

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 30 JUNE 2016
title: PLANNING APPLICATIONS
submitted by: DIRECTOR OF COMMUNITY SERVICES

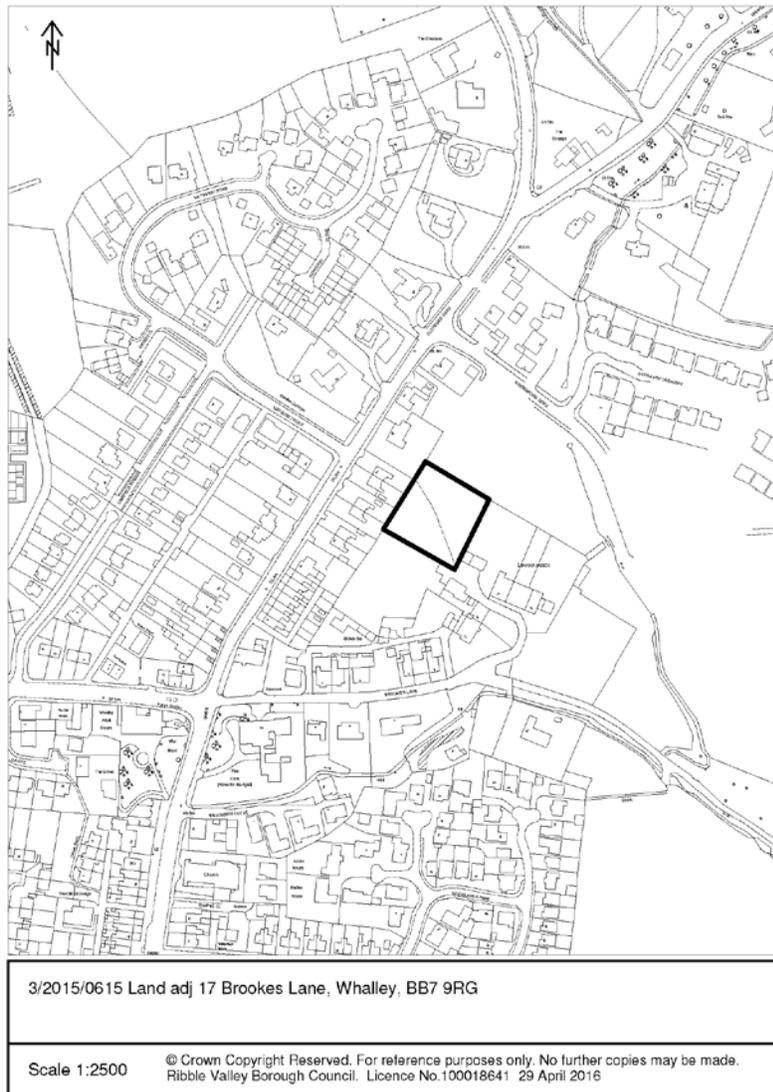
PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION REF: 3/2015/0615/P

GRID REF: SD 373549 436514

DEVELOPMENT DESCRIPTION:

ERECTION OF TWO DETACHED DWELLINGS WITH DETACHED GARAGES.
LAND ADJACENT 17 BROOKES LANE WHALLEY BB7 9RG



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

The parish council objects to this application on the following grounds:

- The location and site plan appears to show vehicular access to the site from Clitheroe Road via Brookes Lane. This is public footpath No29 Whalley. There is no right of vehicles along a public footpath. Should the application be successful the resultant increase in traffic will be in direct conflict between pedestrians exercising their rights to use a public amenity. Any increase in vehicular movement will further increase the possibility of accidents between pedestrians and motorists which is clearly unacceptable.
- Access/Exit to Brookes Lane for motorists is at the mini-roundabout on King St/Station Road. This is an extremely busy area, indeed two accidents have taken place at this location in the last week. The poor sight lines at the exit from Brookes Lane onto King St will make this roundabout more hazardous.
- For vehicles to gain immediate access/exit to the proposed site they will have to cross land not owned by the applicants which is clearly untenable.
- The ecological survey errs significantly stating that there are no ponds within 250m of the site and therefore hypothesis's that there will be no impact on the habitat of the Greater Crested Newt. This is not the case and therefore brings the report into disrepute.

This is an unwarranted speculative proposal in which the applicants have provided insufficient evidence as to the nature and safety of access to the site nor the ecological impact on the environment.

ENVIRONMENT DIRECTORATE (PUBLIC RIGHTS OF WAY):

The Public Rights of Way Officer has identified that the proposed development relies on access along Public Footpath No.29 and further states that there is no recorded public right of way for vehicles along the footpath. The officer had originally raised concerns that increase in traffic may reduce the amenity of the public footpath and create the potential for conflict between members of the public utilising the right of way. Following the receipt of amended details the PROW Officer has withdrawn their objection.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

The Highways Officer originally offered the following observations: I would not consider that the additional traffic on Brookes Lane would be detrimental to pedestrian safety but I would be concerned that there the route that the PROW takes between the 2 properties would be problematic in terms of reversing vehicles and liable to be obstructed by parked vehicles. Potential users of the PROW may also be discouraged by the appearance that the footpath terminates at the development.

Following the receipt of amended plans the Highways Officer has confirmed they have no objection to the proposal.

ENVIRONMENT AGENCY:

No objection to the proposal.

UNITED UTILITIES:

No objection to the proposal subject to the imposition of planning conditions. United Utilities have further advised that the development is within close proximity to easements that cover the Haweswater Aqueduct and a Large Diameter Trunk Main, both of which run through the site with associated infrastructure.

Following the initial consultation response the applicant has provided further drawing information that demonstrates that the proposals avoid both existing infrastructure and their associated easements.

ADDITIONAL REPRESENTATIONS:

29 letters of representation have been received objecting to the application on the following grounds:

- Inadequate access
- Parked vehicles in front of existing garaging will prohibit access to the site
- Poor visibility and impact upon the wider highway network
- The site has experienced flooding
- The application would be of detriment to the appearance of the Conservation Area
- Contrary to the Core Strategy
- Land ownership/access issues
- Impact upon an existing and well used Public Right of Way
- Ecological Appraisal not accurate

1. Site Description and Surrounding Area

- 1.1 The proposal site is a Greenfield portion of land located to the western extents of Brookes Lane Whalley.
- 1.2 The application site is located adjacent but outside the defined settlement boundary for Whalley.

2. Proposed Development for which consent is sought

- 2.1 Consent is sought for the erection of two detached two-storey four bedroom dwellings with associated detached double garages at land adjacent 17 Brookes Lane, Whalley.
- 2.2 It is proposed that the dwellings will measure approximately 4.75m at eaves and 7.4m at ridge level. The supporting information states that they will be predominantly faced in natural stone with stone quoins, heads and sills and that the proposed buildings will be roofed in natural slate.
- 2.3 The proposed double garages will be of a height of 2.4m at eaves and approximately 4.25m at ridge level and be faced in materials to match those of the proposed dwellings.
- 2.4 The Proposed dwellings are located adjacent a Public Right of Way (Footpath number No.29) which runs through the proposal site. It is proposed that the route will be retained in its current place with a central margin with accompanying landscaping being provided to enhance the portion of the route that is located within the development site,

this will aid in preserving a sense of openness and enhancing/preserving the attractiveness of the route for potential users.

3. **Relevant Planning History**

3/2015/0646: Erection of a one-bedroom granny annex. 17 Brookes Lane Whalley BB7 9RG. (Approved with conditions)

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy
Key Statement DS2 – Presumption in Favour of Sustainable Development
Key Statement EN3 – Sustainable Development and Climate Change
Key Statement EN5 – Heritage Assets
Key Statement H1 – Housing Provision
Key Statement H2 – Housing Balance
Key Statement DMI2 – Transport Considerations
Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME2 – Landscape and Townscape Protection
Policy DME3 – Site and Species Protection and Conservation
Policy DME6 – Water Management
Policy DMB5 – Footpaths and Bridleways

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Listed Building and Conservation Area Act
Technical Guidance to National Planning Policy Framework

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 The application site is located adjacent but outside the defined settlement boundary for Whalley. In relation to the adopted Settlement Strategy (Key Statement DS1), Whalley is defined as one of the Boroughs principal settlements, once of the locations to which the majority of new housing will be focused towards.

5.1.2 Policy DMG2 of the Core Strategy states that development proposals in the principal settlements of Clitheroe, Longridge and Whalley and the Tier 1 villages should consolidate, expand or round-off development so that it is closely related to the main built up areas, ensuring this is appropriate to the scale of, and in keeping with, the existing settlement.

5.1.3 The Borough's settlement boundaries are currently being revised to take account a variety of matters including permissions granted since 1998. This revisions being undertaken are on the basis of a set of criteria approved by the Planning and Development Committee in September 2014 which state that the District

wide Local Plan boundaries will be taken as a starting point for the purposes of development management decision making.

- 5.1.4 As such the site, at present, remains within the defined Open Countryside, with the proposals southern and western boundary remaining adjacent to the defined settlement boundary, however the site would be located inside the current draft revised Whalley boundary. As such, and taken in isolation, at present it would still be unable to pass the tests within Policy DMG2.
- 5.1.5 However, matters have changed in relation to the overall housing supply position in Whalley. In particular, due to the recently revised position in relation to the Lawsonsteads site. Current applications now indicate that this site will deliver a reduced amount of housing than was originally anticipated, with outline consent having been granted for up to 260 dwellings and subsequent reserved matters approvals and submissions indicating that the quantum of development to be delivered on site will be approximately 214 units. Therefore approval of this scheme in terms of its harm to planned requirements as set out in the Core Strategy is to some degree mitigated by this shortfall in predicted housing numbers.
- 5.1.6 Therefore, considering the above and given the limited amount of development proposed, and its location in relation to the current draft revised settlement boundary, it is not considered, at this time, that this proposal would cause significant harm to the overall Development Strategy for the Borough as set out in Key Statement DS1.
- 5.1.7 Therefore in principle, notwithstanding other material considerations the proposal would to some degree accord with the aims, objectives and main thrust of Policy DMG2 and Key Statement DS1 and consider that there would be no significant detrimental implications to the adopted development Strategy, at present, resultant from the granting of consent.

5.2 Impact upon Residential Amenity:

- 5.2.1 Plot 01 (located to the south western extents of the site) is sited 14.5m (at its nearest point) from the north east boundary that is shared by properties fronting Clitheroe Road. The proposed layout results in a back to back distance of approximately 30m when measured primary rear elevation to primary rear elevation between the aforementioned proposed dwelling and number 26 Clitheroe Road.
- 5.2.2 Plot 02 (located to the eastern extents of the site) is sited approximately 1m from the eastern boundary that is shared with number 17 Brookes Lane, with a side elevation being adjacent the boundary. By virtue of the siting and orientation of the dwelling there is no direct overlooking resultant from the proposed dwelling and any neighbouring/adjacent properties.
- 5.2.3 Taking into account the above separations distances and spatial relationships between adjacent existing dwellings and that of the proposed it is not considered that the proposals would be of significant detriment to existing neighbouring residential amenity by virtue of a loss of privacy or direct overlooking.

5.3 Visual Amenity/External Appearance:

- 5.3.1 Taking into account the proposed materials, elevational language and scale of the proposed dwellings and the inherent scale of dwellings and pattern of development within the vicinity I do not consider that the proposal would be of detriment to the character, appearance or visual amenities of the area or the character and visual amenities of the Whalley Conservation Area.
- 5.3.2 The proposed dwellings are located directly adjacent an existing Public Right of Way (Footpath No.29), the route of which will be maintained and complimented with additional landscaping and delineated from private residential curtilage through the introduction of boundary fencing/walling (to be agreed).
- 5.3.3 Whilst it is accepted the proposed development, to some degree, is likely to change the user experience of this small portion of the public right of way, it is not considered that the change would be of such significance to be of detriment to the route or the enjoyment of members of the public utilising the right of way.

5.4 Highway Safety and Accessibility/Public Rights of Way:

- 5.4.1 The Highways officer has confirmed that he has no objection to the proposal and does not consider that the additional traffic on Brookes Lane would be detrimental to pedestrian safety or the safe operation of the wider Highway Network.
- 5.4.2 Original concerns received from the Highways Officer regarding the perception of the Public Right of Way from a user perspective have been mitigated through the receipt of amended details that provide a dedicated landscaped margin that accommodates the PROW route with additional landscaping.

5.5 Landscape/Ecology:

- 5.5.1 The submitted arboricultural impact assessment has identified the presence of hedgerow and tree groupings adjacent the development site. Plot 01 appears to be within close proximity to a hedgerow along the south eastern boundary, it is therefore considered reasonable to attach a condition requiring the submission of landscaping details which shall include details of how trees/hedging adjacent to the proposed development and/or application area/site boundary will be adequately protected during construction.
- 5.5.2 The application was originally accompanied by a Phase 01 Habitat Survey that has been subsequently amended to take account of three small ornamental garden ponds adjacent the development site to evaluate the potential for impacts upon Great Crested Newts (GCN).
- 5.5.3 The survey has concluded that the development will have no direct adverse impact upon protected species within the site and that it is unlikely that the development will have any direct impact upon GCN due to the absence of suitable habitat/conditions. The report concludes that no further additional survey work or precautions are required.

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

- 6.1 Given the separation distances between existing and proposed dwellings and taking account of the orientation of primary habitable room windows I do not consider that the proposal would result in any detrimental impact upon residential amenity.
- 6.2 It is further considered that the site layout and spatial arrangements resultant from the proposed development are sufficient to ensure that the proposal would not be of detriment to the residential amenities of existing or future occupiers by virtue of a loss of light, overbearing or over dominant impact.
- 6.3 I am mindful of the representations received in respect of the application, however taking into account the assessment of the potential impacts of the proposed development and in light of the advice/responses from statutory consultees I do not consider that any of the matters raised would be sufficient to warrant a refusal to grant planning permission.
- 6.4 It is for the above reasons and having regard to all material considerations and material matters raised that the application is recommended accordingly.

RECOMMENDATION: That the application be APPROVED subject to the imposition of the following condition(s):

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

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

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

- BOLT/02 Dwg 02 Rev B: Proposed Site Plan
- BOLT/02 Dwg 03: Plot 01 Proposed Plans and Elevations
- BOLT/02 Dwg 04: Plot 02 Proposed Plans and Elevations

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

3. Notwithstanding the submitted details, precise specifications or samples of all external surfaces, including surfacing materials and their extents, of the development hereby permitted shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict accordance with the approved details.

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 DMG1 of the Ribble Valley Core Strategy.

4. Notwithstanding the submitted details, prior to the commencement of the development, details at a scale of not less than 1:20 including materials and colour/finish of all proposed boundary treatments, walling and gates to be erected within the development shall have

been submitted to and approved by the Local Planning Authority prior to their installation. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

5. Notwithstanding the submitted details, prior to the commencement of the development, full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strict in accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

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

REASON: To ensure the development is adequately drained and to prevent the increased risk of flooding, both on and off site in accordance with Policy DME6 Ribble Valley Core Strategy.

7. 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 the development is adequately drained and to prevent the increased risk of flooding, both on and off site in accordance with Policy DME6 Ribble Valley Core Strategy.

8. Notwithstanding the submitted details, prior to the commencement of the development, full details of the proposed landscaping shall be submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt, the landscaping details shall indicate all trees and hedgerows identified to be retained or how those adjacent to the proposed development and/or application area/boundary will be adequately protected during construction, in accordance with BS5837: 2012 'Trees in relation to design, demolition and construction' or equivalent unless otherwise agreed. The agreed protection measures shall be put in place and maintained during the construction period of the development.

The approved landscaping scheme shall be implemented in the first planting season following first occupation or use of the development 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 original planted.

REASON: To protect trees and hedges on and adjacent to the site and to ensure the proposal is satisfactorily landscaped and appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, the dwellings hereby permitted shall not be altered or extended, no new windows shall be inserted, no alterations to the roof shall be undertaken and no buildings or structures shall be erected within the curtilage of the dwellings hereby approved 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 immediate area or be of detriment to nearby residential amenities in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

10. The garage(s) hereby approved shall be kept available for the parking of vehicles ancillary to the enjoyment of the household(s) and shall not be used for any use that would preclude the ability for their use for the parking of private motor vehicles, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order.

REASON: To ensure to ensure that adequate parking provision is retained on site that limits the visual impact of the parked motor-vehicle in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

BACKGROUND PAPERS

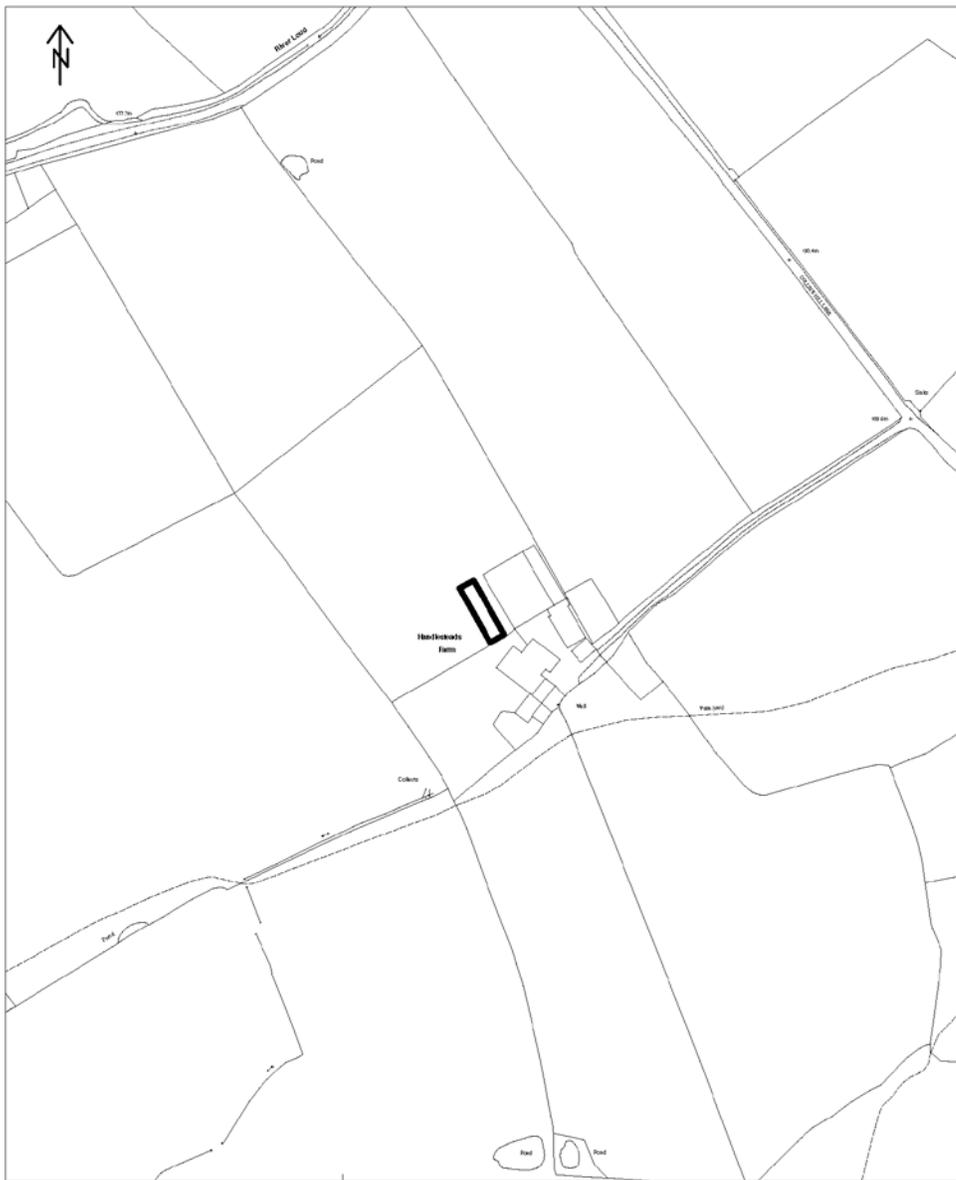
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APPLICATION REF: 3/2016/0192/P

GRID REF: SD 360198 442927

DEVELOPMENT DESCRIPTION:

THE ERECTION OF A TIMBER FRAMED AGRICULTURAL SHEEP BUILDING AT HANDLESTEADS FARM, COLLIN HILL LANE, CHIPPING, PR3 2WQ



3/2016/0192 Handlesteads Farm, Collin Hill Lane, Chipping, PR3 2WQ.

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

None received.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

No objection.

ADDITIONAL REPRESENTATIONS:

No representations have been received.

1. Site Description and Surrounding Area

- 1.1 The application site is located at Handlesteads Farm, Collin Hill Lane, Chipping around 2km west of the village of Chipping and within the Forest of Bowland Area of Outstanding Natural Beauty. Handlesteads Farm is an established agricultural enterprise with a commercial lambing flock consisting of around 800 lambs. The farm comprises 101 hectares of land of which 73 hectares is rented and the farm complex includes the farmhouse and a number of stone built and timber framed buildings. There is already a large timber framed sheep building however the need has arisen for additional housing.

2. Proposed Development for which consent is sought

- 2.1 The application proposes the erection of a timber framed sheep building with a footprint measuring 12.2m x 32.15m. The building would have a mono-pitched fibre cement roof with 1.2m high horizontal timber stock walling at low level and vertical timber boarding above. The building would have a height of 5.68m with a gated access on the south-east side and would be located to the south-west of the existing sheep building.

3. Relevant Planning History

3/2008/0399 - The removal of 3no stone/brick/timber buildings in poor repair and the erection of a proprietary design steel agricultural portal frame building for the storage of hay and straw. Approved

3/2007/0265 - The erection of a timber framed, concrete walled agricultural building for the use as a covered midden store (169 sq.m.) Approved

4. Relevant Policies

Ribble Valley Core Strategy

Policy EN2 – Landscape

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 Outside of the defined settlements development needed for the purposes of forestry or agriculture is acceptable in principle subject to it being in keeping with the character of the landscape by virtue of size, design, use of materials, landscaping and siting. The existing buildings that form the farm complex at Handlesteads Farm all appeared to be in use during a visit to the site and there is considered to be no reason to doubt the agricultural need for the proposed building due to an increase in livestock.

5.2 **Impact upon Residential Amenity:**

5.2.1 There are no residential properties in the immediate vicinity of the site. Moss Hall Farm is located approximately 350m north-west of the proposed building. Richmond House Barn is situated around 370m to the south. Taking into account that there is an existing livestock building directly adjacent the application site, the proposed building would not have any additional impact on the residential amenity of the nearest neighbouring residents.

5.3 **Visual Amenity/External Appearance:**

5.3.1 Policy DMG2 of the Core Strategy requires development proposals in the AONB to protect, conserve and enhance the landscape and character of the area and to be in-keeping with the surrounding landscape. The proposed building would be similar in size and scale to the adjacent sheep house and would be closely related to existing buildings so as to be seen in the context of the farm complex as a whole. The building would be built using materials to match those of the existing buildings. The proposed building would be screened from view from Collins Hill Lane to the east by existing buildings. There would be long distance views at points along Fiddlers Lane and public footpaths to the south-west of the site but the proposed building would be seen against the backdrop of the existing farmstead.

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

6.1 Taking into account the above, there is considered sufficient justification for the erection of the building for agricultural purposes. The proposed development would not result in unacceptable harm to the visual appearance or character of the landscape nor would it harm the residential amenities of neighbouring occupants. The proposals would accord with policies DMG1, DMG2 and EN2 of the Core Strategy and it is recommended the application be approved.

RECOMMENDATION: That the application be APPROVED subject to the imposition of 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 ref 'Proposed Elevations, Layout, Block Plan & O.S.Map' dated Feb.2016.

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

3. The external facing materials, detailed on the approved plans, shall be used and no others substituted.

REASON: To ensure that the materials to be used are appropriate to the locality in accordance with Policies DMG1 and EN2 of the Ribble Valley Core Strategy.

4. The building hereby permitted shall be used for agricultural purposes only (as defined in Section 336(1) of the Town and Country Planning Act 1990); in conjunction with the remainder of the holding. It shall be removed and the site reinstated to its original condition if at any time it ceases to be used for this purpose.

REASON: To ensure that the building is used solely for agricultural purposes connected with the working of the holding.

INFORMATIVE(S)

1. The proposed development must fully comply with the terms of The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010 and The Code of Good Agricultural Practice (COGAP) for the protection of water, soil and air (produced by DEFRA).

The Environment Agency must be informed of a new, reconstructed or enlarged slurry store, silage clamp or fuel stores at least 14 days before the structure is brought into use. Further guidance is available on the Environment Agency website and the applicant will need to complete WQE3: New or improved agricultural structures form which can be obtained from the Environment Agency.

Only clean surface water from roofs and paved areas should be discharged to any surface water soakaway.

BACKGROUND PAPERS

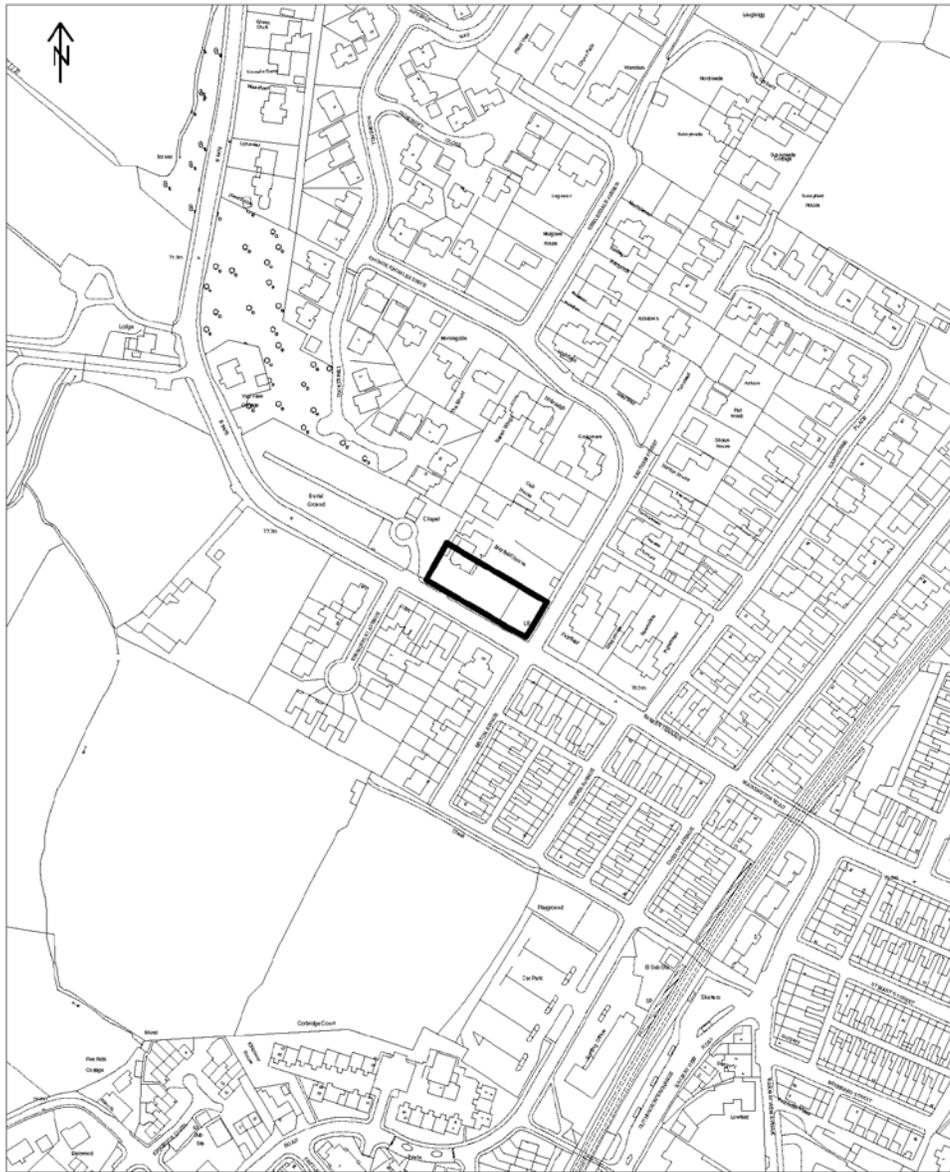
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0192

APPLICATION REF: 3/2016/0354/P

GRID REF: SD 374129 442357

DEVELOPMENT DESCRIPTION:

KITCHEN AND SUN ROOM EXTENSION TO SIDES AT THE BEECHES, WADDINGTON ROAD, CLITHEROE



3/2016/0354 The Beeches, Waddington Road, Clitheroe, BB7 2HN.

Scale 1:2500

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

No objection.

HIGHWAYS:

No objection.

ADDITIONAL REPRESENTATIONS:

No representations have been received in respect of the proposed development.

1. Site Description and Surrounding Area

- 1.1 The application property is a substantial two storey semi-detached dwelling set within a large curtilage to the front and side of the property. The application site is located on the edge of the settlement of Clitheroe. The application property is faced with white render & red rosemary tile cladding, slate roof tiles and timber window frames and doors. It is noted that there are a number of semi-detached dwellings in the vicinity of varying design but similarly occupying large gardens.

2. Proposed Development for which consent is sought

- 2.1 Consent is sought for the erection of a kitchen extension to the west (side) elevation and a sun room extension to the east (side) elevation at The Beeches, Waddington Road, Clitheroe. The proposed kitchen extension will project 2.5m from the side elevation and have a width of 4.1m. It will have a pitched roof with an eaves height of 2.4m and a ridge height of 3.9m. The proposed sun room extension will project 3.5m from the side elevation and have a width of 5.8m. The proposed development will sit flush with the principle elevation. The proposal will have an eaves height of 2.7m and a ridge height of 4.8m.

3. Relevant Planning History

N/A

4. Relevant Policies

Ribble Valley Core Strategy

Policy DMG1 – General Considerations

Policy DMH5 – Residential & Curtilage Extensions

National Planning Policy Framework

5. Assessment of Proposed Development

5.1 Impact upon Residential Amenity:

- 5.1.1 It is important to consider the potential impact the proposed development would have on the residential amenity of the occupiers of nearby dwellings. There are no windows

proposed on the side elevation of the kitchen, therefore it is considered that the extension would not harm the amenities of this neighbour through loss of light or outlook.

- 5.1.2 The proposed sun room includes the insertion of two windows to the north east elevation of the proposed extension. These would provide direct views over the private amenity space of Mayfield House. Following officer negotiation with the agent it has subsequently been agreed that the two windows will be heavily obscured and the window panel closest to the boundary will have boarding fitted to the inside. Therefore the extension would not harm the amenities of this neighbour through loss of light, privacy or outlook. Should consent be granted, the use of obscure glass shall be sought via a condition.

5.2 Visual Amenity/External Appearance:

- 5.2.1 Policies DMG1 and DMH5 of the Ribble Valley Core Strategy requires extensions to be in keeping with the existing house and the surrounding buildings in terms of scale, size, design and facing materials. Any extension should be well proportioned and sit comfortably with the original building. It should respect the scale and proportions of the original dwelling and should not overwhelm it. Furthermore, new development should make a positive contribution to the local character and distinctiveness of the existing building. In terms of its design, the proposed extensions would be commensurate to the scale of the main dwelling; they would be set down considerably from the ridge line of the existing dwelling.
- 5.2.2 It is proposed to use white render & red rosemary tile cladding, slate roof tiles and timber window frames and doors; it is considered that matching materials would maintain coherence between the main dwelling and the proposed development. It would not result in any harm to the appearance of the host dwelling or the surrounding area and would accord with Ribble Valley Core Strategy Policies DMG1 and DMH5.

6. Observations/Consideration of Matters Raised/Conclusion

- 6.1 The proposed development would not result in any significant harm to the character and appearance of the existing dwelling or the surrounding area, nor will it cause any significant harm to the amenity of neighbouring residents. The proposal would not have an unacceptable impact on protected species or highways safety. Accordingly, it is recommended that the application be approved.

RECOMMENDATION: That the application be APPROVED subject to the imposition of the following condition(s):

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

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

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

Plan & Elevations - Drg No. 410/1/2 Rev B – Received 27/05/2016

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

3. Notwithstanding the submitted details, precise specifications or samples of all external surfaces, including surfacing materials and their extents, of the development hereby permitted shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict accordance with the approved details.

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 and DMH5 of the Ribble Valley Core Strategy.

4. The two proposed windows which are to be introduced into the north east elevation of the sun room extension (Drg No. 410/1/2 Rev B) shall be fitted with obscure glazing (which shall have an obscurity rating of not less than 4 on the Pilkington glass obscurity rating or equivalent scale) and shall be non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The windows shall remain in that manner in perpetuity at all times unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect nearby residential amenity in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

BACKGROUND PAPERS

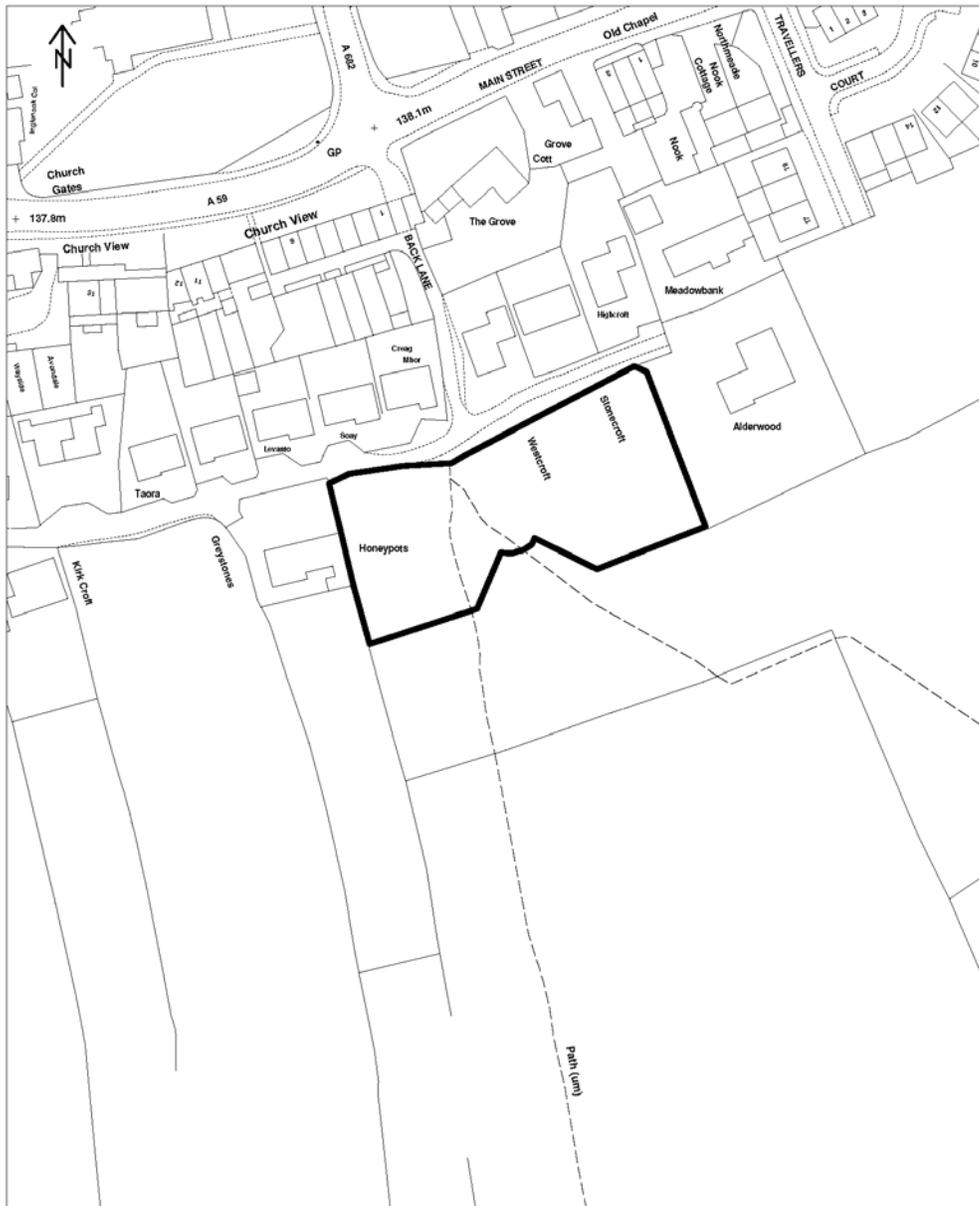
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APPLICATION REF: 3/2016/0367/P

GRID REF: SD 383077 448731

DEVELOPMENT DESCRIPTION:

ERECTION OF TWO DETACHED DWELLINGS. LAND AT BENTLEA ROAD GISBURN



3/2016/0367 land at Bentlea Road, Gisburn.

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Gisburn parish council objects to this application and has the following concerns:

- The site of the proposed development has serious surface drainage issues.
- The proposed development would greatly increase the danger of flooding due to a portion of the field being covered by impermeable materials.
- Highway concerns due to the development site being located at the end of a narrow - single track in parts - road. There would therefore potentially be access problems during construction of the houses as this would invariably involve deliveries by larger vehicles at some point.
- Visual impact of the proposal
- The area of land is in an elevated position and the construction of houses on the site would cause increased intrusiveness and a consequent loss of privacy for adjacent properties.
- Failure to provide an adequate wildlife survey.

ENVIRONMENT DIRECTORATE (PUBLIC RIGHTS OF WAY):

No observations received.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

The Highway Development Control Section does not have any objections regarding the proposed two detached dwellings 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.

ENVIRONMENT AGENCY:

No comments as does not meet statutory consultation trigger thresholds.

UNITED UTILITIES:

No objection to the proposal subject to the imposition of planning conditions relating to foul/surface water drainage and a sustainable drainage management and maintenance plan for the lifetime of the development.

ADDITIONAL REPRESENTATIONS:

19 letters of representation have been received objecting to the application on the following grounds:

- Inadequate access
- Poor visibility and impact upon the wider highway network
- The site has experienced flooding and a watercourse runs through the site
- Loss of Privacy and overbearing development
- Loss of view/outlook
- The proposal will result in increased flood risk
- Impact upon an existing Public Right of Way

- Ecological Appraisal inadequate and fails to take account of domestic ponds within neighbouring gardens

1. **Site Description and Surrounding Area**

- 1.1 The application site is a plot of land located on the southern side of Bentlea Road, located to the southern extents, but adjacent the defined settlement boundary of Gisburn. Vehicular access to Bentlea Road is primarily provided directly off the A682 to the west. The site lies outside but adjacent the currently defined settlement boundary of Gisburn.
- 1.2 The plot of land benefits from significant changes in topography on site with the land levels not only rising to the south but also resulting in the formation a small 'valley' to the central portion of the land. Two Public Rights of Way (3-18 FP4 & 3-18 FP2) converge on the site and are accessed via a stile located on the northern boundary of the land. The site is bounded to the east and west by two dwellings, 'Honeypots' and 'Alderwood' respectively.

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

- 2.1 Consent is sought for the erection of two detached part two-storey, part single storey four bedroom dwellings with associated detached double garages (with integral carport) at land off Bentlea Road Gisburn.
- 2.2 It is proposed that the two storey element of the dwellings will measure 4.83m at eaves and 7.5m at ridge level, the singles storey element accommodating a lounge area will measure approximately 2.4m at eaves and 4.5 at ridge level. It is proposed that the dwellings will be faced in natural stone, with stone heads, sills, jamb, mullion and quoin detailing. The primary elevation of the dwellings benefit from a cat-slide roof arrangement and mock-barn door opening to the primary entry point of the dwellings. The single storey element also accommodates a chimney stack detail to the northern elevation.
- 2.3 The proposed Double garages with integral car port measure approximately 2.5m at eaves and 4.35 at ridge and are of a gabled roof appearance with exposed bracketed timber structure to the car port. It is proposed that the buildings will be weatherboard clad with natural slate roofs.
- 2.4 The site layout proposes a single point of access off Bentlea Road which terminates in a circular/radial courtyard with retaining walls off which is accessed private court areas serving their respective dwellings with Plot 01 being located to the west of the primary access and Plot 02 to the east.
- 2.5 Given the topography of the site the private and communal courtyards benefit from a terraced/sunken arrangement that allows them to sit slightly below the existing adjacent dominant land levels. The changes in level necessitate the introduction of a series of retaining walls which for the most part, save that of the communal central area, will be hidden from view upon approach along Bentlea Road.
- 2.6 The site is host to two Public Rights of Way (FP-04 & FP-02) which converge on the site and are accessed via a stile located on the northern boundary of the land. At present FP-04 enters at the northern extents of the site, where the route meets FP 02, both of

the routes then continue southward, with FP-02 branching off in a south easterly direction.

- 2.7 The submitted details propose that the Public Right of Way will enter at the central part of the proposed vehicular/pedestrian access point, continue southward where a stile and steps will be installed as part of the radial retaining wall, after which point FP 04 and FP 02 will converge/diverge resuming their original south and south easterly routes.
- 2.8 Members will note that the granting of planning permission does not entitle a developer/land owner to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an order under the appropriate Act, at the point of writing this report no observations have been received from the Public Right of Way Officer.

3. **Relevant Planning History**

3/2014/0547: Outline application for the erection of two detached dwellings (Access & layout). (Approved with conditions)

3/2014/0138: Outline application for the erection of four detached dwellings. (Withdrawn)

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement DS2 – Presumption in Favour of Sustainable Development

Key Statement EN3 – Sustainable Development and Climate Change

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DMH3 – Dwellings in the Open Countryside

Policy DME2 – Landscape and Townscape Protection

Policy DME3 – Site and Species Protection and Conservation

Policy DME6 – Water Management

Policy DMB5 – Footpaths and Bridleways

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Technical Guidance to National Planning Policy Framework

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

- 5.1.1 The principle of the development of the site for the erection of two dwellings has been established as acceptable through the granting of a previous outline consent (3/2014/0547) which at the time of the writing of this report remains extant and is therefore a material consideration in the determination of the application.

- 5.1.2 The current application does not seek to increase the quantum of development originally approved and no significant changes in Local or National Planning policy have occurred subsequent to its determination.
- 5.1.3 Therefore, notwithstanding other development management considerations, it is considered that in principle there are no potential conflicts with the Development Strategy for the borough as embodied within Key Statement DS1 of the adopted Core Strategy.

5.2 Impact upon Residential Amenity:

- 5.2.1 Plot 01 (located to the western extents of the site) is sited approximately 13 m (at its nearest point) from the west boundary that is shared by 'Honeypots'. The proposed plot has rear to side elevation relationship with Honeypots that ranges from 13m to 14.6m. The windows on the rear elevation of Plot 01 are orientated in such a manner that they look on to the carport/garage of Honeypots and given there are no windows on the east elevation of this element of the aforementioned existing dwelling it is not considered that the orientation of the proposed dwelling would result in any significant direct loss of privacy.
- 5.2.2 Plot 02 (located to the eastern extents of the site) is sited approximately 17m (at its closest point) from the eastern boundary that is shared with Alderwood with an elevation to elevation facing distance in excess of 32m, a distance which is considered adequate to maintain the residential amenities of existing and future occupiers.
- 5.2.3. A number of representations have been received from properties to the north on the opposing side of Bentlea Road in respect of loss of privacy through overlooking. Whilst it is accepted that the proposed dwellings will occupy an elevated position in relation to these dwellings, no windows, save that of a small ground floor study/office window, are proposed to the north elevations of the proposed dwellings. Furthermore the proposed site plan shows offset distances ranging between 24m and in excess of 26m between the proposed dwellings and those to the north.
- 5.2.4 Taking into account the above separations distances and spatial relationships between adjacent existing dwellings and that of the proposed, it is not considered that the proposals would be of significant detriment to existing neighbouring residential amenity by virtue of a loss of privacy, loss of light or direct overlooking.

5.3 Visual Amenity/External Appearance:

- 5.3.1 It is accepted that by virtue of the changes in topography on site that the proposed dwellings will occupy a somewhat elevated position when compared to the dwelling located to the north however based on the submitted information it is clear that they will occupy a level commensurate with the dwellings located directly to the east and west. Plot 01 will possess a ridge height approximately 0.7m higher than the adjacent dwelling to the west with Plot 02 benefitting from a ridge height approximately 2.4m higher than the adjacent dwelling to the east.
- 5.3.2 The proposed dwellings are oriented so that side gables directly face Bentlea Road to the north with the aforementioned elevations employing a single storey

element that aids in reflecting the change in topography on site and acts as a visual resolution to the two-storey main body of the dwellings lessening their immediate visual dominance and prominence.

- 5.3.3 The proposed garaging/carports are located to the and behind the dwellings which aids in preserving the sites sense of visual openness and ensuring they are not read as visually dominant upon the landscape.
- 5.3.4 It is proposed that the retaining walls serving the development will be faced in natural/drystone walling which will aid in preserving the semi-rural characteristics of the site. It is further proposed that the existing dry stone wall to the northern extents of the site will be retained, details of these elements of the proposal will be secured via planning condition.
- 5.3.5 Taking into account the proposed materials, elevational language and scale of the proposed dwellings and the inherent scale of dwellings and pattern of development within the vicinity I do not consider that the proposal would be of detriment to the character, appearance or visual amenities of the area.

5.4 Highway Safety and Accessibility / Public Rights of Way:

- 5.4.1 The Highway Development Control Section does not have any objections regarding the proposed two detached dwellings 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. In respect of the proposed access, the Highways Officer has no objections subject to details being secured via the imposition of planning condition.
- 5.4.2 As stated earlier in this report the site is host to two Public Rights of Way (FP-04 & FP-02) which converge on the site and are accessed via a stile located on the northern boundary of the land. It is proposed that the Stile will be retained as part of the proposal but that the PROW will require diversion, with the points the routes converge/diverge being located further to the south accessed via another stile built into the proposed retaining wall serving the communal courtyard area.
- 5.4.3 Given the submitted details propose an alternative an equally accessible route it is not considered that the proposal, in principle, would prejudice the route or public access to it and recognise that the potential diversion would be subject to a separate diversion order and the granting of consent does not infer that such a diversion would be acceptable.
- 5.4.4 Whilst it is accepted the proposed development, to some degree, is likely to change the user experience of the public right of way, it is not considered that the change would be of such significance to be of detriment to the route or the enjoyment of members of the public utilising the right of way.

5.5 Landscape/Ecology:

- 5.5.1 The submitted arboricultural impact assessment has identified the presence of hedgerow and tree groupings adjacent the development site. No details have been provided in respect of any proposed tree/hedgerow removal, it is therefore considered reasonable to attach a condition requiring the submission of landscaping details which shall include details of how trees/hedging adjacent to

the proposed development and/or application area/site boundary will be adequately protected during construction.

5.5.2 The application was originally accompanied by a Phase 01 Habitat Survey that has been subsequently updated to take account of any significant changes which may have occurred on site following the determination of the previous application.

5.5.3 The survey has concluded that the development will have no direct adverse impact upon protected species within the site and that it is unlikely that the development will have any direct impact upon GCN due to the absence of suitable habitat/conditions within the vicinity. The report concludes that no further additional survey work or precautions are required.

5.6 Flood Risk and Drainage:

5.6.1 A number of representations have been received, including that of the Parish Council, in respect of the site experiencing frequent flooding and experiencing excessive water run-off from the land to the south. As members will note the Statutory Consultees responsible for matters relating to flooding and drainage have raised no objection. Matters of surface water drainage/run-off are required to be submitted prior to the commencement of the development and a technical assessment of these will be made at the appropriate stage in partnership with the relevant responsible body.

6. Observations/Consideration of Matters Raised/Conclusion

6.1 Given the separation distances between existing and proposed dwellings and taking account of the orientation of primary habitable room windows it is not considered that the proposal would result in any detrimental impact upon existing/future residential amenities by virtue of direct over-looking.

6.2 Taking account of the external appearance, scale, layout and orientation of the proposed development it is not considered that the proposal would be of detriment to the visual amenities and character of the area or of detriment to the character and appearance of the currently defined open countryside.

6.3 It is further considered that the site layout and spatial arrangements resultant from the proposed development are sufficient to ensure that the proposal would not be of detriment to existing/future residential amenities by virtue of a loss of light, over bearing or over dominant impact

6.4 It is for the above reasons and having regard to all material considerations and material matters raised that the application is recommended accordingly.

RECOMMENDATION: That the application be APPROVED subject to the imposition of the following condition(s):

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

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

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

- REED/12 Dwg 03 Rev B: Proposed Site Plan
- REED/12 Dwg 04 Rev B: Proposed Site Sections
- REED/12 Dwg 05 Rev B: Proposed Site Sections 2
- REED/12 Dwg 06 Rev A:Plot 01 Plans & Elevations (Plot 02 Mirrored)

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

3. Notwithstanding the submitted details, precise specifications or samples of all external surfaces, including surfacing materials and their extents, of the development hereby permitted shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development. The approved materials shall be implemented within the development in strict accordance with the approved details.

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 and DMG2 of the Ribble Valley Core Strategy.

4. Notwithstanding the submitted details, prior to the commencement of the development, details at a scale of not less than 1:20 including materials and colour/finish of all proposed boundary treatments, walling, retaining walls, stiles and gates to be erected within the development shall have been submitted to and approved by the Local Planning Authority prior to their installation. For the avoidance of doubt the submitted details shall also provide a methodology for the repair/enhancement and details of any proposed alterations/works to the existing dry stone wall to the northern extents of the site fronting Bentlea Road. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality in accordance with Policies DMG1 and DMG2 of the Ribble Valley Core Strategy.

5. Notwithstanding the submitted details, prior to the commencement of the development, full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strict in accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality in accordance with Policies DMG1 and DMG2 of the Ribble Valley Core Strategy.

6. Notwithstanding the submitted details, the proposed roof lights shall be of the Conservation Type, recessed with a flush fitting, details of which shall be submitted to and approved by the Local Planning Authority prior to installation. The development shall be carried out in strict accordance with the approved details

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal does not undermine the character and appearance of the area in accordance with Policies DMG1 and DMG2 of the Ribble Valley Core Strategy.

7. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards 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 in accordance with the approved details.

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution and to ensure the development is adequately drained in accordance with Policy DME6 Ribble Valley Core Strategy.

8. Foul and surface water shall be drained on separate systems unless otherwise agreed in writing by the Local Planning Authority.

REASON: To secure proper drainage, to manage the risk of flooding and pollution and to ensure the development is adequately drained and to prevent the increased risk of flooding, both on and off site in accordance with Policy DME6 Ribble Valley Core Strategy.

9. Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- A. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
- B. Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

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

REASON: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development in accordance with Policy DME6 Ribble Valley Core Strategy.

10. Notwithstanding the submitted details, prior to the commencement of the development, full details of the proposed landscaping shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the landscaping details shall indicate all trees and hedgerows identified to be retained or how those adjacent to the proposed development and/or application area/boundary will be adequately protected during construction, in accordance with BS5837: 2012 'Trees in relation to design, demolition and construction' or equivalent unless otherwise agreed. The agreed protection measures shall be put in place and maintained during the construction period of the development.

The approved landscaping scheme shall be implemented in the first planting season following first occupation or use of the development 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 original planted.

REASON: To protect trees and hedges on and adjacent to the site and to ensure the proposal is satisfactorily landscaped and appropriate to the locality in accordance with Policies DMG1 and DMG2 of the Ribble Valley Core Strategy.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, the dwellings hereby permitted shall not be altered or extended, no new windows shall be inserted, no alterations to the roof shall be undertaken and no buildings or structures shall be erected within the curtilage of the dwellings hereby approved 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 immediate area or be of detriment to nearby residential amenities in accordance with Policies DMG1 and DMG2 of the Ribble Valley Core Strategy.

12. The garage(s) hereby approved shall be kept available for the parking of vehicles ancillary to the enjoyment of the household(s) and shall not be used for any use that would preclude the ability for their use for the parking of private motor vehicles, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order.

REASON: To ensure to ensure that adequate parking provision is retained on site that limits the visual impact of the parked motor-vehicle in accordance with Policies DMG1, DMG2 and DMG3 of the Ribble Valley Core Strategy.

13. No part of the development shall be used for vehicular purposes before the visibility splays measuring 2.0 metres by 25metres in both directions to be provided, measured along the centre line of the proposed new road from the continuation of the nearer edge of the existing carriageway of Bentlea Road, to the satisfaction of the Local Planning Authority. The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway.

REASON: To ensure adequate visibility at the street junction or site access in the interest of highway safety in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0367

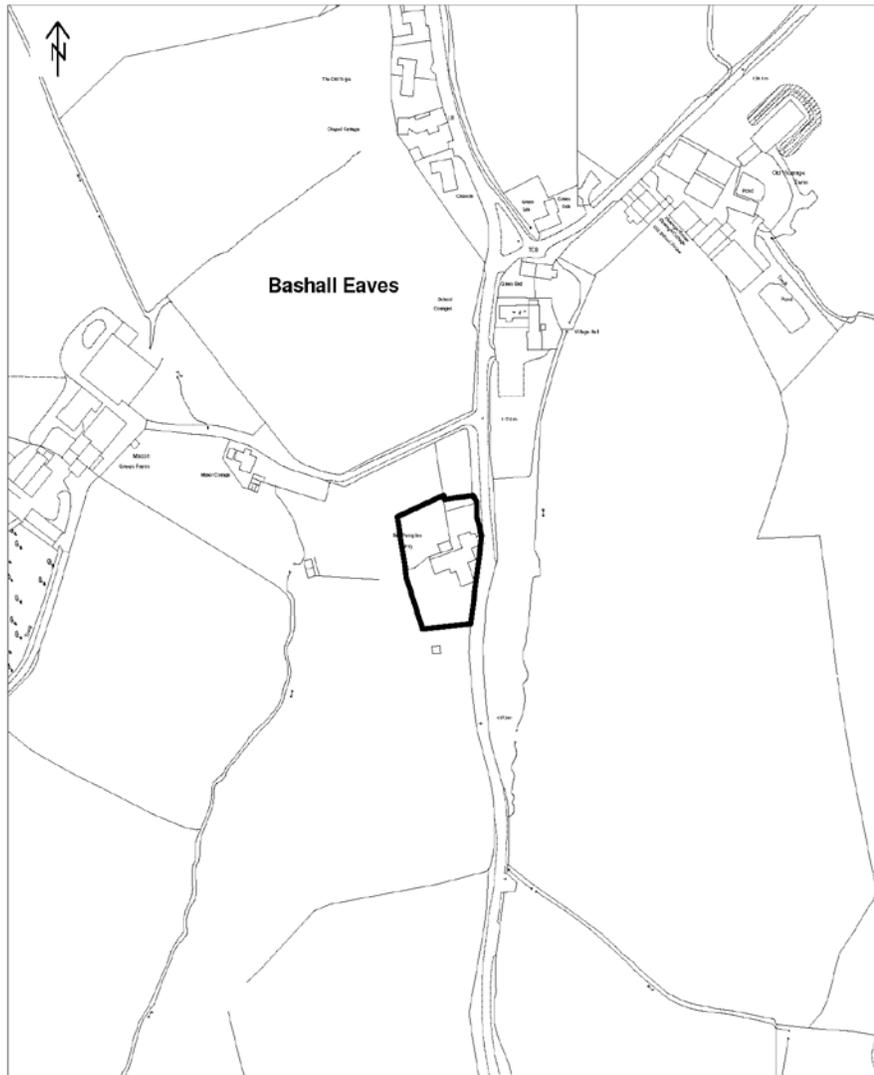
C APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL

APPLICATION REF: 3/2015/0136 (LBC)

GRID REF: SD 369585 443183

DEVELOPMENT DESCRIPTION:

INTERNAL ALTERATIONS TO FORM ADDITIONAL LETTING BEDROOMS AND ADMINISTRATION OFFICE AT THE RED PUMP INN, CLITHEROE ROAD, BASHALL EAVES, CLITHEROE



3/2015/0136 Red Pump Inn, Clitheroe Road, Bashall Eaves, BB7 3DA

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

No objection. Welcomed as it enhances what is hoped to be a key attraction for the village.

HISTORIC AMENITY SOCIETIES:

Consulted, no representations received.

HISTORIC ENGLAND:

Do not wish to offer any comments on this occasion. Determine in accordance with national and local policy guidance, and on the basis of RVBC expert conservation advice.

ADDITIONAL REPRESENTATIONS:

No letters of representation have been received.

1. Site Description and Surrounding Area

- 1.1 The 'Red Pump Inn and pump attached to south wall of north wing' is a Grade II listed (20 February 1984) public house of 1756 and the late C18 (list description). It has a prominent roadside location to the south of the hamlet and is within the Forest of Bowland AONB.

The list description typically makes little reference to the interior:

"The later wing faces east and is of double-pile central-entry plan ... (earlier wing) former barn at the rear. Adjoining towards the east and now part of the pub is a single-storey building, probably once a coach house".

The listed building has been subject to considerable alteration since listing in 1984. The (cumulative) impact of these changes and implication for significance (NPPF paragraph 128) has not been examined in the submitted information. However, such an assessment has been undertaken by officers. Proposed works relate to a relatively intact element of the building complex.

The listed building incorporates prominent uPVC windows which are not accounted for in the list description or planning history.

2. Proposed Development for which consent is sought

- 2.1 Listed building consent is sought for internal changes to historic fabric and plan form to provide a further 5 bedrooms with en-suite bathrooms at the premises (3 existing). An assessment of the significance of the historic fabric and plan form to be altered "*proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance*" (NPPF paragraph 128) does not accompany the application.
- 2.2 The scheme as originally submitted proposed the removal of important walling (including historic doors and doorways) and further disruption to the plan form of the building. Unfortunately, elements of the proposed works had been undertaken before site

inspection and officers sought through negotiation to minimise any further harm to the special architectural and historic interest of the listed building. Unfortunately, this was curtailed by the applicant's implementation of works (confirmed by his email 27 July 2015). The applicant has not submitted revised plans or information to indicate the extent of unauthorised and implemented works.

3. **Relevant Planning History**

No formal pre-application advice was sought in respect of the proposals.

3/1998/0298 – Extension to existing car park to provide a further 28 no. spaces. PP granted 6 October 1998.

3/1997/0398 & 0397 – Construction of porch and internal alterations. LBC & PP granted 18 July 1997.

3/1994/0512 – Erection of 2 dwellings including installation of septic tanks. Withdrawn.

3/1994/0072 – Conversion of existing store to holiday let unit. PP granted 28 April 1994.

3/1991/0789 & 0788 – Formation of extra living accommodation and self-contained bed-sit. LBC & PP granted 13 February 1992.

3/1987/0552 & 0551 – Extension to existing dining area, extension to west elevation to form coffee lounge and internal alterations. LBC & PP granted 19 November 1987.

3/1984/0435 – Removing window frame and filling in aperture to match remainder of outside wall. LBC granted 23 September 1984.

3/1982/0595 – C/U of barn into bar & lounge and store room. PP granted 1 February 1983.

3/1982/0566 – Advert consent refused 13 January 1983.

3/1983/0111 – C/U of barn into bar/lounge and store room. PP granted 7 April 1983.

3/1976/0660 – Provision of indoor toilets in part of adjoining barn. PP granted 9 August 1976.

3/1976/1342 – Mainly internal alterations to form a coffee lounge to existing dining room. PP granted 6 January 1977.

BO 1980 – Alter & extend. PP granted 30 July 1973

4. **Relevant Policies**

Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Ribble Valley Core Strategy:

Key Statement EC1 – Business and Employment Development

Key Statement DS1 – Development Strategy

Key Statement EN5 – Heritage Assets

Policy DMB1 – Supporting Business Growth and the Local Economy

Policy DMG2 – Strategic Considerations

Policy DMG1 – General Considerations

Policy DME4 – Protecting Heritage Assets

5. **Assessment of Proposed Development**

- 5.1 The main consideration in the determination of this planning application is the impact upon the special architectural and historic interest of the listed building. Consideration is also made to any benefit to the rural economy of proposed works.

5.2 Impact upon the special architectural and historic interest of the listed building:

5.2.1 The NPPF acknowledges the potential contribution of heritage assets to the rural economy:

“In determining planning applications, local planning authorities should take account of ... the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality” (paragraph 131).

“Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision” (paragraph 130).

5.2.2 The NPPG warns as to the cumulative impact on significance of ill-considered works:

“It is obviously desirable to avoid successive harmful changes carried out in the interests of repeated speculative and failed uses” (paragraph 015).

“where there is evidence of deliberate damage to or neglect of a heritage asset in the hope of making consent or permission easier to gain the local planning authority should disregard the deteriorated state of the asset” (paragraph 014).

5.2.3 This is also emphasised in ‘Managing Significance in Decision-Taking in the Historic Environment’ (Historic England, 2015) which identifies:

“The cumulative impact of incremental small-scale changes may have as great an effect on the significance of a heritage asset as a larger scale change. Where the significance of a heritage asset has been compromised in the past by unsympathetic development to the asset itself or its setting, consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset in order to accord with NPPF policies ... positive change could include the restoration of a building’s plan form” (paragraph 28).

5.2.4 ‘Making Changes to Heritage Assets’ (Historic England, 2016) identifies the importance of plan form and historic fabric to significance:

“The historic fabric will always be an important part of the asset’s significance ... retention of as much historic fabric as possible, together with the use of appropriate materials and methods of repair, is likely to fulfil the NPPF policy to conserve heritage assets in a manner appropriate to their significance, as a fundamental part of any good alteration or conversion. It is not appropriate to sacrifice old work simply to accommodate the new” (paragraph 42).

“Where possible it is preferable for new work to be reversible, so that changes can be undone without harm to historic fabric. However, reversibility alone does not justify alteration; If alteration is justified on other grounds then reversible alteration is preferable to non-reversible. New openings need to be considered in the context of the architectural and historic significance of that part of the asset and of the asset as a whole. Where new work or additions make elements with significance redundant, such as doors or decorative features, there is likely to be

less impact on the asset's aesthetic, historic or evidential value if they are left in place" (paragraph 43).

"When a building is adapted for new uses, its form as well as its external and internal features may impose constraints. Some degree of compromise in use may assist in retaining significance" (paragraph 44).

"The plan form of a building is frequently one of its most important characteristics and internal partitions, staircases (whether decorated or plain, principal or secondary) and other features are likely to form part of its significance. Indeed they may be its most significant feature. Proposals to remove or modify internal arrangements, including the insertion of new openings or extension underground, will be subject to the same considerations of impact on significance (particularly architectural interest) as for externally visible alterations" (paragraph 45).

5.2.5 'Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment' (Historic England, 2008) also identifies:

"Evidential value, historical values and some aesthetic values, especially artistic ones, are dependent upon a place retaining (to varying degrees) the actual fabric that has been handed down from the past" (paragraph 91).

5.2.6 The importance of historic plan form to listed building significance is also emphasised in the following appeal decisions.

5.2.7 The Planning Inspector's comments are noted from APP/T2350/E/12/2185264/NWF (28 Church Street, Ribchester; 2 July 2013) in respect to the importance of plan form retention as a record of historic building use (even when associated historic fabric does not survive):

"Part of the importance of a listed building lies in the legibility of its original pattern of use – through its plan layout

... However, whilst the statement notes that the interior has been fully modernised and contains very few historically or architecturally significant elements, the plan form and its origins have not been analysed. Although the Framework requires that applicants provide sufficient information regarding the effect of the proposal on the significance of the heritage asset to enable the potential impact to be understood, little evidence has been provided as to the evolution of the current plan form".

5.2.8 APP/T2350/E/13/2194332 (8 Church Brow, Clitheroe; 13 January 2014):

"The plan form is generally consistent from basement to first floor. The similarity in plan form is an important part of the historic building and contributes to the special architectural and historic interest of the listed building and its significance

... The third element of the works relates to the installation of a shower room on the landing at second floor level ... All of those items require servicing, including ventilation and related water/sewage pipe work ... The appellant has not supplied any information to show how these services would exit the building. I am unconvinced that a condition could adequately control these works so as to prevent harm to the listed building; especially in relation to the required water and

soil pipes. As such I conclude that there would be harm to the special architectural and historic interest of No 8”.

- 5.2.9 APP/T2350/E/07/2041941, 58 Moor Lane, Clitheroe (12 October 2007; Grade II listed building):

“Internally, the proposed provision of an en-suite bathroom within the front first floor bedroom would be uncomfortably close to the existing fireplace and would distort the original shape of the room. Insufficient measured detail has been submitted to reassure me that this could be satisfactorily achieved without a physical conflict with this attractive original fitting” (paragraph 9).

- 5.2.10 APP/T2350/E/10/2135049, 35 King Street, Whalley (16 December 2010; Grade II listed building of double-pile plan):

“the new stud partition in the rear ground floor room would be especially harmful because it would subdivide an original room, would create an incongruous dog-leg corridor, and would result in the creation of a narrow room without natural lighting. The new opening between the front and rear rooms would further undermine the original plan form of the building’ (paragraph 5).

- 5.2.11 In my opinion, the proposed works have a harmful impact upon the special architectural and historic interest of the listed building because of the loss of important fabric and plan form. Furthermore, the cumulative impact of works to the significance of the listed building in recent history is of concern. In the opinion of RVBC Regeneration and Housing, the proposed works are desirable rather than essential and therefore do not appear to meet the requirement of NPPF paragraph 132:

“As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.

- 5.3 Benefit to the rural economy:

- 5.3.1 In my opinion, the unnecessary degradation of a nationally important historic building within the Forest of Bowland Area of Natural Beauty does not support sustainable rural tourism (NPPF paragraph 28).

6. Observations/Consideration of Matters Raised/Conclusion

- 6.1 NPPG states that “substantial harm is a high test, so it may not arise in many cases”. In my opinion, the harm to the listed building is ‘less than substantial’. NPPF paragraph 134 requires that this harm be weighed against the public benefits of the proposal. In my opinion, any possible public benefit of non-essential work to this already significantly altered listed building does not outweigh the harm to the special architectural and historic interest of the listed building. Therefore, in attaching considerable importance and weight to the preservation of the listed building, its setting and its features of special architectural and historic interest [section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990], I would recommend that listed building consent be refused.

RECOMMENDATION: That the application be REFUSED for the following reason:

1. The proposal is harmful to the special architectural and historic interest of the listed building because of the loss of important historic fabric and plan form.

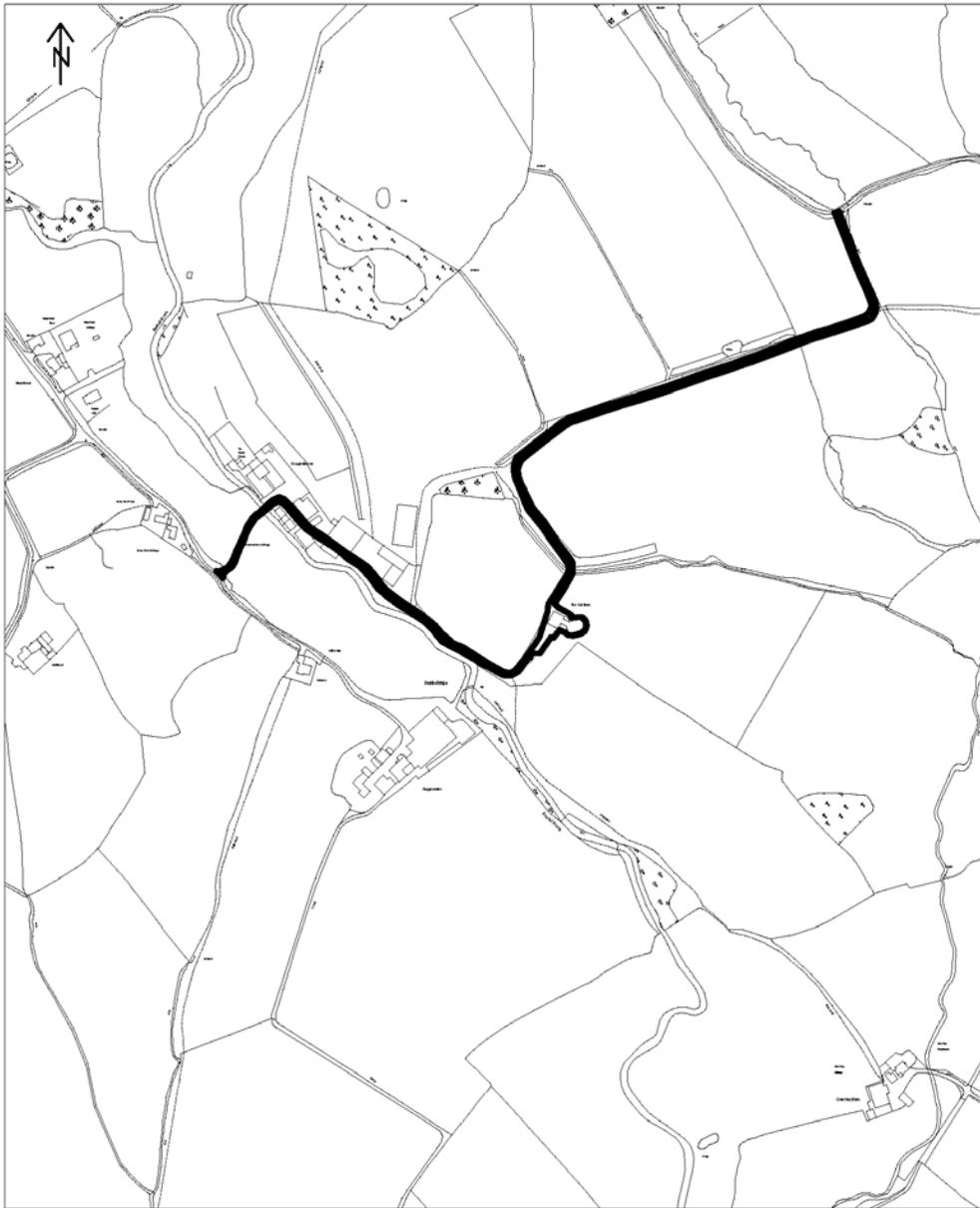
BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0136

APPLICATION REF: 3/2016/0243/P

GRID REF: SD 370369 443568

DEVELOPMENT DESCRIPTION: CHANGE OF USE FROM CLASS D1 TO A MIXED USE WITHIN CLASS D1 AND D2 TO ALLOW USE AS A WEDDING VENUE FOR UP TO 40 DAYS PER YEAR AT THE OUTBARN, CLOUGH BOTTOM, BASHALL EAVES



3/2016/0243 The Outbarn, Clough Bottom, Rabbit Lane, Bashall Eaves, BB7 3NA.

Scale 1:5000

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Waddington Parish Council: As with the previously submitted applications, the Parish Council objects to the proposal on the grounds that the use of the building as a wedding venue for up to 40 days a year would cause an increase in the volume of traffic on roads which are not suitable to deal with such an increase. The Parish Council also question why visitors are being encouraged to access the site from Waddington when the route from Bashall Eaves is a mile shorter. There are few designated passing points along Cross Lane and vehicles are forced off the road, as well as using private land, in order to safely pass. Concerns have been expressed in respect of noise, but the main concern is the volume of traffic generated by the proposed use.

Waddington Parish Council is sympathetic to the need for agricultural businesses to diversify in difficult times, respects new business ideas and welcomes employment opportunities. However the Parish objects due to the poor access when compared to other local wedding venues.

Bashall Eaves and Mitton Parish Council: No objection in principle but there are issues which need to be addressed:

- The submitted traffic management plan/assessment is unconvincing. It is difficult to agree with this document which indicates the increase in wedding numbers, with an average of 130 guests, would have a negligible impact on traffic volumes.
- Cross Lane is inadequate as an access route and access through Bashall Eaves Village is more suitable.
- Residents have commented that they can hear music and noise from the venue, not just outside houses but also inside. It is therefore recommended that evening music is restricted to say 23:00 and the events to completely cease by midnight.
- Does the “40 day” restriction relate to days or the number of events and this need clarifying?

Despite the above, the Parish Council are of the opinion that the proposal would be broadly beneficial to the area and local businesses, but traffic and noise management is ineffective.

The applicant and RVBC should implement a noise management plan to reduce the impact on residents.

Without the above measures, and the uncertainty over the “40 Day” restriction, the Parish cannot support the application.

ENVIRONMENT DIRECTORATE (COUNTY HIGHWAY SURVEYOR):

The Highway Development Control Section is of the opinion that the proposed development has the potential to have a detrimental impact on highway safety and amenity in the immediate vicinity of the site. Due to the increased number of vehicle movements associated with guests to a wedding and the servicing of the wedding venue, compared to a training centre, and these events will likely take place in the evening and weekend, which is when the highway will be most frequently used by cyclists, walkers etc...

The Highway Development Control Section consider that both Rabbit Lane and Cross Lane have very restricted highway width for the full length of the roads which would render it difficult to pass on either side of these narrow roads. It is noted that there is limited full visibility in both the horizontal and vertical plane which may reduce speed but it also means that reversing any distance to find a suitable passing place is very difficult. The site has a low accessibility score

and as such it is anticipated that all guests and staff would need to use various types of vehicular traffic modes to access the site, and it is very unlikely that all guests will use coaches or taxis. Additionally, not all guests will arrive and leave at same time resulting in passing conflicts on the highways of Rabbit Lane and Cross Lane.

The Highway Officer has commented that if the Council were minded to approve the application, conditions should be attached requiring a one way system be introduced within the site and a restriction that no events take place on the same day as training events.

ENVIRONMENT DIRECTORATE (PUBLIC RIGHTS OF WAY):

No comments received

LANCASHIRE FIRE SERVICE:

No comments received

ENVIRONMENTAL HEALTH:

No objection from either the noise or food safety sections

ADDITIONAL REPRESENTATIONS:

Letters of representation have been received from 14 individual households/addresses objecting to the application on the following grounds:

- A new access road has been constructed, without consent, connecting Cross Lane to the application site;
- The access/highway is not suitable for level of traffic that the wedding use generates. The traffic conflicts with other users of the highway, including residents, local farmers, emergency vehicles, horse riders, tourers, cyclists and pedestrians. Access onto Waddington Fell Road from Cross Lane is dangerous. There is a sign on the road stating it is "Unsuitable for Heavy Goods Vehicles and Coaches";
- Access should be obtained via Bashall Eaves/Rabbit Lane which is more suitable than Cross Lane, however a separate objector has commented access should be via Cross Lane rather than Rabbit Lane;
- Vehicles are damaging verges, hedgerows and private property;
- There are other suitable wedding venues in the vicinity and there is no requirement for another;
- The nature of weddings will result in traffic at night and this is at odds with the current use of the highway, resulting in resident's privacy being impacted by noise;
- The noise from the venue has been considerable and disturbed neighbours during the summer months;
- The site has been used as a wedding venue, without consent for over two years;
- The increase in traffic will impact upon wildlife;
- The economic benefits do not outweigh the harm;

In addition, 25 letters of support have been received, including a letter of support from the MP for Ribble Valley, the Forest of Bowland AONB Partnership and the National Farmers Union, as well as a number of local businesses. The grounds of support are as follows:

- The AONB Partnership aims to promote sustainable social and economic development, the applicant has worked closely with the AONB staff to develop the business sustainably with minimal impact on the landscape and natural environment;
- The venue will prove to be very valuable to the local economy and will provide jobs in the rural area;
- The proposed use would create a great multifunctional venue and can only be seen in a positive light, attracting people (tourism) to the area and creating employment;
- The use will benefit surrounding businesses, pubs, hotels, caterers etc...
- The roads are sufficient to access the site;
- The venue provides an excellent service and unique setting for people getting married;
- The wedding use does not result in noise disturbance as the wedding director controls noise levels from the site;

1. **Site Description and Surrounding Area**

- 1.1 The application relates to a building known as The Out Barn at Clough Bottom, located to the east of east of Bashall Eaves, approximately 1.5 miles west of the village boundary of Waddington. The application building is located in a somewhat elevated and isolated position but is associated with a larger complex of former agricultural buildings at Clough Bottom. The application site is located within the Forest of Bowland Area of Outstanding Natural Beauty.
- 1.2 Access to the application building can be obtained from either Rabbit Lane via Bashall Eaves, or from Cross Lane when travelling from Waddington.
- 1.3 The application building was originally an agricultural barn and in 1996 planning permission was granted to convert building into an office and management training centre. In 2012 a further application was approved to extend and alter the barn to its current appearance and form.
- 1.4 Whilst the former barn has consent for a training centre (D1 use class), it has also been functioning as a wedding venue (D2 use class) for at least two years.
- 1.5 The applicant has made two applications to try and regularise the wedding venue use, and both of these attempts were made by way of a Section 73 Application (variation of condition). The first of these applications (3/2015/0302/P) was withdrawn in order for the applicant to provide a transport statement. The resubmission (3/2015/1001/P) included a transport statement, however after careful consideration it was the LPA's opinion that a Section 73 Application could not be made to change the use of the building, and therefore this application was also withdrawn and the applicant has now submitted a full planning application for change of use (detailed below).

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

- 2.1 As mentioned above, this is a full planning application and seeks consent to change the use of the Out Barn from a training centre (D1), to a mixed use that will allow the building to still operate as a training centre, but also allow the venue to host weddings for up to 40 days per calendar year. The application therefore seeks to obtain a mixed D1 and D2 use of the building, with the D2 element limited to 40 calendar days per year.
- 2.2 Whilst the application specifically states weddings functions, the D2 use class element of the proposal would also allow other similar functions to take place at this venue. These

include Christenings, Birthday/Anniversary Parties, Bar Mitzvahs etc... Subsequently the D2 use class would not simply limit the applicant to weddings, however it appears that wedding events would be the main function that would occur from this site.

- 2.3 As the submitted application focuses particular on the wedding events it states that the venue can cater for 100-120 guests during the day, with this increasing to potentially 180 guests in an evening. All functions will cease at midnight and, as much as possible, all transport away from the venue is pre-organised to minimise guests waiting at the venue for their transport to arrive. Notwithstanding this, the site has a large car park for those guests that drive.
- 2.4 Guests are encouraged to share transport and taxis, with the venue recommending two preferred taxi suppliers, as well as the provision of a 39 seater (max) coach.

3. **Relevant Planning History**

3/1995/0193/P – *Conversion of part barn to office and obstacle course* – approved.

3/1996/0304/P – *Conversion of barn into office reception and group activities for management training centre* – approved.

3/2010/0353/P – *Proposed changes use of barn to two residential dwellings* – approved.

3/2012/0490/P – *Alteration extensions to existing training barn* – approved with conditions.

3/2015/0302/P - *Variation of condition 6 of planning permission 3/2012/0490/P to allow use as a wedding venue for up to 40 days per annum* – withdrawn

3/2015/1001/P – *Variation of condition 6 of planning permission 3/2012/0490/P to allow use as a wedding venue for up to 40 days per annum (resubmission 3/2015/0302)* - withdrawn

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement DS2 – Presumption in Favour of Sustainable Development

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DMB3 – Recreation and Tourism Development.

Policy DMB1 – Supporting business growth and local economy

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

5. **Assessment of Proposed Development**

5.1 **Principle of Development and Economic Benefits:**

- 5.1.1 The planning policy context for this application is set out in the National Planning Policy Framework and at local level by the Core Strategy. The adopted Core Strategy is the starting point for decision-making within the borough which sets out the vision for the borough and how sustainable development will be developed. This not only relates to housing but also economic and social uses.
- 5.1.2 The overall development of the Strategy is set out in Key Statement DS2 which aims to promote development in most suitable locations in the borough (Principal Settlements and Tier 1 Villages). It is clear that the site is not located in what can be regarded as a sustainable location, nevertheless the application building and site currently exists as a commercial training centre and therefore the principle of a commercial use at this site has previously been established (the impact in terms of highways and amenity are considered later in this report).
- 5.1.3 The submitted application states that the site has been used as a training centre since the 1980's, and prior to 2012 the training classes operated from two bases, the main training barn and the Out Barn (subject of this application). In 2008 the economic downturn had a substantial effect on training budgets and the number of training sessions provided at the site dropped significantly, resulting in employment levels at the training centre also reducing. In 2012 the applicant decided that the level of training taking place on site could not justify the use of two buildings and subsequently the main training barn was converted to residential use, and the Out Barn was redeveloped by way of extensions and alterations, and the Out Barn then became the only training centre on the site.
- 5.1.4 The submission goes on to state that whilst the levels of training have slowly started to increase, the level has never resumed the previous highs and thus the applicant had to diversify the use of the building. The applicant identified that the Out Barn was a suitable venue for weddings, and this allowed the training centre to continue to operate during the week, with weddings generally taking place at the weekend. This has been ongoing for at least two years and the application now seeks to regularise the wedding venue use for 40 days a year. The main use of the building would still to be as a training centre (D1), but the applicant hopes that the part diversification to allow weddings/functions will assist in maintaining the buildings viability going forward.
- 5.1.5 The submission states that an events coordinator/wedding planner is employed, as well as a ratio of one staff member per 18 guests, and thus the D2 use class of the venue does bring employment benefits to the area. Other employment opportunities include the hiring of bands/DJ's, entertainers etc... In addition to staffing, the D2 use also provides economic value to the area by way of caterers for the event, as well as creating trade for local hotels, pubs, restaurants, shops and taxi companies. This is clearly evident from the letters of support received in respect of the application. It therefore cannot be denied that the use of the building for functions would provide employment and economic benefits to the area, as well as providing a scenic and enjoyable experience for those being wed and their family friends.

- 5.1.6 Policies DMB1 and DMB3 of the Ribble Valley Core Strategy are in favour of developments that are intended to support business growth, the local economy and increase tourism potential within the borough. However, both these policies state that such proposals should accord with other Policies of the Core Strategy and specifically DMG1 which (amongst other things) seeks to ensure development would not adversely affect the amenity of the surrounding area, and that safe access can be provided which is suitable to accommodate the scale and type of traffic associated with the development.
- 5.1.7 In view of the above, the main issues in the consideration of this proposal relate to the impact the proposed use would have on residential amenities and highway safety, and how these balance against the economic and employment benefits to the rural economy that the use bring.

5.2 Impact upon Residential Amenity:

- 5.2.1 In terms of residential amenity it is important to have particular regard to the noise impact caused by the proposed D2 use, and this is a concern that has been raised by some objectors. The application is accompanied by an Acoustic Report which details that the five nearest residential dwellings (not owned by the applicant) are located between 136m – 461m from the building to which this application relates.
- 5.2.2 The Acoustic Report has confirmed that the layout of the building projects sound towards the east, in the general direction of the dwellings at Sandy Ford and Cow Hey, situated 461m and 340m from the site respectively. The Acoustic Report has taken “control” readings from the boundaries of the five nearest residential dwellings when the venue was not in use, and compared these to the noise levels from the same five locations when a wedding was taking place. As a result of these findings the report concludes that subject to the implementation of mitigation measures, the proposed use of the venue for weddings would not be “*perceptible on the boundary positions*” of the five nearest properties. The mitigation measures involve the shutting of all doors and windows when amplified music is being played (as much as practically possible), and the installation of noise limiting devices at the venue. Noise limiting devices are easy to install and monitor noise levels from a site, as well as controlling noise levels by overriding systems if noise levels exceed acceptable levels.
- 5.2.3 The Council’s Environmental Health Service have raised no objection to the submission, commented that wedding events have taken place at this venue and only one noise complaint has been received, and this complaint was unsubstantiated.
- 5.2.4 If the application was to be recommended for approval, conditions would have been attached requiring full details of the noise limiters to be submitted to the LPA, along with conditions limiting the hours of operation (use to cease at midnight) and a requirement for all external doors and windows to close when amplified music is being played.

5.3 Highway Safety and Accessibility:

- 5.3.1 On matters of highways and accessibility, Lancashire County Council (LCC) has objected to the application, stating that the weddings/functions (D2 use) will

increase vehicle movements in comparison to the existing training centre use (D1) and these events will likely take place in the evening and weekend, which is when the highway will be most frequently used by cyclists, walkers etc... In addition it is not just guests that will use the highways but staff and suppliers as well.

- 5.3.2 The highway authority considers that both Rabbit Lane and Cross Lane have very restricted highway width for the full length of the roads which would render it difficult to pass on either side of these narrow roads. It is noted that there is limited full visibility in both the horizontal and vertical plane which may reduce speed but it also means that reversing any distance to find a suitable passing place is very difficult. The site has a low accessibility score and as such it is anticipated that all guests and staff would need to use various types of vehicular traffic modes to access the site, and it is very unlikely that all guests will use coaches or taxis. Additionally, not all guests will arrive and leave at same time resulting in passing conflicts on the highways of Rabbit Lane and Cross Lane.
- 5.3.3 The Highway Officer has commented that if the Council were minded to approve the application, conditions should be attached requiring a one way system be introduced within the site and a restriction that no events take place on the same day as training events. It is my opinion that the condition to prevent training days and functions taking place on the same day is reasonable and enforceable. With respect to the request for a "one way system within the site", I am unsure as to the benefits such a condition would bring. It is the highway network outside of the site (Rabbit Lane and Cross Lane) which is of concern and whilst a one way system would ensure that vehicles enter and leave the site at separate points, if a guest wanting to travel to Waddington had to leave the site via the Rabbit Lane/Bashall Eaves access point, they would inevitably then simply travel the full length of Cross Lane to do so (and vice versa if a guest had to use the access off Cross Lane but wanted to travel towards Bashall Eaves) and therefore the one way system within the site could potentially result in vehicles travelling further along Cross Lane than if there was no one way system. I am therefore not convinced that the one way system would improve the situation and as such this condition would not overcome the highway concern.
- 5.3.4 The submitted application is accompanied by a Transport Statement which considers that the proposed wedding venue use is similar to the existing training use in terms of highway impacts. The Transport Statement comments that the training centre use can operate without mitigation and the highway authority did not object to this use of the site.
- 5.3.5 With regard to this issue, whilst it is accepted that there are no restrictive highway conditions in relation to the existing training centre, I disagree that the proposed wedding use is similar to the existing training centre use of the site. The training centre and wedding venue uses fall under different use classes (D1 and D2) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and consequently their impacts are materially different, hence the need for a planning application and the need for the LPA to consider the differences/impacts.
- 5.3.6 The submitted Transport Statement has assessed the sustainability of the site and commented that it is "modestly accessible" for a rural location in terms of access by walkers, cyclists and public transport. This differs from the County Highway Officer who comments that the site has a "low accessibility score".

- 5.3.7 Whilst generally speaking the site may be considered to be “modestly accessible” for a rural location as detailed within the submitted Transport Statement, the proposal as submitted must be considered on its own merit and whilst people may be willing to cycle or walk 1km from the nearest bus stop to a specific rural location or attraction, it is considered in this particular case unlikely that guests attending a wedding (or similar function) would walk or cycle on a highway with no designated footway to such an event. Generally guests attending such functions will be smartly dressed (suits, shoes, dresses, hats, heeled shoes etc...) and therefore I consider it unlikely that guests would access this particular venue on foot or by bike. As such, when considering the individual merits of this application, I agree with the County Highway Survey that the site is not sustainable or accessible by modes of transport other than a motor vehicle.
- 5.3.8 The Transport Statement has commented that car parking levels at the site are sufficient, and no highway objection has been raised on car parking grounds.
- 5.3.9 Key Statement DMI2 of the Ribble Valley Core Strategy states that “*development should incorporate good access by foot and convenient links to public transport to reduce the need for travel by private car*”. Similarly Policy DMG3 attaches considerably weight to the availability and adequacy of public transport and associated infrastructure to serve those moving to and from the development. Of particular importance is the relationship of the site to the primary route and strategic road network, the provision for access by pedestrians and cyclists and that the site is highly accessible by means of transport other than the private car. Policy DMG1 states that all development must consider the potential traffic implications and ensure safe access can be provided which is suitable to accommodate the scale and type of traffic likely to be generated by the development.
- 5.3.10 In view of the above, it is my opinion that the site, and in particular the proposed D2 use, is not accessible by means of sustainable transport other than the private car, but more importantly it is considered that the existing highway network (Rabbit Lane and Cross Lane) is not capable of accommodating/serving the proposed levels of traffic associated with the development without having a detriment impact upon highway safety in this area. The proposal is therefore considered to be contrary to Key Statement DMI2 and Policies DMG3 and DMG1 of the Ribble Valley Core Strategy.

5.4 Visual Amenity/External Appearance:

- 5.4.1 The application proposes no external alterations to the building and consequently the proposal would result in no visual change on the landscape quality of the AONB.

5.5 Other Matters:

- 5.5.1 The objection regarding the creation of a new access track within the site has been noted, however this has previously been investigated by the Council's Planning Enforcement Team and it was accepted that a track has existed in this location. The applicant has improved/resurfaced this track, however it is not considered that this is a harmful development and consequently it was not considered expedient to pursue this issue.

- 5.5.2 With regard the concern raised by the Bashall and Mitton Eaves Parish Council in respect of the 40 day a year issue. For clarity, if permission was granted the consent would allow the D2 element to take place 40 days a year and it would not control the number of events. Therefore, for example, if the applicant staged a two day wedding, (Friday and Saturday) then this would equate to two of the 40 day allowance. If (again an example) the applicant hosted a Christening or Confirmation celebration in the daytime and then a separate anniversary/party in the evening of the same day, this would equate to one of the 40 day allowance. To reiterate, the use would be controlled by the number of days and not the number of individual events.
- 5.5.3 When considering this application, the option to grant a temporary permission for a period of 6 – 12 months was considered. Such a permission would allow the Council to assess and monitor the highway and noise implications of the proposal. The temporary permission would have required the applicant to provide a list of scheduled wedding venue dates to enable random checks to be carried out by the Council's Planning Enforcement Team to assess any impact the use has upon highway safety and residential amenity. The applicant however has stated within the supporting statement that weddings are planned and booked over a longer timeframe and that weddings are already planned for more than 18 months in the future, therefore a temporary consent would be "wholly unsuitable" as it would prevent bookings for the future. Notwithstanding this, weddings have been taking place for more than two years from this site and therefore the impacts of the proposal on the surrounding area are already known. In view of this it was not considered reasonable to grant a temporary consent in this instance.
- 5.5.4 In terms of enforcement, if Members are minded to agree with the Officer recommendation to refuse the application, then some consideration may need to be given to the time periods for which they would like enforcement action to take place, as by the applicant's own admission weddings have been booked in advance of 18 months and immediate ceasing of the unauthorised use would disappoint those that have weddings booked at the venue, especially those booked in the near future. However, the Council must also be mindful that allowing the applicant to fulfil existing bookings, at what would be an unauthorised venue would set a dangerous precedent and may have implications in respect of the time limits for the Council to take enforcement action (in this case the unauthorised change of use would need to have been operational for more than 10 years in order to be exempt from action and obtain a lawful development certificate). In view of this a secondary recommendation has been added requesting an endorsement from Members of Planning and Development Committee for the Council to pursue enforcement action, should Members be minded to refuse the application.

6. **Conclusion**

- 6.1 Careful consideration has been given to this application in respect of the impacts the proposal would have on residential amenities and highway safety, and how these balance against the economic and employment benefits the use would bring to the rural economy. In respect of residential amenity, it is considered that subject to the imposition of conditions the relationship between the proposed use and surrounding properties is acceptable. In respect of highways, the County Highway Officer, and a number of objectors, have expressed concerns over the proposal and the suitability of the existing

highway network to accommodate the numbers and types of vehicles that would access the site, and consequently this would compromise highway safety in this area. It is my opinion that these concerns are genuine and there are no conditions that could be imposed which would adequately alleviate these highway concerns. Subsequently the proposal is considered contrary to Key Statement DMI2 and Policies DMG3 and DMG1 of the Ribble Valley Core Strategy.

- 6.2 As mentioned above, I have taken into consideration the economic benefits of the proposal, and whilst Policies DMB1 and DMB3 of the Ribble Valley Core Strategy are in favour of developments that are intended to support business growth, the local economy and increase tourism potential within the borough, both these policies clearly state that such proposals must also accord with other Policies of the Core Strategy. For the highway safety reasons outlined above the proposal does not accord with Key Statement DMI2 and Policies DMG3 and DMG1 of the Ribble Valley Core Strategy, and in my opinion this harm outweighs the economic benefits of the proposal.

RECOMMENDATION 1: That the application be REFUSED for the following reason:

1. Access to the site is obtained via either Cross Lane or Rabbit Lane, both of which are narrow single lane highways which lack satisfactory separate footway facilities and few passing points for vehicles. The proposed change of use to allow the venue to host weddings would undoubtedly lead to additional, and also a greater frequency of, vehicular traffic movements to and from the site. Given the generally unsatisfactory means of access to the site and, in particular, the difficulties experienced by vehicles passing one another, the existing highway network is not considered to be capable of supporting the proposed development. The proposal would therefore compromise highway safety in this area and fails to satisfy Key Statement DMI2 and Policies DMG3 and DMG1 of the Ribble Valley Core Strategy.

RECOMMENDATION 2: That enforcement action be authorised.

Informative: for the avoidance of doubt this permission relates to the following drawings:

- BACK/01b Dwg 01
- BAC/01c Dwg 02

BACKGROUND PAPERS:

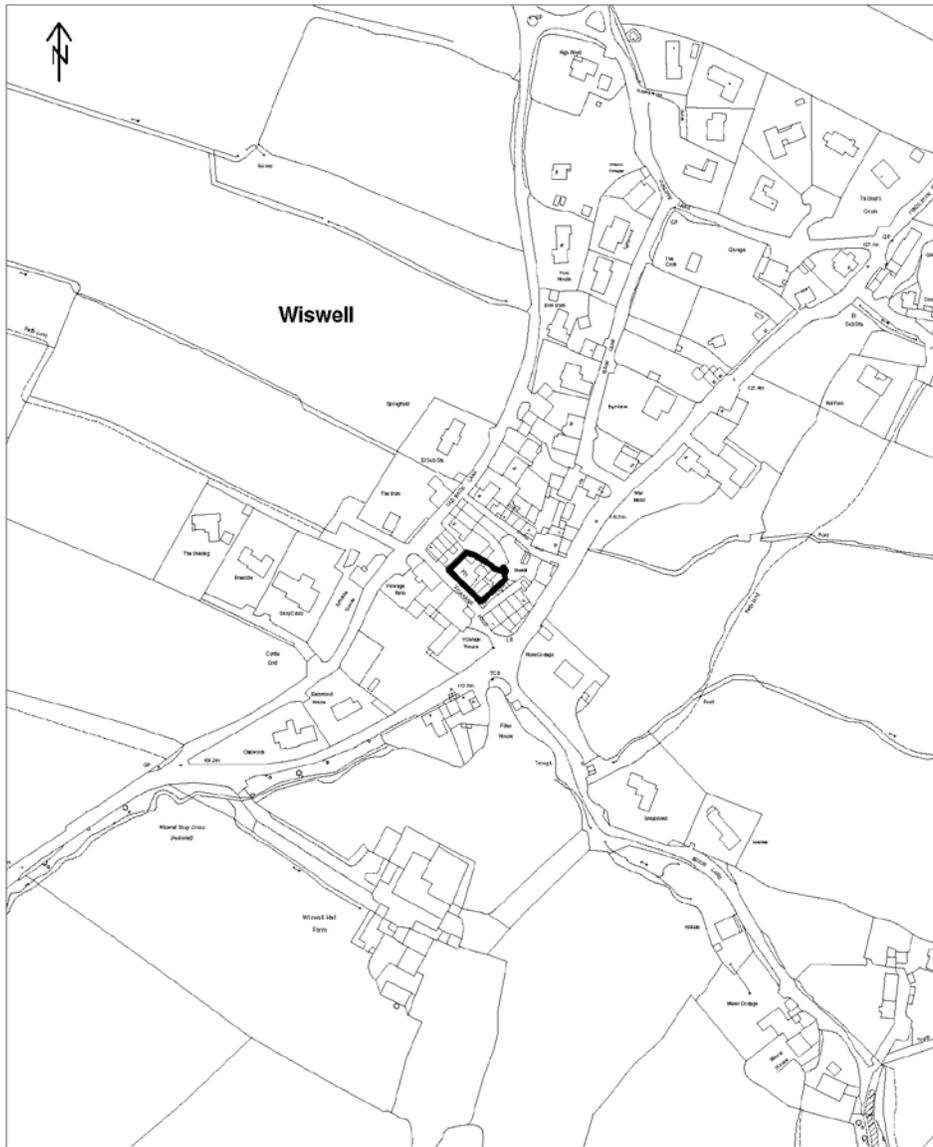
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0243

APPLICATION REF: 3/2016/0366/P

GRID REF: SD 374510 437386

DEVELOPMENT DESCRIPTION:

SINGLE STOREY EXTENSION TO FREEMASONS KITCHEN AND CHANGE OF USE OF 4 AND 6 VICARAGE FOLD FROM 2 DWELLINGS TO 4 LETTING BEDROOMS AT FREEMASONS ARMS, VICARAGE FOLD, WISWELL



3/2016/0366 Freemasons Arms, Vicarage Fold, Wiswell, BB7 9DF

Scale 1:2500

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Serious concerns and strongly objects to the application:

1. Further expansion of business will continue to cause conflict with nearby residents due to very restricted site.
2. As residents move out due to their loss of residential amenity, further properties may also be converted to hotel rooms.
3. Hotel rooms proposal is an over-intensification of the restricted site. Harmful to the Conservation Area and setting of nearby listed properties.
4. Plans not detailed - effect on rear of 4 Vicarage Fold, including the emergency fire exit?
5. Increase in overlooking and noise disturbance for neighbours and a loss of their residential amenity. Residents of Chapel Fold have not been consulted (face the rear of The Freemasons and exposed to the noise and smell of the kitchen operation).
6. No details of kitchen extraction system on new extension. Current system - nuisance noise and smells. Potential to increase nuisance to surrounding residents, if inadequate.
7. Inadequate provision for storage and waste removal for public house, restaurant and hotel. The current capacity for waste disposal is 100% more than shown on plans. Large bins are currently kept in the alcove at the side of the kitchen but they are too large to be placed in the narrow alleyway and still allow regular or emergency access for staff and deliveries.
8. The provision of hotel rooms, identified as class C1 on the application form, will lead to a 24 hour business (increased activity from serving breakfasts). Further detriment to residential amenity from extension of operating hours (already conflict due to late night movements).
9. Lancashire County Council has acknowledged that, due to substantial residential building in nearby villages, traffic flow through Wiswell will increase by 6%. Already been an increase in on-street parking as the number of cars per household has generally increased. This is a material change in traffic conditions through Wiswell and LCC Highways must consider this as a new application and not use historical data.
10. No car park for the hotel rooms nor the Freemasons. Staff displaced from the two cottages and will have to travel from new accommodation leading to increased parking in village. Staff and customers now leave vehicles on Pendleton Road and cars extend in both directions for considerable distances on those occasions when maximum covers are achieved (often, parked inconsiderably and access through village restricted). Hotel rooms are likely to encourage additional customers and overnight guests.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

Consulted, no representations received at time of report writing.

RVBC (ENVIRONMENTAL HEALTH)

The proposed extension would be very welcome from an Environmental Health point of view, in that it will provide the necessary space to allow the safe storage and preparation of food.

Currently the need to use the adjacent dwelling as a preparation and storage room is far from being a satisfactory arrangement. The applicants should be encouraged to submit detailed plans of the new kitchen.

HISTORIC ENGLAND:

Do not wish to offer any comments on this occasion. Determine application in accordance with national and local policy guidance, and on the basis of RVBC specialist conservation advice.

ADDITIONAL REPRESENTATIONS:

Letters of representation have been received from 14 individual households/addresses objecting to the application on the following grounds:

- Local parking congestion and highway safety – Freemasons Arms has no parking; road congestion and roadside parking for residents remains an issue; residents of Chapel Fold and Vicarage Fold have no on or off street parking outside their properties so they also have to park on Old Back Lane or Pendleton Road; larger kitchen and 4 letting bedrooms will increase the covers and parking requirement; on busy weekends, 25 parked cars generated; practice that numbers 4 & 6 used for staff so on site and do not need cars/parking at moment (no bus service to Wiswell); flawed argument that no increase in parking from restaurant guests staying in rooms - will be parked in the village at times when other customers (at the different sittings) overlap; 4 letting bedrooms will attract visitors in cars; expect to unload from unadopted Vicarage Fold which unsuitable; inconsiderate and dangerous parking now - driveway entrance blocking - double-parking (emergency vehicles; agricultural vehicles?) - parked cars a hazard to driving on Old Back Lane including Arnside House and exiting Vicarage House; 504 houses approved at Whiteacre Lane – application refers to access through Wiswell with a 60mph limit – will use Old Back Lane or Pendleton Road (both nearly closed already by Freemasons Arms parking); damage to cars and Chapel Fold pedestrian thoroughfare; owners have always operated at a level of covers higher than permitted; attempts to alleviate parking tried and not worked – H bars ignored – parking upon area of War Memorial; Trip Advisor has the comments of customers concerned about parking;
- Highway safety review required before decision. LCC May 2010 report (mised that covers reducing from 102 to 82) stated that no further expansion of the building footprint or in the facilities provided would be appropriate given the impact any such changes would have on the amenity of residents and the availability of parking – a voluntary undertaking from the applicant was requested;
- Increased unpleasant cooking smells and opening times – breakfasts; extraction unit devoid of adequate filtration; 18 hours a day in residential area;
- Increased noise during unsociable hours – not unusual to be wakened from sleep well after midnight;
- Freemasons Arms used by few residents of Wiswell; 1 part-time staff member from Wiswell but 14 staff from out of village;
- Borton Limited lost a further £158,000 in their last financial year;
- Suggestion of no additional staff for housekeeping, cooking, breakfasts, laundry etc is unrealistic;
- Pavement in front of pub already extended to provide tables with overhead heaters to encourage outdoor eating and drinking - noise nuisance; extend to Nos 4 and 6 Vicarage Fold?
- Owner of 2 Vicarage Fold and 1-9 Pendleton Road states no right of way from the Freemasons Arms and No. 6 Vicarage Fold down the back of the properties – the escape route is his land; privacy of tenants;
- Nos. 4 and 6 Vicarage Fold at affordable end of housing market – maintain;
- Loss of the gardens at Nos 4 and 6 Vicarage Fold which part of the amenity and appeal of the village – abuts a fold – sense of shared area between Vicarage Fold, Old Back Lane,

Chapel Fold and Pendleton Road; impact upon historical nature of village (agricultural heritage) – the village plan shows that at its centre it is made up of folds, rectangular enclosures and lined with rows of cottages – proposal will change character and appearance; Wiswell has a rural setting with green fields and woodland that come right into the heart of the village – marred by parking; not in keeping with conservation area; Freemasons at heart of Conservation Area – 20 small cottages, many of Townscape Merit, plus Grade I and Grade II listed buildings; an Article 4 direction was proposed for Nos. 2-6 Vicarage Fold (impose?); planned false front door does not enhance the Conservation Area. Conservation is about protecting environments, buildings and communities, not creating Coronation Street film set frontages with false behinds;

- The Freemasons Arms should be conserved as a ‘valued public drinking house’;
- Inadequate bin store in alley - shown at wrong size on plan – block entrance to kitchen – main route for staff and deliveries and possible fire escape; future application to access kitchens from 2 Vicarage Fold (proposed fire escape ends in a closed back yard)? existing large bin store will disappear in development;
- Extension to kitchen in reality will increase number of covers; solution to inadequate kitchen size is to reduce covers;
- No access or facilities available for a disabled person;
- 2010 application – pointed out that pushing bar area back and increasing the floor area for covers would reduce the kitchen and working areas – owners stated that support area was acceptable for the planned covers – covers increasing?
- You do not spend lots of money if you do not plan to increase turnover;
- Controlling the size and location of development works – controlling maximum covers and voluntary undertakings do not work;
- Restaurant and not pub hub of village life; national dining venue for people with no interest in, and some considerable disregard of, the village;
- No fire or health and safety assessment – need equipment layout in kitchen in this regard;
- Loss of resident amenity – including privacy and outlook; kitchen roof is used for staff smoking and banter, overlooking gardens at the rear – possible roof extension use not acceptable;
- Ground level of adjacent garden is inaccurately hand drawn on ‘Rear North East Elevation’ plan (2.25m drop);
- Chances of hotel guests retreating to rooms quietly are non-existent;
- Application not supported by an explicit recommendation by Environmental Health Officers.

1. **Site Description and Surrounding Area**

- 1.1 The Freemasons Arms public house and restaurant and the adjacent 2-6 Vicarage Fold row of houses is prominently sited within Wiswell Conservation Area and the setting of Vicarage House (Grade I listed; house, early C17) and ‘Barn approximately 50m north west of Vicarage House’ (Grade II listed; integrated barn and byre, circa 1700; list description identifies “the barn has group value with Vicarage House”).
- 1.2 The Wiswell Conservation Area Appraisal (The Conservation Studio consultants; adopted by the Borough Council following public consultation 3 April 2007) has a photograph of the site (The Freemasons Arms and 4-6 Vicarage Fold) on its front cover and identifies:
 - (i) The Freemasons Arms, 2-6 Vicarage Row, 1-9 and 11 and 15-17 Pendleton Road, 2-8 Chapel Fold and 10-14 Old Back Lane to be Buildings of Townscape Merit positively contributing to the character and appearance of Wiswell Conservation Area (Townscape Appraisal Map).

“Most of these buildings (Buildings of Townscape Merit) are 19th century cottages and houses ... important contribution to the architectural character of the conservation area by virtue of their scale, style and materials”.

“Freemasons pub, Vicarage Fold: 19th-century public house, of rendered rubble under a slate roof, with simple sandstone window and door dressings and an original moulded timber door canopy”.

“Nos 2 to 6 Vicarage Fold: late 19th-century row of cottages of squared rusticated sandstone under slate, with chamfered door and window lintels, gutter brackets, stone doorsteps and sandstone flag paving”;

- (ii) The consultant’s recommendation of an Article 4 Direction at 2-6 Vicarage Fold (three of only seven such proposals in Wiswell Conservation Area and the only proposals relating to a row) to remove potentially harmful permitted development rights (Townscape Appraisal Map):

“The incremental loss of original building materials and detailing has already been noted on many of the historic buildings within the Wiswell Conservation Area ... these minor alterations can cumulatively have an adverse effect on the conservation area and powers exist to the Council to withdraw some of these permitted development rights (an Article 4 Direction) in the interests of preserving and enhancing the special character and appearance of the conservation area ... It is therefore proposed that permitted development rights are withdrawn for some of the unlisted family dwelling houses in the conservation area that have not already been too adversely affected by unsympathetic alterations, or which form notable groups within the townscape. This will ensure the preservation of unique architectural features and traditional materials”.

“The kinds of work that it is proposed to control include: installation of new windows and doors; alterations to the roof, including changing the roof materials; building a porch; the erection of sheds and other outbuildings; the erection or alteration of gates, fences or walls ... It is proposed that the restrictions will only relate to development visible from a public highway (this includes a footpath). It will not affect commercial properties ... which are already controlled more rigorously”;

- (iii) Vicarage House is a ‘Focal Building’ (Townscape Appraisal Map);

- (iv) The paving immediately to the front of 2-8 Vicarage Fold (one of only two locations in Wiswell Conservation area) to be important ‘Historic Surfaces’ (Townscape Appraisal Map);

- (v) *“The historic interest of the village plan, with its ‘folds’ or rectangular enclosures lined with rows of cottages”;* *“Its buildings (listed and unlisted) of character and architectural interest”;* *“The homogeneity of the built environment, deriving from the use of locally quarried sandstone for the majority of the houses and their boundary walls”;* *“Its tranquillity”* (Summary of Special Interest);

- (vi) *“Underlying Wiswell’s complex network of alleys and lanes is a simple linear village, with properties fronting onto the western side of the Pendleton Road. Large square-shaped plots run back to Old Back Lane. Their shape suggests that they might once have been farmsteads grouped around a courtyard, or even animal enclosures, as the name ‘fold’ suggests. Three of these large plots can be*

discerned, bisected by Vicarage Fold and Chapel Fold but only the Vicarage Farm and Vicarage House plot retains its agricultural form, the other two having been built over with rows of simple two-storey stone buildings in the 19th century. From these three core plots, the village extended (General Character and Plan Form);

- (vii) *“most of Wiswell is focussed in upon itself, with houses hidden behind high walls and hedges that help to heighten the sense of enclosure created by the sunken nature of Wiswell’s lanes ... Walls, paddocks, springs and troughs are a feature of the village”* (Key Views and Vistas);
- (viii) *“Wiswell is primarily a residential village”* (Activities/Uses);
- (ix) *“Wiswell consists largely of farm buildings (now all converted to dwellings) with arched cart entrances, rows of simple two-storey cottages, and a few larger detached houses, most of which lie towards the extremities of the conservation area”* (Plan Form and Building Types);
- (x) *“The unlisted buildings are typical of the region, being constricted of gritstone rubble under roofs of Welsh slate. Window and door dressings are of simple unadorned sandstone slabs”* (Architectural Qualities);
- (xi) *“Boundary walls: Some of the boundary walls look as if they might be older than the properties that they surround, having the character of field walls (loosely mortared randomly laid rubble with roughly shaped semi-circular copings) enclosing paddocks that have subsequently been developed”; “Historic paving: there are small areas of cobbled paving in front 14 Pendleton Road and the southernmost of the two water troughs, and in front of Nos 2 to 6 Vicarage Fold”* (Local Details);
- (xii) *“Trees make an important contribution to the Wiswell conservation area by screening modern development”* (Green Spaces, Trees and other Natural Elements);
- (xiii) *“the historic character of the village, which largely preserves its mid-19th century appearance”; “well-kept houses and gardens”; “local amenities, including the public house”* (Strengths: the most important positive features of the Wiswell Conservation Area);
- (xiv) *“some examples of extended and rebuilt structures that are too large or dominant for their site (for example, Rose Cottage, on Moor Lane, which is no longer a cottage and whose bulk needs screening)”; “there is no car park in the village”* (Weaknesses: the principle negative features of the Wiswell Conservation Area);
- (xv) *“Alien garden materials have been introduced into the village scene; they include the larch lap fence ... rising behind the stone boundary wall, a similar long fence spoiling the appearance of the fine boundary wall to the garden ... and the eye-catching yellow-brown timber fencing”; “Continuing loss of original architectural details and use of inappropriate modern materials or details”* (Threats).

A ginnel provides important visual separation between the Freemasons Arms and the row of cottages in views from the listed buildings and the road. This view is terminated and enhanced by the silver birch and cherry trees in the garden of 12 Old Back Lane.

The rear elevations and gardens of 2-6 Vicarage Fold retain their historic form as a single build date row of identical units with common window and door opening arrangements and the subdivision of stone-flagged plots with traditional stone walls. Walls have traditional stone copings, stone gateposts and lean-to outbuildings.

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

- 2.1 Planning permission is sought for a single storey extension to increase the size of the restaurant kitchen to provide better workspace for food preparation. The cooking area will remain as existing (the Planning Statement identifies that there will be no change to noise or odours in respect to the kitchen). The Planning Statement suggests that a larger kitchen will assist in food storage space reducing deliveries from 6 days a week to 3 days a week.
- 2.2 The extension is to the rear of and conjoins the Freemasons Arms and No. 6 Vicarage Fold. It measures 5.1m in width, 3m in height (flat roof with parapet) and 6m in depth. The extension is proposed to occupy the majority of the currently wall enclosed rear garden/paved yard area of No.6 Vicarage Fold. Materials are shown to be natural stone facing walls with a weathered stone capping to replicate the existing garden boundary walls (although the application form also suggests use of render). The submitted Heritage Statement acknowledges that *“as a result of its size and flat-roofed form, together with the loss of the remaining sections of the boundary walls, the proposed kitchen extension would cause some harm to the character and appearance of the Wiswell Conservation Area”* (paragraph 4.02). Furthermore, the existing ground floor openings to No.6 Vicarage Fold are proposed to be blocked (1 door and 2 windows; the Design and Access Statement suggests just 1 window).
- 2.3 Access to the kitchen is proposed to remain as existing with the addition of a rear escape door. The refuse bins are to be collected from Vicarage Fold and to be stored in the alley between the pub and house behind a timber boarded gate.
- 2.4 Planning permission is also sought for the change of use of Nos. 4 and 6 Vicarage Fold from 2 dwellings to 4 letting rooms for The Freemasons' customers. The Design and Access Statement identifies that Nos. 4 and 6 Vicarage Fold are 3 bedroom terraced houses currently used as staff accommodation. All the bedrooms are proposed to be accessed via the front door of No. 6 Vicarage Fold. Changes to the interior include removal of the stairs dividing front and back rooms. The existing ground floor openings to No.4 Vicarage Fold are also proposed to be blocked with a flush external finish shown on drawing 4914-2D (contradicted by elevation drawing 'Rear North East Elevation' and the Design and Access Statement reference to the door – therefore not clear if opening reveals will be retained).
- 2.5 The Design and Access Statement suggests that the change of use will not result in additional parking requirements.
- 2.6 The application form suggests no change to existing employment as a result of the development (12 full-time; 5 part-time).
- 2.7 Unsympathetic top-opening casement windows to the front and rear elevations of Nos. 4 and 6 Vicarage Fold are proposed to be replaced by timber sash double-glazed frames.
- 2.8 The application form incorrectly suggests (Question 15) that there are no trees on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character (there are two trees included in the Wiswell Conservation Area, a Birch and Cherry, growing in the garden of 12 Old Back Lane. Both of which are within influencing distance and of some importance for neighbour amenity).

3. **Relevant Planning History**

No pre-application advice has been sought in respect of the proposed development.

3/2016/0604/P - Single storey extension to rear of The Freemasons Arms and 6 Vicarage Fold; change of use of 4 and 6 Vicarage Fold to form four letting bedrooms. Planning permission refused 15 January 2016.

3/2010/0234/P – retrospective change of use of two first floor rooms from residential accommodation to a licensed area (The Freemasons Arms, 8 Vicarage Fold). Planning permission granted 19 March 2012.

3/2008/0140/P – proposed new toilets and store and first floor garden room (The Freemasons). Planning permission granted 18 June 2008.

6/10/52 – proposed additions. Planning permission granted 23 May 1949.

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement EC1 – Business and Employment Development

Key Statement DS1 – Development Strategy

Key Statement EN5 – Heritage Assets

Policy DMB1 – Supporting Business Growth and the Local Economy

Policy DMG2 – Strategic Considerations

Policy DMG1 – General Considerations

Policy DME4 – Protecting Heritage Assets

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Planning (Listed Buildings and Conservation Areas) Act 1990

Wiswell Conservation Area Appraisal

5. **Assessment of Proposed Development**

5.1 The main considerations in the determination of this planning application are the impact upon the character and appearance of Wiswell Conservation Area, the impact upon the setting of listed buildings (Vicarage House and Barn 50m from Vicarage House), benefits to the rural economy, impact upon residential amenity, highway safety and loss of dwellinghouses.

5.2 **Impact upon Wiswell Conservation Area and listed buildings:**

5.2.1 In my opinion and mindful of the concerns of local residents and references in the submitted Heritage Statement, the proposed development has a harmful impact upon the character and appearance of Wiswell Conservation Area. The infilling of one of the group of three identical flagged and wall enclosed yards with a flat/parapet roofed extension, the obscuring/blocking of original wall openings, the conjoining of different building types and the demolition of traditional boundary walls has a harmful impact upon the significance and identity of the Buildings of Townscape Merit and the nineteenth century adaption of Wiswell's distinct historic folds (Vicarage and Chapel Folds).

'Making Changes to Heritage Assets' (Historic England, 2016) is relevant and identifies:

"The main issues to consider in proposals for additions to heritage assets, including new development in conservation areas ... enclosure, relationship with adjacent assets and definition of spaces and streets ... It would not normally be good practice for new work to dominate the original asset or its setting in either scale, material or as a result of its siting" (paragraph 41).

"The historic fabric will always be an important part of the asset's significance" (paragraph 42).

"New features added to a building are less likely to have an impact on the significance if they follow the character of the building" (paragraph 49).

"Buildings will often have an important established and historic relationship with the landscaping that exists or used to exist around them" (paragraph 55).

The National Planning Policy Guidance identifies in respect to design that it is:

"proper to seek to promote or reinforce local distinctiveness" (paragraph 60).

I am mindful that built development largely relates to rear elevation and back yard works. However, the Wiswell Conservation Area Appraisal identifies of character and appearance:

"most of Wiswell is focussed in upon itself, with houses hidden behind high walls and hedges that help to heighten the sense of enclosure".

Furthermore, National Planning Policy Guidance identifies:

"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 other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places ... The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting".

- 5.2.2 In my opinion, the proposed development does not have a harmful impact upon the setting of listed buildings. The introduction of a traditional gate, set back from the building frontage, in the alley between the Freemasons Arms and No. 6 Vicarage Fold will screen the bin storage area. The trees in the garden of 12 Old Back Lane will remain visible from the entrance to the alley at Vicarage Fold.

5.3 Impact upon Residential Amenity:

- 5.3.1 The Borough Council's Environmental Health section has considered the proposals and is satisfied that an acceptable development can be ensured.
- 5.3.2 I am mindful of the concerns of the Parish Council and local residents. However, in my opinion the proposed extension will not result in unacceptable overlooking,

overshadowing or overbearing impacts. The impact of the proposed development on residential amenity is not significantly different to that of the existing restaurant and public house and is acceptable.

- 5.3.3 I would agree with the local resident in respect to the misleading nature of proposed plans relating to the relative heights of the proposed development and the adjoining garden. However, this does not alter my opinion in respect to the above.

5.4 Highway Safety and Accessibility:

- 5.4.1 At the time of report writing the consultation response of Lancashire County Council (Highways) had not been received. However, I am mindful of comments made in respect to the previous planning application 3/2015/0605 and do not anticipate substantial revision to Lancashire County Council (Highways) opinions:

No objections regarding the proposed kitchen and four letting rooms. Opinion that:

1. The proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.
2. The proposed development will have the same parking requirement as the existing restaurant/bar area providing the gross floor area for customers is not increased.
3. The proposed four one bed letting rooms will have the same parking requirement as the existing 2 No 2 bed properties.

- 5.4.2 I am therefore satisfied that the proposals will not result in an unacceptable impact upon highway safety and highway capacity.

5.5. Benefits to the Rural Economy and Loss of Dwellinghouses:

- 5.5.1 I am mindful of concerns as to the loss of two dwelling-houses from the housing stock. However, I concur with RVBC Regeneration and Housing (January 2016; with consideration to Core Strategy EC1, DMB1, DS1 and DMG2) that *“overall, the benefits of supporting the village’s economy do demonstrably outweigh the impacts ... on the village’s residential housing resource, bearing in mind the relatively few dwellings that will be lost in relation to both current provision on the village and anticipated new provision in the wider area”*.

- 5.5.2 I am mindful of the benefits of the scheme from an Environmental Health point of view. However, pre-application advice has not been sought and it is not clear from the submitted information whether alternatives less harmful to the character and appearance of Wiswell Conservation Area have been considered (National Planning Policy Framework paragraph 132 requires that *“as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”*). I note that current proposals include alterations to the interior of No. 6 which suggest that larger spaces could be created in this building.

5.6 Other Matters:

- 5.6.1 I have considered the opinions of RVBC (Countryside) from January 2016:

“There are two trees included in the Wiswell Conservation Area, a Birch and Cherry, growing in the garden of 12 Old Back Lane both of which are within influencing distance and of some importance for neighbour amenity. Any development resulting in an increase in height of buildings to the rear of the Freemasons Arms is likely to require the pruning of the two trees in question. In addition close proximity of any development to the trees may result in tree resentment issues as there is tree height and branch overhang”.

In my opinion, these concerns are not so significant as to preclude proposed development.

5.6.2 Fire escape and right of access issues are not matters for consideration in the determination of this planning application.

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

6.1 In my opinion and mindful that NPPG states that “substantial harm is a high test, so it may not arise in many cases”, the harm to the conservation area is ‘less than substantial’. NPPF paragraph 134 requires that this harm be weighed against the public benefits of the proposal. I consider the proposed improvement to the working environment of the Freemason’s staff, the safe storage and preparation of food, the increased offer to the business provided through guest accommodation and the installation of more sympathetic window designs to be of public benefit (Core Strategy Key Statement EC1 and Policy DMB1 are also relevant in this regard). However, in consideration to the need for clarity in the justification of any harm to Wiswell Conservation Area and in attaching considerable importance and weight to the keeping free from harm of the conservation area [section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990], I do not consider these potential public benefits to outweigh the harm to the designated heritage asset.

RECOMMENDATION: That the application be REFUSED for the following reason:

1. The proposal is harmful to the character and appearance of Wiswell Conservation Area because the extension is incongruous in design and siting, results in the loss of important historic walling and yard enclosure and obscures important architectural elements of the terrace of Buildings of Townscape Merit (2-6 Vicarage Fold). This is contrary to Key Statement EN5 and Policies DME4 and DMG1 of the Ribble Valley Core Strategy and the National Planning Policy Framework 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

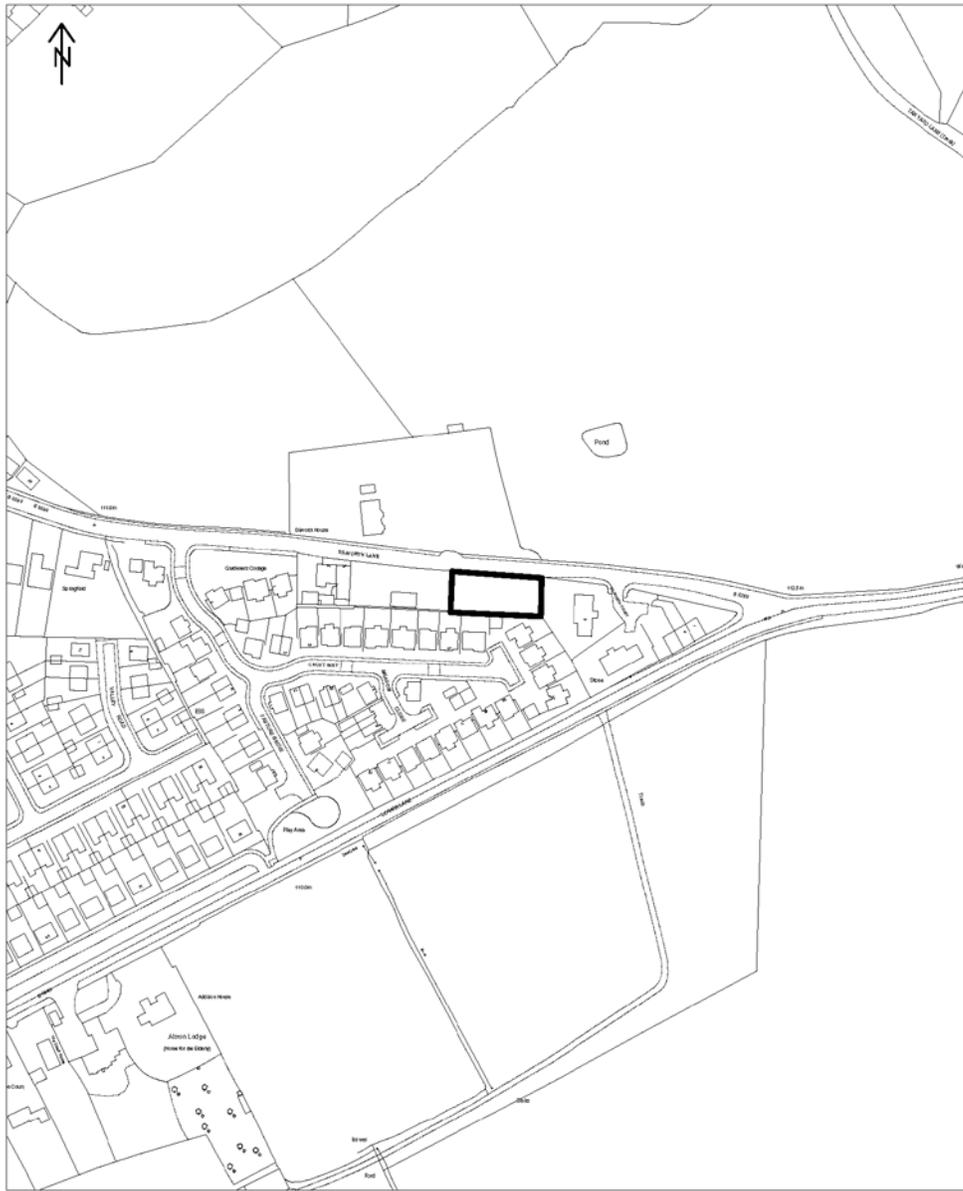
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0366

APPLICATION REF: 3/2016/0438/P

GRID REF: SD 361161 437252

DEVELOPMENT DESCRIPTION:

ERECTION OF 2 NO. DETACHED DWELLINGS. DILWORTH COACH HOUSE
41 DILWORTH LANE, LONGRIDGE PR3 3ST.



3/2016/0438 Dilworth Coach House, 41 Dilworth Lane, Longridge, PR3 3ST.

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

At the time of writing this report no observations have been received. However it is noted that the Town Council issued the following response in respect of the previous application:

- No objection but would ask for privacy distances to be checked.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

The Highway Development Control Section has offered the following observations

- Looking at the proposed visibility splay the 2m x 43m shown on the submitted plan would be sufficient for a speed limit of 30mph, however a speed survey undertaken in 2013 gave 85th percentile readings of 39 / 40mph, consequently a more appropriate visibility splay would be 2m x 59m.
- Notwithstanding this, I would be minded to raise no objection to the proposal on highway grounds but request that a condition be attached that requires the submission of further information that secures the aforementioned visibility splay of 2m x 59m
- In achieving the required visibility it may be necessary to remove some of the existing hedge and possibly some trees. You may prefer to see a scheme plan showing how the visibility splay is to be achieved and at what cost to the vegetation rather than attaching the above Condition.

UNITED UTILITIES:

At the time of writing this report no representations have been received. Any observations received subsequent to the issuing of this report will be reported as a late item.

ADDITIONAL REPRESENTATIONS:

At the time of writing this report three letters of representation have been received objecting to the application on the following grounds:

- Errors in the application forms.
- Existing and proposed plans are not accurate and do not reflect the current site conditions.
- The changes to the proposal are minor when compared to the previous refusal.
- Loss of privacy.
- Loss of Light.
- Highways impact and inadequate visibility.
- Impact upon trees.
- Flooding and drainage issues.

1. Site Description and Surrounding Area

- 1.1 The application site relates to a portion of residential curtilage associated with 41 Dilworth Lane, Longridge. The site is located outside the currently defined settlement boundary for Longridge. The site is bounded to the south by residential development

with a small number of dwellings being located to the east and the parent property (41 Dilworth) being located to the west.

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

- 2.1 Consent is sought for the erection of two 1.5 storey dwellings within a portion of the residential curtilage associated with 41 Dilworth Lane. It is proposed that both dwellings will accommodate three bedrooms at first floor with living, kitchen/dining area, study and utility room at ground floor level. The majority of the upper floor accommodation will be accommodated within the roof-space of the dwellings with dormers to the primary (north) elevations serving two bedrooms and roof-lights located on the rear (southern) roof plane serving an additional bedroom and bathroom.
- 2.2 The dwellings measure approximately 3.8m at eaves and 6.4/6.6m at ridge level. Members will note that there are inconsistencies within the submitted information regarding ridge heights as follows:
- The proposed elevational drawings annotate a ridge height of 6.41m above finished floor level (usually 150mm above ground level resulting in an overall height of 6.56m above ground) and
 - Whilst the proposed sectional drawings annotate a ridge height of 6.6m above finished floor level (usually 150mm above ground level resulting in an overall height of 6.75m above ground).
- 2.3 It is proposed that the primary elevations of the dwellings will be faced in random natural stone with cut stone quoin detailing and window surrounds, the dwellings will be roofed in natural slate with timber/aluminium windows.
- 2.4 Primary vehicular access is provided off Dilworth Lane with vehicular parking being provided in the form of a shared driveway/access arrangement with provision being shown for two cars per dwelling.
- 2.5 No provision for pedestrian access or connectivity has been proposed, with a footway only being present on the opposing side of Dilworth lane which would require future occupiers/residents to cross Dilworth lane to gain access to pedestrian linkages to allow walkable access to Longridge or nearby facilities/services.

3. **Relevant Planning History**

3/2015/1024:

Erection of two detached dwellings. (Refused)

3/2012/0053:

Proposed construction of three new two-storey terrace dwellings. Garden space allocated to each property. Seven surface parking bays. Re-submission of application 3/2011/0655P. (Refused)

3/2012/0052:

Proposed construction of a new detached triple garage with office space above. Re-submission of application 3/2011/0654P. (Approved)

3/2011/0655

Construction of 3no. two-storey terraced dwellings. Garden space allocated to each property and 6no. surface parking bays. (Withdrawn)

3/2011/0654:

Construction of new, detached, triple garage with office space above. (Refused)

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement DS2 – Presumption in Favour of Sustainable Development

Key Statement EN3 – Sustainable Development and Climate Change

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DMH3 – Dwellings in the Open Countryside

Policy DME1 – Protecting Trees & Woodlands

Policy DME2 – Landscape and Townscape Protection

Policy DME3 – Site and Species Protection and Conservation

Policy DME6 – Water Management

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Technical Guidance to National Planning Policy Framework

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 The site is located outside the defined settlement boundary of Longridge however it is located directly adjacent and to the north of an existing and recently constructed residential development. The site is also located on the opposing side of Dilworth Lane off a recently consented housing development for the erection of up to 195 dwellings (3/2015/0688).

5.1.2 Key Statement DS1 of the Ribble Valley 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.

5.1.3 The current outstanding residual housing need for Longridge as of the 31st of March 2016 is 28 dwellings/units. It is important to be mindful that the residual need is a target to be met and not a ceiling for development. Any oversupply and its proportional/relative surplus over and above identified residual housing need would have to be assessed in relation to potential harm to the overall development strategy for the Borough and whether such an oversupply (where applicable) would preclude the ability for the LPA to plan for future sustainable growth. In this case as no over-supply is resultant I do not consider this to be a material issue in the determination of the application.

5.1.4 Given the sites proximity to existing development and extant planning consents, notwithstanding other Development management considerations, in principle the development is considered to be in broad accordance with the aims and objectives of the adopted development plan and development strategy for the borough relating to the location of new housing growth.

5.2 Impact upon Residential Amenity:

5.2.1 The proposed dwellings are located within close proximity of the neighbouring southern boundary which delineates the proposal site to that of private residential curtilage of dwellings to the south.

5.2.2 Dwelling 01 is located approximately 1.5m (at its closest point) from the southern boundary resulting in a separation distance of approximately 12m from the closest dwelling located to the south (29 Croft way).

5.2.3 Dwelling 02 is located approximately 1.2m (at its closest point) from the southern boundary resulting in a separation distance of approximately 8.2m at its closest point (obliquely) and 10.5 at its furthest point from 31 Croft Way to the south.

5.2.4 The spatial relationship of both dwellings, when taking into account the proposed eaves and ridge heights, with both the southern boundary and the neighbouring dwellings raises a number of concerns and it is considered that the proximity and orientation of the dwellings is likely to be of significant detriment to the outlook and amenities of existing occupiers by virtue of an over-dominant and over-bearing impact.

5.2.5 The applicant has submitted cross sectional drawings to fully convey the relationships proposed. These indicate that the southern facades of the proposed dwellings will be approximately 2.1m higher than the existing boundary fence that serves the properties fronting Croft way, with the ridge level being 4.7m higher than the aforementioned boundary treatment.

5.2.6 It is noted that the applicant has included a sectional drawing that shows the relationship between dwelling 02 and 31 Croft Way to the south with an offset distance of 10.1m being shown. However this dimension is taken close to the furthest offset point and fails to convey that at its closest point dwelling 02 will be 8.2m from corner of the rear elevation of number 31.

5.2.7 I am mindful that consent was granted to the west of the proposal site for the erection of a new detached triple garage with office space above (3/2012/0052). The height of the previously approved building measured approximately 2.6/7 at eaves and 6m at ridge/apex.

5.2.8 The current proposed dwellings would exceed the aforementioned eaves height by approximately 1m and ridge height by approximately 0.4/0.6m or 0.55m/0.75m when taking into account assumed finished floor levels. It should be noted however that at the time of determination of the aforementioned application (3/2012/0052) the officer delegated report states that the site to the south of 41 Dilworth Lane was 'open field' in nature and the assessment was made pre-construction of the current dwellings on Croft Way. It is therefore argued that matters relating to the potential impacts upon residential amenities to occupiers

to the south would not have been a material consideration at the point of determination given no such constraints existed at that particular point in time.

- 5.2.9 Taking into account the above matters it is considered that the proposal would be of detriment to the amenities of neighbouring occupiers by virtue of the scale of and mass of the proposed dwellings and their proximity to neighbouring boundaries and existing habitable room windows resulting in an over-bearing, unsympathetic and over-dominant impact.

5.3 Visual Amenity/External Appearance:

- 5.3.1 Considered in isolation the elevational language, materials and overall scale of the proposed dwellings is considered to be acceptable insofar that they will appear as subservient buildings within the street scene and respond positively, to some degree, to the character of Dilworth Lane and the adjacent buildings to the east and west.

- 5.3.2 However it is likely that the parked motor vehicle may be afforded an undue level of visual prominence on approach as a result of the external layout and cumulatively, when read in conjunction with the proposed buildings, may result in the development as a whole being read as cramped, potentially leading to a discordant appearance taking when into account the spacing between the buildings that currently define the southern side of Dilworth Lane.

- 5.3.3 This cramped appearance will be exacerbated by the proposed dwellings relationships to the southern boundary, which at its closest point is approximately 1.4m and also that the development as a whole will be read against the backdrop of a number of recently constructed dwellings.

5.4 Highway Safety and Accessibility / Public Rights of Way:

- 5.4.1 The Highway Development Control Section has offered the following observations:

Looking at the proposed visibility splay the 2m x 43m shown on the submitted plan would be sufficient for a speed limit of 30mph, however a speed survey undertaken in 2013 gave 85th percentile readings of 39 / 40mph, consequently a more appropriate visibility splay would be 2m x 59m. Notwithstanding this, I would be minded to raise no objection to the proposal on highway grounds but request, that should consent be granted, a condition be attached that requires the submission of revised details that demonstrate that a visibility splay, drawn from a point 2m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of Dilworth Lane to points measured 59m in each direction along the nearer edge of the carriageway of Dilworth Lane can be achieved and maintained.

- 5.4.2 The Highway Officers has further added that in achieving the required visibility it may be necessary to remove some of the existing hedge and possibly some trees. The officer further suggests that the Local Planning Authority may prefer to see a scheme plan showing how the visibility splay is to be achieved and at what cost to the existing vegetation this would result in rather than attaching the above Condition.

5.4.3 The Highways Officer has further suggested that should consent be granted, a condition be imposed relating to the submission of a Construction Method Statement.

5.5 Landscape/Ecology:

5.5.1 The site is occupied by a number of trees that are protected by Tree Preservation Orders. A tree constraints plan has been submitted in support of the application however no arboricultural impact assessment has been submitted therefore the impacts upon the aforementioned trees/adjacent hedgerows or suitable mitigation and protection cannot be adequately assessed at this stage.

5.5.2 The proposed site plan indicates that portions of hard surfaced areas (paved areas, access road and parking) encroaches upon the root protection areas of two of the trees identified on site as T9 (TPO No.T6) & T10 (TPO No.T4). No methodology has been provided to ensure that the construction or presence of these introductions would result in long term damage to the aforementioned trees.

5.5.3 It is further considered that the proposed dwellings appear to be in close proximity to the crowns of a number of the trees (T6, T9 & T10) which I likely to result in future tree resentment issues and compromise the further growth or long term survival of the trees.

5.5.4 Following consultation and a site inspection the Councils countryside officer has stated that the siting of the proposed dwellings would result in both proposed gardens being covered by tree canopies, from T4 + T6 and G1, and it is likely the siting of the dwellings will conflict with the crowns of the aforementioned trees during construction or in future years. It is clear the proposed development would create potential Light, Subsidence, Tree Failure and Debris problems for the future home owners which have the potential to cause future tree resentment issues.

5.6 Other Matters:

5.6.1 Members will note that the application has been subject to pre-application advice, which subsequent to a number of options being presented concluded the following:

Having viewed the plans and sections I am still of the opinion the proposed dwelling would result in an unacceptable overbearing impact exacerbated by the orientation of the property to the rear.

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

6.1 Taking account of the above observations and matters raised it is considered that the proposed dwellings would be of detriment to the residential amenities of neighbouring occupiers by virtue of their overall scale, orientation and proximity resulting in an over-dominant, unsympathetic and over-bearing relationship.

6.4 It is for the above reasons and having regard to all material considerations and material matters raised that the application is recommended accordingly.

RECOMMENDATION: That the application be REFUSED for the following reason(s):

1. The proposals, by virtue of their scale, orientation and proximity to neighbouring boundaries would be of detriment to the residential amenities of neighbouring occupiers in that approval of the development would result in an unsympathetic, over-bearing and over-dominant impact, contrary to Policy DMG1 of the Ribble Valley Core Strategy.
2. The proposal is considered contrary to Policies DMG1, DME1, DME2 and DME3 of the Ribble Valley Core Strategy insofar that the proposed development would be of significant detriment to Trees on site that are protected by Tree Preservation Orders that are considered to be of high landscape visual amenity value. It is further considered that the proposal is contrary to DMG1 of the Ribble Valley Core Strategy insofar that the presence of significant tree canopy coverage, in close proximity to proposed primary habitable room windows, is likely to be of detriment to the residential amenities of future occupiers.

INFORMATIVE(S):

1. For the avoidance of doubt this decision notice relates to and shall be read in conjunction with drawing number(s):

BTC873-TCP: Tree Constraints Plan
4892-P01 C: Proposed Site Plan, Floorplans & Elevations
4892-P02: Proposed Sections
H2119/01: Proposed Access

BACKGROUND PAPERS

<https://www.ribblevalley.gov.uk/planningApplication/27289>

PLANNING APPLICATION STATISTIC REPORT

APPLICATIONS DETERMINED – 14/4/16 -14/6/16

<u>Approved with conditions</u>	<u>Approved with no conditions</u>	<u>Applications Refused</u>	<u>Total Applications determined</u>	<u>Applications determined by Committee</u>
116	28	39	214	6

(This list does not include prior determinations, split decisions, observations to other Local Planning Authorities and other less frequent application types).

To assist the Members, below are two links to the Council's web page in relation to

1. Weekly received list –
https://www.ribblevalley.gov.uk/downloads/download/7156/planning_application_weekly_lists
2. Weekly determined list –
https://www.ribblevalley.gov.uk/downloads/download/7157/weekly_lists_of_planning_application_decisions

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2015/0495/P	Land at Worthalls Fm Westfield Avenue Read	11/2/15	5	With Planning

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2016/0247/P	Single storey extension to rear incorporating reception area, additional surgery and WC	89 King Street Whalley
3/2016/0258/P	Extension of curtilage and erection of building incorporating one domestic double garage, garden store, tack room and two private stables	Horrocks Barn Knowles Brow Stonyhurst
3/2016/0233/P	Proposed conversion of a traditional farm building into a private dwelling and the demolition and rebuilding of an existing farmhouse	Fletcher Fold Farm Osbaldeston Lane Osbaldeston
3/2016/0359/P	Prior approval for a proposed change of use of agricultural building to dwelling house and for associated operational development for the conversion of an agricultural building to three, three bed dwellings with access, parking and garages	Horton Grange Farm Horton

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2016/0320/P	Prior approval for a proposed change of use of agricultural building to a dwelling house (Class 3) and for associated operational development	Low Laithe Barn Gisburn road Newsholme
3/2016/0276/P	Two surface water attenuation balancing ponds pursuant to outline planning permission 3/2013/0137	Land east of Clitheroe Road Whalley
3/2016/0069/P	Demolition of former nursery and erection of new retail and office building with car parking	7 Accrington Road Whalley
3/2016/0411/P	Proposed single storey bedroom/bathroom rear extension and ramped access and handrail to front extension	33 Riverlea Gardens Clitheroe
3/2015/0621/P	Extension to existing cattle housing – phase 2 of 2	Bolton Fold Farm Alston Lane Longridge

APPEALS UPDATE

<u>Application No</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Date of Inquiry/ Hearing if applicable</u>	<u>Progress</u>
3/2014/0697R	29/06/15	Land adj Clitheroe Road, West Bradford	WR		Awaiting Decision
3/2014/0846R	12/08/15	Land at 23-25 Old Row, Barrow	Hearing	18/11/15 20/01/16 11/05/16 07/09/16	Adjourned until 07/09/16
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			Appeal rejected by PINS – no further action to be taken.
3/2015/0385 R	29/01/16	Land east of Clitheroe Road, Whalley	WR		Awaiting Decision
3/2015/0886 R	18/03/16	Barraclough Cottage, Whalley Road, Pendleton	WR		Awaiting Decision

<u>Application No</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Date of Inquiry/ Hearing if applicable</u>	<u>Progress</u>
3/2015/0647 R	16/02/16	Pinfold Farm Barn, Preston Rd, Ribchester	WR		Awaiting Decision
3/2015/0910 U	02/03/16	Primrose House, Primrose Rd, Clitheroe	HH		Awaiting Decision
3/2016/0050 R	22/02/16	Land adj Newton Village Hall, Main St, Newton	WR		Awaiting Decision
3/2015/0978 R	14/03/16	Hetton House, Eastham Street, Clitheroe	HH		Appeal Allowed 03/05/16
3/2015/0492 R	Awaiting start date from PINS	Longridge C of E Primary School, Berry Lane, Longridge			Rejected by PINS as information not sent by applicant within their time limit.
3/2015/0873 R	05/04/16	The Paddocks Stoneygate Lane Knowle Green	WR		Awaiting Decision
3/2016/0095 R	20/04/16	Mayfield Ribchester Road Clayton le Dale	WR		Awaiting Decision
3/2015/0571 R	16/03/16	Four Acres Pendleton Road Wiswell	WR		Appeal Allowed 13/05/16
3/2015/0159 C	13/05/16	Former Golf Driving Range Upbrooks Lincoln Way Clitheroe	WR		Statement due 17/06/16
3/2015/0074 R	13/05/16	Land adj Petre Arms, Langho	WR		Statement due 17/06/16
3/2016/0172 R	16/05/16	Stydd Garden Centre, Ribchester (Shed 2 - education)	WR		Statement due 20/06/16
3/2016/0174 R	16/05/16	Stydd Garden Centre, Ribchester (Shed 1 – deli)	WR		Statement due 20/06/16
3/2016/0022 R	21/04/16	1 & 2 Abbeycroft, The Sands Whalley	WR		Statement Due 01/08/16

<u>Application No</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Date of Inquiry/ Hearing if applicable</u>	<u>Progress</u>
3/2016/0086 R	03/05/16	22 Simonstone Lane, Simonstone	HH		Awaiting Decision
3/2016/0091 R	13/05/16	Great Mitton Hall, Mitton Road, Mitton	WR		Statement due 17/06/16
3/2015/0605 R	03/05/16	Little Snodworth Farm, Snodworth Road, Langho	WR		Awaiting Decision
3/2016/0114 R	20/05/16	Blue Trees Copster Green BB1 9EP	HH		Awaiting Decision
3/2015/0959 Approved with Conditions 3/2016/0125 R	13/06/16	Lambing Clough Barn, Lambing Clough Lane, Hurst Green BB7 9QN	WR		Statement due 18/07/16
3/2016/0009 R	Awaiting start date from PINS	Salisbury Cottage, Newton in Bowland, BB7 3DZ	WR (to be confirmed)		
3/2016/0019 R	14/06/16	Broadhead Farm, Moorfield Avenue, Ramsgreave BB1 9BZ	WR		Statement due 19/07/16
3/2016/0241 R	Awaiting start date from PINS	Field Barn, Old Langho Road, Langho BB6 8AW	Submitted as HH appeal, but officer feels that it is not household or development. (Stable outside residential curtilage)		