

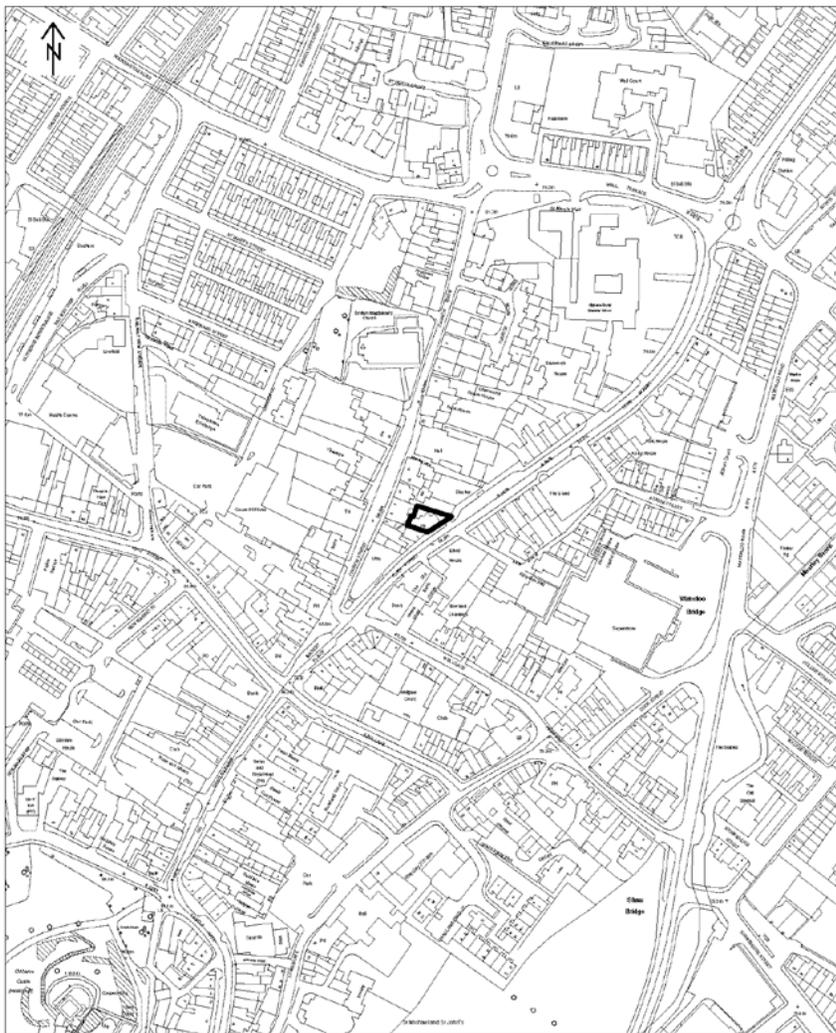
RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 17 MARCH 2016
title: PLANNING APPLICATIONS
submitted by: DIRECTOR OF COMMUNITY SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION NO: 3/2015/0928/P (GRID REF: SD374444 441974)
CHANGE OF USE FROM PUBLIC HOUSE WITH LIVING ACCOMMODATION TO TWO
SHOPS AND FIVE APARTMENTS TOGETHER WITH EXTERNAL ALTERATIONS AT WHITE
HORSE INN, YORK STREET, CLITHEROE



3/2015/0928 White Horse Inn, York Street, Clitheroe, BB7 2DH

Scale 1:2500

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- TOWN COUNCIL: Clitheroe Town Council has no objections.
- LANCASHIRE COUNTY COUNCIL (HIGHWAYS): No objections and are of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.
- The site is in a highly accessible town centre location with adequate on-road traffic regulations to prevent on-road parking near the site and there are public car parks available for customers for the retail units.
- ADDITIONAL REPRESENTATIONS: Two letters have been received which make the following comments:
1. Where will residents park cars particularly when there is a show at The Grand.
 2. Complaints have been made to RVBC Environmental Health about noise nuisance from White Horse smokers in courtyard. Please reassure that courtyard will not be used by residents or staff.

1. **Proposal**

- 1.1 The application seeks planning permission for the change of use from public house with living accommodation to two shops and five apartments together with external alterations. The shops are at ground floor. Residential Unit 1 incorporates the rear element of the existing courtyard accessed from the cart entrance on York Street as well as ground floor and first floor accommodation. There are two further residential units at first floor and two units at second floor.
- 1.2 The application form identifies that the property is currently vacant (no employees). It is suggested that 4 full-time employees will result from the development.
- 1.3 No hours of opening are suggested for the retail units.
- 1.4 No existing or proposed vehicle parking spaces are indicated.
- 1.5 A number of existing rear facing windows (into the courtyard) are shown to be obscure glazed. A new rear facing first floor window is shown to be obscure glazed. A blocked opening and a door-shuttered opening in proposed Residential Unit 1 (which overlook its proposed courtyard) are shown to be opened and glazed.
- 1.6 The plans as originally submitted indicate the rendering of all brick elevations. Following negotiation, the applicant has confirmed that areas of rendering will be restricted to ground floor areas where the brickwork has already been painted.
- 1.7 The plans as originally submitted proposed replacement of the historic rear painted timber sash windows (facing listed buildings on Church Street) with black plastic windows and replacement of the front elevation first floor historic timber plank door (shown on the c.1900 photograph) with glazing. Negotiations to seek retention of these important elements has resulted in the applicant's agreement (2 March 2016) to timber framed windows remaining and the retention of the first floor timber door.

- 1.8 A front elevation window (shown to be a doorway in the c. 1900 photograph) is shown to be lowered to become a fully glazed doorway. The cart opening (partially gated now and in the c.1900 photograph) is shown to be fully glazed. The applicant states (2 March 2016) that if the cart opening is not glazed the viability of the scheme to convert the ground floor to shops would not be viable.
- 1.9 Areas for proposed external and window advertisement are identified but no details have been submitted.
- 1.10 A roof light is proposed to both front and rear elevations.

2. **Site Location**

- 2.1 The White Horse public house is a prominently sited and opulently designed three storey building within Clitheroe town centre and Clitheroe Conservation Area. The curvature of York Street ensures that the White Horse is prominent from the Market Place and contributes to a wide street scene and the setting of a number of listed buildings on York Street (notably Grade II listed Clitheroe Library, The Grand Cinema and Nos. 11-23, 2-6, 8 and 10, 12-16, 18, 34-38 York Street). Furthermore the White Horse backs onto/adjoins and is within the setting of the Grade II listed buildings at 6 and 8, 10 and 12 Church Street.

The 1848 and 1886 OS maps show a building range between Church Street and York Street. On both maps, the building footprint corresponds to the location of the existing shaped-gable (which incorporates the cart entrance) on York Street. The 1886 OS map is annotated with "White Horse Inn" at the Church Street end of the range.

The submitted Heritage Statement includes an annotated photograph from c. 1900 which indicates that the existing ground floor left-side window was once a doorway and that the existing plank-door first floor central opening to the shaped-gable element has been a feature of the building for at least a century. The photograph annotation suggests that building opulence was a result of commercial considerations "*evidence that the White Horse dates back 300 years and was originally next door to St Mary's Church on Church Street. When York Street was cut around the 1820s ... built here on the present site ... Church Street was the main route out of Clitheroe. So when York Street was cut most of the passing custom would obviously not go up Church Street*".

The Clitheroe Conservation Area Appraisal (The Conservation Studio consultants; adopted by the Borough Council following public consultation 3 April 2007) identifies:

The White Horse and the non-listed historic buildings facing the site to be 'Buildings of Townscape Merit' making a positive contribution to the character and appearance of the Conservation Area; an 'Important View' from the Market Place towards York Street (Townscape Appraisal Map);

"A pleasing historic townscape enhanced by the town's changes of level and curves in the old Streets" (Summary of special interest).

"The construction of the first textile mills and the opening of new turnpike roads led to the first major expansion of the town and the construction of new streets, Moor Lane, York Street and King Street" (Origins and historic development).

“The Public Library of 1905, with its conical roof and clock face, has been well designed to take advantage of its corner location and is a notable landmark” (Key views and vistas).

“the Chatburn turnpike, to the north of the town, stimulated the construction of a new northern approach road, York Road (c1820), leading directly to the Market Place, cutting through burgage plots on Wellgate”.

“The conservation area is most notable for buildings from the late 18th century and 19th century, many of which replaced earlier structures ... In the 18th century Church Street was the main route into and out of the town and No. 21 Church Street is a good example of Clitheroe’s Georgian architecture ... As the town’s economy expanded in the 19th century, based on the cotton industry, its population grew and many town-centre civic, commercial and religious buildings were built ... Clitheroe’s role as a market town resulted in a large number of pubs, inns and hotels but few can be dated to earlier than the 18th century” (Architectural and historic character).

“Brick is not common but there are a few brick buildings in King Street reflecting the post-railway development of this area ... Historic windows are generally timber sliding sashes deeply recessed in the stone- or brickwork” (Building materials and local details).

“The survival of original materials and details, and the basic, historic form of the building, is important. Where a building has been adversely affected by modern changes and restoration is either impractical or indeed, not possible, they are excluded” (Buildings of townscape merit).

“This area contains the commercial core of the town, mainly located on Castle Street and Market Place but also spilling onto Wellgate, York Street and King Lane. The central ‘spine’ of the conservation area contains an excellent collection of historic buildings built on a strong back-of-pavement line but with occasional buildings breaking forward with a gable ... Church Street contains Clitheroe’s best examples of Georgian building and, together with the street’s stone paving, trees and well kept historic buildings is the town’s best area of townscape” (Character area 1: Clitheroe’s historic core).

“Traditional 19th century shopfronts” (Character area 1: Principal positive features).

“Mix of commercial, religious, administrative and residential uses” (Strengths).

“Loss of architectural detail (original windows, doors etc); Insensitive alteration of historic buildings, including some modern shopfronts, spoiling the conservation area’s strong historic character and appearance; Garish commercial signs and advertising; Twentieth century development that fails to preserve the historic character and appearance of the conservation area” (Weaknesses).

“Loss of original architectural details: Many of the unlisted, and some of the listed, buildings in the conservation area have been adversely affected by the use of inappropriate modern materials or details. Common faults include: the replacement of original timber sash windows with uPVC or stained hardwood; Poor quality shopfronts: despite the presence of a number of attractive historic shopfronts, many of the commercial properties have modern shopfronts of no special merit” (Threats).

3. **Relevant History**

- 3.1 Pre-application advice has been sought in respect of the proposed development.
3/1992/0121 – Display of externally illuminated pub signs. AC granted 23 March 1992.
3/1991/0700 - Refurbishment of public house including new toilet accommodation. PP granted 13 February 1992.

4. **Relevant Policies**

Ribble Valley Core Strategy (Adopted Version)
Key Statement EC1 – Business and Employment Development
Key Statement DS1 – Development Strategy
Key Statement EN5 – Heritage Assets
Key Statement H2 – Housing Balance
Key Statement EC2 - Development of retail, shops and community facilities and services
Policy DMB1 – Supporting Business Growth and the Local Economy
Policy DMG2 – Strategic Considerations
Policy DMG1 – General Considerations
Policy DME4 – Protecting Heritage Assets
Policy DMR1 – Retail Development in Clitheroe

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

Planning (Listed Buildings and Conservation Areas) Act 1990
Clitheroe Conservation Area Appraisal

5. **Environmental, AONB, Human Rights and Other Issues**

- 5.1 The main considerations in the determination of the planning application relate to the impact of the proposed development upon the character and appearance of Clitheroe Conservation Area, the setting of listed buildings, residential amenity, highway safety, business growth and economy and the Borough's housing balance. The duties at section 72 and section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that 'special attention' and 'special regard' be given to the desirability of preserving ('doing no harm') or enhancing the character or appearance of a conservation area and the preserving of the setting of a listed building.

5.2 **Impact on designated heritage assets and employment loss**

5.2.1 The Clitheroe Conservation Area Appraisal identifies that the town-centre's civic, commercial and religious buildings are an important element of its architectural and historic character and I note from the submitted Heritage statement that the White Horse public house may have been part of this character for 300 years. I also note the loss of the Grade II listed Victoria Hotel, Market Place to retail use in May 2014.

5.2.2 Minimal evidence has been submitted by the applicant in respect to the marketing of the pub in its historic and existing use (Policy DMB1). However, I am mindful that RVBC Regeneration consider that there is enough to indicate that there is no current future for a pub on this site. On this understanding, the proposed ground floor use is considered to offset the employment and economic

impacts of the loss of the pub use and provide additional variety to the town centre retail offer (Policy DMR1).

5.2.3 Mindful of the statutory duties at section 72 and 66 of the Act (and Policy DME4), officers have sought by negotiation to minimise the harm to the designated heritage assets to that absolutely necessary. In my opinion and mindful of the need to ensure scheme viability and the White Horse not being identified as a Focal Building in the Clitheroe Conservation Area Appraisal (Market Place library, banks and Victoria Hotel), an acceptable impact upon Clitheroe Conservation Area and the setting of listed buildings has now been reached.

5.2.4 Advertisement proposals are schematic and potentially incongruent. In order to retain the finely detailed and balanced façade and the character and appearance of the building as an historic public house, a condition requiring detailed information of any attachments to the York Street façade is suggested.

5.3 Housing

5.3.1 The specific Core Strategy housing requirement for Clitheroe has been met. However, this figure is to be regarded as a minimum (Key Statement H1). Key Statement H2 emphasises that residential proposals should deliver a suitable mix of housing in relation to future household requirements. In my opinion, the proposed combination of uses will support town centre vitality and viability (Policy DMR1) and provide housing in proximity to town centre services and facilities.

5.4 Residential Amenity

5.4.1 The full comments of RVBC Environmental Health had not been received at the time of report writing. Mindful of the combination of uses proposed, consideration will be made to retail unit hours of opening (not specified in application form).

5.4.2 I am mindful of the proposed obscuring of existing windows which will reduce overlooking within and beyond the site. In respect to the comment from a local resident concerning existing use noise levels I am satisfied that this will not be exacerbated by the subdivision of the existing courtyard into an enclosed retail unit and an open courtyard for the residents of unit 1.

5.5 Highways

5.5.1 I am mindful of both local resident concerns as to parking and the opinions of Lancashire County Council (Highways) and consider the proposals to have an acceptable impact upon highway safety.

5.6 Conclusions

5.6.1 NPPF paragraph 134 requires that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset this should be weighed against any 'public benefits' of the proposal. In my opinion, building re-use, employment generation, housing provision and contribution to the vitality and viability of the town centre provide significant mitigation for the harm to Clitheroe Conservation Area and the setting of listed buildings.

5.6.2 Therefore, in giving considerable importance and weight to the duties at section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in giving 'great weight' to the conservation of the designated heritage assets (NPPF paragraph 132) and in consideration to Key Statements EC1, EC2, DS1, EN5 and H2 and Policies DMB1, DMG2, DMG1, DME4 and DMR1 of the Ribble Valley Core Strategy I would recommend that planning permission be granted.

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

1. This permission shall be implemented in accordance with the proposal as amended by letter received on the 2 March 2016.

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

2. This permission shall be implemented in accordance with the confirmation made at the site meeting of 1 March 2016 that proposed external wall rendering will not extend beyond existing painted brickwork.

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

3. Notwithstanding the proposed schematic advertisement proposals shown on the submitted plans, specifications and samples of any proposed attachments (including signage) to the York Street façade 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 appearance of Clitheroe Conservation Area and the setting of listed buildings in the street scene.

4. Notwithstanding the proposed fully glazed doorway to Retail Unit 1 shown on the submitted plans, specifications for a partially glazed doorway sympathetic to the late C19/early C20 character of the building shall have been submitted to and approved by the Local Planning Authority before its use in the proposed works.

REASON: In order to safeguard the character and appearance of Clitheroe Conservation Area and the setting of listed buildings in the street scene.

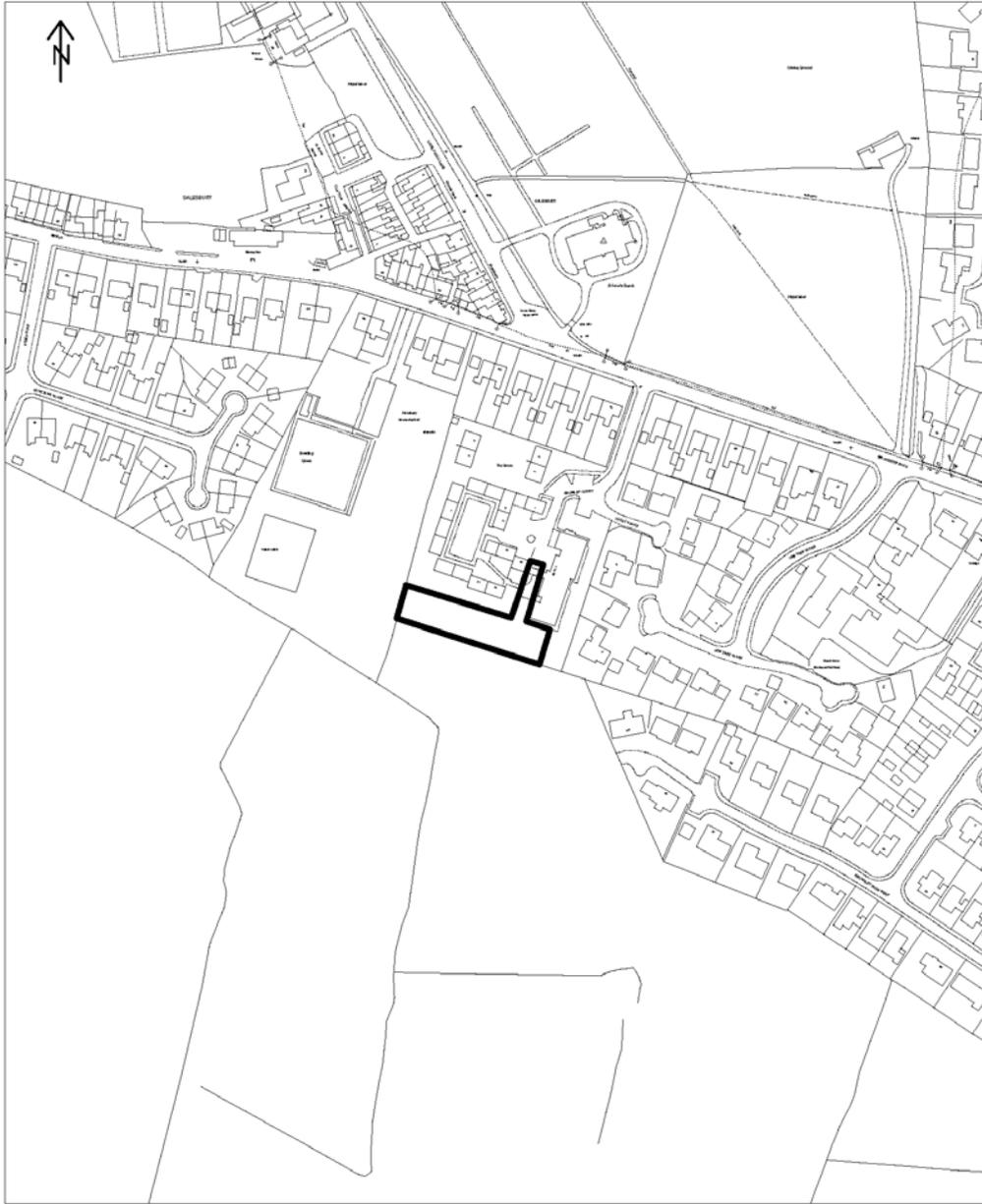
5. Precise specifications of cart door glazing and framing (including a cross-section drawing showing glazing set back as far as possible in the reveal) shall have been submitted to and approved by the Local Planning Authority before its use in the proposed works.

REASON: In order to safeguard the character and appearance of Clitheroe Conservation Area and the setting of listed buildings in the street scene.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0928

APPLICATION NO: 3/2016/0029/P (GRID REF: SD368073 432682)
PROPOSED RESIDENTIAL DEVELOPMENT TO PROVIDE 6 BUNGALOWS AND
ASSOCIATED WORKS, REMOVAL OF EXISTING ARCH CANOPY AND ALTERATIONS TO
EXISTING RESIDENTS LOUNGE AREA AT LAND TO THE REAR OF SHOWLEY COURT,
WILPSHIRE



3/2015/0029 Showley Court, Clayton le Dale, BB1 9HG

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TOWN COUNCIL:	No observations received at the time of preparing this report.
ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):	No observations received at the time of preparing this report.
UNITED UTILITIES:	No objection subject to appropriate conditions regarding surface water drainage.
ADDITIONAL REPRESENTATIONS:	<p>11 letters of objection have been received which raise the following issues:</p> <ul style="list-style-type: none"> • The impact on the rural environment and immediate character of Showley Court would cause visual harm. • Lack of parking. • Highway safety issues. • Noise disturbance and amenity issues caused by the construction activities. • Buildings are unsympathetic to the existing character. • Lack of privacy due to the proximity for new dwellings to existing residential unit. • Inaccuracy in details submitted with the plans.

1. **Proposal**

- 1.1 This proposal seeks detailed consent for the erection of 6 bungalows which are to be accommodation for the elderly and is an extension of the existing complex which currently has 14 bungalows, 17 flats and communal facilities. The scheme provides level access accommodation with on-site management. There is a common room for social activities including a catering kitchen, laundry and communal gardens.
- 1.2 The proposed development comprises a total of 6 semi-detached bungalows, which has floor space ranging between 57m² and 70 m². The proposal also includes demolition of an existing archway and alterations to a communal lounge area.
- 1.3 Access from the site is from the main road which operates as an internal driveway to the existing complex and ultimately vehicular access is from Ribchester Road.
- 1.4 Each unit has a parking space, in total 6 parking spaces dedicated to the bungalows.
- 1.5 The design of the bungalows reflects the existing bungalows and would be a mixture of red brick and concrete tile and a small amenity space at the front and the rear of each property.
- 1.6 The alterations to the lounge have been amended and reduced in size and as a result of only involves a negligible increase in the overall footprint of the building. The materials are to be of red brick and concrete tile which would be to match the existing building. It is to have a sloping roof with roof lights above the proposed lounge.

2. **Site Location**

- 2.1 The application site is located on what is currently used as an amenity/garden area within the Showley Court development but is defined as Green Belt. Access to the units would be from the internal drive off Showley Court with main vehicular access from Ribchester Road. The land to the rear of the existing fence which forms the boundary of this application is designated as a Green Belt.

3. **Relevant History**

- 3.1 3/2010/1010/P – Insertion of Juliette balconies at Showley Court. Refused and dismissed on appeal.

3/2003/0507/P – Erection of 2, 2-bedroom bungalows. Approved with conditions.

4. **Relevant Policies**

Ribble Valley Core Strategy

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DMH1 – Affordable Housing Criteria.

Key Statement EN1 – Green Belt.

Key Statement DS1 – Development Strategy.

5. **Environmental, AONB, Human Rights and Other Issues**

5.1 **Principle**

- 5.1.1 The matters for consideration to determine this application relate to the suitability and the principle of development for affordable housing and elderly accommodation, highway safety, visual amenity and any impact on adjacent residential amenity.

5.2 **Highway Safety and Accessibility**

- 5.2.1 Although there has been no formal observations from the County Surveyor at this point in time I am satisfied that the vehicular access is adequate to accommodate additional dwellings. There are internal parking facilities within the site so the proposal would not lead to any issues with regard to lack of parking within the existing compound.

5.3 **Location Issues**

- 5.3.1 This proposal is located within an existing residential complex and can be regarded as an extension of the existing facilities at Showley Court. On the basis of the specific provision for elderly accommodation bungalows, I am satisfied that from a strategic location, the site is suitable. I am mindful that the proposal is within the Green Belt but I consider that the land in question falls within defined curtilage of Showley Court and has an element of residential use associated with the development. Notwithstanding this point I do not consider that the impact on the Green Belt is significant and this has been confirmed from the consultation response from the Housing and Regeneration Section.

5.4 Visual Amenity

- 5.4.1 I accept that there will be some additional impact on the openness of the Green Belt caused by the new bungalows but given that it is within the overall curtilage of the existing residential development I do not consider that this built form would have a strategic harm to the designation of the Green Belt land.
- 5.4.2 In terms of visual impact the buildings are low level and would be seen against the backdrop of the existing bungalows and as such I do not believe there is any significant visual impact.
- 5.4.3 The demolition of the archway and the extension to the existing lounge are only seen from the internal complex and would not result in any visual impact.

5.5 Residential Amenity

- 5.5.1 I note the concerns expressed in relation to the objection letters which relate to elements of noise as a result of the development and some degree of overlooking but I am satisfied that adequate conditions can be imposed in relation to the Construction Management Plan which has been submitted as part of this application, to reduce any impact on noise. I recognise that there will be some resultant overlooking from some of the bungalows and that the privacy distance is less than the normal requirement but having regard to the nature of the development, the intended use and the existing layout and landscape mitigation that it would not have a significant impact on the privacy associated with the existing dwellings to warrant a recommendation of refusal.
- 5.5.2 In relation to the additional traffic, I do not believe that this would cause overall harm to residential amenity.

6. Conclusion

- 6.1 Having regard to the impact on the residential amenity and on the Green Belt, I consider that the additional facilities and the new bungalows would not cause significant harm to either consideration and the additional bungalows should be welcomed.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:

Time Limits

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

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

Drawings and Details

2. The development hereby permitted shall be carried out in accordance with the following approved plans, drawing references:

Plan Ref:	Title:	Received On:
	Location Plan 14-2025-PN005	
	Proposed Site Layout Plan 14-2025-PN001 REV B	23/02/16
	Elevations to residents lounge 14-2025-PN006 REV B	23/02/16
	Floor plans and elevations to bungalows 14-2025- PN002 REV A	13/01/16

REASON: To clarify the plans and agreed amendments to which this permission relates.

Amenity

3. This permission shall relate to Construction Method Management Plan 14-2025 submitted with the application. Construction of the development shall not be carried out otherwise than in accordance with the approved Construction Management Plan.

REASON: To protect the residential amenities of the locality and in the interest of highway safety to accord with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy (Adopted Version).

Drainage

4. Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve each building, in accordance with the approved details.

This development shall be completed maintained and managed in accordance with the approved details.

REASON: To ensure a satisfactory means of drainage in accordance with Policies DMG1 and DME6 of the Ribble Valley Core Strategy (Adopted Version).

5. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To ensure a satisfactory means of drainage in accordance with Policies DMG1 and DME6 of the Ribble Valley Core Strategy (Adopted Version).

Materials and landscaping

6. Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on the approved plans and specification) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved materials prior to first occupation.

REASON: To ensure the materials to be used are appropriate to the locality in the interests of visual amenity and in accordance with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

7. Notwithstanding the landscaping details submitted on Drawing Number 14-2025-PN001 rev A, prior to the commencement of development a satisfactory programmed landscaping scheme which shall include hard and soft surfacing, planting of the development.

The approved soft landscaping scheme shall be implemented in the first planting season following occupation or use of the development unless otherwise required by the reports above, whether in whole or part and shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

The hard landscaping and boundary treatment shall be implemented in accordance with the approved details prior to the first occupation of the development and retained thereafter at all times.

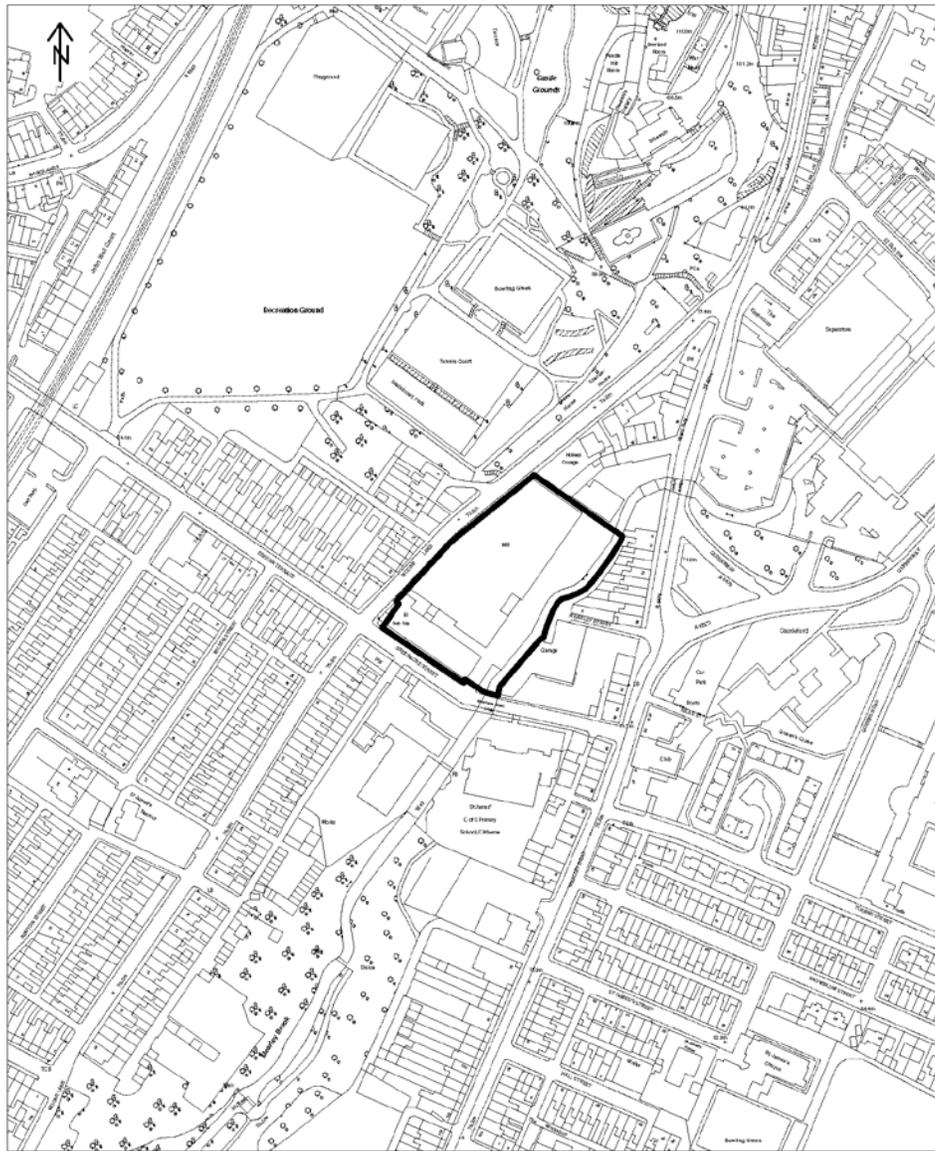
REASON: In the interests of visual amenity, habitat enhancement and species protection in accordance with Key Statement EN2 and EN4, and Policies DMG1, DME1, and DME2 of the Ribble Valley Core Strategy (Adopted Version).

BACKGROUND PAPERS

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C APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL

APPLICATION NO: 3/2015/0943/P & 3/2015/0944/P (GRID REF: SD 374128 441359)
PLANNING PERMISSION AND LISTED BUILDING CONSENT FOR THE RENOVATION AND CONVERSION OF GRADE II LISTED BUILDING PROPERTY TO CREATE KITCHENS, RESTAURANT, BAR, 31 ROOM APARTMENT HOTEL ACCOMMODATION, BREWERY WITH RETAIL OUTLET, BAKERY, FUNCTION ROOM, OFFICES, RETAIL UNITS AND GYM AND SPA LEISURE COMPLEX AT HOLMES MILL, GREENACRE STREET, CLITHEROE



3/2015 0943 and 382015/0944 Holmes Mill, Greenacre Street, Clitheroe BB7 1EB

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TOWN COUNCIL:

No objections. However expresses concern about the lack of a wall between the car park and the brook and the possibility of smells emanating from the brewery which could affect local residents and the need for adequate proximity to the car parking to be made for this development via Whalley Road car park.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

A detailed analysis of the parking arrangements and the delivery and servicing as well as the traffic impact analysis has been provided by Lancashire County Council. They conclude that the number of spaces provided should equate to 331 spaces and accept there may be some reduction on numbers caused by linked events. However, it is concluded that there is a serious shortfall in the number of parking spaces and this alone would warrant a recommendation of refusal. In relation to deliveries and servicing, more information is needed to enable a full assessment and this would need to include swept path analysis, catering for all vehicle types to ensure that access and egress is not affected.

In relation to traffic impact analysis, they remain of the opinion that the impact of a traffic generated by the site has been under estimated and that the junction capacity analysis needs to be re-calculated. To conclude the County Surveyor recommends refusal on highway grounds and also that the traffic generation of figures submitted are on the low side and depending on whether or not the applicant chooses to re-do the junction analysis based on revised figures, there may also be justification for a refusal due to junction capacity issues.

Following reconsultation the County Surveyor whilst acknowledging that road capacity issues may not be an issue still consider that the shortfall of parking spaces of approximately 200 spaces and the implications this would have on highway safety and amenity is sufficient to warrant a refusal.

The proposal is for a multi-use development utilising existing mill buildings on a compact site. Vehicle access is restricted to the existing site access off Greenacre Street and limited frontage access can be gained from Woone Lane which is currently subject to 2-way working but will be restricted to one way working (south to north) in the near future. As part of the proposal a pedestrian / cycle footbridge will be constructed off Mearley Street over Mearley Brook and a service access (accommodating a single vehicle) off Woone Lane.

A primary school (281 pupils) is located opposite the site access on Greenacre Street.

Vehicular Access

The initial proposal was to utilise the existing access off Greenacre Street and provide 2 additional points of access, a single vehicle delivery access of Woone Lane and a vehicular access off Mearley Street via a new bridge over Mearley Brook.

The amended proposal retains these 3 access points but the bridge link will only be for pedestrians and cycles.

In respect of the existing Greenacre Street access, there are no significant concerns regarding its continued use although the proximity of the school will require special considerations. I understand that in dialogue between the developer and the school it has been agreed that the site deliveries will be managed to avoid the start and finish of the school day. A suitably worded condition would be requested to ensure that any such arrangement is adhered to. Some minor footway works will also be required to the east of the entrance to maintain the integrity of the highway.

The proposed service access off Woone Lane will require to reverse to or from Woone Lane and there will inevitably be delays to through traffic whilst this manoeuvre is performed. A necessary condition of any planning permission that may be granted would require all reversing manoeuvres are supervised by a suitably qualified banksman.

As mentioned above, the proposal for a vehicle link off Mearley Brook will not be proceeded with.

Pedestrian Access

Following discussions with the applicant regarding pedestrian access to the site it has been agreed that the developer will provide an additional pedestrian refuge on Whalley Road south of the Sainsburys entrance which will enhance pedestrian accessibility. The ideal location for the refuge would be closer to the mini roundabout at Queensway but this would require the removal of some on street parking which would not be supported by the adjacent businesses.

Footway widening will be required along the north side of Greenacre Street between Whalley Road and the site entrance as the current width (ranging from 830mm at the site entrance to 1350 mm outside the Honda garage) is below the recommended minimum of 1.8 m. Additional widening would also be necessary in the vicinity of the site entrance to bring the give way line forward and assist with the visibility splay for vehicles exiting the site.

Parking Provision.

In my initial appraisal of the development and car parking provision taking into account the various uses proposed for the site a very rough and preliminary evaluation of the maximum parking levels for the various uses was produced (see below) .

410msq	A3	Bar and Restaurant @ 1:8 = 51 spaces
505msq	B1c	Brewery and Barrel Store @ 1:30 = 17 spaces
305msq	A3	Brewery Tap @ 1:8 = 38 spaces
161msq	D1	Engine House (museum) @1:30 = 5 spaces

65msq	A1	Coffee, beer ,wine shop food retail @ 1:14 = 5 spaces
177msq	B1c	Bakery @1:30 = 6 spaces
305msq	D1	Public Hall @1:12 = 25 spaces
720msq	B1b	Office @ 1:33 = 21 spaces
2310msq	D2	Leisure @1:24 = 96 spaces
784msq	A1	Non-food retail @1:22 = 36 spaces
Hotel	C1	@ 1 per Bedroom = 31 spaces

Total Spaces = 331

These preliminary figures did not take into account the location of the site and its proximity to the town centre and the opportunities that this presents to reduce the need for travel. Taking into account the accessibility of the site the applicant has calculated a maximum parking provision of 236 spaces. The most recent site plan indicates a parking provision of 40 spaces.

Given that the varied nature of the services operating on site it will result in a varied parking demand profile throughout the day. In an exercise to predict the demand profile during the day by taking into account the vehicle trip rates for each individual element of the proposal a maximum car park occupancy of 104 vehicles is predicted (18.00 – 19.00) with the afternoon period exceeding the onsite parking provision between the hours of 16.00 and 21.00. With a development of this nature it is an acceptable practice to manipulate the vehicle trip rates to simulate the likelihood of 1 trip to visit different elements of the development. E.g. a visit to the gym followed by a drink in the .café /pub. For this development the applicant has arrived at a figure of 25% of the traffic generated are shared trips and it follows that the peak car park occupancy would reduce to 78 vehicles. The LCC view is that this discounting percentage is too high and the appropriate figure would be 15% not 25% which would give a maximum car park occupancy of 88 vehicles. Whichever figure is used be it 78 or 88, it is clear that the proposed onsite parking level is inadequate and the consequence of this development would be to increase the demand for parking in a predominantly residential area to the detriment of road safety and residential amenity.

In arriving at these parking accumulation figures the applicant has made various assumptions which the highway authority are not necessarily comfortable with;

1. Since the peak parking demand is late afternoon then the local council car parks (Mitchell Street and Whalley Road) will be emptying providing additional capacity. The concern is that these car parks are pay and display and are not secure. They are also some distance from the site and human nature is such that there would be a reluctance to walk and / or pay , the preference will be to park in the first available on street parking space.

2. The hotel and office uses (with a predicted parking requirement of 20 and 15 spaces respectively) will be marketed with no onsite parking provision. This is a naïve assumption as neither of the occupiers would be in a position to dictate the parking habits of their staff or guests. The fall-back position would be that parking would take place on street both during the day (office) and also evenings (hotel).
3. The applicants car park accumulation for the public hall suggests a requirement of 2 parking spaces. The capacity of the hall would be 120 people. The argument put forward is that visitors would arrive by coach and any functions would be infrequent. The concern would be that the functions would be a time specific event leading to a peak in parking demand (parking requirement is calculated as 20 vehicle spaces).and additional on street parking . There are no coach parking facilities shown within the development curtilage.

Highway Capacity.

Although the early indications are that the development will not result in any highway capacity issues I am not able to provide a definitive response in this respect at the present time as the evaluation work is on-going, I will be in touch in due course.

Based on the above and in particular the level of parking provision being provided I would have to recommend that the application be refused on the grounds that the development will lead to an unacceptable and unsustainable demand on the existing on-street parking provision to the detriment of highway safety and residential amenity.

If your Council is minded to approve this application then I would request that the following planning conditions and notes be attached to any permission that may be granted

Conditions

1. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
 - The parking of vehicles of site operatives and visitors
 - The loading and unloading of plant and materials
 - The storage of plant and materials used in constructing the development
 - The erection and maintenance of security hoarding
 - Wheel washing facilities
 - Details of working hours
 - Scheduling of materials delivery
 - Contact details for the site manager

2. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority. Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site
3. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 2 has been constructed and completed in accordance with the scheme details. 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.
4. All deliveries to the service access on Woone Lane shall be undertaken under the supervision of a suitably qualified Banksman. Reason to maintain proper traffic control and the safe operation of the highway
5. 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 plan and the vehicular turning space shall be laid out and be available for use before the development is brought into use and maintained thereafter. Reason: Vehicles reversing to and from the highway are a hazard to other road users.
6. The car park shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative. Reason: To allow for the effective use of the parking areas.

Notes

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. For the avoidance of doubt the works required will include the footway widening works on Greenacre Street and the provision of a pedestrian refuge on Whalley Road.
2. Before proceeding with the scheme preparation the Developer should consult with the Environment Director for detailed requirements relating to land arrangements, design,

assessment, construction and maintenance of all existing or new highway structures included in, or affected by, the proposed scheme. For this purpose the term highway structure shall include: -

- any bridge or culvert having a span of 1.5 metres or greater, or having a waterway opening cross sectional area exceeding 2.2 square metres {Note: span refers to the distance between centre of supports and not the clear distance between supports},
- any retaining wall supporting the highway (including and supporting land which provides support to the highway),
- any retaining wall supporting land or property alongside the highway. The retaining wall between Mearley Brook and Back Mearley Street is owned and maintained by Lancashire County Council (Structure Ref 306668R1

ENVIRONMENT
DIRECTORATE (LEAD
LOCAL FLOOD
AUTHORITY):

Following re-consultation retain their objection. Object to the proposal on the grounds of inadequate flood risk assessment and that the submitted flood risk assessment does not provide a suitable basis for assessment to have been made of the flood risks for the proposed development.

ENVIRONMENT
DIRECTORATE
(ARCHAEOLOGY):

The building complex has been subject to the previous recording by Oxford Archaeology North. An overall assessment of the relative significance has been made and is included within the four conservation statements. This assessment is subjective to some degree and it would be possible to make a case for increase in the state of levels of significance of some elements. The proposed uses and level of proposed uses interventions seems to relate well to this assessment of significance and notes within the report and drawings show that efforts have been made to retain the most significant elements. Some intervention is still required however, but it is concluded that what is proposed is reasonable and acceptable given the need to make the complex viable in the long term.

It is noted that specialist removal works will be required in and around the mill engine and it is suggested that the possibility of using compressed air as a driving medium is looked at rather than powering the engine with a hidden electric motor, as this would be more authentic.

The only other item of concern is the proposed works to the former hoist, tower of the 1823 block. The Oxford Archaeology North notes the existence of the hoist mechanism here along with the original door opening mechanism but these do not seem to be noted within the conservation statement or plans. Whilst these were properly altered in the 20th century, they are unusual survival and may be worth considering retaining if at all possible.

ENVIRONMENT AGENCY: Recommend refusal on the basis of the absence of an acceptable flood risk assessment. Following re-consultation maintain their objection and consider the proposed bridge soffit level will impede flood flows and increase flood risk. Following further re-consultation they now withdraw their objection subject to the imposition of appropriate conditions.

Flood Risk

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure(s) as detailed in the Flood Risk Assessment 2015-028-REV C submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Condition

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) 2015-028-REV C and the following mitigation measures detailed within the FRA:

- The gap in the wall adjacent to Mearley Brook shall be left as existing and not blocked up. A gate such as the example submitted with the FRA can be used.

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 elsewhere.

Informative

Mearley Brook adjoining 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 the 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 James Jackson for consideration.

The Environment Agency has a right of entry to Mearley 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 02030251306 to discuss our access requirements.

Land Quality

We have reviewed the report 'Phase I Geo-Environmental Site

Assessment –Holmes Mill, Clitheroe (Ref:10-566) e3p, June 2015' that was submitted with this application. Based on the information provided, we recommend the following conditions:

Condition

Prior to each phase of development approved by this planning permission no development (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; and
 - 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.

Condition

No occupation of any part of the permitted development 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.

Condition

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.

Reasons

To prevent the pollution of controlled waters from potential contamination on site. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

Advice to applicant

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution;
- treated materials can be transferred between sites as part of a hub and cluster project; and
- some naturally occurring clean material can be transferred directly between sites.

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.

The Environment Agency recommends that developers should refer to our:

- Position statement on the Definition of Waste: Development

- Industry Code of Practice and;
- website at www.environment-agency.gov.uk for further guidance.

UNITED UTILITIES: No objections subject to appropriate conditions regarding foul water and surface water.

HISTORIC ENGLAND: Recommend that the application be determined in accordance with national and local policy guidance on the basis of your expert conservation advice.

SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS: The mill section support the proposals to find a sustainable future use of this historically significant complex textile mill building. Do not wish to comment on the details of the application but appears generally sympathetic to the current repair needs of the building.

Although buildings have been largely stripped of their working parts, significant elements of the mills original industrial purpose survive and are of particular interest. These include the engine houses, a truncated chimney and intact horizontal engine with large fly wheel dated from the 1910/1911. The Mill Section is keen that surviving mechanical elements are retained and incorporated into plans for conversion of the buildings. The Structural Inspection and Appraisal by Reid Jones Partnership concludes that all of the key buildings are in reasonable or good condition and as such would respond to targeted repair. This report supports the improvement and retention of the historic architectural elements of the complex.

LCC CRIME IMPACT STATEMENT: Make the following recommendations

- In relation to a need for CCTV, glazed panels should be laminated to reduce the risk of damage or forced entry.
- The premises should have a comprehensive intruder alarm as well as internal security measures.

ADDITIONAL REPRESENTATIONS: Five letters of representation have been received which make the following comments:

There is general support for the principle and the retention of a derelict building to employment purposes, but concerns over parking and highway issues and possible water run-off as a result from the development.

One letter fully supports the scheme and cannot agree with the recommendation of refusal.

1. **Proposal**

1.1 This application seeks detailed consent for the conversion of a grade ii listed building property to create kitchens, restaurant, bar, 31 room apartment hotel accommodation, brewery with retail outlet, bakery, function room, offices, retail units and gym and spa leisure complex.

2. **Site Location**

- 2.1 The building is located on the outskirts of the Town centre and comprises a mixed use area with retail and other employment uses including offices and residential properties in the vicinity. It has a road frontage on to both Woone Lane and Greenacre Street and is adjacent to the Clitheroe Conservation Area. The main site entrance is from Greenacre Street and there is also a proposed new vehicular access from Mearley Street and restricted vehicular and pedestrian access from Woone Lane.

3. **Relevant History**

3/2001/0564 Demolition and extension to create offices and manufacturing building
Approved

4. **Relevant Policies**

Ribble Valley Core Strategy (Adopted Version)

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 EN5 – Heritage Assets

Key Statement EC1 – Business and Employment Development

Key Statement EC3 – Visitor Economy

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME2 – Landscape and Townscape Protection

Policy DME3 – Site and Species Protection and Conservation

Policy DME4 – Protecting Heritage Assets

Policy DME5 – Renewable Energy

Policy DMB1 – Supporting Business Growth and the Local Economy

Policy DMB3 – Recreation and Tourism

Historic Environment Planning Practice Guidance (HEPPG)

National Planning Policy Framework

Technical Guidance to National Planning Policy Framework

National Planning Practice Guide

Clitheroe Conservation Area Appraisal and Management Guidance

5. **Environmental, AONB, Human Rights and Other Issues**

- 5.1 Members will be aware that the application was deferred by Planning and Development Committee on 11 February 2016 in order to allow further consultation regarding the amendments and additional details submitted by the applicant. The additional information related to minor layout changes to include additional parking and revised transport assessment. Additional information was also submitted in relation to the flood risk assessment.

5.2 Principle

5.2.1 The principle of this development is acceptable given its location within the key settlement of Clitheroe which is regarded as a sustainable location. However, consideration needs to be given to all other Development issues which would include heritage impact, highway safety, economic regeneration and residential amenity which are all key issues. These are addressed elsewhere in the report but are fundamental in the decision making process

5.3 Highway Safety and Accessibility

5.3.1 The site is located within a central position of Clitheroe and whereas there is access to public car parks it is evident that there is a significant lack of parking spaces being provided by the scheme. The County Surveyor considers that this shortfall cannot be justified and would recommend refusal on grounds of highway safety.

5.3.2 LCC Highways initially concluded that the number of spaces provided should equate to 331 spaces and following additional information they recognise accept there may be some reduction on numbers caused by linked events and willing to reduce the requirement. He remains of the opinion that the shortfall of around 200 spaces is harmful and would result in conditions to the detriment of highway safety. The revised scheme only provides for 40 car parking spaces and 4 accessible space. I am still of the opinion that given the resultant need for spaces by this mixed use development this shortfall, irrespective of its location within the settlement boundary and close to the town centre, would be likely to result to conditions detrimental to highway safety.

5.4 Flood Risk and Drainage

5.4.1 In relation to Flood Risk both the Environment Agency and the LCC LLFA consider that as submitted there is an absence of an acceptable Flood Risk Assessment and as such should be refused. I accept that the applicant may be able to overcome this issue in due course and so this may be unlikely to remain as issue but at this point of time I consider it would be wrong to either impose a condition or negotiate on this matter. Following further plans and reconsultation they now withdraw their objection and suggest various conditions to safeguard flooding issues.

5.5 Design

5.5.1 The elements regarding the design are included within the Heritage section and I do have concerns regarding certain elements of the demolition as well as the introduction of a new wavy roof on part of the New Mill.

5.6 Heritage/Cultural

5.6.1 This proposal involves various alterations to Historic Mill to accommodate the mixed use development. The scheme includes elements of demolition both external and internal, window replacement and the creation of internal walls and the introduction of double glazing. Although I recognise the need to have regard to appropriate change it is clear from the advice of the Councils Principal

Planning Officer in relation to heritage issues that he considers the changes to be excessive and damaging to the historic fabric.

- 5.6.2 The environmental role of the NPPF includes the need 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 are a core planning principle. Significance derives not only from a heritage asset's physical presence, but also from its setting.
- 5.6.3 Holmes Mill is a Grade II Listed Building The building is also adjacent to the Clitheroe conservation and the Historic Park and Garden of Clitheroe Castle.
- 5.6.4 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.
- 5.6.5 Regard should also be had to paragraph 141 of the NPPF which advises LPA's should require developers to record in 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.
- 5.6.7 In respect of the proposed physical alterations to the buildings and the impact of such works are examined in this report.
- 5.6.8 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:
- 5.6.9 *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)*
- 5.6.10 *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)*
- 5.6.11 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)*

5.6.12 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)

5.6.13 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)*

5.6.14 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)

5.6.15 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)

5.6.16 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)

5.6.17 The Council's Design and Conservation Officer has been consulted on these proposals and has the following concerns and comments.

5.6.18 It is difficult to undertake the Borough Council's statutory duties at s16, 66 and 72 of the Act and consider whether the proposals represent the optimum viable use (NPPG) as no pre application advice was sought to allow assessment of alternative schemes or detailed justification for the proposal. Whilst some loss of significance is inevitable and to be expected I am particularly concerned in respect to the following:

5.7 Weaving shed and warehouse

5.7.1 The loss of the north-light roof has reduced the significance of the weaving shed (and therefore the significance of the integrated site as a whole). However, this is an opportunity for enhancement [NPPF 131; s72 P(LBs&CAs) Act 1990]. The extant structure "still provide(s) physical evidence of an important development within the textile industry ... integration of spinning and weaving within the same complex ... Few weaving sheds of this date survive within the county, and that at Holmes Mill has unique ventilation grills unseen elsewhere" (OAN) and "retains its historic scale" (List Description).

5.7.2 The list description Reasons for Designation identifies the building complex's Intactness (the reference to the weaving shed relates only to its roof) and Integrated nature to be intrinsic to special architectural and historic interest. HE 'Industrial Buildings' also identifies that "an exceptionally complete site ... may provide such an exceptional context that it raises the importance of buildings that might otherwise not be listable"; "In integrated mills these sheds surround the multi-storeyed mills sharing the same prime movers and are an integral part of the design"; "Warehouses were often important elements on integrated sites" and in respect to enhancement opportunities/redevelopment "an industrial building should normally reflect in its design (plan form and appearance) the specific function it was intended to fulfil".

5.7.3 The Clitheroe Conservation Area Appraisal identifies the prevalent use of local building stone (and very limited use of other materials), including use in traditional boundary and retaining walls, to be intrinsic to character and appearance and to give the area its distinct identity.

5.7.4 In my opinion, demolition of the important weaving shed and warehouse east elevation and substantial alteration/loss of integrity and scale (including the awkward break to the distinct trefoil detailing) to the west elevation is harmful. Furthermore, replacement with a largely glazed wavy roof building is intrusive, dominating, incongruous and lacks consideration to historic context (north-light weaving shed in integrated and otherwise intact mill complex; stone built and proportioned Georgian architecture; historic public park and grounds of former prestigious residence).

5.8 1823 Spinning mill

5.8.1 Consideration to the OAN report and conservation area appraisal suggests the following proposals are particularly harmful and require 'clear and convincing justification' (NPPF paragraph 132):

- (i) Adverts and building naming– prominent (high level), over intensive and intrusive (Georgian details and proportions); unnecessary if character of the site is retained;

- (ii) Privy Tower – loss of character and fabric in proposed use for kitchen flue (OAN page 25 and 96 refer to ‘rare survival’; ‘late nineteenth century ... technical school ... sealed the privy tower, preserving the extant fittings’ (OAN 4.5.1);
- (iii) Hoist Tower – loss of character and fabric. Drawings show doors and hoist beam to be removed (OAN Plate 36 identifies ‘double-door in hoist tower, with original mechanism intact’; discussed at 3.2.20);
- (iv) Hoist Tower – loss of character and fabric. Loss of stair and new fire stair introduced to this early addition to the mill. (Structural report suggests in poor state of repair; discussed at OAN 3.2.19);
- (v) Ground floor walling adjoining former engine house - loss of character and fabric i.e. concentration of ‘good evidence for the power transmission system’ (OAN 3.2.23; 4.2.6). Proposed new opening in this location – details/impact? ;
- (vi) Columns - loss of character and fabric i.e. ‘very unusual’ and ‘possibly unique’ fluted original columns doubled at ground floor and central rows of columns at first (oldest on floor) and second floors (OAN Summary; 4.2.2; 3.2.11; 3.2.12) to be lost to provide, respectively, attic accommodation and hotel use at upper floors. Compounds harm from loss of characteristic open planform at first, second and attic floors and loss of ceilings/dry-lining of all walls /attic insulation and introduction of prominent roof lights from proposed use;
- (vii) New lift and stairs. Impact of lift lessened by location in former engine house – however, existing lift and a number of stairs and opening in floor for conveyor not to be re-used. Former office and technical school planform and fittings to be removed – OAN suggests significance.

5.9 1830 Spinning Mill ‘New Mill’, Engine House, Boiler House

- 5.9.1 Consideration to the OAN report and conservation area appraisal suggests the following proposals are particularly harmful and require ‘clear and convincing justification’ (NPPF paragraph 132):
- 5.9.2 Columns and flooring- loss of character and fabric (including some examples of fluted columns; OAN 3.3.6). Compounds harm from substantial loss of characteristic open planform at ground and first floors (loss of historic flooring and double-height space) and second floor (small room divisions) and loss to evidence for power transmission system (bolt holes and scars on timber beams denoting position of line shaft). ‘8” wide planked boards on the floors above possibly also original, given their substantial width, which is typical of the Georgian period’ OAN 3.3.7;
- 5.9.3 Power transmission system - substantial loss to important elements e.g. to accommodate double-height space (OAN Plate 59 and 60) e.g. at second floor to accommodate a corridor (OAN Plate 69-71). See OAN Fig 4-6 ‘power feature’ and 3.3.10 to 3.3.16.

5.10 Site wide issues

- (i) Adverts and building naming– prominent (high level), over intensive and intrusive (Georgian details and proportions). However, alterations to mill gates follow character. The list description suggests building naming/dating to be

- unnecessary “Date threshold: much of the Holmes Mill complex is largely unaltered and is recognisably of pre-1840 date”;
- (ii) Fenestration – unauthorised insertion of double glazed windows of relatively recent and unsympathetic style – enhancement opportunity from reinstallation of Georgian small-paned windows (double-glazed versions available). Surviving fenestration (or non-fenestration) is characteristic/indicative of former use e.g. former beam engine house and boiler house at east elevation – scheme as a whole and weaving shed in particular has an uncharacteristic degree of glazing;
 - (iii) Unauthorised works – full and very detailed information needs to be submitted before RVBC can consider the duties at s16, 66 and 72 – principal concern is the early C20 engine house and engine where asbestos removal works are understood to have been undertaken late 2015 . OAN states:

It is inevitable that some loss of fabric and compromise to historic and architectural special interest will result from the re-use of this site. However, legislation, policy and guidance requires this harm to be minimised and clearly and convincingly justified. NPPF (paragraph 134) and NPPG refer to the Optimum Viable Use (if there are a range of alternative ways in which an asset could viably be used, the optimum use is the one that causes the least harm to the significance of the asset) being of public benefit.

In my opinion, the proposals result in harm to key elements of listed building significance identified in the Holmes Mill list description and the designation listing selection guide ‘Industrial Structures’:

In my opinion, the proposals result in harm to key elements of listed building significance identified in the Holmes Mill list description and the designation listing selection guide ‘Industrial Structures’:

Architectural interest: “significant contribution to the local townscape” harmed by loss of weaving shed and warehouse walling, the prominence and incongruity of the glazed, wavy roof replacement building and site signage;

Intactness: “despite the loss of the weaving shed roof Holmes Mill remains a relatively intact textile mill complex” and Integrated site: “the mill complex comprises a range of buildings relating to the textile manufacturing process” identifies further loss to the significance of the weaving shed to be harmful;

Architecture and process: “An industrial building should normally reflect in its design (plan form and appearance) the specific function it was intended to fulfil” and Machinery – “The special interest of some sites lies in the machinery” identifies weaving shed replacement, loss of open and single storey planform, alteration and loss to surviving elements of the power transmission system, wholesale reconfiguration of the roof support systems (columns – some of which also integrate power transmission system evidence) and loss of original hoist doorways with beam and historic privies to be harmful. Furthermore, there is a need for close scrutiny of the works undertaken to the engine house and the engine.

A response has not been received in respect to the following initial questions (25 November 2015):

How necessary is the loss of flooring in the ‘New Mill’ to accommodate new taller brewery equipment – could the existing brewery equipment (c. 2m high) in the weaving shed be re-located to ‘New Mill’ and any necessary increase in brewery capacity be

accommodated in the weaving shed? Is the steam engine and engine house the centrepiece of this element of the development?

Mindful of historic character and context, what is the justification for the design of the weaving shed roof?

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”. In my opinion and based upon available information, the proposals are of ‘less than substantial harm’ in respect to Clitheroe Conservation Area, the setting of 56-60 Moor Lane, the setting of Clitheroe Castle listed buildings, the setting of Clitheroe Castle Historic Park and Garden and the special architectural and historic interest of Holmes Mill. However, in respect to the latter consideration, harm is approaching ‘substantial’.

The proposal has a harmful impact upon the special architectural and historic interest of Holmes Mill, the character and appearance of Clitheroe Conservation Area and the setting of 56-60 Moor lane (listed Grade II) and Clitheroe Castle Historic Park and Garden (listed Grade II). This is because of: the loss or alteration of important historic fabric and planform intrinsic to the significance and understanding of the integrated mill complex, its functioning and evolution; the prominent and incongruent design of the new ‘weaving sheds’ building and the prominence and intrusion of advertisements.

The applicant has submitted additional comments in relation to heritage issues but the Councils Principal Planning Officer in relation to heritage issues retains his objection and does not consider the additional information to address his concerns.

5.11 Residential Amenity/ Noise

5.11.1 The issues in relation to residential amenity are predominantly noise related and traffic issues. Following receipt of additional information, the Councils EHO is now satisfied that subject to the imposition of an appropriate condition that the scheme would not result in significant harm to residential amenity by virtue of the proposed activities.

5.12 Benefits

5.12.1 It is clear that as result of the development there would be significant regeneration benefits that would include employment opportunities as well expenditure to the borough with visitors to the area. It is also the case that the scheme would help retain the Mill which is a Listed Building and a prominent structure situated in close proximity to the Conservation Area. The applicant has indicated that would expect to create at least 140 jobs resulting from the development and this does not take account of any employment resulting from the construction works. It is often the case that there is likely to be significant add on economic benefits resulting from the development but no figures have been included in any economic assessment submitted by the applicant.

6. Conclusion

6.1 I recognise the potential regeneration benefits that would accrue from this proposal as well as the benefit in safeguarding a Historic building but based on the submitted plans

consider that the changes to the historic fabric are excessive and inappropriate and the lack of adequate parking and vehicular activities emanating from the proposal make it unacceptable and as such recommend that the application be refused. I anticipate that the flooding issues may be negated but at this point of time these issues are not resolved

RECOMMENDATION 1: That planning permission submitted under 3/2015/0943 be REFUSED for the following reasons:

1. The proposal due to the lack of off street parking and likely traffic movements generated by the development would lead to conditions detrimental to Highway safety and as such be contrary to Policy DMG1 of the Core Strategy Adopted Version.
2. The proposal has a harmful impact upon the special architectural and historic interest of Holmes Mill, the character and appearance of Clitheroe Conservation Area and the setting of 56-60 Moor lane (listed Grade II) and Clitheroe Castle Historic Park and Garden (listed Grade II). This is because of: the loss or alteration of important historic fabric and planform intrinsic to the significance and understanding of the integrated mill complex, its functioning and evolution; the prominent and incongruent design of the new 'weaving sheds' building and the prominence and intrusion of advertisements. The proposal is therefore contrary to Key Statement EN5, Policies DME4 and DNG1 of the Core Strategy Adopted Version and NPPF paragraph 17 (conserve heritage assets in a manner appropriate to their significance), Paragraph 60 (reinforce local distinctiveness), Paragraph 131 (development sustaining and enhancing the significance of heritage assets and positively contributing to local character and distinctiveness), Paragraph 132 (great weight to conservation) and Paragraph 137 (new development should enhance or better reveal significance).

RECOMMENDATION 2: That Listed Building Consent submitted under reference 3/2015/0944 be REFUSED for the following reason:

1. The proposal has a harmful impact upon the special architectural and historic interest of Holmes Mill, the character and appearance of Clitheroe Conservation Area and the setting of 56-60 Moor lane (listed Grade II) and Clitheroe Castle Historic Park and Garden (listed Grade II). This is because of: the loss or alteration of important historic fabric and planform intrinsic to the significance and understanding of the integrated mill complex, its functioning and evolution; the prominent and incongruent design of the new 'weaving sheds' building and the prominence and intrusion of advertisements. The proposal is therefore contrary to Key Statement EN5, Policies DME4 and DNG1 of the Core Strategy Adopted Version and NPPF paragraph 17 (conserve heritage assets in a manner appropriate to their significance), Paragraph 60 (reinforce local distinctiveness), Paragraph 131 (development sustaining and enhancing the significance of heritage assets and positively contributing to local character and distinctiveness), Paragraph 132 (great weight to conservation) and Paragraph 137 (new development should enhance or better reveal significance).

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0943
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0944

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:

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2015/0266	Primrose Works Primrose Road, Clitheroe	20/8/15	18	With Applicants Solicitor
3/2015/0895	Land at Higher Standen Farm, Clitheroe	17/12/15		With Applicants Solicitor
3/2015/0495	Land at Worthalls Farm Westfield Avenue, Read	11/2/15	5	With Planning

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2015/0972/P	10 bedroom two storey extensions to existing care home	Haydock Nursing Home Pleckgate Road Ramsgreave

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>
3/2014/0697 R	29/06/15	Land adj Clitheroe Road West Bradford	WR		Awaiting decision
3/2014/0846 R	12/08/15	Land at 23-25 Old Row, Barrow	Hearing	18/11/15 20/01/16	Adjourned until 11/05/16
3/2014/0183 R	13/08/15	Land at Malt Kiln Brow, Chipping	Hearing	Provisionally 15/03/16	Awaiting decision
3/2014/0226 R	13/08/15	Kirk Mill and Kirk House, Chipping	Hearing	Linked with 3/2014/0183	Awaiting decision
3/2015/0200 R	23/09/15	Land rear of Beech Cottage Lovely Hall Lane Copster Green	Hearing	15/12/15	Appeal Dismissed 11/02/16
3/2015/0565 R	24/09/15	Coach House Main Street Bolton by Bowland	WR		Appeal Dismissed 06/02/16
3/2015/0566 R	24/09/15	Coach House Main Street Bolton by Bowland	WR	Linked with 3/2015/0565	Appeal Dismissed 06/02/16
3/2015/0517 R	07/10/15	Wolfen Hall Fish House Lane Chipping	WR		Appeal Allowed 10/02/2016

<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>
3/2015/0518 R	07/10/15	Wolfen Hall Fish House Lane Chipping	WR	Linked with 3/2015/0517	Appeal Allowed 10/02/2016
3/2015/0016 R	29/10/15	Cowley Brook Fm Higher Road Longridge	WR		Appeal Dismissed 25/02/16
3/2014/1025 R	18/11/15	Rattenclough Fm Wesley Street Sabden	WR		Awaiting Decision
3/2015/0578 R	24/11/15	Oakfield Longsight Rd Clayton le Dale	WR		Awaiting Decision
3/2015/0453 R	03/12/15	Cherry Tree Farm Chipping Rd Chaigley	WR		Appeal Dismissed 11/02/16
3/2015/0211 R	30/11/15	Land between 52/54 Knowsley Rd, Wilpshire	WR		Awaiting Decision
3/2015/0734 U	Awaiting start date from PINS. Agent has deliberately made the appeal invalid to use as a threat (see email from Miss Robinson)	New Hall Barn Blackburn Road Ribchester			
3/2015/0898 R	5/02/2016	Corner Way Church Lane Mellor	HH		Awaiting Decision
3/2015/0594 R	26/01/16	4 Southport Barn Cottages, Sawley	HH		Awaiting Decision
3/2015/0385 R	29/01/16	Land east of Clitheroe Road Whalley	WR		Statement due 04/03/16
3/2015/0749 R	03/02/16	Lane Ends Cottage Huntingdon Hall Lane, Ribchester	HH		Awaiting Decision
3/2015/0886 R	Awaiting start date from PINS	Barraclough Cottage Whalley Road Pendleton			
3/2015/0647 R	16/02/16	Pinfold Fm Barn Preston Rd Ribchester	WR		Statement due 22/03/16
3/2015/0910 U	Awaiting start date from PINS	Primrose House Primrose Rd Clitheroe	HH		

<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>
3/2016/0050 R	22/02/16	Land adj Newton Village Hall Main St, Newton	WR		Statement due 28 March 2016
3/2015/0978 R	Awaiting start date from PINS	Hetton House Eastham Street Clitheroe	HH		