Authorities (LPAs) to *boost significantly the supply of housing (as far as is consistent with the policies set out in the Framework)* and a theme throughout is that LPAs should make every effort to objectively identify and then meet not only housing needs but also business and other development needs of an area and respond positively to wider opportunities for growth.

The policies of the emerging CS relevant to this application identify a Development Strategy to bring forward 5,600 dwellings over the plan period and as stated sets out that development should be directed to a strategic site in Clitheroe, to the 3 Principal Settlements of the Borough (Clitheroe, Longridge and Whalley) and then a smaller scale of growth within Tier 1 settlements. In Tier 2 settlements only housing that is intended to meet proven local needs or deliver regeneration benefits will be allowed as these are considered to be the least sustainable of the 32 defined settlements in the Borough. Chipping is defined as a Tier 2 village settlement in the Core Strategy as proposed to be modified with the sites for residential development falling outside of the defined settlement boundary.

In terms of five year land supply, the most recent published position at the time of writing is the Council's Housing Land Availability Schedule dated 30 June 2014. This indicates a position of a 5.10 year supply, employing the Sedgefield approach. Members are reminded that the position is subject to frequent change as applications are either approved or resolved to be approved subject to S106 Agreements being completed. Equally sites may be deemed to fall out of the five year supply as they lapse or evidence comes forward to demonstrate they will not be deliverable within the 5yr period. It is for this reason that continual monitoring of the housing land position takes place.

Therefore, when assessing the housing aspects of the proposal against the Core Strategy policies at this stage, a central issue for consideration is whether the proposals would cause harm to the Development Strategy. Main modifications 21 and 25 of the Core Strategy Proposed Main Modifications (May 2014) outline the proposed modifications to Key Statement DS1: Development Strategy. This policy states that *the majority of new housing development will be concentrated within an identified strategic site located to the south of Clitheroe towards the A59; and the principal settlements of Clitheroe, Longridge and Whalley and in addition to this development will be focussed towards the Tier 1 villages which are the most sustainable of the 32 defined settlements.* Main Modification 54 of the Core Strategy Proposed Main Modifications (May 2014) outlines the proposed modifications to Policy DMG2: Strategic Considerations. This policy states that *development should be in accordance with the Core Strategy Development Strategy and should support the spatial vision. Development in the principal settlements of Clitheroe, Longridge and Whalley and the more sustainable defined settlements (Tier 1 Villages) should consolidate, expand or round off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with the existing settlement.* As this proposal seeks consent for 60 dwellings in total (spread across 2 sites) within the open countryside outside of the defined settlement it is not compliant with either Key Statement DS1 or Policy DMG2 of the Core Strategy. However, regard needs to be had to the fact that this is not just a scheme for housing but that the housing is a component part of a much wider development proposal that will bring forward a mix of land uses and thus there is also a regeneration argument that needs to be fully explored.

The Council's Head of Regeneration and Housing has been consulted on this proposal and has provided the following observations.

As a principle the scheme is supported. The commercial proposals will reuse a vacant brownfield site bringing it back into use creating employment opportunities and business growth that can support the local economy through employment and supply chains across a key economic sector for the borough and Lancashire. The proposal supports the borough's tourism offer and meets the key activity of supporting regeneration activities in smaller settlements across the borough and key growth sectors of sport and leisure and food and drink.

The development will (subject to details) help protect an important heritage asset bringing it back to life to the long term benefit of the local area and the Council's conservation aspirations. The mixed nature of the scheme provides a diversity of facilities and whilst I maintain my previously expressed view that I would prefer to see some elements of commercial B1 space included as part of the mix, I am satisfied that the proposal supports the economic and regeneration priorities of the borough.

New and enhanced sports facilities are included for the village which I view as a benefit. The scheme includes new residential development to support overall viability and delivery of the scheme and this does need to be carefully considered. Separate comments have been provided by myself and my team in relation to the affordable housing aspects however the delivery of housing is a government priority to support economic growth and where there is an opportunity to deliver appropriate affordable housing this has to be considered within the overall balance.

Members attention is brought to the NPPF at Section 12 Conserving and Enhancing this Historic Environment, Paragraph 140 which contains the following text *"Local Planning Authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies"*. Reference will be made to dialogue that has taken place with the District Valuer (DV) later within this report in relation to affordable housing and how the overall costings of the scheme influence that provision. However the supporting planning statement to the application makes the case that *"without the residential element of the proposal, none of the development will be possible – the monies are needed to fund the work to the mill, and therefore the viability report which considers the mill costs, and that of the wider site is of significance regardless. This is a holistic application, which although containing different elements, are all intrinsically linked"*.

The Viability Report is confidential but the case is advanced by the Applicant that the residential element of the overall proposal falls short of directly covering the costs of the works needed to be undertaken on the Grade II listed mill and will not cover ongoing costs that will need to be covered separately by the ongoing operation of the leisure use. It is claimed to be the minimum amount of residential possible to ensure the restoration and preparation of the mill for its new use.

NPPF recognises that residential development can play an important role in ensuring the vitality of existing centres. It is important to remember that this is a mixed use scheme and in this respect the Framework supports the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings. Taken in isolation the residential units do not accord with the emerging spatial vision but they are inextricably linked with the delivery of the wider scheme that seeks to re-use

brownfield land and buildings to return employment opportunities to the village and promote it as a tourism/leisure destination – all of which in principle accord with the policies of the emerging CS. This is something to be weighed in the planning balance later within this report once other considerations have been explored in terms of their compliance with plan policy and Development Management considerations.

Therefore, having regard to the economic dimension of sustainable development and the relevant policies of NPPF in respect of building a strong, competitive economy, the proposal as put forward in principle accords with the provisions of the Framework. Further details on compliance with the social and environmental dimensions of sustainable development will be referred to within the remainder of 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 DWLP and Key Statement H3 of the emerging Core Strategy. Policy H20 requires all developments outside settlement boundaries to be for 100% affordable needs housing and H21 outlines the level of detail to be submitted in support of an application. Key Statement H3 carries affordable housing requirements forward into the plan period 2008-2028 with thresholds for the provision of affordable housing (it is noted however that these thresholds should not override the settlement strategy policies of the Core Strategy when establishing the appropriateness of development sites 'in principle' outside settlement boundaries) and the inclusion of the need to provide for housing for older people (15% of the units to be sought on sites of 10 or more split 50/50 between market and affordable provision). The residential aspect of the scheme is made in outline for up to 60 dwellings. A draft Section 106 Agreement was submitted outlining that 20% of these units would be affordable, with a tenure split offered of affordable rent and shared ownership. Key Statement H3 contains the following statement in respect of offers of affordable housing that do not meet the required threshold of 30%.

The Council will only consider a reduction in this level of provision, to a minimum of 20% only where supporting evidence, including a viability appraisal fully justifies a lower level of provision to the Council's satisfaction.

The submitted viability appraisal has been assessed by the District Valuer in order to establish whether the reduced level of affordable provision is essential in order to maximise the receipt the land will provide and therefore enable the remainder of the development to come forward. Whilst the content of that report and the responses of the District Valuer are exempt information and not publicly available, it is fair to say that the initial evaluation did show a difference of opinion and that further dialogue between the applicant and District Valuer took place in late August.

It is also worth noting that the initial offer of 20% affordable provision was discussed by the Council's Strategic Housing Working Group in June 2014. They were aware of the need for an audit of the reduced offer and acknowledged that it would only be upon receipt of the audit that they would be able to comment on the acceptability of the reduced offer. In respect of the type of housing to be offered the details in the submission implied three bed detached mews houses and this would not meet identified needs in the village. The conclusion reached being that the type of housing required is housing for older people with the preferred house type being bungalows built to lifetime homes standards. In respect of the tenure type, the preference

expressed was a mix of rental and discounted sale for households with a local connection. This provision would however need to be judged against the viability appraisal.

The result of the ongoing dialogue between the applicant and District Valuer is that the scheme was revised in respect of the affordable offer and a conclusion reached that the scheme could offer 25% of the 56 unit site for affordable provision with 15% of this ring fenced for the over 55's and built to Lifetime Home Standards. In terms of property sizes the applicant has stated that they provide a 70/30% split on 2 and 3 beds. The issue that required further consideration by the SHWG was the revised tenure mix as this detailed a split between rental and discounted sale but with the latter being a 25% discount from market values in order that the land value created from the residential scheme could afford to fund the deficit on the commercial scheme. Members may be aware that a 40% discount from open market values is the norm and the applicants advised that if the Council were to insist upon this the affordable offer would need to be revised by reducing the number of rental units by 2 or the discounted sale by 3 for the figures to balance out. In summary to achieve a 25% provision of affordable housing some of the units provided would not in actuality prove genuinely affordable to local people and thus should a reduced offer that would result in affordable properties be accepted by the SHWG. The conclusion reached by the Working Group is that the standard discount of 40% from open market value should be applied and this is in the knowledge that applying the greater discount means the percentage of affordable provision will drop to 20%.

Highway Safety/Accessibility

In considering this aspect of the scheme regard should be had to Policies G1 and T1 of the DWLP, Key Statement DMI2 and Policies DMG1 and DMG3 of the emerging Core Strategy. In essence these seek to ensure that development should be located to minimise the need to travel, should incorporate good access by foot and cycle with convenient links to public transport to reduce the need for travel by private car. It is considered that the saved policies of the DWLP are NPPF compliant in this respect.

In accordance with paragraph 32 of the NPPF the application has been submitted with a Transport Assessment and it is important that any decision made in respect of the transport implications of this development takes account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for a major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual key motive impacts of development are severe.

Paragraph 34 of the NPPF outlines that: *decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this framework, particularly in rural areas.* Paragraph 29 of the framework notes that: *opportunities to maximise sustainable transport solutions will vary from urban to rural areas.*

Regard should also be had to paragraph 17 of the framework which includes as one of the core planning principles that planning should: *actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable.* This advice is to be read in the context of NPPF as a whole.

The initial observations of the Highway Officer at LCC did raise a series of questions at some of the elements of the proposal as outlined earlier within this report. Since that time there has been an ongoing dialogue between respective highway professionals to resolve the outstanding matters. A response dated 21 October confirms that the scheme is acceptable in principle subject to the imposition of a series of conditions on any consent granted.

The proposal now details a pedestrian link from the residential development site (on the former cricket ground) into the Kirkfield/Kirklands estate and a footway from the trail head car park access linking to the recently completed housing on Church Raikie to improve pedestrian links into the village centre. In terms of the new cricket ground entrance an amended plan has been submitted that denotes treatment of the junction with Longridge Road in terms of give way markers on the road and an extension of the 30mph zone beyond the proposed access.

Comments were also raised about sightlines but the submitted plans do denote these and similarly provide details on gradients for the respective access points. More detailed plans have also been provided to show the layout of the car park.

Therefore notwithstanding the concerns raised by residents regarding matters of highway safety there is no substantive objection to the application from LCC in their capacity as Local Highway Authority that cannot be addressed by the imposition of conditions.

Public Open Space

Policy RT8 of the DWLP DMB4 of the emerging Core Strategy require that residential sites over 1 hectare provide adequate and usable public open space. The saved Policy RT8 is broadly in accordance with the provisions of NPPF and is only out of date insofar as the reference to levels of provision for open space in Policy RT9 which was not saved. The supporting text notes that community open space within new residential areas provides a useful information recreational facility for residents of the neighbourhood and a particular requirement will be for the provision of children's play areas. Any green infrastructure should be multi-functional and encourage, where possible, walking and cycling opportunities.

This is a mixed use development spread across various parcels of land and when taken as a whole does create areas of public open space on land previously not open to the public such as the former factory site. There is to be an area created in the main development site that would lend itself to a variety of purposes with the applicants outlining a venue for a farmers market as a possible use. The scheme would also provide new leisure facilities through the provision of the hotel/spa and at this stage it is not known whether these would be for the exclusive use of guests at the hotel accommodation, but the implication from the applicants agent is that they should be considered as providing enhanced local facilities. The kids club has outdoor play space for persons utilising that facility and I am also mindful of the provision of the trail head centre. The latter is, I would argue, more of a facility for use by visitors to the area as supposed to specific provision for local residents but it does comply with the tenor of Policy DMB4 of the emerging Core Strategy, which seeks to encourage walking and cycling opportunities.

Turning to the cricket ground and provision of new and enhanced facilities, Members' attention is drawn to the second paragraph of Policy DMB4, which talks about the loss of existing public open space and that consent may be granted where replacement facilities are provided which are readily accessible and convenient to users of the former open space areas. It has already been explained that the existing cricket pitch is to accommodate the residential aspect of these proposals and thus replacement provision is provided at the other end of the village. The plans detail a new pavilion and whilst Sport England have raised issues associated with the quality of that facility, I am of the opinion that its scale and design should be proportionate to the anticipated use of the cricket pitch. I have been informed by the applicants that the design was finalised having regard to the requirements outlined by those who would use the facility and thus notwithstanding the observations received from Sport England I consider the proposals do in fact represent an enhancement to the existing provision. It is also important to have regard to the timing of the provision of the new pitch and the submitted draft Section 106 Agreement does provide triggers for this to ensure that there will be no loss to the village and that the new pitch would be provided prior to any works commencing on the existing site. I am mindful of the status of the existing cricket pitch site as an asset of community value and the implications of that are detailed elsewhere within this report.

Turning to the site layout of the residential areas, this is for illustrative purposes at this stage. The applicants have confirmed that the public open space associated with these areas will be defined as part of the detailed design considerations at reserved matters stage. I am also mindful that the Council is currently in the process of undertaking an assessment of need in respect of the open space and sports facilities in the borough and that whilst currently in draft form the assessment is at an advanced stage of production. Once finalised that document will be presented to Community Committee and Planning and Development Committee and as Members will recall schemes were brought before this Committee in October 2014 for major residential development which made specific reference to this assessment with financial contributions towards off-site improvements of existing facilities sought on those three applications. In respect of this proposal the improvements identified would secure the following:

- Swimming Pool modernisation
- Grass Football pitch improvements
- Artificial Pitch
- Sports Hall Facility
- Fitness Gym/ Studio

The contribution towards improvement of facilities which would include the swimming pool would be in the region of £815,969 (£918 per dwelling) to mitigate the impact of the development on sport and recreation facilities. However, as Members will be able to see from the content of this report, viability is a key consideration and the impact of requiring this contribution to be paid on the scheme's ability to deliver affordable provision must be borne in mind. This is a scheme of component parts and all of these are inextricably linked. The submitted viability appraisal that has been scrutinised by the District Valuer does not make any provisions for improvements of off-site facilities and as it stands the project economics provide a reduction on the affordable contribution from that normally required. If we were to impose this additional cost on the scheme the outcome would undoubtedly be a further reduction on affordable units well below acceptable thresholds and thus a balanced judgement needs to be taken if we are to consider the residential element as an enabler to secure the future conservation of the listed mill building. For this reason I am of the opinion that a request for the sum outlined would be unreasonable given the specifics of this particular project as to do so would fundamentally undermine the project costings to such an extent that there would be

minimal affordable contribution secured, which would clearly be contrary to both adopted and emerging planning policies on this matter.

Therefore subject to the details of the layout of the on site areas being submitted at the appropriate time, and agreement regarding the timing of the new pitch and associated facilities, I am of the opinion that in principle the approach taken to the provision of public open space across the development sites is in this instance adequate and thus requirements of Policies RT8 and DMB4 have been met. The development will also promote the principles of a healthy community and the interests of the wellbeing of existing and future residents in accordance with paragraphs 69 and 73 of the NPPF relating to the promotion of healthy communities.

Heritage/Cultural

Reference has been made within this report to the three roles of sustainable development as identified within the NPPF. The environmental role means contributing to protecting and enhancing the built and historic environment. Indeed conserving heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations is a core planning principle. Significance derives not only from a heritage asset's physical presence, but also from its setting. The heritage interest may be archaeological, architectural, artistic or historic.

As Members will note from the site location section of this report, Kirk Mill and its associated mill ponds, retaining walls, outflow and stone build leat (an eighteenth century textile mill that was converted in the mid nineteenth century as a chair works) is a Grade II Listed Building (listed 13 May 2011). The Mill forms the focus of the Kirk Mill Conservation Area which was designated in 2010 and encompasses the mill pond, the mill, the properties of Grove Square to the east of the mill, Malt Kiln House and part of the old factory site. The area was extended in 2011 in a northerly direction beyond the mill pond. It should also be noted that Kirk House which lies to the immediate north west of Kirk Mills is a Grade II Listed Building Grove House and 1-5 The Grove are subject to Article 4 Directions and that the centre of the village is covered by a separate Conservation Area designation.

In considering the heritage impacts of the proposal Members are reminded of the need to have regard to the statutory tests outlined earlier within this report.

The list entry for Kirk Mill gives the following reasons for its designation:

- **Rarity:** it is a rare surviving example in the north-west of an Arkwright-type cotton spinning mill that exhibits two phases of C18 development
- **Intactness:** it retains its contemporary water management system comprising the mill pond's retaining walls, outflow and leat
- **Survival of original and early features:** it retains many windows and doors, the wheelpit and the waterwheel and its driving gears, together with evidence of how associated drive shafts and belts powered the early machinery
- **Historical:** Kirk Mill was built in 1785. it is one of the oldest surviving cotton spinning mills in the north-west and thus represents one of the earliest examples of a textile factory that soon became a crucial component of the Industrial Revolution.
- **Layout:** the mill's development over its two hundred year history remains clearly legible.

Turning in the first instance to the archaeological interests of the site, Policy ENV14 of the DWLP concerns itself with areas considered to be of high archaeological potential and Key Statement EN5 and Policy DME4 of the emerging Core Strategy carry these principles forward. ENV14 is considered to be NPPF compliant. Regard should also be had to paragraph 141 of the NPPF which advises LPA's should require developers to record and advance understanding of the significance of any heritage asset to be lost in a manner proportionate to their importance. The application has been submitted with an Archaeological Building Investigation and Heritage Assessment and the archaeological unit at LCC have been consulted on this application. They have not raised an objection to the development but suggest an appropriately worded condition to secure a programme of works prior to the commencement of development. Consultation has also taken place with The Council for British Archaeology who comment that machinery or equipment in the building should at least be recorded to an appropriate level and I am of the opinion that the condition requested by LCC would secure this. Having regard to the comments of statutory advisors I am satisfied that they have assessed the significance of the archaeological interests of the site and concluded that subject to satisfactory safeguards regarding recording of remains there is nothing in principle from an archaeological perspective to prevent development of the site. In respect of the proposed physical alterations to the buildings and the impact of such works are examined below.

Full details of development proposals are set out in the plans and technical report submitted in support of the application but in summary the works to the Grade II mill involve alterations to the exterior of the building comprising the addition of a lift tower and single storey orangery on the southern elevation, the dismantling and reconstruction of the south wing and repair of window frames as necessary. The 20th century dust extraction tower and single storey sheds at the western end of the building are proposed to be removed with the aforementioned new additions constructed primarily in glass. In terms of internal works, fixtures and fittings associated with the use of the building as a chair works are proposed to be removed along with rows of inserted cast iron columns (wherever possible original columns are to be retained). Historic beams are proposed to be retained in situ together with the water wheel, whilst there will be partitioning of open plan floor layouts and replacing of floor surfacing.

In terms of making an assessment of the impact of the physical works to Kirk Mill and impact which they will have on its significance it is necessary in the first instance to have regard to the Heritage Impact Assessment submitted in support of this application and the conclusions made therein on the significance of the various elements of the mill building. That report identifies that some of the works are on an elevation of high significance (south facing) namely the demolition of the dust tower which is considered as a negative feature at the moment and thus its removal would enhance the elevation. Repairs to historic windows would maintain and enhance the significance of the elevations and thus can be argued to provide a benefit to the historic structure. Internal works are recognised as having a medium/high impact in terms of the loss of historic fittings and open plan layout with the installation of new steel columns recognised as being an intrusive installation into historic fabric. The report suggests mitigation measures for these losses. The key works to the fabric from a street scene perspective are the dismantling and rebuilding of the south wing in traditional materials as opposed to the present brick and the erection of a lift tower and single storey orangery against the front of the mill. The impact of these two is that they would obscure views of the main historic elevation and whilst they are of predominantly glass construction enabling some views of the historic fabric, this does impinge on how this elevation is viewed.

Regard should be had to saved Policies ENV19 and ENV20 of the DWLP and Key Statement EN5 and Policy DME4 of the Core Strategy Submission Version as proposed to be modified.

Essentially these promote the presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings by recognising that the best way of ensuring the long term protection of heritage assets is to ensure a viable use that optimises opportunities for sustaining and enhancing its significance.

Chapter 12 of the NPPF is specific to conserving and enhancing the historic environment with the following paragraphs key to the determination of this application:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance... (para 128)

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. (para 129)

In determining planning applications, local planning authorities should take account of:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness. (para 131)*

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional... (para 132)

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- *the nature of the heritage asset prevents all reasonable uses of the site; and*
- *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*

- *conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- *the harm or loss is outweighed by the benefit of bringing the site back into use. (para 133)*

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. (para 134)

Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution or to better reveal the significance of the asset should be treated favourably. (para 137)

Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted. (para 141)

The Council's Design and Conservation Officer has been consulted on these proposals and in comments dated 1 May 2014, he identified concerns as follows:

The proposals will result in substantial harm (as relate to principal reasons for designation) to the character and setting of Kirk Mill and the character and appearance of Kirk Mill Conservation Area. The proposals result in less than substantial harm to the character and appearance of Chipping Conservation Area (coalescence) and the setting of Kirk House (historic and spatial relationship to the industrial hamlet). NPPF paragraph 133 suggests that permission should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits. NPPF paragraph 134 requires less than substantial harm to be balanced against public benefits, including the securing of optimum viable use. The Lyveden New Bield and Pond Farm decisions provide further confirmation of the weighting to be given to the conservation and preservation of designated heritage assets in the 'planning balance' and the consideration of RVBC's Planning (Listed Buildings and Conservation Areas) Act 1990 duties. Mindful of the NPPF and particularly paragraph 7 and 8, I do not consider the proposals to be 'sustainable development'.

Members are reminded that these are the views of one officer and these need to be considered alongside the responses received from statutory consultees having regard to the wider regeneration aspects of the proposal in line with paragraph 140 of the Framework. Indeed Members will note from the response of English Heritage to the application that concerns are expressed regarding certain aspects of the design of works to the mill. The County Archaeologist was aware of these observations when submitting his comments on the application and The Council for British Archaeology express similar reservations in their response. The Society for the Protection of Ancient Buildings have expressed views about the

waterwheel and need to preserve its remains. Reference has been made to the alterations to the frontage of the building in respect of the glazed orangery and three storey glazed circulation space and these will change the immediate impressions of the building. However the use of glazing to mitigate their impact would allow the original fabric to be viewed. I acknowledged that English Heritage have raised concerns over these elements and that these concerns are supported by some of our other consultees but ultimately it is for the LPA to make a balanced judgement as to whether these additions prove so detrimental to warrant an unfavourable recommendation. It is accepted that whilst some of the works to the mill such as the removal of the 20th century dust extraction tower will enhance the significance of the building but there are some elements of the works that can be seen to cause a degree of harm by blurring the capacity to immediately assimilate the historic phases of development of the building. Guidance contained within the Framework advises on considerations of substantial/less than substantial harm and I come to a discussion on these in due course. I am also mindful of the statutory duty to have special regard to the desirability of preserving the building and any features of special architectural or historic interest which it possesses. This is an important consideration when coming to an overall conclusion on the acceptability of these proposals when weighing this factor in the planning balance with other material considerations that have not been given special statutory status and is a matter to be returned to later within this report.

In terms of the relationship of the works with the Listed Building adjacent to the mill and how the works on the former factory site, that are part within and part outwith the Kirk Mill Conservation Area, and can be judged to be within the setting of the listed buildings regard should be had to the following:

- (a) the significance of heritage asset(s);
- (b) contribution made to that significance by their setting;
- (c) the effect of the proposed development on their setting; and
- (d) the effect of the proposed development on the significance of the heritage asset and on the appreciation of that significance.

The fact that a view of an asset will change is not itself harmful, it is the degree to which the change of environment would impact on the value of the asset that is the important consideration. The application was initially submitted with a Heritage Assessment and following the comments of the Council's Design and Conservation Officer and Urban Design Officer a Heritage Setting Assessment for Kirk Mill was submitted on 24 July as an addendum to the initial report. Setting is defined as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the assets and their surroundings evolve. Elements of setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Policy ENV19 of the DWLP is one of the policies that concerns itself with listed buildings and comments that: *"development proposals on sites within the setting of buildings listed as being of special architectural or historic interest which cause visual harm to the setting of the building will be resisted."* It then goes on to list a number of factors to be taken into account in the decision-making process. The supporting text notes that setting may be limited to ancillary land but may often include land some distance away. The setting of individual listed buildings very often owes its character to the harmony provided by a particular group of buildings and to the quality of the spaces created between them. This is carried through into the Key Statements and Policies

of the emerging Plan that deal with heritage assets (EN5 and DME4). The setting is not limited simply to visual links however, and an important part of applying the NPPF is to determine whether the setting makes a positive/negative/neutral contribution to significance. Furthermore it is important to consider whether elements of the setting affect the ability to appreciate that significance. When considering the impact of a proposal on the significance of a designed heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

Regard should also be had to the Conservation Area setting of the Mill and part of the former factory site and policies ENV16, ENV17 and ENV19 of the DWLP and Key Statement EN5 and Policy DME4 of the Core Strategy Submission Version as proposed to be modified are applicable.

It has already been identified that there are substantial works to be undertaken on the former factory site that is partly covered by the Conservation Area designation and all of which, due to local topography, could be argued to form the setting of the listed Kirk Mill. In terms of the detail design discussion of those buildings that is included within a separate section to this report, but it is important to mention the concern of English Heritage in this respect within this section. The proposed spa/hotel building does have a steep pitch to it and it will occupy a prominent roadside position. However, I am mindful that the overall site is covered with substantial buildings that in my opinion do little to preserve or enhance the Conservation Area. There is a stone barn that is to be retained and converted and I believe securing a beneficial use for that building would not prove harmful to the Conservation Area. Returning to the spa building, comments have been made by English Heritage that the Local Planning Authority should ensure that the proposed roofscape will sustain and enhance the character and appearance of the Conservation Area. Present buildings in situ are (except for the stone barn) of more modern design for their intended purpose, ie manufacturing, and after giving careful consideration to the design put forward, I am of the opinion that a more modern design should not be disregarded out of hand for the new build elements of the proposal. The NPPF sets out the need for good design whilst not preventing or discouraging appropriate innovation. The works on the former factory site will undoubtedly have an impact on the character and appearance of the Conservation Area, its setting and in turn to the setting of the mill itself, but the overriding consideration is any harm that is created and whether the proposals serve to preserve and enhance (the statutory test referred to previously).

It is important to refer to the four self-build units proposed which are applied for in outline and whose built form would abut the extended boundary to the Kirk Mill Conservation Area. This aspect of the overall scheme has been the subject of discussions with the applicants in terms of its necessity from a viability perspective to bring forward not only the beneficial reuse of the mill and works to the factory site within the Conservation Area but in terms of the delivery of affordable housing. As mentioned throughout this report the viability appraisal and supporting documentation outline that all component parts of this proposal are inextricably linked. English Heritage have commented that these units represent a very small proportion of the total development and whilst this may be the case in terms of floor space that does not necessarily translate into the financial elements of the scheme. The viability information is not in the public domain and thus English Heritage would not be aware of this but their concerns over the new build elements adjacent to the Conservation Area and potential impact on matters of setting of heritage assets has been given due consideration. The applicants have provided a design code to set broad design parameters for this aspect to give some clarity as to the final built form. The maximum height and a pallet of materials are put forward and these broadly accord with the

development in the local area. Whilst the detailed design of properties will still be subject of subsequent reserved matters applications, these would need to accord with the general guidelines approved here. I am mindful of the purposes of the designation of the conservation area and its subsequent later extension and do not consider that these dwellings would significantly affect that or other heritage assets within the valley bottom to the east/northeast.

In addition to the relevant sections of NPPF that have already been quoted within this report, it is also important to have regard to guidance contained within the Historic Environment Planning Practice Guide (HEPPG) that '*... the key to sound decision making is the identification and understanding of the differing, and perhaps conflicting, heritage impacts accruing from the proposals and how they are to be weighed against both each other and any other material planning considerations that would arise as a result of the development proceeding*'. Paragraph 79 of HEPPG outlines a number of potential heritage benefits that could weigh in favour of a proposed scheme and amongst other things this cites it makes a positive contribution to economic vitality and sustainable communities. Reference has already been made to the three dimensions of sustainable development as outlined within the NPPF and it is important to have regard to these when considering this particular aspect of the proposal.

The NPPF advises that as heritage assets are irreplaceable any harm or loss should require clear and convincing justification. Substantial harm should only be permitted exceptionally. The fundamental consideration in this respect therefore is whether these proposals are considered to represent substantial harm or less than substantial harm to the identified heritage assets.

It is clear from the observations of the Council's Design and Conservation Officer that in his opinion substantial harm is apparent to the character and setting of Kirk Mill and the character and setting of the Kirk Mill Conservation Area. However, it is interesting to note that none of the civic amenity bodies consulted on this proposal use that language. They do state that the proposals as submitted would harm the significance of the Grade II listed asset but are generally supportive of the reuse of the building and enhancements to the Conservation Area that would be brought about as a result of this scheme.

In making an assessment as to whether substantial harm would be caused, I am mindful of the reasons for designation of Kirk Mill and its associated features in terms of rarity, intactness, survival of original and early features, historical and layout aspects. Having regard to the various responses received to the application from civic amenity bodies and from studying all of the submitted documentation, the proposals would not, I consider, lead to substantial harm to Kirk Mill when having regard to these factors. Yes, there will be a change to the appearance and function of the building but this does not necessarily mean that the scheme should be resisted. The glossary to the framework defines conservation (full heritage policy) as *the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance*. As English Heritage recognise the proposals have the potential to resolve a fundamental regeneration challenge within Kirk Mill Conservation Area and taking the scheme as a whole, I conclude that the harm to the designated assets is less than substantial.

To summarise I am of the opinion that saved and emerging heritage policies and guidance within the NPPF do not indicate that this development should be resisted in principle. In reaching this conclusion on the impact of this development on heritage assets regard has been had to paragraph 134 of NPPF which outlines that "*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm would be weighed against the public benefit of the proposal, including securing its optimum viable use.*"

This and the statutory duties under Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 are important factors when weighing the balance with other material considerations as decision-makers are required to do in accordance with paragraph 14 of the NPPF and this is a matter which I turn to later within this report.

Nature Conservation/Ecology/Biodiversity/Trees

In assessing this aspect of the proposal regard should be had to Policies within the DWLP, emerging Core Strategy and NPPF. Policies ENV7 and ENV13 of the DWLP concern themselves with species and landscape protection and the principles of these are carried forward into Key Statement EN4 (biodiversity and geodiversity) and Policies DME1 and DME3 of the emerging Core Strategy. In respect of the environmental role of NPPF, specific guidance is offered on conserving and enhancing the natural environment and paragraph 109 comments that *“the planning system should contribute to and enhance the natural and local environment by ... minimising impacts on biodiversity and providing net gains in biodiversity where possible”*. It advises further in para 113 that LPAs should set out what it terms criteria based policies which development proposals can be judged against with a hierarchical approach to designation so that protection of wildlife, geodiversity or landscape is commensurate with their status. Consideration should also be given to paragraph 118 which states *“when determining planning applications, LPAs should aim to conserve and enhance the biodiversity and in particular a significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resource, compensated for, then planning permission should be refused”*.

In making an assessment of the proposal against the above guidance it is important to recognise that the site(s) fall within the AONB which is a designated site in NPPF terms due to its landscape importance and that parts of the site fall within the Kirk Mill Conservation Area which affords protection to the trees within it. There are County Biological Heritage sites to the immediate north of the Malt Kiln Brow housing site (4 self-build units) and to the northeast of the mill pond with Bowland Fells SSSI (a SPA – Special Protection Area for birds) set approximately 1940m to the north/northwest of the site(s).

This proposal in part comprises greenfield site(s) and as part of the application an Arboricultural Survey report has been submitted. A total of 89 items of vegetation (64 individual trees and 25 groups of trees) were surveyed. These are categorised as retention categories A-C with 7 trees and 2 groups identified as retention category U requiring removal for arboricultural reasons regardless of ongoing site development. Species surveyed include Sycamore, Elm, Ash, Hawthorn hedge, Oak, Holly, Apple, Beech, Field Maple, Silver Birch, Cherry, Lombardy Poplar, Hawthorn, Hazel, Rowan, Goat Willow, Norway Maple, Norway Spruce, Yew, Horse Chestnut, Scotts Pine, Lime, Aspen, Copper Beech, Elder and Alder.

The Council's Countryside Officer has commented that the tree survey has identified what he considers to be a number of veteran trees which are given additional protection under the NPPF and as such they should be retained wherever possible. Most of the trees listed are earmarked for retention whilst a small number are indicated for removal (1 on the residential plot and 2 on the proposed cricket field site). Whilst the loss of any tree is regrettable for both visual amenity and ecological impacts the tree survey gives clear reasons for removal where necessary due to issues such as decay which had led to the trees becoming structurally unsound. Mitigation for such losses could be secured via an appropriately worded planning condition regarding replacement tree planting. It will be important that reserved matters applications for the residential phase of the development are accompanied by informed tree constraint layout details

and that appropriately worded specific tree protection conditions are imposed should consent be forthcoming in order to ensure that all retained trees are given maximum protection from the adverse impacts of any part of this development. Subsequent layouts must be informed by the tree constraints plan and this includes not only the physical impact of the development on trees of the individual plots but also must include roads and services as well as potential tree resentment issues that may arise as a consequence of unrealistic design aspirations. From the information submitted it is evident that there has been consideration given to arboricultural matters in the technical supporting documents and there is nothing at this stage to indicate that subject to suitable conditions being imposed there would be any valid reason to substantiate an unfavourable recommendation on tree grounds.

An Ecological Impact Assessment has been carried out to assess the effects of the development on flora and fauna and determine mitigation measures required. This assessment was informed by a review of existing information on flora and fauna that are known within the site, or have previously been recorded at or near the site; a survey of the habitat types within the site; a hedgerow survey and a number of surveys specifically to assess the status of legally protected species within or near the site including bats, badgers, otter and water vole. An assessment was undertaken of potential effects on biodiversity and this concluded that it is unlikely that there will be any significant effects and that mitigation and compensation is entirely feasible in this instance.

The surveys revealed no evidence of badger, water vole or otter and habitats present on site are considered to offer suitable foraging and nesting opportunities for a range of birds. The surveys identified trees with features suitable to support roosting bats and buildings present on site as minor/small daytime roosts for Pipistrelle and Myotis bats – buildings are to be retained and renovated as part of the proposals.

Natural England have commented that it is for the LPA to assess the proposal having regard to their Standing Advice on protected species. The Ecology Unit at LCC did raise several concerns in respect of the ecological information initially provided and supplementary information was provided by the applicants on 22 July. Further to that LCC only raised 2 concerns that must be addressed before the application is determined – namely information on bats in the bridge to be affected and there is a concern regarding whether the assessment of likely impacts on amphibians (Great Crested Newts) is adequate. Additional correspondence from the applicant has been exchanged with LCC but there remain issues that they consider need to be addressed before the application is determined – the bridge is considered to have moderate potential for bat species with further surveys (dusk emergence/dawn re-entering surveys) stated as necessary and in terms of GCN a pond within 250m of the existing cricket pitch should be investigated with information also required regarding the likely impacts of development on the Common Toad.

It is important to bring to Members' attention a duty of the Local Planning Authority under the Habitats Directive to have regard to the requirements of the Habitats Regulations in respect of determining the application given that there is a need for a Natural England Licence due to the presence of bats within some of the buildings and the potential in the bridge. The licensing tests given in the aforementioned Regulations therefore need to be given consideration. In summary these are:

1. The development is required for the purpose of
 - preserving public health or public safety,

- for other imperative reasons of over-riding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
 - for preventing serious damage to property.
2. There is no satisfactory alternative
 3. The proposal will not be detrimental to the maintenance of the population of the species at a favourable conservation status.

The proposed development is likely to affect bats with roosts in 2 buildings. Thus consideration has been given to the three tests above and the following conclusions drawn. Firstly, in respect of overriding public interest the proposal is a holistic approach to a development scheme of numerous parts that taken as a whole will bring back into use a derelict listed building that would otherwise be left vacant along with the treatment of a range of substantial buildings on the former factory site within the Conservation Area that do little to enhance its appearance. Thus there are considered to be overriding public interest issues and beneficial consequences to the borough by the restoration/renovation of the Grade II listed mill and enhancements to the Conservation Area with resultant provision of employment opportunities for the village that were lost with the closure of the chairworks. In respect of whether there is a satisfactory alternative, there is no alternative to the redevelopment/conversion of the building concerned. The 'do nothing' option approach to these buildings would eventually lead to the dilapidation and loss of the buildings and their bat roosts. Finally, in terms of the favourable maintenance of the conservation status of the species a mitigation strategy has been devised and compensation for bat roosts is feasible within the scope of the permission. Thus I am satisfied that due consideration has been given to the habitats directive in respect of European Protected Species in order for the Local Planning Authority to discharge its duty in respect of works to the buildings on the site(s). Having regard to the potential for roosts within the bridge and matters associated with amphibians further clarification has been sought from the Council's Countryside Officer on the approach to take and there has also been dialogue with the applicants ecological advisers. Given the duties under the Habitat Directive the LPA needs to be certain of the presence of otherwise of bats prior to final determination of this scheme. The Council's Countryside Officer is of the opinion that in this particular instance, the findings submitted are such that conditions are appropriate and that there is no reason to withhold consent on these grounds.

Mitigation measures are recommended within the Ecological Impact Assessment and LCC Ecology have provided detailed comments on how measures can be secured by the imposition of conditions. In order to reduce the potential biodiversity impact of this scheme, it should also be remembered that this is a development that will be phased over a number of years as the component parts of this scheme come forward and this will enable habitat creation and connectivity to be appropriately phased over the duration of the build programme.

Thus having carefully assessed the impact of this development on nature conservation interests I am of the opinion that whilst the development is likely to have some impact this is not on the basis of the information available at the time of drafting considered to be significant and mitigation and compensation is feasible.

Flooding/Drainage/Water Supply

Members will note that in terms of representations received relating to infrastructure provision, concerns have been raised regarding water and waste water services as it is felt by objectors

that these are already at maximum capacity and that some of the site lies within a flood plain and is unsuitable for building without special measures, such as raising land levels, which may increase the risk of flooding further downstream.

United Utilities have been consulted on this application and conclude that subject to the imposition of conditions on any consent granted, they raise no objections to the scheme.

The Local Planning Authority has also undertaken consultation with the Environment Agency in respect of this scheme, which is located primarily within flood zone 1 (defined as having a low probability of flooding) with parts of the site located in flood zone 3 (highest probability of flooding). In order to ensure the proposed development will not be at risk of flooding or exacerbate flood risk elsewhere, the submitted information in support of the proposal identifies that a package of measures will be implemented that include raising of finished floor levels of the new development, removal of obsolete bridges along Chipping Brook and ground raising on some of the development parcels. The Environment Agency have stated that they are satisfied that the proposed measures will ensure that the development will not be at an unacceptable risk of flooding or exacerbate flooding elsewhere. This is on the proviso that any future development proceeds in accordance with the recommendations of the flood risk assessment and thus it is important to ensure that appropriately worded conditions are imposed should Committee be minded to approve the application to secure this.

Therefore, on the basis of the responses received to this application from statutory consultees, I must conclude that notwithstanding the concerns raised, the development of this site in the manner outlined in the submitted forms and supporting technical documentation would not lead to significant issues in respect of flooding, drainage and water supply.

Layout/Scale/Visual Amenity

I have already made reference elsewhere within this report to the purpose of the planning system being to contribute to the achievement of sustainable development to which there are three dimensions. These give rise to the need for the planning system to perform a number of roles and with respect to the environmental role, this means contributing to protecting and enhancing our natural, built and historic environment.

Reflecting the environmental role, the core principles of NPPF include the following:

- *taking account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside; and*
- *contributing to conserving and enhancing the natural environment.*

In that context the planning system should contribute to and enhance the natural environment by protecting and enhancing valued landscapes.

Valued landscapes are not defined in the NPPF and paragraph 113 of the Framework advises LPAs to set criteria based policies against which proposals for any development on or affecting protected landscape areas will be judged. The application site(s) do however fall within a designated landscape with the National Planning Policy Framework stating (within sections 115 – 119) that:

Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in

relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- *the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- *the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
- *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated*

The area of the application site(s) is characterised as undulating lowland farmland with parkland, lying outside any defined settlement boundary and thus in landscape terms Policy ENV1 of the DWLP, Key Statement EN2 and Policy DME2 of the emerging Core Strategy apply. In essence these seek to ensure that the development proposals will contribute to the conservation of the natural beauty of the area and not undermine the inherent quality of the landscape.

The application has been submitted with a Landscape and Visual Assessment (LVIA). Additional information was submitted to supplement this by way of a series of photo montages of representative wire line drawing views from a selection of the viewpoint locations. The LVIA has been carried out following recognised guidance and in accordance with the third edition of the Landscape Institute's guidelines for Landscape and Visual Impact Assessment. Regard has been had to a number of landscape character analysis documents in the production of the LVIA.

The LVIA provides an assessment on landscape condition, value and sensitivity and concludes that during the construction phase there will be a period of short term locally adverse effects but that these will be confined to short distance views. At year 15 once new planting has established, overall importance of visual effects are considered to be generally of minor beneficial rising to major beneficial importance with the development associated with Kirk Mill and the modern factory site redevelopment. They consider the effect on the wider landscape character of the AONB to be negligible as the development in their words *'is generally visually contained and restricted to the edge of the existing settlement'*.

Members will note that consultation has taken place with both Natural England and the AONB Officer at LCC regarding the potential landscape impact of this proposal given the site(s) fall within a designated landscape (AONB). Both raised concerns regarding the submitted LVIA and Natural England stated it more appropriate in this instance to seek the views of the Forest of Bowland AONB Partnership because of their knowledge of the location and wider landscape setting of the development. Since initial submission additional information has been received from the applicant in relation to the views expressed by the AONB Officer quoted earlier within this report. Therefore, whilst some of the concerns raised have been satisfactorily addressed, there are some key issues remaining as far as the AONB Officer is concerned that relate to the following:

- Additional photomontages showing fully rendered visualisations of the proposed development (accepting that the layout and design of the housing is not finalised) to compare with the photomontages of the existing viewpoints.
- Additional information (including detailed landscaping plans) to justify the conclusions that the landscaping of the development will be able to reduce the landscape and visual impacts for:
 - Former cricket field residential development from in 'medium adverse' to 'minor adverse'
 - Malt kiln house field residential development from 'medium adverse' to 'minor adverse'

In respect of the first point, the application does provide some photomontage information of the development and I am satisfied that sufficient information is provided in order that the potential impacts of the full aspects of the proposal can be evaluated in terms of impact on the AONB. Comments are made about the need for additional photomontages of the residential aspects but those are applied for in outline. From experience at a number of Public Inquiries when such issues have been raised, there are various ways to illustrate such proposals by block shading or wire line drawings and I do not consider that neither satisfactorily address this issue or result in a true visual representation in order to assess visual impact. From studying the submitted information and from walking around the area, whilst acknowledging the outline aspects will have a visual impact I do not consider them sufficiently harmful to warrant a refusal on that ground. The request for detailed landscape plans for the residential site is not appropriate given the nature of the application in relation to them and the description states the maximum number of dwellings ie 56 and 4 units on each parcel – the reserved matters submission may result in less dwellings and irrespective of this, further consideration will be given to landscaping at that time.

Committee should remember that even though this is a major development in a designated area, the AONB Officer clearly states in his initial response to the application that *many of the key design elements ... for the Kirk Mill site namely removal of inappropriate built features, building scale, massing, layout, vernacular style and overall character are, in principle, sound and appropriate for the area's landscape character.*

Moving on from comments in relation to the overarching landscape impact to more detailed specific considerations of the scheme, as stated previously this is a hybrid application with all matters applied for in full in respect of the hotel/leisure and cricket club aspects of the proposal with all matters except for access reserved for future submission on the residential parcel(s).

There has already been some commentary provided on the design of the works to the mill building in order to convert it to hotel accommodation. The orangery at ground floor on the front elevation is primarily sandstone with the circulation core above being glazed. It cannot be denied that these will be prominent features on this elevation but the mill has undergone numerous transition periods (as the information submitted as part of this application demonstrates) with a design put forward to clearly differentiate between the existing and modern addition. Whilst matters of design by their very nature are subjective assessments, I do not consider that these work nor the restaurant or other external works to this building would so significantly affect the visual amenities of the area to warrant a recommendation of refusal. I am mindful that the glazed circulation core may raise issues associated with light spillage/pollution and give a greater level of visual dominance during nocturnal hours but consider that a suitably

worded condition regarding lighting can be imposed on any consent granted to minimise this impact.

Turning to the manufacturing site, reference has been made elsewhere within this report to the retention of the existing stone barn with an extension provided. There is a considerable amount of demolition on the manufacturing site of existing buildings and some of these are attached to the barn in question. Works to the actual barn in terms of conversion do proposed the insertion of a number of new window openings and I am mindful of the advice in Policy RT3 which comments that *“the design of the conversion should be of a high standard and be in keeping with local tradition, particularly in terms of materials, geometric form and window and door openings”*. The supporting text to that Policy notes that the *“value of such buildings can be damaged if a conversion leads to an appearance of the urbanisation in an otherwise wholly rural view”*. In this particular instance whilst mindful of the new openings to be formed and the design guidance of Policy H17 I consider it important to have regard to the nature of this site. The barn is a small part of a larger manufacturing site and is not therefore a typical rural view. The works of conversion are I consider sympathetic to the conservation area setting and the overall design approach being adopted to the regeneration of this site. The new build accommodation would be clear as a later addition having a lower profile (albeit still two storeys) and simple fenestration detailing is shown with sandstone to the south west facing elevation (render to rear) with timber windows under a slate roof. Thus I do not consider this element would compromise the visual qualities of the AONB or harm the Conservation Area or setting to heritage assets.

The proposed hotel/spa building has brought forward comments in relation to its visual impact and whether it would be unduly prominent and uncharacteristic in this location. It is important to remember that the existing manufacturing buildings on site are of sizeable form both in terms of footprint and massing and that the photomontages proposed indicate the overall height of this element not dissimilar to buildings presently on site. The palette of materials to be used ties in with those already mentioned (stone, slate, timber windows and doors) except for the use of horizontal timber boarding to the gable ends of the spa building – the elevation running parallel to the road (which is set slightly higher) will be principally sandstone under a slate roof. It is acknowledged that the use of a mansard roof form on the spa building may to some appear to hint at a Scandinavian approach that is considered incongruous and alien in this setting. However, I remind Members that the NPPF seeks to promote good design and create development that is visually attractive. In particular paragraph 60 states:

“planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness”.

The applicants when questioned about the design rationale for this particular building have commented that *“the form of the building is a modern interpretation of the local vernacular”* being designed so as to conceal the necessary plant space in the second floor above the pool/changing at ground floor and gym at first floor. Again I am of the opinion that this building would not harm the area and would introduce a focal building (the spa element of the building) in place of the large tower currently in situ on site which is visible from distance.

Other buildings on the factory site proposed are a wedding venue, kids club, plant building and trail head centre. All have been designed specifically to cater for their intended uses and make use of stone, small sections of render, timber and slate. The plant and trail head buildings will be in the basin to the rear of the recently constructed dwellings on the road frontage and when

considered in conjunction with the proposed car park actually reduce the overall extent of solid built form on this part of the overall site. The scale and massing of these buildings is such that they would not be over dominant in the wider landscape to the detriment of the visual amenities of the area. I consider they have been sensitively designed and whilst concerns were expressed by the AONB Officer regarding the car park, Members must remember that at present there are building on site in this location and their removal would prove visually beneficial to the area.

Turning to the relocated cricket pitch with its pavilion, works to form the pitch would not in themselves prove harmful to the visual characteristics of the AONB. A modest pavilion is proposed that given its overall dimensions and design, would not appear incongruous in the wider landscape. A small parking area is proposed beyond the pavilion extending in an easterly direction but tree planting along the southern boundary to enhance existing coverage will assist in assimilating this area into the wider landscape.

With regard to the residential aspects, these are applied for in outline. A parameters plan and information submitted in the Design and Access Statement indicate that development on the former cricket pitch will be a maximum height of 9m (2.5 storeys) as indeed will the four self-build plots. The parameters plan also denotes areas to be kept free of built form and a design code has been submitted to cover the self-build plots. This would guide future reserved matters applications on that particular site and in addition to specify maximum heights of building (no more than 9m above existing ground level) states roof pitches to be a minimum of 30°, a minimum of 3m separate between each unit to maintain views through the site, planting to be predominantly native deciduous species with a materials pallet of predominantly locally matched stone for external walls, painted timber window frames, slate roofs and driveways to be blocked paved. The Design Code also makes reference to garden boundary treatments (back gardens to have hedgerow and intermittent standard tree planting and dry stone walling or country/estate railings being more appropriate to front gardens) and other landscape considerations. This is sufficient to make an assessment of the potential visual impacts of these aspects of the development at this stage and conclude that the impacts are not such that would warrant an unfavourable recommendation.

Given that the change of use of Malt Kiln House from residential to use Class C1 does not involve any external alterations to the building. There are no discernible visual impacts associated with this aspect of the proposal to be discussed.

Therefore, to summarise I am of the opinion that whilst the proposed development will have an effect on the landscape my overriding conclusions are that whilst change to the landscape would occur, there is no significant visual intrusion – that is change which leads to an uncharacteristic element within the view and thus no significant detriment to the visual qualities of the AONB.

Residential Amenity

In assessing this it is important to give consideration to the potential impacts of each of the respective land uses on the dwellings that surround the various sites.

In respect of the proposed residential development there are dwellings set approximately 75m to the northwest of the site boundary of the proposed four self-build units at a slightly higher level and approximately 55m – 75m to the north/northeast at the bottom of the valley close to

the mill. Given the distances and topography I do not consider that there would be any significant adverse impacts on their current levels of amenity.

Turning to the site for up to 56 dwellings, there are existing properties to its south that form the estates of Kirklands and Kirkfield and a property known as The Fields to the southwest. Whilst the submission in respect of this is made in outline (save for access) and thus the exact positionings and proportions of the proposed dwellings are not fixed. Information is available in the Design and Access Statement to indicate that the scale across the site is anticipated to be two storeys comprising a range of housing types from individual dwellings to short lengths of terraced housing. As access is a matter applied for in detail at this time, it does fix circulation routes throughout the site thereby giving an indication of layout. I am of the opinion that on the basis of the information available at this time, there would be sufficient distance between existing and proposed built form to respect privacy levels but as Members are aware this will be a detailed matter to finalise as part of any reserved matters application. The topography of this particular site and its adjacent land and built-form would not lead to a development that has an overbearing or oppressive impact on existing residents. Having regard to the internal relationship of the development site, the illustrative master plan and design principles set out in the D&A indicate that the properties will be inward facing to the development with regard garden areas (that would face outwards to the surrounding countryside and existing housing estates) defined by traditional hedgerows and intermittent standard tree planting. It is worth remembering that this is an outline application for the residential aspects with matters of layout reserved for future submission. Whilst the details submitted set the broad parameters of development and general arrangements there will be scope for repositioning of the proposed dwellings to achieve greater separation distance from existing built form if considered necessary at a later detailed stage.

Next regard should be given to the conversion of the mill to a restaurant/bar on the ground floor and hotel on the upper floors, the conversion of the existing barn building to holiday cottages, erection of new buildings comprising a hotel/spa, wedding venue, kids club and trail head centre with car park. There are dwellings to the east, west and south of the mill and to the north and southwest of the former manufacturing site. Having regard to the works proposed I do not consider that there would be any significant detriment caused through overlooking or loss of privacy. The application has been submitted with an assessment and control of noise impact study that has assessed the potential noise impacts of the development. This has considered noise from car parking, breakout from the restaurant bar, spa and wedding venue (including external areas) as well as servicing activities and mechanical services noise. The conclusions reached and considered by colleagues in Environmental Health are that subject to the imposition of conditions regarding restricting delivery times and improving the sound insulation of trading areas, there would be no significant adverse effects on existing residential amenity by virtue of noise emanating from these parts of the development proposal. The final component part of this proposal is the relocated cricket pitch at the southeast of Brooklands. The pitches propose to run north/south with the modest pavilion along the site's southern boundary. In assessing the potential impact of this I am mindful that facilities provided are not a function room that could be used for purposes other than the stated use and that the pitch will be used during the cricket season which generally runs March to September. It is noted that Sport England have been consulted on this application and whilst they have raised issues regarding the quality of the pitch and the pavilion, they have not queried the positioning of the pitch in relation to surrounding built-form and the potential for over-sailing cricket balls. It is acknowledged that the re-siting of the pitch is likely to have some impact on existing residential amenity from the noise associated with its use but it is considered that the level would not be so significant as to result in an unduly detrimental impact.

Therefore having regard to all the various land parcels and suggested uses, it is considered that the impacts on the residential amenities of existing properties would not be so significant as to lead to an unfavourable recommendation.

Miscellaneous

Members will note that reference has been made by the Parish Council and objectors to the Chipping Village Local Plan and that the level of development proposed exceeds the limits set out in that document. It is important to set out the planning status of that document and the first point to make is that it dates from 2011 which is pre NPPF. The Village Plan is a statement of community intent and wishes for the future. It is not a Neighbourhood Plan which would be drawn up under the relevant legislation carrying the full statutory force. It was developed by Chipping and Bowland with Leagram Parish Councils to help shape how they would like to see the village look in a 10 year period. The document outlines how much housing they would like to see (a maximum of 50 properties), the wish for a minimum of 30 jobs in the village (to replace those lost by Chipping residents with the closure of HJ Berry Ltd) and that a prime site for job creation should be the former HJ Berry site. Whilst I have been mindful of the aspirations of that document in the determination of this application the weight that can be attached to it as a material planning consideration is, I consider, at best limited.

Section 106 Agreement

The purpose of planning obligations is to make acceptable development which would otherwise be unacceptable in planning terms and should only be sought where they meet all the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

There are various component parts to the draft Legal Agreement which will provide for the following key aspects:

1. Affordable Housing

- i) 20% of the housing units to be affordable to be split between affordable rental unit and discounted sale (40% discount of open market value).
- ii) Triggers for the provision of the affordable units proportionate to the delivery of market dwellings including that no more than 90% of the market housing units shall be occupied until 100% of the affordable housing units have been constructed and made ready for residential occupation.

2. Replacement Cricket Pitch

- i) To provide, layout and equip a replacement cricket field of an equivalent or better standard than the facility formerly provided on the current cricket field.
- ii) To complete the works of provision and laying prior to commencement of development on the residential site(s).

- iii) Not to allow the replacement cricket facility to be used as anything other than a community sports facility without the prior written approval of the Council.
- iv) To use reasonable endeavours to grant to the trustees of Chipping Cricket Club right on reasonable terms to use the replacement cricket club within 2 months of completion of the works. In the event the trustees refuse to accept the right offered by the owner within 2 months of completion of the works to offer use of the replacement cricket field on reasonable terms to other local teams' clubs and schools.

3. Timing of Works

- i) Not to begin the construction of the dwellings without first preparing a schedule of the works that will be required to make the mill wind and water tight and obtain the written approval of the Council to such schedule. Works to include reroofing the mill and refurbishment of the external envelope of the mill (apart from the windows) to safeguard the building's long term survival. This will include repointing the external brickwork of the mill and carrying out any repairs that may be required to the exterior of the mill save for that part of the exterior which has been identified and authorised for removal pursuant to the terms of the planning permission.
- ii) Not to occupy or permit occupation of any dwellings until:
 - the mill works have been completed in accordance with a schedule;
 - the Kirk Mill complex works have been completed which are demolition of the factory, warehouse and office buildings at the Kirk Mill complex but leaving the stone barn in place.

4. Marketing Strategy

- i) Not to begin the construction of the dwellings without first preparing a marketing programme aimed at securing a leisure operator to run or purchase the mill and Kirk Mill complex and obtaining the written approval of the Council to such a programme.
- ii) To use reasonable endeavours to implement the programme approved as soon as reasonably possible thereafter.

Planning Balance

This report has set out that the proposal as submitted can be judged to represent well planned and beneficial sustainable development as set out in paragraph 7 of the NPPF and the associated policies in paragraphs 18 to 219. As such the presumption in favour of sustainable development unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits ie the test of the 1st bullet to the 2nd dagger of paragraph 14 of the Framework comes into play. I am mindful of the 2nd bullet that concerns itself with specific policies of the Framework which indicates development should be restricted but consider that

whilst the site(s) are within the AONB and designated heritage assets are a concern the proposals have been put forward in such a manner that this part of the NPPF is not engaged.

It is important to consider the potential harms and benefits associated with and potentially resultant from the proposal should planning consent be granted. From an analysis of the submission documentation for this application and substance of this report in considering the overall planning balance I offer the following observations:

Assessed Harm

Issues of potential harm have been identified in this report by way of impact on the spatial vision in the emerging Core Strategy, highway considerations, impact on the setting and significance of heritage assets, landscape character, loss of habitats and impacts on biodiversity.

In relation to the Core Strategy it is important to remember that Chipping is a Tier 2 Settlement identified to accommodate only limited growth over the Plan period subject to specific restrictive criteria set out within the emerging Plan. All of the development site(s) fall outside the defined settlement boundary and in addition to the employment uses on previously developed land and the relocated cricket pitch this application seeks permission for 60 dwellings outside the defined settlement limits. Reference has been made to the 'exceptions' for residential development in such locations (affordable or regeneration benefits) and the conclusion reached that in this particular instance, and having regard to this particular set of circumstances, the scheme can be judged to accord with emerging Core Strategy policies in respect of housing provision (Members are reminded that this is a location where, were it not for the holistic approach to enabling development brought forward in this overall scheme this is a location where we would seek to resist residential development). Thus, this report has identified that this aspect should be weighed in the planning balance against other factors such as the need to bring back into beneficial economic use a heritage asset that would otherwise be left to deteriorate and the removal of unsightly industrial buildings in the heart of the Conservation Area that, whilst demonstrating the past use of the site, do little to contribute to the visual qualities of the AONB or conserve and enhance the significance of the heritage asset.

It is clear from the observations of the County Surveyor that notwithstanding concerns expressed by local residents to the proposal there is no significant detrimental highway safety impact that would give rise to an objection to the development on highway safety grounds. Thus whilst it can be recognised that increased traffic through the village is as an adverse impact of the development, in attaching weight to this issue alone in the planning balance I do not attach significant weight to it.

After careful consideration of the documentation submitted in respect of heritage assets and the various consultation responses received, I am of the opinion that whilst the proposal would have an impact on designated assets and in some respects prove harmful I have applied the considerations of NPPF and concluded that the impact is less than substantial. Given that harm is apparent this carries weight in the overall planning balance. Whilst the policies of the Framework are consistent with the approach set out in the statutory duties, the latter require the LPA to accord considerable importance and weight to the desirability of preserving and enhancing in the planning balance. Thus there is considerable weight and importance to be afforded to the statutory objective in the planning balance separate to the requirements of NPPF in respect of harm identified to heritage assets whether it be substantial or as it the case in relation to this application less than substantial.

In terms of landscape character greenfield development can seldom take place without landscape character change and visual effect. It is important to remember that the area is a designated landscape in NPPF terms and thus could be argued as being highly sensitive to landscape change. In this regard I am mindful of the content of the Framework in terms of the need for major developments to be an exceptional circumstance in the public interest and the overriding conclusion reached in this respect is that whilst there will be an effect on the landscape there will be no significant visual intrusion and thus I attach moderate weight to this in the planning balance.

Having regard to habitats and biodiversity, the technical documentation and surveys submitted indicate that whilst development would have an impact on wildlife and arboricultural interests, this would not be significantly detrimental and mitigation measures can be put in place to compensate for any loss as a direct result of these works taking place. Thus I attach limited weight to this in the planning balance.

Benefits

The development will provide 60 dwellings. It is widely accepted that the housing industry has a critical role to play in terms of the national economic recovery. This has been extensively reported through Ministerial Statements and the Government's Growth Agenda.

The proposal for tourism/leisure uses with an additional 60 dwellings is likely to create a number of permanent jobs on the site – equivalent to 100 full time employees. In addition there are likely to be 'indirect' jobs in the local economy as well as construction jobs on site. Members are reminded that New Homes Bonus would be generated over a six year period from habitation of the residential aspects of the development which based on 60 dwellings at an average Band D Council Tax = £88,080 (80% to RVBC £70,464 and 20% to LCC £17,616. As committee will be aware the bonus is not ring-fenced and it is for the Local Authority to decide how to spend this money. It is also stressed that these figures are under the scheme as it currently stands and there is debate as to whether this scheme will continue.

This application helps to achieve the economic role of sustainable development through these direct construction related benefits, indirect economic benefits, local socio-economic benefits, growing labour force, enhanced local spending power and public revenue for investment in community services.

As well as the social benefits of having ready access to what must be recognised as limited services in the settlement, future residents will also have ready access to the surrounding countryside, encouraging a healthy lifestyle. A key part of the social role of sustainable development is to ensure that housing is provided to meet the needs of the present generations as well as those in the future. Development at Chipping, albeit outside the defined settlement limit of a Tier 2 village, would assist in the provision of affordable housing to meet the needs of present and future generations. The overall proposal will result in a high quality built environment, with additional accessible local services that the community can utilise to support their health, social and cultural well-being. Reference has been made to the impacts on heritage assets as a "harm" but it is also important to recognise, as indeed English Heritage have, that the principle of re-using Kirk Mill is clearly welcome. The vacant and, to an extent, derelict condition of the mill dominates the Conservation Area and the constructive reuse of the building could be highly beneficial. Similarly the redevelopment of the vacant Main Mill complex, which overshadows the Conservation Area as a whole, with a contextual bespoke design could significantly enhance the character and appearance of the area. The introduction of a mix of

complementary uses should have potential to regenerate the site and benefit the settings of both the Kirk Mill and Chipping Conservation Areas.

Overall Conclusion

This report has made reference to several planning policies within the Districtwide Local Plan, emerging Core Strategy and NPPF. It has been recognised that some of the policies of the DWLP are dated and that in respect of the emerging Core Strategy whilst that plan has yet to be adopted the Council considers it carries substantial weight given the stage it has reached. It is therefore recognised that the proposal before Members falls to be determined against the principles of the NPPF and the decision making framework therein of paragraphs 196, 197, 14 and 6. The development as outlined in the submitted documents has been assessed against the Policies in the Framework and whilst it will undoubtedly have some negative impacts when considering paragraphs 18 – 219 taken as a whole and the economic, social and environmental roles of the planning system as laid out in paragraph 7 of the Framework, this scheme is considered to represent sustainable development.

The absorption of a mixed use development that has the potential to rebuild the rural economy, will bring back into a beneficial economic use a designated heritage asset and provide a combination of new build and re-use of existing buildings, in a manner that seeks to conserve and enhance the significance of heritage assets does I believe carry the full weight of the Framework in terms of delivering sustainable economic growth.

With regard to adverse effects identified there will be impacts on the highway network but I do not consider these severe in NPPF terms to carry substantial weight in the planning balance. The effect of the development upon a Grade II Listed Building from the physical alterations to its fabric, to its setting and significance of heritage assets in the vicinity has been considered. It is concluded that whilst harm has been identified it is not such that the scheme falls foul of the LPA's statutory duty under the relevant Act(s) or the requirements of the NPPF as the benefits identified sufficiently rebut the strong presumption to "do no harm" to heritage assets. In respect of landscape and visual impacts the application proposes development at the edge of a settlement which under the emerging spatial strategy is defined as one of the least sustainable of the villages. However, the policies of the emerging plan allow for residential development which brings regeneration benefits and, as has been outlined within this report, Members need to remember that this scheme should be considered as a whole and not assess the housing in principle in isolation from the other employment generating aspects. There will be some effects on ecological considerations but the submitted documentation indicates appropriate mitigation can be secured. There is no evidence to suggest that the potential impacts of the development will lead to significant adverse harm. Of those limited impacts that have been identified, these do not in my opinion significantly and demonstrably outweigh the benefits of the development, in accordance with paragraph 14 of the NPPF.

In my opinion, having regard to the submission documents and representations received, the overall conclusion reached is that whilst the scheme will have some impacts on the village and its environs it is not considered that the harms identified significantly and demonstrably outweigh the benefits. For this reason the scheme should be given favourable consideration subject to the necessary departure procedures as there is an outstanding objection to the development from Sport England, subject to the imposition of conditions and a S106 Agreement to secure the measures identified in brief above.

RECOMMENDATION: DEFERRED AND DELEGATED to the Director of Community Services for approval following the conclusion of departure procedures, satisfactory completion of a legal agreement (substantially in accordance with the terms described in the Section 106 Agreement sub-heading of this report) within 3 months from the date of this departure decision or delegated to the Director of Community Services in conjunction with the Chairman and Vice Chairman of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following condition(s):

Conditions in relation to the outline aspects (as detailed land parcels 3 & 4 on Dwg No. 05024_MP_00_105 Site Wide Planning Guide)

Implementation

1. No part of the development hereby permitted shall be commenced until full details of the layout, scale and appearance of the buildings and landscaping (hereinafter called “the reserved matters”) have been submitted to and approved in writing by the Local Planning Authority.

The submitted details shall include plans identifying the layout, design and external appearance of the buildings; surface material finishes for the highway, footpaths, cycleways, private drives and all other hard surfaces; landscape and boundary treatments; recreation and public open space provision; existing and proposed ground levels, proposed finished floor levels and building heights. The submitted reserved matters shall accord with the Illustrative Masterplan 05024-MP-00-103 REVB with the details in relation to land parcel 2 in substantial accord with the parameters and objectives laid out in the Design and Access Statement 03.2014 and in relation to land parcel 4 the details shall accord with the submitted Design Code dated received on 10 October 2014. The development shall be carried out in accordance with the approved details.

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

2. Applications for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

3. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

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

4. No more than 56 dwellings shall be developed on parcel 3 and 4 dwellings on parcel 4 of the application site edged red on the submitted Dwg No. 05024_MP_00_105 Site Wide Planning Guide and the vehicular and pedestrian accesses to the sites shall be constructed in accordance with the details shown on the following submitted plans:

- i) Proposed Residential Access Plot A TPMA1001 – 107.
- ii) Proposed Residential Access Plot B TPMA1001 – 108.

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

Highways and Parking

5. The new estate roads/accesses between land parcels 3 & 4 and Fish House Lane / Church Raike 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 sites.

REASON: To ensure that satisfactory access is provided to the sites in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

Play Space

6. Prior to commencement of development a Play Space Management Plan including long term design objectives, timing of the works, management responsibilities and maintenance schedules for the play area(s) shall be submitted to and approved in writing by the Local Planning Authority. The Play Space Management Plan shall also provide precise details of all play equipment and its maintenance and indicate a timescale when the play spaces shall be provided and made available for use. The Play Space Management Plan shall be carried out in accordance with the details so approved.

REASON: In the interests of providing an appropriate environment for the end users of the development and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Key Statement DMG1 of the Core Strategy Submission Version as proposed to be modified.

Energy/Sustainability

7. The dwellings hereby permitted shall achieve a Level 3 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

REASON: In order to reduce carbon emissions and to comply with Key Statement EN3 of the Core Strategy

Pd removal

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any subsequent re-enactment thereof no extension to dwellings, outbuilding, or other works permitted by Class A, B, C, D, E, F, G and H shall be constructed or erected on land parcel 4 as defined on Dwg No. 05024_MP_00_105 Site Wide Planning Guide without express planning permission first being obtained.

REASON: In the interests of controlling matters which may be detrimental to the original visual concept in accordance with policies ENV1 and G1 of the Ribble valley Districtwide Local Plan and Policies DME2 and DMG1 of the Core Strategy Submission Version as proposed to be modified.

9. Notwithstanding the provisions Schedule 2 Part 40 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008, or any Order revoking and re-enacting that Order, no solar photovoltaics or solar thermal equipment shall be attached to the new dwellings erected on land parcel 4 as defined on Dwg No.

05024_MP_00_105 Site Wide Planning Guide unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality and the amenities of nearby residents in accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan and Policies DMG1, EN2 and DME2 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

Conditions in relation to the full aspects of the proposal (as detailed land parcels 1, 2 & 5 on Dwg No. 05024_MP_00_105 Site Wide Planning Guide)

Implementation

10. 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.

11. 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, Policy DMG1 of the Core Strategy Submission version as proposed to be modified.

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

REASON: In the interest of the visual amenity of the area and so that the Local Planning Authority shall be satisfied as to the details and in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission version as proposed to be modified.

13. Before work commences on the mill building, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the type of mortar to be used on the building. The required details shall include the ratio of the materials to be used in the mortar, its colour and the proposed finished profile of the pointing. A 1m square panel shall be erected on site indicating mortar colour and pointing technique and the works shall be carried out strictly in accordance with the approved details.

REASON: In the interests of the character and appearance of the Listed Building and in accordance with Policies G1 and ENV19 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME4 of the Core Strategy Submission Version as proposed to be modified.

14. Sample panels of the stonework to be used on land parcel 2 (on Dwg No. 05024_MP_00_105 Site Wide Planning Guide) demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

REASON: In order that the external appearance of the buildings are satisfactory in the interests of visual amenity in accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME2 of the Core Strategy Submission Version as proposed to be modified.

15. Before the development commences, full details of the treatment of all the proposed windows and doors shall have been submitted to and been approved in writing by the Local Planning Authority. The submitted details shall include the proposed method of construction, the materials to be used, fixing details (including cross sections) and their external finish including any surrounds, cills or lintels.

REASON: In the interests of the character and appearance of the area and in accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME2 of the Core Strategy Submission Version as proposed to be modified.

16. Before the commencement of any works, full details of the proposed rainwater goods, including the eaves detail, to be used on the building shall have been submitted to and been approved in writing by the Local Planning Authority. All works undertaken on site should be strictly in accordance with the approved details.

REASON: In the interests of the character and appearance of the area in accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME2 of the Core Strategy Submission Version as proposed to be modified.

Noise

17. No sound amplifying equipment, which would produce audible noise outside the premises, shall be installed without the consent, in writing, of the Local Planning Authority.

REASON: In the interests of the amenities of occupiers of nearby properties in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

18. No part or phase of the development hereby permitted shall begin until details of any fixed noise sources (including noise rating levels) have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the details so approved and thereafter retained.

REASON: To minimise the impact of noise post construction in the interests of residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

19. Prior to commencement of development a scheme of noise control measures shall be submitted to and approved in writing by the Local Planning Authority that details how the impact of noise from the restaurant, bar and wedding venue shall be suitably controlled.

The scheme of measures shall thereafter be implemented in accordance with the details so approved and retained thereafter.

REASON: In order to protect the amenities of the occupiers of nearby properties and in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

20. No deliveries to the buildings on site shall take place outside the hours 0700 – 2300hrs.

REASON: In order to protect the amenities of the occupiers of nearby properties and in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

21. The use of the wedding venue in accordance with this permission shall be restricted to the hours between 0800 and 0100 hours.

REASON: In order to protect the amenities of the occupiers of nearby properties as use of the premises outside these hours could prove injurious to the character of the area in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

22. The use of the restaurant/bar area in accordance with this permission shall be restricted to the hours between 0630 and 2400 hours

REASON: In order to protect the amenities of the occupiers of nearby properties in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

Highways and Parking

23. Cycling facilities shall be provided to the hotel and leisure facilities in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be provided in accordance with the approved details before the use of the premises hereby permitted becomes operative and retained thereafter.

REASON: To allow for the effective use of the parking areas in the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

24. Motorbike facilities shall be provided to the hotel and leisure facilities in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be provided in accordance with the approved details before the use of the premises hereby permitted becomes operative and retained thereafter.

REASON: To allow for the effective use of the parking areas in the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified. Note this requirement relates to the hotel and leisure facilities

25. The new estate road/access between the main car park and Fish House Lane / Church Raike 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 ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

Lighting to mill building

26. Prior to commencement of development a detailed lighting specification for the glazed circulation core on the front elevation of the mill building to demonstrate how the illuminance of the glazed area will be minimised during nocturnal hours shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the details so approved and retained thereafter unless agreed otherwise in writing with the Local Planning Authority.

REASON: In the interests of the amenities of the area in accordance with Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME2 of the Core Strategy Submission Version as proposed to be modified.

Ecology and Biodiversity

27. No works associated with the bridge to access the relocated cricket pitch shall commence until an updated protected species survey of the underside, facia and parapets has been carried out during the optimum period, the results of which shall inform any Natural England European Protected Species licence application required. The findings and details of the updated survey and any licence application shall be submitted to the Local Planning Authority.

REASON: In order to protect the bat population from damaging activities and reduce or remove the impact of development/repairs/restoration in accordance with Policy ENV7 of the Ribble Valley Districtwide Local Plan and Policy DME3 Of the Core Strategy Submission Version as proposed to be modified.

Conditions in relation to the whole of the proposal

Plans

28. The permission shall be carried out in accordance with the proposal as detailed on drawings:

(MP) Site Plans

Site Edged Red, Location Plan 05024_MP_00_000

Existing Survey of Site 05024_MP_00_101

Parameters Plan 05024_MP_00_102 REVA

Indicative Masterplan 05024_MP_00_103 REVB

Block Plan and Proposed Landscaping 05024_MP_00_104REVB

Site Wide Planning Guide 05024_MP_00_105

Demolition of Buildings 05024_MP_01_000

(B1) The Mill Plans

Location Plan 05024_B1_00_100

Demolition Plan – Ground Floor 05024_B1_01_000

Demolition Plan – First Floor 05024_B1_01_001

Demolition Plan – Second Floor 05024_B1_01_002
Demolition Plan – Third Floor 05024_B1_01_003
Demolition – Existing Elevations 1, 2 & 3 05024_B1_01_100
Demolition – Existing Elevations 4, 5 & 6 05024_B1_01_101
Existing Ground Floor Plan 05024_B1_02_000 REVA
Existing First Floor Plan 05024_B1_02_001
Existing Second Floor Plan 05024_B1_02_002
Existing Third Floor Plan 05024_B1_02_003
Proposed Ground Floor Plan 05024_B1_02_004 REVB
Proposed First Floor Plan 05024_B1_02_005 REVB
Proposed Second Floor Plan 05024_B1_02_006 REVB
Proposed Roof Plan 05024_B1_02_008 REVB
Existing Elevations 1, 2 & 3 05024_B1_04_000
Existing Elevations 4, 5 & 6 05024_B1_04_001
Proposed Elevations 1, 2 & 3 05024_B1_04_002 REVB
Proposed Elevations 4 – 7 05024_B1_04_003 REVB
Proposed Elevations 8 - 10 05024_B1_04_004 REVB
Existing Sections AA & BB 05024_B1_05_000
Proposed Sections AA & BB 05024_B1_05_001 REVB
Section BB 05024_B1_05_002

(B2) The Barn

Location Plan 05024_B2_00_100
Ground Floor Demolition Plan 05024_B2_01_000
First Floor Demolition Plan 05024_B2_01_001
Barn Cottages Demolition Elevations 1-4 05024_B2_01_010
Barn Demolition Elevations 5-7 05024_B2_01_011
Existing Ground Floor Plan 05024_B2_02_000
Existing First Floor Plan 05024_B2_02_001
Proposed Barn Conversion Ground Floor Plan 05024_B2_02_002 REVA
Proposed Barn Conversion First Floor 05024_B2_02_003 REVA
Proposed Barn Conversion Roof Plan 05024_B2_02_004
Barn Cottages Existing Elevations 1-4 05024_B2_04_000
Barn Existing Elevations 5-7 05024_B2_04_001
Barn Proposed Elevations 1-4 05024_B2_04_002 REVB
Barn Proposed Elevations 5-9 05024_B2_04_003 REVC
Existing Sections AA, BB & CC 05024_B2_05_000
Proposed Sections AA, BB & CC 05024_B2_05_001 REVA

(B3) Hotel/Spa Plans

Location Plan 05024_B3_00_100
Proposed Ground Floor Plan 05024_B3_02_000 REVA
Proposed First Floor Plan 05024_B3_02_001 REVA
Proposed Second Floor Plan 05024_B3_02_002 REVA
Proposed Roof Plan 05024_B3_02_003 REVA
Proposed Elevations 1, 2 & 3 05024_B3_04_000 REVB
Proposed Elevations 4 & 5 05024_B3_04_001 REVC
Proposed Sections AA & BB 05024_B3_05_001 REVA

(B4) Trailhead Plans

Location Plan 05024_B4_00_100

Proposed Ground Floor Plan 05024_B4_02_000 REVA
Proposed Roof Plan 05024_B4_02_001 REVA
Proposed Elevations 1-7 05024_B4_04_000 REVB
Proposed Sections AA 05024_B4_05_001 REVA

(B5) Wedding Venue Plans

Location Plan 05024_B5_00_100
Proposed Ground Floor Plan 05024_B5_02_000 REVA
Proposed First Floor Plan 05024_B5_02_001 REVA
Proposed Roof Floor Plan 05024_B5_02_002 REVA
Proposed Elevations 1 & 2 05024_B5_04_000 REVB
Proposed Elevations 3 & 4 05024_B5_04_001 REVB
Proposed Sections AA & BB 05024_B5_05_000 REVA

(B6) Cricket Pavilion

Location Plan 05024_B6_00_100 REVA
Proposed Ground Floor Plan 05024_B6_02_000
Proposed Roof Floor Plan 05024_B6_02_001
Proposed Elevations 1 – 4 05024_B6_04_000 REVA

(B7) Kids' Club

Location Plan 05024_B7_00_100
Proposed Ground Floor Plan 05024_B7_02_000 REVA
Proposed Roof Plan 05024_B7_02_001
Proposed Elevations 1 – 2 05024_B7_04_000 REVA
Proposed Elevations 3 - 4 05024_B7_04_001 REVA
Proposed Sections AA & BB 05024_B7_05_000

(B8) Mechanical Plant Building

Location Plan 05024 B8_00_100
Ground Floor and Roof Plans 05024 B8_02_000
Elevations 1-4 5 05024 B8_04_000 REVA

Highways/Access Plans

Proposed Kirk Mill Access TPMA1001 - 201
Proposed Residential Access Plot A TPMA1001 – 107
Proposed Residential Access Plot B TPMA1001 – 108
Proposed Hotel/Trail Head Access Road TPMA1001 – 106 REVB
Cricket Pitch Existing Access Bridge 12-155 – B1 REVB
Proposed Cricket Club Access TPMA1001 – 109 REVB

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

Archaeology

29. 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: The site is of archaeological importance and archaeological recording will be necessary during any ground disturbance associated with the development to ensure that

anything of archaeological importance may be adequately recorded as required by Policies G1, ENV14 and ENV15 of the Ribble Valley Districtwide Local Plan reason and Policy DME4 of the Core Strategy Submission Version as proposed to be modified.

Landscape and Open Space

30. No development shall take place on any land parcel as defined on Dwg No. 05024_MP_00_105 Site Wide Planning Guide until full details of both hard and soft landscaping works relating to such part or phase have been submitted to and approved by the LPA in writing.

These details shall include:

- planting details (including species, numbers, planting distances/densities and plant sizes);
- within the planting details - express identification of all supplementary and compensatory planting of native trees and hedgerows which shall be over a greater area than any trees or hedges to be lost (as a minimum of ratio of 3:1);
- surfacing including full details of the colour, form and texture of all hard landscaping (ground surfacing materials);
- street furniture;
- signage;
- boundary treatments;
- a programme for the implementation of the landscaping works including all boundary treatments.

The development shall be implemented in accordance with the approved details.

REASON: To enhance the appearance of the development in the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

31. All landscaping schemes approved for each phase of development shall be fully implemented in the first complete planting and seeding season following the occupation of the dwellings, or non-residential uses within that phase or the completion of the phase to which they relate, whichever is the sooner.

Any grassed areas, trees or plants (for the avoidance of doubt, this includes retained trees and grassed areas) which, within a period of five years from completion of the relevant development phase die, are removed or become seriously damaged or diseased shall be replaced in the next planting season. Replacement trees and plants shall be of a similar size and species to those lost, unless the LPA gives written approval of any variation.

REASON: In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

Refuse storage – submission of details

32. Prior to the commencement of development plans and particulars showing the provision to be made for the storage and disposal of refuse and recycling receptacles, shall be submitted to and approved in writing by the Local Planning Authority. Such provision as is agreed shall be implemented concurrently with the development and thereafter retained. No part of

the development shall be occupied until the agreed provision is completed and made available for use.

REASON: In order that the Council may be satisfied with the details of the proposal in the interests of the amenities of the area in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy Submission Version as proposed to be modified.

Highways and Parking

33. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plans and the vehicular turning spaces shall be laid out and be available for use before the development is brought into use and maintained thereafter.

REASON: In the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified as vehicles reversing to and from the highway are a hazard to other road users.

34. The car parks shall be surfaced or paved in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plans, before the use of the premises hereby permitted becomes operative.

REASON: To allow for the effective use of the parking areas in the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

35. No part of the development hereby approved shall commence until a scheme for the construction of the site access points to all elements of the application and the off-site works of highway improvement has been submitted to, and approved in writing by the Local Planning Authority.

REASON: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before work commences on site in the interests of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified. (The offsite highway works relate to the provision of footways on Church Raike and Fish House Lane)

36. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 35 has been constructed and completed in accordance with the scheme details unless agreed otherwise in writing by the Local Planning Authority.

REASON: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

37. Prior to the commencement of any development an order shall be placed for staff costs, the advertising and implementation of traffic regulation orders for an extension of the speed limit on Fish House Lane, to the satisfaction of the Local Planning Authority.

REASON: In the interest of highway safety in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified and compliance with current highway legislation.

38. Prior to the first use of the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Business Travel Plan shall be implemented within the timescale set out in the approved plan and will be audited and updated at intervals not greater than 18 months to ensure that the approved Plan is carried out.

REASON: To promote and provide access to sustainable transport options in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

Construction management

39. No development approved by this permission shall commence on any land parcel as identified on Dwg No. 05024_MP_00_105 Site Wide Planning Guide until a Construction Method Statement/Management Plan for that land parcel has been submitted to and approved in writing by the Local Planning Authority. The approved Statement/Management Plan shall be adhered to throughout the construction period and shall provide for:

- i) the routing of heavy (HGV) construction vehicles;
- ii) parking of vehicles of site operatives and visitors within the site;
- iii) loading and unloading of plant and materials;
- iv) storage of plant and materials used in constructing the development;
- v) erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vi) wheel washing facilities;
- vii) a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures including measures to prevent pollution of habitats adjacent to development areas;
- viii) a scheme for recycling/disposing of waste resulting from construction works (there shall be no burning on site);
- ix) A scheme to control noise during the construction phase;
- x) details of lighting to be used during the construction period which should be directional and screened wherever possible;
- xi) Details of hours of working including delivery times for construction materials;
- xii) Pollution prevention measures to be adopted throughout the construction process to ensure watercourse sand waterbodies on and adjacent to the works are adequately protected; and
- xiii) Contact details of the site manager.

REASON: In the interests of protecting the residential amenities of the locality and highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Core Strategy.

Energy/Sustainability

40. Before development begins a scheme (including a timetable for implementation) to secure at least 10% of the energy supply of the development hereby permitted within that phase from renewable or low carbon energy sources shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and retained as operational thereafter.

REASON: In order to encourage renewable energy and to comply the with Key Statement EN3 of the Core Strategy

Drainage and Flooding

41. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing sewerage systems. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding in accordance with Policy G1 of the Ribble valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

42. The development permitted by this planning permission shall only be carried out in accordance with the approved FRA (v1.1, dated October 2013) and the following mitigation measures detailed within the FRA:
1. Limiting the surface water run-off generated by the 1 in 100 year plus climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
 2. Implementation of all mitigation measures set out in Sections 4 and 7 of the FRA (v1.1, dated October 2013)

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

43. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding

rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON: To prevent the increased risk of flooding, both on and off site in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

Land Quality

44. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To ensure the development does not pose a risk of pollution to controlled waters in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

45. No occupation shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON: To ensure the development does not pose a risk of pollution to controlled water in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

46. 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 a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

REASON: To ensure the development does not pose a risk of pollution to controlled water in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified.

Ecology and Biodiversity

47. No development shall take place until details of the provisions to be made for bird nesting opportunities to be installed within the re-developed buildings and new buildings have been submitted to and approved in writing by the Local Planning Authority. The details shall include provision of appropriate nesting opportunities for House Sparrow, Song Thrush, Jackdaw and Swift and shall be implemented before the development is first brought into use.

REASON: In the interests of enhancing local biodiversity to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

48. No tree felling, vegetation clearance works, demolition work, development works, works affecting stone walls or riverside masonry or other works that may affect nesting birds shall take place between 1st March and 31st August inclusive, unless surveys by a competent ecologist show that nesting birds would not be affected and these have been submitted to and approved in writing by the Local Planning Authority.

REASON: To minimise the impacts on local biodiversity and to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

49. Prior to commencement of works a further precautionary inspection/assessment of trees to be affected for their suitability to support roosting bats shall be carried out by a suitably qualified person. Should any trees have developed features suitable for roosting bats impacts on these should be avoided where possible. Should impacts be unavoidable then the protocol detailed in table 8.4 (protocol for inspection of trees) of the recognised Bat Conservation Trust guidelines (Bat Surveys: Good Practice Guidelines, 2nd edition, 2012) shall be followed and advice sought from an appropriately qualified ecologist regarding the need for a Natural England licence.

REASON: To minimise the impacts on local biodiversity and to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

50. Immediately prior to commencement of works a further precautionary survey of the site and adjacent suitable habitat for evidence of Otter shall be carried out by an appropriately qualified person. If the survey reveals evidence of Otter then advice should be sought regarding the need for a Natural England licence.

REASON: To minimise the impacts on local biodiversity to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

51. No part of the development shall be commenced until a non-native species removal and disposal method statement has been submitted and agreed in writing the Local Planning Authority. The details of which shall include details of the eradication and removal from the site of Himalayan Balsam.

REASON: To ensure that the environmental impact is minimised in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

52. No development shall take place until a great crested newt survey has been carried out during the optimum period March/April/May/June inclusive for pond/terrestrial/egg and larvae - July/August for Habitat and larvae - September for Habitat and November/December - for Hibernating newts.

The findings of the survey should include details of Habitat Suitability Index [HSI] Assessment, Presence/Absence details, population size and mitigation/translocation details.

REASON: To ensure there are no adverse effects on the favourable conservation status of a great crested newt population in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

53. Prior to the commencement of works there shall be a repeat survey for evidence of badgers on the site and extended to include suitable habitat within 30m of the site boundaries. The report of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to Ribble Valley Borough Council for approval. Any necessary and approved measures for the protection of badgers will be implemented in full.

REASON: In the interests of nature conservation to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

54. If works are to be carried out within 5m of the bank tops of suitable Water Vole habitat, a further precautionary survey for evidence of water voles shall be carried out immediately prior to commencement of works. The report of the survey (together with proposals for mitigation/compensation, if required) shall be submitted to and approved in writing by the Local Planning Authority. Any identified necessary and approved measures for the protection of water voles shall thereafter be implemented in full.

REASON: In the interests of nature conservation to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

55. No site clearance, site preparation or development work shall take place until a fully detailed habitat creation/landscaping plan has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate adequate planting to compensate for losses and will demonstrate maintenance, enhancement, protection and adequate buffering of retained and established habitats. The species mixes for replacement habitat and habitat along site boundaries and the river corridor shall comprise native species/habitats appropriate to the locality only. The approved plan shall be implemented in full.

REASON: In the interests of biodiversity to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

56. No site clearance, site preparation or development work shall take place until a Long Term Landscape and Ecological Management Plan to include long term design objectives post completion management responsibilities and maintenance schedules for the Mill Pond and all landscaped/habitat areas (other than privately-owned domestic gardens) including any areas of public open space such as grasslands, hedges, trees and any sustainable drainage features has been submitted to and approved in writing by the Local Planning Authority. The Long Term Landscape and Ecological Management Plan shall include (but not be limited to):

- detailed plans outlining the management and maintenance regimes and responsibilities to be adopted for the mill pond;
- monitoring of the establishment of all landscape planting and habitat planting;
- aftercare of all landscape planting and habitat enhancement in accordance with conservation and biodiversity objectives;
- monitoring and treatment of invasive species;
- monitoring of condition of and maintenance of footpaths to encourage use and avoid the creation of informal footpaths that may damage other habitats;
- monitoring and maintenance of bat and bird boxes;
- maintenance of SUDS (where applicable); and
- appropriate timings of management works to ensure avoidance of bird nesting seasons etc.
- management of the woodland area to be used for "informal foraging" (parcel 5) and other areas to be used as for access/public open space (such as area south east of parcel 1)
- details of the level of proposed access/usage, measures to control recreation pressures (such as access points, zoning access/no go areas and monitoring visitor numbers)
- full assessment of likely impacts, and measures to offset impacts and enhance the areas for biodiversity.

REASON: To minimise the impact on ecology and the enhancement of ecology post development in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

57. All trees, hedgerows and the brook corridor being retained in or adjacent to the application area will be adequately protected during construction, in accordance with existing guidelines

(e.g. BS5837: 2012 *Trees in relation to design, demolition and construction-Recommendations*).

REASON: In order to ensure that any trees/hedgerow affected by the development considered as being of visual, amenity value are afforded maximum physical protection from the potential adverse effects of development in order to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

Lighting

58. No external lighting associated with the development shall be installed without prior written approval from Ribble Valley Borough Council. Any lighting scheme shall demonstrate that (1) external sources of lighting shall be effectively screened from the view of a driver on the adjoining public highway (2) there would be no lighting of/light spill onto suitable bat roosting features (including trees with bat roost potential) or hedgerows, ponds or chipping brook (3) that dark unlit bat commuting/foraging corridors will be retained through the site and to the wider area including to/from features with bat roost potential and (4) that bird nesting opportunities would not received excessive light spill. The principles of relevant guidance shall be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance *Bats and Lighting in the UK*, 2009). Lighting shall be installed as approved only.

REASON: In the interests of nature conservation and to avoid glare, dazzle or distraction to passing motorists in the interests of highway safety in accordance with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Core Strategy Submission Version as proposed to be modified.

Informatives

1. 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 hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the contact the Environment Directorate for further information by telephoning the Developer Support Section (Area East) on 0300 123 6780, writing to Developer Support Section, Lancashire County Council, Environment Directorate, Highways Office Burnley, Widow Hill Road, Burnley, BB10 2TJ or email lhscustomerservice@lancashire.gov.uk .
2. The Environment Agency has a right of entry to Chipping Brook by virtue of Section 172 of the Water Resources Act 1991, and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act. The developer must contact James Jackson on 01772 714134 to discuss our access requirements.
3. The Environment Agency recommend that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Reference should also be made to the Department for communities and local Government publication 'Preparing for Floods'

4. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
5. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 *Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan* and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to our website at <https://www.gov.uk/government/organisations/environment-agency> for more information.

6. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking/servicing areas should be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained.
7. Trees have the potential to support bat roosts (such as T87 & T88) and nesting birds. The applicant should be aware of the legislation afforded to bats/bat roosts and nesting birds and should be aware that works to trees may require a Natural England licence if bat roosts would be affected.
8. In order to retain habitat connectivity for Species of Principal Importance, such as hedgehogs, boundary treatments should not be flush to the ground, or suitably sized gaps should be left at strategic points.
9. The provision of a mains water supply could be expensive. United Utilities water mains will need extending to serve any development on this site. The applicant, who may be required to pay a capital contribution, will need to sign an Agreement under Sections 41, 42 & 43 of the Water Industry Act 1991.
10. A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.
11. Should this planning application be approved, the applicant should contact United Utilities Service Enquiries on 0845 746 2200 regarding connection to the water mains or public sewers.
12. Public sewers cross this site and UU will not permit building over them. They will require an access strip width in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement.
13. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

14. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities assets and the proposed development. United Utilities offer a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 0870 751 0101 to obtain maps of the site.
15. Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.
16. Chipping Brook adjoining parts of the site is designated a "main river" and is therefore subject to Land Drainage Byelaws. In particular, no trees or shrubs may be planted, nor fences, buildings, pipelines or any other structure erected within 8 metres of the top of any bank/retaining wall of the watercourse without prior written Consent of the Environment Agency. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Environment Agency for consideration. For works to the Ordinary Watercourse section of Chipping Brook the Lead Local Flood Authority (LLFA), which is Lancashire County Council, should be consulted.
17. The Development should not proceed without the prior acquisition of a licence from Natural England for the derogation of the protection of bats under the Habitats Directive.

UPDATE FOLLOWING 13 NOVEMBER MEETING

Committee resolved on 13 November 2014 to be Minded to Refuse the proposal based on the following issues:

- Harm to listed building
- Visual impact to Conservation Area and the setting of the listed building
- Visual impact to the Area of Outstanding Natural Beauty
- Contrary to sustainable development on the basis that any regeneration benefits do not outweigh the harm to the Council's Core Strategy and to development strategy.

It is important to remind Members that all of these were fully assessed by the case officer having regard to numerous consultation responses from civic amenity bodies and landscape consultees as outlined with the report when a decision was made to recommend approval. In particular, the Council's Head of Regeneration and Housing is supportive of the scheme as stated in the main report and he recognises the benefits of the proposal in terms of creating employment opportunities and business growth, supporting regeneration activities and smaller settlements across the borough and key growth sectors of sport and leisure and food and drink.

It is accordingly recommended that outline planning permission be refused for the reasons stated in the recommendation below. It should be noted that should the Council adopt the Core Strategy, following the Inspector's report, it may be necessary to modify the reasons for refusal to reflect relevant policies.

1. The proposal is harmful to the special architectural and historic interest, significance and setting of both Kirk Mill (Grade II listed) and Kirk House (Grade II listed; former mill owner's house; immediately adjacent to Kirk Mill). This is because of the loss and alteration of important historic fabric, plan form and design at Kirk Mill, the addition of poorly designed

and inappropriate extensions to Kirk Mill and the intrusion of poorly designed and inappropriate development into the setting of both listed buildings. This is contrary to the National Planning Policy Framework, Ribble Valley Districtwide Local Plan Policies ENV20, ENV19, ENV16 and G1 and Core Strategy Submission version as proposed to be modified Policies DME4, DMG1, DMB2 and DMB3.

2. The proposal is harmful to the character and appearance, significance, setting and views into and out of Kirk Mill Conservation Area and Chipping Conservation Area. This is because of the intrusion upon and coalescence of the conservation areas from poorly designed and inappropriate development. This is contrary to the National Planning Policy Framework, Ribble Valley Districtwide Local Plan Policies ENV16, ENV20, ENV19 and G1 and Core Strategy Submission version as proposed to be modified Policies DME4, DMG1, DMB2 and DMB3.
3. The proposal would lead to significant development in an unsustainable location contrary to Policy G5 of the Ribble Valley Districtwide Local Plan and Key Statements DS1, DS2, EC1 and Policies DMG2, DMH3 and DMB1 of the Ribble Valley Core Strategy Submission Version as proposed to be modified. This harm is not outweighed by the regeneration benefits of the scheme and the housing part of the development does not meet the requirements for affordable housing or community contributions. Approval of the application without sufficient justification would therefore lead to the creation of a range of hotel/leisure uses and up to 60 residential dwellings with associated infrastructure works in the open countryside without sufficient justification which would cause harm to the development strategy for the borough as set out in the emerging Core Strategy leading to unsustainable development.
4. Given the location, size, intensity, nature and design of the proposed Kirk Mill redevelopment works and associated housing proposals they would be an incongruous feature that would result in the loss of landscape fabric. The proposal would not contribute to, or be in keeping with, the landscape character of the Area of Outstanding Natural Beauty and would cause visual harm, thereby failing to conserve or enhance the natural beauty of the area. No exceptional circumstances have been provided to justify this 'major development' within the Forest of Bowland Area of Outstanding Natural Beauty and thus the proposal is considered contrary to Policies G1 and ENV1 of the Ribble Valley Districtwide Local Plan, Key Statement EN2 and Policies DMG1, DME2, DMB2 and DMB3 of the Ribble Valley Core Strategy Submission Version as proposed to be modified, and the environmental role of the NPPF which seek to ensure that development proposals contribute to, protect and enhance the environment.

APPLICATION NO: 3/2013/0981/P (GRID REF: SD 375231 443018)
PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 20 DWELLINGS (INCLUDING 6 UNITS OF SOCIAL HOUSING), 3 CLOSE-CARE APARTMENTS AND A 60 BED CARE HOME (WITH ALL MATTERS RESERVED FOR SUBSEQUENT APPROVAL) ON LAND AT CHATBURN ROAD, CLITHEROE

INTRODUCTION

This application was considered by Committee at its meeting on 29 May 2014. Committee resolved in accordance with the Officer's recommendation that the application be DEFERRED

and DELEGATED to the Director of Community Services for outline approval following the satisfactory completion of a legal agreement within a period of 3 months from the date of the decision as outlined in the Section 106 Agreement sub-heading within the report and subject to a number of conditions.

It was stated in the Section 106 Agreement sub-heading of the original report that the Agreement would require the following:

1. The provision and permanent retention of 6 houses and 1 extra care apartment as affordable rental dwellings.
2. The payment by the applicant to Lancashire County Council of the sum of £95,205.45 (or any recalculated figure that might be required by triggers that will be set out in the Agreement) towards the provision of 5 primary school places and 2 secondary school places.
3. The payment by the applicant to Lancashire County Council of a sum of £29,000 towards the review of the speed limit along Chatburn Road near to the site; the construction of a priority pedestrian crossing on Chatburn Road near to Clitheroe Grammar School; and the establishment of two new bus stops on Chatburn Road; all as explained in detail previously in the report within the observations of the Environment Directorate (County Surveyor).

The rest of the original Committee report (with amendments where appropriate) is reproduced below after this introduction; and I would refer specifically to the observations of the County Surveyor. A breakdown of the works to be covered by the Section 106 Agreement contributions is contained in the three numbered points at the end of those observations. At the beginning of the observations, however, there is a reference to a scheme of improvements to the roundabout at the Chatburn Road/Pimlico link road junction that would be carried out through a Section 278 Agreement rather than as a Section 106 contribution. This roundabout improvement would be secured through recommended condition No 21 that:

'No part of the development hereby permitted in outline shall be occupied until all the offsite highway works have been constructed in accordance with the scheme that shall have first been submitted to and approved in writing by the Local Planning Authority'.

Following the Committee's decision to defer and delegate, LCC highways sought to secure the improvements to the roundabout and the funding for these works from the developer. The applicants/agent, however, considered that the scale of the proposed development did not necessitate the roundabout improvements; and that the cost of those works plus the other agreed Section 106 contributions was excessive in relation to the proposed development.

Following further consideration, the County Highway Authority commented in relation to the roundabout improvements that;

'The cost of the works have been estimated and it has been agreed that LCC Highways would not maintain the request for these works to be carried out at this time. This is because the developer's contribution to the S106 works plus the estimated cost of the roundabout improvements exceeds the amount of the planning contribution that could reasonably be asked of the developer having regard to the size of the development'.

LCC Highways stated that they would therefore request the roundabout improvements if there is any future application for an extension to the presently proposed development.

LCC Highways also agreed to a different type of pedestrian crossing facility costing a lesser amount such that the Section 106 contribution towards traffic/highway improvements would now be as follows:

1. Extension of 30mph limit	£ 4,000.00
2. The pedestrian refuge on Chatburn Road	£ 8,000.00
3. Establishment of two new bus stops	<u>£ 5,000.00</u>
Total	£17,000.00

At the time of preparation of this updated report, a Section 106 Agreement in the terms as originally resolved by the Committee but with the highway contribution of £17,000 as described above (rather than £29,000 as originally resolved) was close to completion. Due, however, to the prolonged discussions and negotiations about the required highway works/contributions, more than three months has lapsed since Committee's original resolution. It has therefore been necessary to present this updated report to Committee.

Whilst the Core Strategy is now at a more advanced stage than at the time of the Committee's original resolution, there have been no changes, which, in my opinion, would justify any change in the previous decision of 'minded to approve subject to a Section 106 Agreement'. Committee is therefore requested to reaffirm its original resolution but with the Section 106 Agreement content in relation to highways contributions to be as described above in this updated report.

The original report is produced below with amendments as appropriate under the headings of Financial Contributions Requested by LCC, Section 106 Agreement and Recommendation.

TOWN COUNCIL: No objections.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR): No objections to the principle of housing development on this site but makes a number of comments as follows.

The submitted transport statement has reviewed the design of the roundabout at the Chatburn Road/Pimlico Link Road junction and has recommended improvements to the geometry of this roundabout. Improvement to this roundabout is accepted but the detailed design will have to be scrutinised by LCC engineers and a safety audit should be carried out. This work would be carried out under a Section 278 Agreement.

The speed limit along Chatburn Road will need to be reviewed for possible extension of the 30mph limit.

Visibility splays would need to be conditioned but their size would be dependent upon decisions made in relation to the appropriate local speed limit.

A pedestrian crossing on Chatburn Road near to Clitheroe Grammar School should be constructed under a Section 278 Agreement.

Turning heads should be provided next to the care home main entrance and in front of the service entrance.

Unless the roads in front of units 1-6, 12-16 and 9-11 are not to be adopted, 2m wide service strips would be required where there is no footway. This would be part of the highway and parking spaces should not encroach on to any service strips.

Garages should be a minimum of 6m x 3m. If separate provision is made for the secure undercover storage of bicycles, a smaller garage might be acceptable.

The costs of any Traffic Regulation Orders (TROs) that are required will be payable by the developer.

The financial sum to be requested under the Section 106 Agreement towards sustainable transport and transport improvements had not been finalised at the time of consideration of the original report on 13 February 2014. The County Council has subsequently confirmed that the highways requirements for Section 106 funding are as follows:

1. Review the speed limit along Chatburn Road near to the site to determine the need and justification for an extension of the 30mph speed limit along Chatburn Road to the Pimlico Link Road roundabout. The costs are to cover the technical review of an extension to the speed limit, public consultation, TRO, design work and carrying out the work in the highway, including illumination of the signs. Cost estimate - £4,000.00 (four thousand pounds).
2. Constructing a priority pedestrian crossing on Chatburn Road near to the Clitheroe Grammar School, including public consultation, design work and works in the highway. Cost estimate - £20,000.00 (twenty thousand pounds).
3. Establishment of two new bus stops (DDA compliant) on Chatburn Road, including public consultation, design work and carrying out the works in the highway. The costs requested include for raised kerbs, road markings and signpost; but not a shelter. Cost estimate £5,000.00 (five thousand pounds).

The County Surveyor also recommends the imposition of a number of standard conditions.

LCC (ARCHAEOLOGY):

Having checked their records the County Archaeologist confirms that there are no significant archaeological implications relating to this site.

LCC (ECOLOGY):

The County Ecologist comments that much of the application site appears to be of relatively low biodiversity value. However, there are features of biodiversity value (hedgerow/mature trees and marshy grassland) and these provide potential habitat for protected and priority species (including bats, nesting birds including ground nesting birds, common toad). Whilst the submitted illustrative plan indicates that the proposed development would mainly be located on the species poor grassland, it appears that the marshy grassland would form part of the amenity land and potentially lie within the garden curtilages. The Borough Council must be satisfied that such habitat can be retained and that potential impacts on such habitat and associated species can be avoided. The County Ecologist advises that this should be ensured either by appropriate conditions on any outline planning permission and/or at reserved matters application stage.

LCC (CONTRIBUTIONS):

LCC Contributions team has requested a financial contribution in respect of the provision of primary school and secondary school places to meet the needs of the proposed development. Members are referred to the file for full details which are summarised as follows.

The County Council has made its calculation based upon the information regarding the number of bedrooms specified in the application details (namely 11 x 4 bed dwellings and 9 x 3 bed dwellings). This has resulted in a requirement for five primary places and two secondary places.

Primary places - £11,880.45 x 5 places = £59,402.25.
Secondary places - £17,901.60 x 2 places = £35,803.20.
Total requested financial contribution - £95,205.45.

Members will note that this figure could be subject to recalculation by triggers that will be set out in the Section 106 Agreement.

LANCASHIRE
CONSTABULARY:

Has commented that the Design and Access Statement includes a section on designing out crime. This details crime prevention interventions that will be incorporated into the scheme such as enhancing the opportunity for natural surveillance. It is recommended that a meeting should take place with an Architectural Liaison Officer at the detailed design stage of the scheme in order to address the layout and building design and to design out any potential opportunity for crime.

ENVIRONMENT AGENCY: The Environment Agency has no objection in principle to the proposed development subject the inclusion of a number of conditions relating to the following matters:

- Part of the application site lies within flood zone 3 which is defined as having a high risk probability of flooding in the National Planning Policy Framework (NPPF) Technical Guide. For this reason the application was accompanied by a Flood Risk Assessment (FRA). The Environment Agency has reviewed the FRA and comments that, provided no dwellings are proposed in flood zone 3, they are satisfied that the proposal will not pose a risk to life or property. The proposed development will only meet the requirements of NPPF if the measures detailed in the submitted FRA are implemented and secured by conditions requiring a limit on surface water run-off and the submission approval and subsequent implementation of a scheme of surface water drainage for the site.
- In relation to biodiversity, a condition requiring the provision of a 5m wide buffer zone along the Pimlico watercourse should be imposed. The submitted illustrative layout shows that dwellings numbered 12-17 would have rear facing domestic gardens adjacent to the watercourse. The proposed layout is likely to require revising to accommodate the 5m buffer as it should be clear of any private garden spaces or built development.
- A condition requiring the removal or long term management of Himalayan Balsam should be imposed.
- A condition requiring a water vole survey should be imposed.
- A condition is necessary to require the submission for approval of details of the footbridge over the watercourse.

UNITED UTILITIES: Has no objections to the proposal subject to the imposition of a condition requiring the submission approval and subsequent implementation of a detailed scheme for the disposal of foul and surface waters for the entire site.

NETWORK RAIL: As the application site is within 10m of an operational railway line, Network Rail has made a number of observations and has suggested a number of planning conditions and advisory notes primarily relating to safety issues.

The suggested conditions/notes relate to the matters of boundary fencing; no physical encroachment on to Network Rail land; safety requirements in relation to any scaffolding within 10m of Network Rail lane; all surface water drainage to be directed away from the railway; details to be provided of any excavations or earthworks in the vicinity of the railway; the provision of a 2m gap between any buildings and structures on

the site and the boundary fencing to the railway; and a request that no trees are planted next to the boundary with the railway.

ADDITIONAL
REPRESENTATIONS:

Three letters have been received from nearby residents and a letter has been received from the Ribble Rivers Trust. The points and objections contained in the letters are summarised as follows:

1. The increased surface water run-off as a result of the development could result in flooding of existing dwellings in the locality. This problem would be exacerbated if there was to be a phase 2 of the development onto the field adjoining the Colthirst Drive estate.
2. It is already difficult for the writer of one of the letters (a blind person) to cross Chatburn Road. The increase in traffic associated with this proposed development would exacerbate that problem.
3. When added to other housing developments in Clitheroe, this proposal would put further pressure on the existing infrastructure such as roads, car parking, schools, health facilities such as doctors, dentists and even including the new local hospital, would be unable to cope with the proposed increase in population.
4. The extra traffic will exacerbate existing problems on the already busy Chatburn Road including the difficulty experienced by drivers exiting the existing estates such as from Warwick Drive. The documentation on this matter submitted with the application does not appear to take account of other existing or proposed developments such as the extra traffic relating to the new hospital or the construction of houses on the old hospital site.
5. Mention is made in the Traffic Statement of walking or cycling into Clitheroe. Whilst this is possible, most visits to the town centre are probably made by car.
6. Within the development site itself, there could be a problem for drivers during icy/snowy conditions due to what will be a steep uphill access onto Chatburn Road.
7. The Ribble Rivers Trust would like to see a full survey of invertebrates and fish and a more detailed otter survey as they are aware that otters are in the vicinity.
8. If the development is to go ahead then a significant buffer strip should be left to the watercourse and mitigation should include tree planting in order to provide shade and habitat. The Trust would not want to see back gardens right up to the stream edge (as shown in the application)

as the impact from the gardens would be significant.

9. The Ribble Rivers Trust has records of Himalayan Balsam upstream of the site. Construction works have a potential spread Himalayan Balsam seeds around the site and off the site. The Trust could provide advice and help in the control of this invasive species.

Proposal

This application is submitted in outline with all matters reserved for subsequent consideration at reserved matters application stage. An illustrative layout plan indicating how the site could be developed, however, accompanies the application, along with illustrative access plans and street scenes. The submitted illustrative plans show the following:

- 20 dwellings along with three extra care apartments associated with a 60 bed care home.
- A vehicular access from near to the mid point of the site's boundary to Chatburn Road.
- Dwellings laid out around a cul de sac road layout, with the care home having a dedicated car park.
- The retention of trees and hedges on the external boundaries of the site, and additional planting within the site and on its boundaries.
- The provision of an amenity open space alongside the Brook.

The illustrative layout plan also shows how an area of adjoining land to the south west of the site could also be developed for housing in conjunction with the application site. This adjoining land is in separate ownership and its potential future development does not form any part of this current planning application.

A design and access statement has been submitted with the application. This shows that the scale of the development is primarily two storey dwellings with the care home having two storey and three storey elements. It is however stated that, at final design stage, consideration could be given to the inclusion of some three storey houses to be sited adjacent to the care home and therefore provide a step down in scale between the care home and the dwellings. It is stated that the height to eaves of the houses would range between 4.8m and 5.025m and that the eaves of the two storey element of the care home would range between 5.025m and 5.175m whilst the eaves of the three storey element would range between 7.95m and 8.325m.

It is proposed that six of the dwellings and one of the extra care apartments are to be made available on an affordable rent basis to be delivered through a housing association (representing 30% of the total units).

Site Location

The site is situated at the northern edge of Clitheroe approximately 1km to the north east of the town centre. The site comprises two fields of rectangular shape and having a total area of approximately 1.82 hectares. An existing hedge crosses the site in a north west to south east direction dividing the fields and the brook passes through the north western part of the site on a north east to south west orientation. The site generally slopes down in level from its south eastern frontage to Chatburn Road down to the brook, beyond which it rises again towards the north western boundary with the railway line.

To the south west, the site is adjoined by a field of approximately 0.79 hectares beyond which is the established housing development at Colthirst Drive. The south eastern boundary of the site at Chatburn Road is marked by a stone wall. To the north east of the site are further fields with the boundary marked by a hedgerow. The railway line lies to the north west of the site with the boundary again marked by a hedgerow. There is established housing and the former Coplow Quarry beyond the railway line.

More generally in the locality are further areas of established housing, employment areas including Salthill Industrial Estate 500m to the south of the site, Clitheroe Hospital approximately 150m to the east and Clitheroe Grammar School some 200m to the south.

Relevant History

There is no relevant planning history relating to this site.

Relevant Policies

Ribble Valley Districtwide Local Plan

Policy G1 - Development Control.

Policy G2 - Settlement Strategy.

Policy G5 - Settlement Strategy.

Policy ENV3 - Development in Open Countryside.

Policy ENV7 - Species Protection.

Policy ENV13 - Landscape Protection.

Policy H2 - Dwellings in the Open Countryside.

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

Policy H21 - Affordable Housing - Information Needed.

Policy RT8 - Open Space Provision.

Ribble Valley Core Strategy Regulation 22 Submission Draft – Post Submission Version (including proposed main changes)

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DME1 – Protecting Trees and Woodlands.

Policy DME2 – Landscape and Townscape Protection.

Policy DME3 – Site and Species Protection and Conservation.

Policy DMH1 – Affordable Housing Criteria.

Policy DMH3 – Dwellings in the open Countryside.

Policy DMB4 – Open Space Provision.

National Planning Policy Framework.

Environmental, AONB, Human Rights and Other Issues

The matters to be considered in the determination of this outline application relate to the principle of the development in policy terms; the potential impact of the development in visual terms; any potential effects upon ecology and trees; the potential impact upon the amenities of nearby residents; highway safety; potential flooding issues; ground contamination; public open

space; the observations of Network Rail; affordable housing; and financial contributions requested by Lancashire County Council.

Principle of development

In assessing the proposal it is necessary to establish whether, in principle, the development is considered to be acceptable with regards to the emerging policy considerations whilst also fully considering the proposed development in relation to the aims and objectives of the National Planning Policy Framework (NPPF). In assessing the proposed development I am mindful that whilst the site is outside the settlement boundary of Clitheroe, it must be noted that the current settlement boundaries of the Local Plan are out of date and that, as yet, no replacement boundaries are in place. The site is close to existing residential development and is only approximately 1km away from the shop services and facilities within Clitheroe town centre.

With regards to the matter of a five year land supply, the most recently published position at the time of writing this report is the Council's Housing Land Availability Schedule dated December 2013. This indicates a position of a 4.81 year supply when employing the Sedgfield approach which is the method Members confirmed to use at the meeting on 10 October 2013. Members are, however, reminded that the position is subject to frequent change as applications are either approved or resolved to be approved subject to the completion of appropriate Section 106 Agreements. Equally, sites may be deemed to fall out of the five year supply as they lapse or evidence comes forward to demonstrate that they will not be deliverable within the five year period.

NPPF places a clear emphasis that Local Planning Authorities should not resist proposals unless there are any adverse impacts which significantly and demonstrably outweigh the benefits associated with any such proposals.

I consider that the site of this current application is in a highly sustainable location being close to all the services and facilities of Clitheroe, the main town in the borough. The proposal would also provide the benefits of the provision of housing, including affordable housing, and a care home. Overall, when considered in relation to the requirements of NPPF and the emerging Core Strategy policies, I consider the proposed development to be acceptable in principle. I will however, examine below all the relevant detailed considerations in order to establish whether there would be any harm associated with the development that would significantly and demonstrably outweigh the benefits.

Visual impact

Although this is a greenfield site, the proposed development would have only a limited degree of landscape and visual impact. Any impact will be mitigated through the retention of the most sensitive ecological areas and through the provision of additional planting. The character of the locality, however, is predominantly urban rather than rural due to the presence of existing residential areas, the hospital, the nearby cement works and the main road along the frontage of the site.

Any visual impact is limited to the immediate area, within which there are no highly sensitive receptors, and the site is not visible from any viewpoint with a designation such as AONB or conservation area.

The approach into Clitheroe along Chatburn Road does form the setting for the town, but there are few locations along this road where housing is currently not visible. The proposed development would therefore be associated appropriately with existing development in the locality. The impact of the development when viewed from Chatburn Road will also be reduced due to the land sloping downwards away from the road. Overall, whilst the proposed development would obviously have some impact upon the landscape, I do not consider that there would be any detrimental impact that would significantly and demonstrably outweigh the benefits associated with the proposed development. With regards to this particular consideration, I therefore consider the proposal to be acceptable.

Trees/Ecology

A Tree Survey and Arboricultural Impact Assessment has been submitted with the application. This shows that there are no category A trees on the site and that all category B trees would be retained as part of the development. Other trees and hedgerows on the boundaries of the site would also be retained and additional planting would be provided as part of the development.

The Council's Countryside Officer has considered the content of the Tree Survey and Arboricultural Impact Assessment and has no objections to the proposed development subject to the imposition of appropriate conditions.

An Ecology and Habitat and Protected Species Risk Assessment have also been submitted with the application. This indicates that no evidence was found of any protected species occurring on the site or in the surrounding area which would be negatively affected by the proposed development of the site. The report does, however, contain recommendations in relation to the protection of habitats.

This report has been studied by this Council's Countryside Officer, the County Council Ecologist and also by the Ecologist at the Environment Agency. Subject to appropriate conditions, none of these officers have any objections to the proposed development with regards to ecological considerations. In my opinion, the proposal is therefore acceptable in relation to this particular consideration.

Amenities of Nearby Residents

Although the general locality is residential in nature, the application site is separated from any existing housing. As such, the proposal would not result in any detrimental effects upon the amenities of any nearby residents by reason of overlooking, loss of privacy or overbearing impacts. Within the context of existing traffic flows on Chatburn Road, I do not consider that the traffic generation associated with the proposed development would have any discernible impact upon the amenities of nearby residents. Overall therefore I consider the proposal to be acceptable in relation to this particular consideration.

Highway Safety

A Transport Assessment has been submitted with the application. This concludes that the site is in a sustainable location for development with ready access to services etc, by cycling and by public transport; and that good visibility is available at the access point into the site; and that the relatively low traffic flows would not have any significant impact on the highway network.

The County Surveyor has considered the contents of the Transport Statement and has no objections in principle to the proposed development subject to the imposition of appropriate conditions and through appropriate highway/transport measures being achieved either through a Section 278 Agreement or through a developer contribution secured by a 106 Agreement.

Overall, therefore, there are no objections to the proposed development in relation to highway safety and traffic considerations.

Flooding Issues

A Flood Risk Assessment (FRA) and Drainage Options Assessment accompany the application. The site is located in flood zones 1, 2 and 3, with by far the greater part of the site within flood zone 1. All of the proposed built development would be delivered within that part of the site identified as flood zone 1.

The FRA has been studied by the Environment Agency who have confirmed that they have no objections to the proposal subject to compliance with the requirements of the FRA and subject to the submission approval and subsequent implementation of a surface water drainage scheme for the site.

Subject to appropriate conditions, there are therefore no objections to the proposed development in relation to flooding issues.

Ground Contamination

A Contaminated Land Preliminary Risk Assessment (PRA) has been submitted with the application. The PRA has not found any past land uses that might give rise to elevated levels of industrial contamination. The report identifies that all past land uses have been agricultural and that there are possible contaminants associated with agricultural usage, including heavy metals, sulphate, nitrate and phosphate. The railway line to the north-western site boundary could also have resulted in ground contamination. It is therefore recommended that a site investigation be undertaken prior to development of the site. This is a common requirement and will be covered by an appropriate condition.

Public Open Space

In the illustrative plans and details submitted with the application, it is proposed that an amenity open space is to be provided alongside the brook on land that cannot be developed for reasons relating to flood risk. This is considered to be an appropriate location for the provision of public open space on this site. A condition will, however, be required in respect of the provision and future maintenance of the public open space on the site (as such maintenance will not be undertaken by RVBC).

Observations of Network Rail

Network Rail has suggested a number of conditions and notes to be attached to any planning permissions. The suggestions relate primarily to health and safety requirements associated with development close to a railway line and appear to be applicable where there would be built development in the immediate vicinity of the railway. In this case, however, the public open space (see above) would be on that part of the site. I therefore consider it sufficient in these

particular circumstances for the requirements of Network Rail to be the subject of an advisory note rather than any conditions.

Affordable Housing

It is stated in the application that 6 dwellings and 1 extra care apartment would be made available on an affordable rental basis (representing 30% of the total units). These 7 units will be delivered through a Housing Association. The Council's Strategic Housing Officer is satisfied with the provision of 7 affordable rental units within this development.

Financial Contributions Request by LCC

The County Council has requested a contribution by the developer of £95,205.45 towards the provision of 5 primary school places and 2 secondary school places (but Members will note that this figure could be subject to recalculation by triggers that will be set out in the Section 106 Agreement). The applicant has indicated a willingness to pay the requested amount which will be secured through the Section 106 Agreement that was at an advanced stage of preparation at the time of preparation of this updated report.

Following discussions and negotiations with the applicant/agent the County Council has now also requested a contribution towards sustainable transport measures of £17,000 as described in the next section of this report.

Section 106 Agreement

As stated previously in the report, if outline planning permission is to be granted, a Section 106 Agreement will be required. This will require the following:

1. The provision and permanent retention of 6 houses and 1 extra care apartment as affordable rental dwellings.
2. The payment by the applicant to Lancashire County Council of the sum of £95,205.45 (or any recalculated figure that might be required by triggers that will be set out in the Agreement) towards the provision of 5 primary school places and 2 secondary school places.
3. The payment by the applicant to Lancashire County Council of the sum of £17,000.00 towards the extension of the 30mph limit; the formation of a pedestrian refuge on Chatburn Road; and the establishment of two new bus stops, all as explained in the Introduction of this updated report.

Conclusion

For the reasons stated in this report, the proposed housing and care home development is considered to be acceptable in principle in view of the sustainable location of the site close to all the facilities and amenities of Clitheroe town centre. The examination in this report of all relevant detailed considerations has not identified any harm to any interests that would be of such magnitude to outweigh the benefits of the proposed development. The development is therefore in compliance with the relevant policies of the Local Plan and the emerging Core Strategy and complies with the 'presumption in favour of development' as embodied in NPPF. In my opinion, outline planning permission should therefore be granted.

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Community Services for outline approval following the satisfactory completion of a Legal Agreement within a period of one month from the date of this decision as outlined in the Section 106 Agreement sub-heading within this report and subject to the following conditions and authorise minor changes to the reasons of the conditions that may result from the adoption of the Core Strategy:

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. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the access, layout, scale, appearance and landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as 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 and Policy DMG1 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

3. The development hereby permitted in outline relates to the erection of 20 dwellings, 3 close care apartments and a 60 bed care home. The application for reserved matters shall not exceed the stated number of dwellings, the stated number of close care units, or the stated number of bedrooms in the care home.

REASON: To define the scope of the permission and to ensure that the development complies with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

4. Any reserved matters application shall include a detailed arboricultural assessment/tree constraints plan that shall indicate how the existing trees have informed the detailed layout that has been submitted for reserved matters approval. The details shall include a plan to a scale and level of accuracy appropriate to the proposal that shows the position of every tree on site with a stem diameter over the bark measured at 1.5 metres above ground level of at least 75 millimetres, and also the details of all hedgerows within the site and on its boundaries.

In addition any tree on neighbouring or nearby ground to the site that is likely to have an effect upon or be affected by the proposal (e.g. by shade, overhang from the boundary, intrusion of the Root Protection Area - BS5837, 2012, Trees in Relation to Demolition, Design & Construction) must also be shown.

The details of each tree as required in accordance with BS5837 in a separate schedule, a schedule of tree works for all the trees, specifying those to be removed, pruning and other remedial or preventative work.

The details of any proposed alterations to the existing ground levels or the position of any proposed excavations within 5 metres of the Root Protection Area of any retained tree, including those on neighbouring ground.

The details of all the appropriate tree protection measures for every retained tree before and for the entire duration of the course of the development.

A statement setting out the principles of arboricultural sustainability in terms of landscape, spatial integration and post development pressure shall be included in the submitted details. This shall also include details of re-instatement and management of all existing hedgerows.

REASON: In order to ensure that the detailed layout of the development has been informed by the location and condition of existing trees and to ensure that trees of visual amenity value are given maximum physical protection from the adverse effects of development in order to comply with Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME1 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

5. Any reserved matters application shall include details of provisions to be made for building dependent species of conservation concern, including artificial bird nesting boxes and artificial bat roosting sites.

The details shall specify the plot numbers of the dwellings upon which the provisions are to be made and shall identify the actual wall and roof elevations into which the provisions are to be incorporated (which should be north/north east elevations for birds & elevations with a minimum of 5 hours morning sun for bats).

The provisions shall be provided in accordance with the approved details prior to the first occupation of the individual dwellings upon which they have been provided.

REASON: To protect the bird/bat population from damaging activities and reduce or remove the impact of development in order to comply with Policy ENV7 of the Ribble Valley Districtwide Local Plan and Policy DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

6. Any reserved matters application shall include details of all proposed artificial external lighting. The details shall include the type, location, intensity and direction of all proposed lighting; and shall also include details of mitigation measures designed to reduce the impact of artificial lighting on protected species or species of conservation concern, identified and/or other named species.

REASON: In order to reduce the harmful impact of artificial lighting on the natural foraging/roosting/nesting behaviour of any protected species or species of conservation concern in order to comply with Policy ENV7 of the Ribble Valley Districtwide Local Plan and Policy DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

7. Any removal of vegetation including trees and hedges associated with the development hereby permitted in outline shall be undertaken outside the nesting bird season (March - August inclusive). Any removal of vegetation out with the nesting bird season shall first be agreed by the Local Planning Authority and shall be preceded by a pre-clearance check by a licensed ecologist on the day of removal.

REASON: To ensure that there are no adverse effects on the favourable conservation status of birds, and to protect the bird population from damaging activities and reduce or remove the impact of development in order to comply with Policy ENV7 of the Ribble Valley Districtwide Local Plan and Policy DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

8. No part of the development hereby permitted in outline shall be commenced until a non-native species removal and disposal method statement has been submitted to and agreed in writing by the Local Planning Authority. The details of which shall include details of the eradication and removal from the site all Japanese Knotweed and Himalayan Balsam.

REASON: To ensure that there is no risk of further spread of a non-native plant species and to ensure that there are no residue non-native plant species parts remaining in order to comply with Policy ENV7 of the Ribble Valley Districtwide Local Plan and Policy DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

9. No part of the development hereby permitted in outline shall commence until a water vole and great crested newt survey has been carried out during the optimum period, and details of its findings, including all protection and mitigation measures for non-disturbance and protection of all streams and watercourses, has been submitted to and approved in writing by the Local Planning Authority. The details shall include measures to ensure that the streams and watercourses are protected against spillage incidents and pollution that may arise during construction works.

REASON: To ensure that the development is not detrimental to the ecological wildlife value of the watercourse that crosses the site and to comply with Policy ENV7 of the Ribble Valley Districtwide Local Plan and Policy DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

10. The development hereby permitted in outline shall not be commenced until details of the landscaping of landscape buffers around habitat zones have been submitted to, and approved in writing by, the Local Planning Authority. The details shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, including details of any changes of level or landform and the types and details of all mammalian friendly fencing and screening.

The approved landscaping scheme shall be implemented in the first planting season prior to commencement of the development unless otherwise agreed by the Local Planning Authority, whether in whole or part and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub, which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of visual amenity and to ensure that the development provides appropriate habitat protection and mitigation measures and enhances biodiversity value in order to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

11. The development hereby permitted in outline shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (Ref: P4558-Rev003 dated 5 July 2013) and the following mitigation be filled within the FRA:

- Limiting the surface water run-off from the site to a maximum of its 17l/s so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off site.

The mitigation measures shall be fully implemented prior to occupation of any dwelling and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

REASON: To prevent flooding by ensuring the satisfactory storage/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in order to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

12. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate that the surface water run-off generated up to and including the 1:100 year 6 hour critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall also include details of how the scheme shall be maintained and managed thereafter in perpetuity.

REASON: To prevent the risk of flooding both on and off site and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

13. No development shall take place until a scheme for the provision and management of a minimum of 5m buffer zone alongside Pimlico watercourse has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing by the Local Planning Authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision.

REASON: To protect and enhance the Pimlico watercourse as a wildlife corridor and key green infrastructure asset and to comply with Policy ENV7 of the Ribble Valley Districtwide

Local Plan and Policy DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

14. Any reserved matters application shall include detailed plans for any footbridge that is proposed to be erected over the Pimlico watercourse.

REASON: In order to ensure the retention of a continuous buffer strip of broadly natural character, providing a corridor for the passage of wildlife and reduce of pollution from run-off, and in the interests of visual amenity and to comply with Policies G1 and ENV7 of the Ribble Valley Districtwide Local Plan and Policies DMG1 and DME3 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

15. The development hereby permitted in outline shall not be commenced until a scheme for the disposal of foul waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. Within the scheme, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing sewerage systems. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To ensure a satisfactory form of development including the satisfactory treatment and disposal of foul drainage in order to comply with the requirements of Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

16. Prior to the commencement of development, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall provide details of:

- i) Sustainable travel options for journeys to and from work for the site operatives, including pedestrian routes, travel by bicycles, journeys by train, car sharing schemes and other opportunities to reduce journeys by motor car.
 - ii) the parking of vehicles of site operatives and visitors;
 - iii) loading and unloading of plant and materials;
 - iv) storage of plant and materials used in the construction of the development;
 - v) the erection and maintenance of security fencing;
 - vi) wheel washing facilities;
 - vii) measures to control the emission of dust and dirt during construction; and
 - viii) a scheme for recycling/disposing of waste resulting from construction works.
 - ix) Periods when plant and materials trips should not be made to and from the site (mainly peak hours, but the developer to suggest times when trips of this nature should not be made).
 - x) Routes to be used by vehicles carrying plant and materials to and from the site which shall have been constructed to base course level.
 - xi) Measures to ensure that construction vehicles do not impede adjoining accesses.
- The approved construction method statement shall be adhered to throughout the entire period of construction works.

REASON: In order to ensure safe working practices on or near the highway in the interests of safety and in the interests of the amenities of nearby residents in accordance with the requirements of Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of

the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

17. Prior to the commencement of development, an intrusive ground investigation shall be carried out as recommended and described in Section 7 (Recommendations) of the Preliminary Risk Assessment Report by Thomas Consulting (ref. P4459-01-R1 dated October 2013) that was submitted with the outline application; and a report of the findings of the investigation shall be submitted for the written approval of the Local Planning Authority. Any mitigation measures that are found to be necessary shall be carried out to the satisfaction of the Local Planning Authority prior to the commencement of development. In the event that unforeseen problems arise during construction works, the Local Planning Authority shall be informed and shall advise in writing on any appropriate remediation/mitigation measures that the developer will be required to implement.

REASON: In the interests of providing an appropriate environment for the end users of the development and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

18. No development shall begin until a details identifying how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented in accordance with the approved details prior to occupation of the development and thereafter retained in a condition commensurate with delivering the agreed level of energy generation.

REASON: In order to encourage renewable energy and to comply with the requirements of the National Planning Policy Framework.

19. Prior to the first occupation of the development hereby permitted in outline, the existing access on to Chatburn Road shall be physically and permanently closed and the existing footway and kerbing of the vehicular crossing shall be reinstated with the Lancashire County Council Specification for Construction of Estate Roads.

REASON: To limit the number of access points to, and to maintain the proper construction of the highway in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

20. No part of the development hereby permitted in outline shall be commenced until all the highway works that facilitate construction traffic access have been constructed in accordance with a detailed scheme that has first been submitted to and approved in writing by the Local Planning Authority.

REASON: To enable all construction traffic to enter and leave the premises in a safe manner in the interests of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

21. No part of the development hereby permitted in outline shall be occupied until all the off-site highway works have been constructed in accordance with the scheme that shall have first been submitted to and approved in writing by the Local Planning Authority.

REASON: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works in the interest of highway safety and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan and Policy DMG1 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

22. 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 proposed area of public open space on the north western part of the site, shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall also provide precise details of any play equipment and its maintenance and indicate a timescale when any such equipment will 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 and Policy DMG1 of the Ribble Valley Core Strategy Regulation 22 Submission Draft - Post Submission Version (including proposed main changes).

NOTES

1. The development for which outline planning permission is hereby granted requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1908, 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 are commenced, the applicant or developer is advised to contact Customer Services at highways@lancashire.gov.uk and on 0845 0530000.
2. As the application site immediately adjoins an operational railway line, Network Rail has advised that the applicant or developer should submit a method statement and risk assessment to Network Rail's Asset Protection Engineer for approval prior to any works commencing on site (email: assetprotectionlnwnorth@networkrail.co.uk) Network Rail has also provided advice and guidance on matters relating to boundary fencing; encroachment on to railway land; scaffolding; drainage; excavation/earthworks in the vicinity of the railway; a 2m gap required between buildings on the site and the boundary fencing to the railway; and landscaping. The applicant or developer is therefore advised that it would be appropriate to consult Network Rail on these matters before the commencement of development, and ideally before the submission of any reserved matters planning applications (email: townplanninglnw@networkrail.co.uk).

ITEMS DELEGATED TO DIRECTOR OF COMMUNITY SERVICES UNDER SCHEME OF DELEGATED POWERS

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>
3/2013/0539/P	Proposed construction of outdoor multi use games area, floodlights, green gym and youth shelter	Whalley QEII Playing Fields Mitton Road, Whalley
3/2014/0107/P	Application for discharge of conditions nos. 4 (relating to obscure glazing), 5 (landscaping) and 6 (tree protection) of planning approval 3/2014/0107/P	Bolton Folt Cottage Alston Lane, Alston Preston
3/2014/0461/P	Outline application for three dwellings, access and parking	115 Kemple View Clitheroe
3/2014/0570/P	Roof alterations	147 Henthorn Road Clitheroe
3/2014/0645/P	Demolition of existing single storey rear extension and construction of new two storey rear extension	43 Accrington Road Whalley
3/2014/0676/P	Variation of condition 2 (drawings amended) of planning permission 3/2011/0746/P	RV Remembrance Park Mitton Road, Whalley
3/2014/0696/P	New render and redecorations to the front elevation, new barrier rail, refrigeration plant and AC installations/alterations	United North West Co-operatives Ltd Berry Lane, Longridge
3/2014/0712/P	Discharge of condition No 6 (finished floor slab levels) and No 8 (construction of first 15m of access track) of planning permission 3/2010/0807/P	The Knolle 26 Whalley Road Wilpshire
3/2014/0718/P	Formation of dormer extension to front of property	19 Crow Trees Road Sabden
3/2014/0720/P	Erection of shed and greenhouse	Brookfield Stoneygate Lane, Ribchester
3/2014/0722/P	Single storey rear extension	11 Glendale Drive Mellor
3/2014/0725/P	Seven dwellings and associated works	land off Clitheroe Road Whalley
3/2014/0739/P	Proposed demolition of detached garage to make room for a two storey side extension. External alterations to the roof profile and material finishes	12 Whittam Crescent Whalley
3/2014/0741/P	Conversion of loft space into bedroom involving two rooflights on the front elevation and two rooflights on the rear and partial removal of chimney	Wellsprings House Woodlands Drive Whalley

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0746/P (PA)	New porch to front elevation linked to 3/2013/0578/P	Wolfen Hall Chipping
3/2014/0766/P	Proposed new garage to replace existing	24 Humber Street Longridge
3/2014/0794/P	Deletion of condition 30, variation of conditions 2 and 31 and revised wording to conditions 3, 4, 6, 7, 8, 9, 10, 12, 14, 15, 16, 17, 19, 20, 21, 22, 24, 26 and 33 of planning consent 3/2011/1071/P	land at Chapel Hill Longridge
3/2014/0819/P	Small structure to be positioned adjacent to the existing café to form a unit containing a display area and office	Fairfield Business Park Longsight Road Clayton-le-Dale
3/2014/0832/P	Proposed alteration and extensions	16 Claremont Avenue Clitheroe
3/2014/0835/P	Extension to an agricultural livestock building (additional floor space 125m ²)	Foulds House Farm Sabden Road, Padiham
3/2014/0851/P	Front and rear dormer extension, single storey rear extension and formation of first floor gable window opening to SW elevation.	12 Hoghton Road Longridge
3/2014/0852/P	First floor extension to replace existing dormer. Upgrade and clad the existing entrance facade in stone	The Meadows Worston, Clitheroe
3/2014/0853/P	Proposed dormer extension and alterations	5 Byland Close Simonstone
3/2014/0855/P	Proposed two storey and single storey side extension	Bonny Blacks Farm Howgill Lane, Gisburn
3/2014/0864/P	Front porch extension to include entrance hall and toilet.	35 Moorland Crescent Clitheroe
3/2014/0871/P	Proposed rear conservatory	68 Hillcrest Road Langho
3/2014/0874/P	New hay storage and drying building on land adjacent	Radcliffe Farm Lower Road, Longridge
3/2014/0881/P	Single storey side extension at the rear of adjoining garage	29 Whitecroft Lane Mellor
3/2014/0888/P	Erection of an agricultural building for the storage of silage and dry feed	Old Buckley Farm Stoneygate Lane Knowle Green
3/2014/0889/P	Extension to rear to provide additional toilets and internal facilities	Pendleton Village Hall Pendleton
3/2014/0891/P	Advertisement consent for 2 x wall mounted flat aluminium panels - non illuminated signs and 1 x internally illuminated 3.5m totem	United North West Co-operatives Ltd Berry Lane, Longridge
3/2014/0902/P	Two storey side extension, detached garage, and new driveway	Eatoughs Farm, Fleet Street Lane, Ribchester
3/2014/0908/P	Proposed single storey side extension to form garage and conversion of existing garage into playroom	9 Moorland Avenue Clitheroe

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0922/P	Application for outline planning permission for demolition of an existing garage and erection of two detached dwellings including details of layout and access with all other matters reserved	65 Whalley Road Langho
3/2014/0959/P	Single storey rear extension to provide garden room, utility room, shower and store	Highfield, Tunstead Avenue Simonstone
3/2014/0973/P	Modification of Section 106 Agreement to reflect revised mix of affordable properties from intermediate rent to be affordable rent and references to affordable sale to be removed as all units will be for rent	land at former Chipping Village Hall Kirklands Chipping

APPLICATIONS REFUSED

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2014/0684/P	Outline application (all matters reserved) for the demolition of the existing dwelling and outbuildings and the erection of 9 dwellings	Meadcroft Clitheroe Road Whalley	Contrary to Policies G5, H2 and Key Statement DS1, Policies DMG2 and DMH3. Contrary to Development Strategy and would result in the creation of new dwellings that would be visually divorced from other built form within the defined open countryside, resulting in a discordant and incongruous pattern of development.
3/2014/0697/P	Development of 11 residential units on land adjacent to Clitheroe Road, West Bradford	land adjacent to Clitheroe Road West Bradford	Policies G1, G5, ENV3, H2; Key Statement DS1, DS2, EN2, DMG1, DMG2, DME2, and DMH3 of the Core Strategy as proposed to be modified and NPPF – inappropriate unsustainable development in the open countryside causing harm to the Development Strategy, detrimental effects upon highway safety, lack of a sequential test and visual amenity.

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2014/0834/P	Proposed new dwelling off Back Lane to the rear	Stonecroft Rimington Lane Rimington	The proposal, by reason of its location in an isolated village with no local facilities, would increase reliance on the private car to access local facilities and the harm that would arise would significantly and demonstrably outweigh the benefits of the proposal. In addition, the design of the proposed development would not harmonise with the wider locality, would facilitate the loss of a landscape feature, and would result in a cramped and visually prominence addition.
3/2014/0838/P	Two storey side extension	Beech House Alston Lane Alston	The proposed single storey side extension, by virtue of its massing and design, would devalue the character of this traditional farm building and that of the surrounding environment.
3/2014/0891/P	1 x internally illuminated 3.5m totem	United North West Co-operatives Ltd Berry Lane Longridge	Policies G1, ENV16, DMG1, EN5, DME4 - unsympathetic and harmful to designated heritage assets; namely the Longridge Conservation Area
3/2014/0913/P	Proposed change of use and associated alterations from maintenance/storage room into a retail shop area and hot food take-away and change of use of adjacent one bedroom domestic apartment into dining area with staff welfare facilities	The Manse Church Street Longridge	Policies G1, ENV16, DMG1, DME4 and Section 12 of NPPF – detriment to the appearance and character of the existing building and the Conservation Area and detriment to highway safety.

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>	<u>Reasons for Refusal</u>
3/2014/0918/P	Demolition of existing cottage and commercial garage and erection of three dwellings	4 Osbaldeston Lane Osbaldeston	Policy EMP11 DWLP; Key Statements DS1 and EC1 and Policies DMG2 and DMB1 Core Strategy Submission Version as proposed to be modified – inappropriate unsustainable development within a Tier 2 settlement causing harm to the Development Strategy, and lack of information to demonstrate that suitable alternate employment generating uses have been sought.

AGRICULTURAL NOTIFICATIONS WHERE PLANNING CONSENT **WILL** BE NECESSARY

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0952/P	Alteration of an existing road	Fletcher Fold Farm Osbaldeston Lane Osbaldeston

OBSERVATIONS TO ANOTHER LOCAL AUTHORITY

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0912/P	Direction of four temporary containers and a steel clad walled tent at the rear of S610 building	Samlesbury Aerodrome Samlesbury
3/2014/0930/P	Single storey extension to rear of the existing Humanities Building to create new music classroom, office and 2 practise rooms	St Augustine's RC High School Elker Lane, Billington

CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0865/P	Application for a Certificate of Lawfulness for a proposed development in the form of a single storey detached outbuilding to be used as a private swimming pool	Giles Farm Four Acre Lane Thornley
3/2014/0924/P	Application for a Lawful Development Certificate for the erection of a single storey side extension	1 Scott Avenue Simonstone

REFUSAL OF CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2014/0785/P	Certificate of Lawfulness in respect of proposed extension to existing hipped roof to form gable and dormer extension to rear	19 Warwick Drive Clitheroe

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2012/0829/P	Discharge of condition 4 of 3/2010/0194	New Barn, Holden Lane Slaidburn
3/2014/0803/P	Extension of farmhouse into barn. Demolition of agricultural buildings. Raise barn roof. Construct orangery and balcony, construct double garage with office/games room above. Site static caravan	Ox Close Farm Stopper Lane Rimington
3/2014/0820/P	Demolition of existing conservatory to be replaced with open veranda	Sabden House Wesley Street, Sabden
3/2014/0946/P (LBC)	Demolition of existing conservatory to be replaced with open veranda	Sabden House Wesley Street, Sabden

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2012/0785	Clitheroe Hospital Chatburn Road Clitheroe	6/12/12	57	With Applicants Solicitor
3/2014/0981	Land at Chatburn Road Clitheroe	13/2/14	23	With LCC
3/2014/0666	15 Parker Avenue Clitheroe	18/9/14	15	With Applicants Solicitor
3/2014/0597	Land off Waddington Road Clitheroe	16/10/14	275	With Applicants Solicitor
3/2014/0779	Land off Dale View Billington	16/10/14	18	With LCC
3/2014/0188	Victoria Mill Watt Street, Sabden	13/11/14	40	With Planning
<u>Non Housing</u>				
3/2011/0649P	Calder Vale Park Simonstone	15/3/12		Subject to departure procedures, draft 106 received from LCC

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>
3/2013/0722 U	16/05/14	Englands Head Farm Paythorne	WR		Awaiting decision
3/2014/0394 R	23/07/14	Stoneroyd, Haugh Ave, Simonstone	HH		Awaiting decision
3/2014/0235 R	29/07/14	20 Chapel Hill Longridge	HH		Awaiting decision
3/2014/0258 R	01/08/14	1 Main Street Bolton by Bowland	HH		Awaiting decision
3/2014/0298 R	11/08/14	Rose Cottage Main Street Grindleton	HH		Awaiting decision
3/2014/0146 R	21/08/14	The Coach House 1 Ashcroft Cottages Clitheroe Road West Bradford	WR		Appeal dismissed 25/11/14
3/2013/1023 U	29/08/14	Land off Kingsmill Avenue, Whalley	WR		Awaiting decision
3/2014/0537 R	29/09/14	Pinfold Cottage Tosside	WR		Awaiting decision
3/2014/0075 R	24/09/14	Sheepfold Farm Balderstone	WR		Awaiting decision
3/2014/0550	01/10/14	Bradyll House Franklin Hill Old Langho	WR		Awaiting decision
3/2014/0501 R	07/10/14	Land at Longsight Road, Copster Green	WR		Awaiting decision
3/2014/0151 Cond	08/10/14	Lower Abbott House Farm, Mellor	WR		Awaiting decision
3/2014/0605 R	09/10/14	Land off Pendle Street East Sabden	WR		Awaiting decision
3/2014/0462 R	10/10/14	Land adj Glen View, Longridge	WR		Awaiting decision
3/2014/0535 R	10/10/14	Oaklands, Longsight Rd Clayton le Dale	WR		Awaiting decision
3/2014/0143 R	10/10/14	Land adj 52 Chapel Hill, Longridge	WR		Awaiting decision
3/2014/0692 R	20/10/14	11 The Old Stables, Mitton Road, Whalley	HH		Awaiting decision
3/2014/0419 R	04/11/14	7 Whins Lane Simonstone	WR		Questionnaire docs sent 10/11/14

3/2013/0442 R	05/11/14	Woodfield Farm Longsight Road Clayton le Dale	WR	Questionnaire docs sent 11/11/14
3/2014/0804 R	11/11/14	22 Wellgate Clitheroe	WR	Questionnaire docs sent 26/11/14
3/2014/0711 R	18/11/14	5 Cowper Place Sawley	CB	Questionnaire docs sent 24/11/14
3/2014/0705 R	Awaiting validation by PINS	Meadows Farm Worston	AB	
3/2014/0464 R	Awaiting validation by PINS	60 Taylor Street Clitheroe		