

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 21 JULY 2016
 title: PLANNING APPLICATIONS
 submitted by: DIRECTOR OF COMMUNITY SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

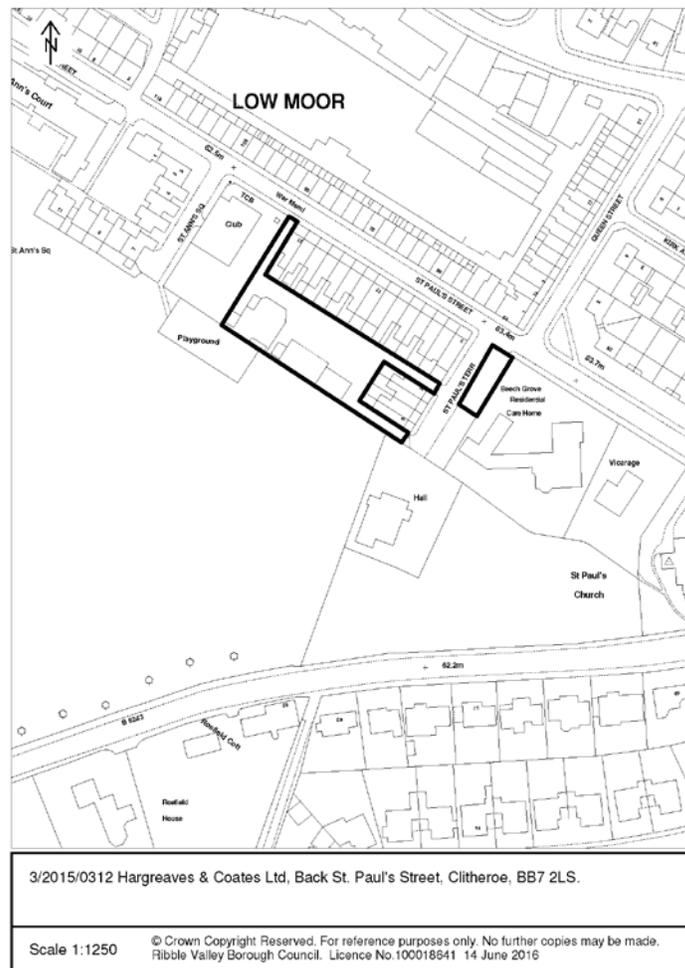
B. APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES
 RECOMMENDS FOR APPROVAL

APPLICATION REF: 3/2015/0312/P

GRID REF: SD 373069 441623

DEVELOPMENT DESCRIPTION:

PROPOSED DEMOLITION OF EXISTING COMMERCIAL PROPERTY AND THE CREATION OF 5 NEW DWELLINGS WITH ASSOCIATED CAR PARKING. HARGREAVES AND COATES LTD, BACK ST PAUL'S STREET, CLITHEROE, BB7 2LS



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Clitheroe Town Council objects to this application on the following grounds:

- The site cannot accommodate 6 dwellings
- Road safety implications and inadequate sight lines.
- Feasibility of using one access and entry point for the development.
- Concerns regarding the ownership of the access.
- Concerns regarding offset distances which do not meet planning guidelines.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

The Highway Development Control Section has offered a number of observations during the course of the application originally raising objections and stating that the submitted details fail to accurately reflect the site. A number of revisions have been sought to secure a layout and highways arrangement that mitigates these concerns.

UNITED UTILITIES:

No objection to the proposal subject to the imposition of planning conditions relating to foul/surface water drainage. United utilities have further stated that a water main/trunk main crosses the site and they will not permit development in close proximity to the main stating that the development will need to maintain an access strip of no less than 5 metres, measuring at least 2.5 metres either side of the centre line of the pipe.

RVBC ENGINEERS:

No objection subject to conditions regarding contaminated land being imposed.

ADDITIONAL REPRESENTATIONS:

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

- Inadequate access
- Inadequate parking
- Loss of Privacy and overbearing development
- Loss of view/outlook
- Land ownership issues
- Impact upon the existing highways network
- Increase in traffic
- Impacts upon bats
- Inaccurate information in support of the application
- Access rights

1. Site Description and Surrounding Area

- 1.1 The application site is a plot of land located to the rear of a row of terrace properties located on the southern side of St. Pauls Street, Low Moor, Clitheroe. The site is

bounded to the south by playing fields with the Low Moor Social Club being located to the west. The site is bounded to the north and east by two-storey terrace properties.

- 1.2 The site currently accommodates a number of buildings, some in a state of dilapidation, associated with the previous Haulage/distribution business that operated from the site.
- 1.3 Vehicular and pedestrian access to the site is provided to the east and west of the site. The primary access is located to the eastern extents of the site off St Pauls Terrace with the secondary access being located to the west directly off St Pauls Street

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

- 2.1 Outline Consent is sought for the erection of five dwellings (originally 6) and associated car parking. The matters for which consent is sought are access, layout and scale, therefore members will note that detailed aspects such as external appearance and landscaping cannot be considered at this stage.
- 2.2 The submitted details propose that the five dwellings will be in a terrace form and be two-storey in height measuring a maximum height of 5m at eaves and 7.5 at ridge level. The proposed dwellings are located towards the southern extents of the site with associated modest garden areas with parking provision being provided for 2 parking spaces per dwelling.
- 2.3 Portions of the existing buildings/structures on site form part of, or are tied into the existing southern boundary wall that fronts the Roefield/Low-Moor playing fields. It is proposed that following the demolition of the aforementioned buildings that the southern boundary wall will be reduced to 1.2m and form the rear/front boundary wall (dependant on plot orientation) to the proposed dwellings.

3. **Relevant Planning History**

No recent planning history directly relevant to the determination of the current application.

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 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 proposed development is located within the defined settlement boundary of Clitheroe and the site to which the application relates is currently considered as being brownfield in nature and in a highly accessible location within adequate walking distance to services, facilities and public transport links.
- 5.1.2 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 or Policy DMG2 of the adopted Core Strategy.

5.2 **Impact upon Residential Amenity:**

- 5.2.1 The proposal site is a 'back-plot' bounded to the east and north by existing residential properties; therefore consideration must be given to any potential detrimental impacts upon the amenities of existing and future occupier's resultant from the development.
- 5.2.2 The application is made in outline with matters of external appearance being reserved for consideration at a later stage, therefore the direct impacts upon the residential amenities of occupiers of existing neighbouring properties, as a result of primary habitable room window placement/orientation and internal floor layout cannot be fully assessed at this stage.
- 5.2.3 However, given the application seeks approval for matters of scale and layout, an assessment can be made at this stage of any likely/potential impacts upon the residential amenities of neighbouring occupiers as a result of the overall massing, scale, height, layout and spatial arrangements/offsets of the proposed dwellings.
- 5.2.4 The submitted details propose that the dwellings will have an offset distance of approximately 19m from the properties to the north at their closest point (gables) and in excess of 21m at other points including the primary elevation(s).
- 5.2.5 A side (flank) to rear elevation off set distance of approximately 14m is proposed from the elevations of the existing dwellings to the east when measured from the elevations that contain windows at first floor level. A number of the aforementioned existing properties have single storey rear gabled extension that project rearward shortening the offset distance to 10m. Given that the Local Planning Authority will be able to ensure no windows are located on the east elevation of the proposed dwellings at the relevant reserved matters stage I do not consider that this relationship would be of detriment to the residential amenities of existing or future occupiers.

5.3 **Visual Amenity/External Appearance:**

- 5.3.1 The application is made in outline with matters of external appearance being reserved for consideration at a later stage, therefore the direct impacts upon the visual amenities of the area cannot be fully determined at this stage.

- 5.3.2 However, given the application seeks approval for matters of scale and layout, an assessment can be made at this stage of any likely/potential impacts upon the visual amenities of the area in respect of overall massing, scale, height of the development and the whether the overall built form/layout responds positively to the existing urban fabric and development pattern within the area.
- 5.3.3 The scale parameters put forward stipulate that the proposed dwellings will be no higher than 5m in height at eaves level and 7.5m at ridge level which are largely similar to that of adjacent development.
- 5.3.4 Therefore given the scale parameters proposed, I consider that the overall scale of the development will be commensurate with other built form within the vicinity and therefore the proposal is unlikely to be of detriment to the visual amenities and character of the area by virtue of its scale when considered in isolation.
- 5.3.5 The proposed layout indicates that the dwellings will be in terraced form, this is considered to acceptable insofar that it relates directly to the built form and pattern of development found directly adjacent the site.

5.4 Highway Safety and Accessibility / Public Rights of Way:

- 5.4.1 The Highway Development Control Section had originally objected to the application due to the internal layout and inadequate vehicular manoeuvring space. The Highways Officer has subsequently withdrawn their objection following the receipt of amended plans and are of the opinion that the proposed development for five dwellings should have a negligible impact on highway capacity in the immediate vicinity of the site with a potential of removing some goods vehicle movements from the local network.
- 5.4.2 A vehicular manoeuvring margin of 6m is maintained running east to west through the site with a turning head being provided at the western extents of the site to accommodate refuse vehicles. A further margin of 3.9 has been maintained between the curtilages of the proposed dwellings and the rear wall/curtilage of the dwellings to the east to maintain adequate access for vehicles.

5.5 Landscape/Ecology:

- 5.5.1 The application has been supported by a Bat Survey which identifies that the buildings in situ have little or no likelihood of supporting habitat for roosting bats. The report further states that no mitigation is therefore required as part of the development.
- 5.5.2 Notwithstanding this consideration it is clear from the survey that bat activity has been recorded within the vicinity. Taken this into account and the proximity of liner landscape features adjacent the playing fields, I consider it appropriate to require that the dwellings incorporate provision for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites/boxes. These will be required to be integral to the built form and this requirement shall be imposed via planning condition. This stance/requirement is fully supported in Key Statement EN4 of the Ribble Valley Core Strategy which seeks to secure biodiversity and ecological enhancement through all development.

5.6 Flood Risk and Drainage:

5.6.1 United Utilities have raised no objection to the proposal subject to the imposition of planning conditions relating to foul/surface water drainage. United utilities have further stated that a water main/trunk main crosses the site and they will not permit development in close proximity to the main stating that the development will need to maintain an access strip of no less than 5 metres, measuring at least 2.5 metres either side of the centre line of the pipe. It is the applicants/designers responsibility to identify the precise location of the aforementioned water main/trunk and take into consideration how this will influence/affect the layout put forward to the Local Authority.

6. Observations/Consideration of Matters Raised/Conclusion

6.1 Members will note that extensive and protracted negotiation has been undertaken during the course of the application to resolve a significant number of matters including insufficient supporting information and conflicting and/or inaccurate information. These negotiations/discussions have resulted in the application being altered significantly from its original form with a fully revised layout, altered internal arrangement and the loss of one dwelling which has significantly delayed the determination of the application.

6.2 Given the separation distances between existing and proposed dwellings and taking account of the overall proposed layout it is not considered, at this stage and based on the matters for which consent is sought, that the proposal would result in any detrimental impact upon existing/future residential amenities by virtue of direct over-looking.

6.3 Taking account of the overall scale and layout of the proposed development it is not considered, at this stage and based on the matters for which consent is sought, that the proposal would be of detriment to the visual amenities and character of the area.

6.4 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

6.5 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. Application for approval of all reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates.

(a) The expiration of three years from the date of this permission; or

(b) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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. Application(s) for approval of the reserved matters of the development hereby permitted shall be made in strict accordance with the layout and scale parameters as shown on drawing: PHD/LM/500C.

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

3. Application(s) for approval of the reserved matters of the development hereby permitted shall be accompanied by details of the alignment, height and appearance of all boundary treatments, fencing, walling, retaining wall structures and gates to be erected within the development hereby approved. 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 of the Ribble Valley Core Strategy.

4. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes / artificial bat roosting sites have been submitted to, and approved in writing by the Local Planning Authority.

For the avoidance of doubt the details shall identify the nature and type of the nesting boxes/artificial roosting sites and the locations(s) or wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into the dwelling(s) during the construction stage of the development and made available for use before the dwelling(s) hereby approved are first occupied and thereafter retained. The development shall be carried out in strict accordance with the approved details.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and to minimise/mitigate the potential impacts upon protected species resultant from the development in accordance with Key Statement EN4 and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

5. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until 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 proposed development responds appropriately to the topography of the site and 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 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.

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 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.

8. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users in accordance with Key statement DMI2 of the Ribble Valley Core Strategy.

9. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plan(s) and the vehicular turning space shall be laid out and be available for use before any of the dwellings hereby approved are first occupied and maintained thereafter.

REASON: To ensure the safe operation of the adjacent/immediate highway network in accordance with Key Statement DMI2 and Policy DMG3 of the Ribble Valley Core Strategy.

10. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until details of the vehicular parking and areas and a scheme for their demarcation/delineation, including proposed surfacing materials has been submitted to and agreed in writing by the Local planning Authority. The approved details shall be

made available for use and completed prior to any of the dwellings hereby approved are first occupied, the approved details shall be permanently maintained thereafter.

REASON: To ensure adequate parking provision is made available on site for residents of the dwellings hereby approved in accordance with Key Statement DMI2 and Policy DMG3 of the Ribble Valley Core Strategy.

11. Once works commence on the site, should site operatives discover any adverse ground conditions and suspect it to be contaminated, they should report this to the Site Manager and the Contaminated Land Officer at Ribble Valley Borough Council. Works in that location should cease and the problem area roped off. A Competent Person shall be employed to undertake sampling and analysis of the suspected contaminated materials.

A Report which contains details of sampling methodologies and analysis results, together with remedial methodologies shall be submitted to the Local Planning Authority for approval in writing. The approved remediation scheme shall be implemented prior to further development works taking place and prior to occupation of the development.

Should no adverse ground conditions be encountered during site works and/or development, a Verification Statement shall be forwarded in writing to the Local Planning Authority prior to occupation of the dwelling(s), which confirms that no adverse ground conditions were found.

REASON: To ensure that the site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site.

12. Prior to the commencement of the development, including any demolition or site preparation works, a joint survey shall be carried out between the developer and the Highways Authority to determine the current pre-construction condition of the back street and junctions with St Pauls Street and St Pauls Avenue/Terrace. A similar repeat survey shall be carried out within one month of the completion of the last dwelling hereby approved, the findings of the surveys shall be submitted to and agreed in writing by the Local Planning Authority.

For the avoidance of doubt the submitted details shall specify any works to be undertaken, and their timings, to make good any damage to the back street and junctions with St. Pauls Street and St Pauls Avenue/Terrace as a result of construction works, to return the highway to the pre-construction situation/condition. The development and any remediation/repair works shall be carried out in strict accordance with the approved details.

REASON: To maintain the safe operation of the immediate highway and to ensure no long-term damage to the highway as a result of the construction phase of the development in accordance with Policies DMG1, DMG3 and Key Statement DMI2 of the Ribble Valley Core Strategy.

13. No development shall take place, including any demolition or site preparation, until a Construction Method Statement and Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period, it shall provide details of:

- The location and provision for the parking of vehicles of site operatives and visitors

- The location and timings of loading and unloading of plant and materials used in the construction of the development
- The location(s) for the storage of plant and materials used in constructing the development
- The location for the erection of security hoardings and its maintenance
- The location of Wheel washing facilities which shall be made available for use on site for the duration of the construction/demolition phase.
- Measures to control the emission of dust and dirt during construction
- Routes to be used by vehicles carrying plant and materials to and from the site
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

REASON: In the interests of protecting residential amenity from noise and disturbance and to ensure that the development would not be of detriment to the safe operation of the immediate highway during the construction stage, in the interests of highway safety and compliance with current highway legislation in accordance with Policies DMG1, DMG3 and Key Statement DMI2 of the Ribble Valley Core Strategy.

BACKGROUND PAPERS:

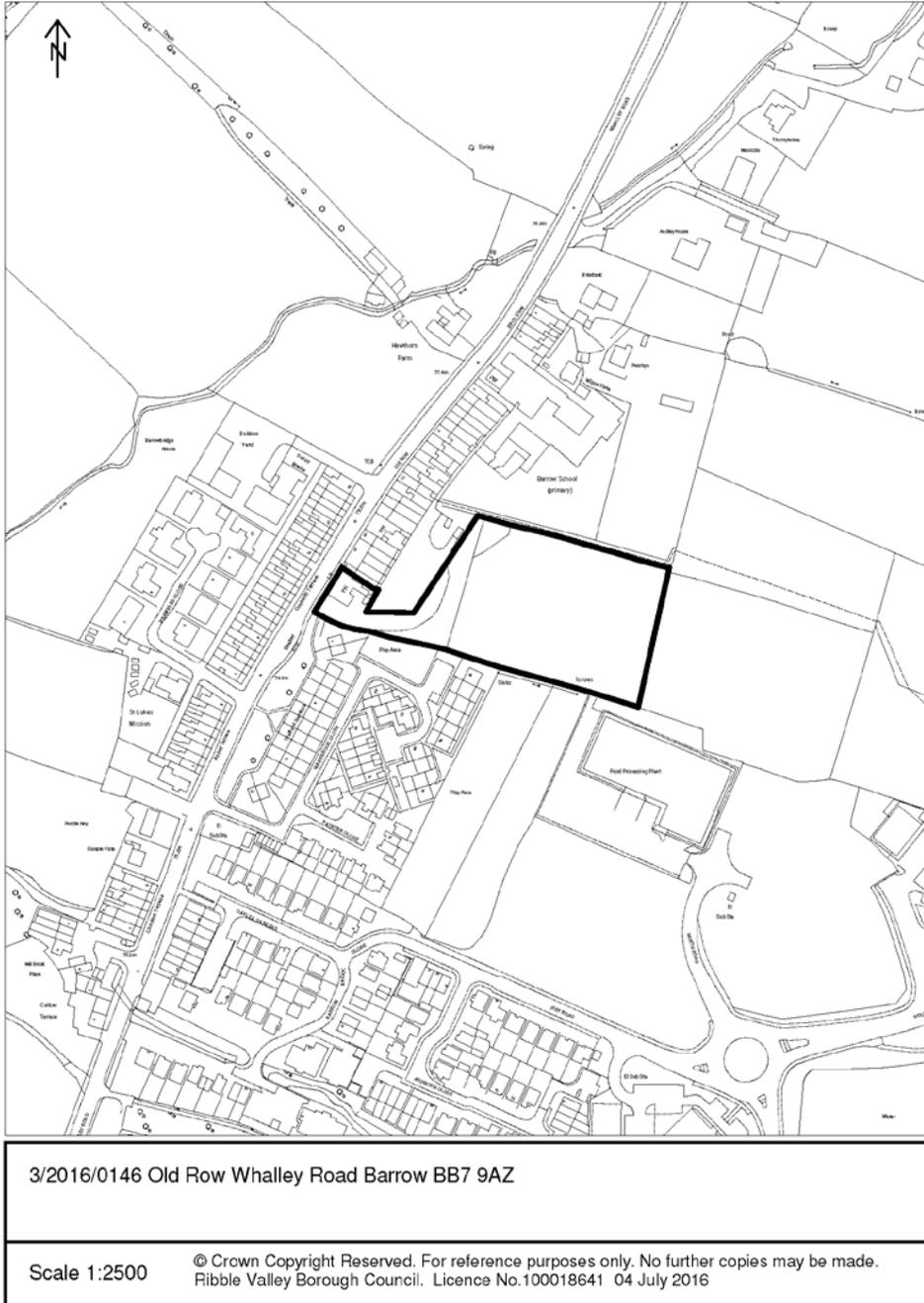
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0312

APPLICATION REF: 3/2016/0146/P

GRID REF: SD 733779 438441

DEVELOPMENT DESCRIPTION:

OUTLINE APPLICATION WITH ALL MATTERS RESERVED FOR RESIDENTIAL DEVELOPMENT OF 23 DWELLINGS, FOLLOWING THE DEMOLITION OF NOS. 23, 25 OLD ROW, WHALLEY ROAD, BARROW WITH INDICATIVE DETAILS SUBMITTED FOR ACCESS, PARKING AND ASSOCIATED LANDSCAPING



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Barrow Parish Council:

Questions the need/demand for extra houses in Barrow and would like to make the following comments:

- The nearby properties are generally terraced with no off-street parking. The development will increase traffic and reduce parking for existing residents.
- The local transport network is already at capacity.
- Will the existing agreement for parents of pupils at Barrow School to use the car ark at the rear of the Admiral Tavern pub remain? Without this agreement the roads will be more dangerous.
- Barrow Primary School is oversubscribed.
- Construction vehicles and traffic will cause disruption.
- Can the site not be accessed off the A59 rather than Whalley Road?
- The existing sewerage facilities in Barrow are inadequate, as advised by United Utilities.
- Risk of Flooding
- Barrow does not have the infrastructure to cater for more houses.
- The plans show the car park at the rear of Old Row will remain but more information is required. This car park is in poor state of repair and needs repairing.
- The site is outside the village settlement boundary
- Part of the site is designated as "Essential Open Space".
- Object to the demolition of 25 Old Row as this building is an important part of Barrow's industrial heritage. Neglect of a property is not justification for its removal.
- The application states that 23 -25 Old Row are being demolished for access but new houses are being built in their place. How does this improve the access?
- The demolition of 23 – 25 Old Row may de-stabilise the terrace row and no details have been submitted as to how 21 Old Row will be affected.
- LCC Archaeology Service should have been consulted on this application.
- The public footpath running through the site must be maintained and protected.
- The Public Open Space contribution should be spent in Barrow.

Wiswell Parish Council:

Fully supports the comments made by Barrow Council.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

As the application is for outline consent with all matters reserved the Highway Officer has no objection. Any reserved matters would need to include further details in respect of the access and this would potentially involve the narrowing of the highway to provide adequate sight lines at the highway junction.

The applicant will need to enter into a Section 278 in respect of highway improvements for the site access (including all off-site works), gateway features to the north (to reduce vehicle speeds) and bus stop upgrades to the nearest to bus stops to the south of the site.

The applicant is also required to make a financial contribution of £10,000 for improvement to public right of way 3-4FP 1 to the north of the site. This will be secured by way of legal agreement.

ENVIRONMENT DIRECTORATE (PUBLIC RIGHTS OF WAY):

No comments received

LCC EDUCATION:

Requirement for the applicant to provide a contribution towards the provision of nine primary and three secondary school places at a cost of £182,181.54 to be secured by way of a legal agreement. It must be noted that this figure is a maximum calculation on the basis that each of the 23 dwelling will have four bedrooms and therefore this figure is likely to change at reserved matters stage.

LCC ARCHAEOLOGY:

No objection subject to condition requiring archaeological programme be implemented prior to commencement of development.

ENVIRONMENT AGENCY:

No objection (the EA have stated they should not have been consulted on this proposal).

UNITED UTILITIES:

No objection subject to attachment of recommended conditions in respect of foul and surface water drainage, and sustainable drainage management.

LOCAL LEAD FLOOD OFFICER:

The information provided within the Flood Risk Assessment Addendum is sufficient at outline stage, however, the applicant will need to provide a formal surface water drainage strategy at reserved matters. The LLFA have raise no objection to the application subject to conditions.

PLANNING POLICY:

This is a resubmission of a scheme that has extant consent for 23 dwellings. Barrow is a Tier One Settlement and this site has already been included within the list of commitments when the development strategy was refined and the plan adopted. The development would therefore not deliver a net increase in dwellings beyond those already committed. As such there is no sustainable objection to this application.

HOUSING OFFICER:

The only remaining affordable housing need in in Barrow is for older persons and therefore the request would be for bungalows on the site. The developments that have taken place to date in Barrow have provided general needs housing and the housing waiting list evidences a clear demand for bungalows for older persons. Therefore the request would be for the affordable contribution from the site to be bungalows built to Life Time Home Standards with a mix of affordable home ownership and rented tenures.

CULTURAL AND LEISURE SERVICES:

The applicant should provide a contribution towards the existing play area in Barrow and the QE2 playing fields in Barrow to be secured by way of legal agreement.

COUNTRYSIDE OFFICER:

No objection subject to the development being undertaken in accordance with the mitigation measures and recommendations contained within the submitted Ecology report and a condition requiring the trees to be retained (on and adjacent to the site) shall be enclosed within protective fencing prior to any works commencing.

ADDITIONAL REPRESENTATIONS:

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

- Traffic congestion and highway safety
- Too many houses in Barrow
- Limited facilities and services – schools and sewers
- Oppose demolition of former public house
- Remove car parking area used by the school
- Object to the creation of a mini-roundabout which would result in a loss of on-street car parking
- Flooding
- The outline permission shows no proper plans
- The developer has not consulted with local community prior to submitting the plans
- Outside the settlement boundary and therefore within open countryside
- Devalue surrounding house prices
- Impact upon wildlife

1. Site Description and Surrounding Area

- 1.1 The application relates to a plot of land associated with the now closed La Taverna Italian Restaurant to the east of Whalley Road in Barrow. The site (edged red) measures approximately 0.96 hectares and consists of the vacant restaurant building, the adjoining dwelling, an access track and a green field. The location plan also includes areas edged in blue and these contain an informal car parking area to the rear of the properties on Old Row and another, larger, field which adjoins the A59.
- 1.2 Directly to the north of the site runs a public footpath and on the other side of this is Barrow Primary School, along with its associated playing field, and the garden area for the residential dwelling at Penryhn. To the east are open fields with the A59 beyond. To the south is a small children's play area and the residential dwellings on Trafford Gardens and Washbrook Close, along with the Total Foods Depot building. To the west are the terraced properties on Old Row and the highway of Whalley Road.
- 1.3 The application site has in the past benefited from outline planning consent for the erection of 23 dwellings (3/2012/0623), however this consent lapsed in February 2016. The application site does also form part of a larger site which sought outline consent for 167 dwellings (3/2014/0846), but this application was refused in December 2014. This

refusal has been appealed and is currently under consideration by the Planning Inspectorate.

- 1.4 Part of the application site is located outside of the 1998 District Wide Local Plan Settlement Boundary for Barrow, however the whole of the site is now within the recently updated Draft Settlement Boundary.

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

- 2.1 The application seeks outline consent, with all matters reserved, for the erection of 23 dwellings. In accordance with the Council's requirements seven of the dwellings would be "affordable" and more specifically upon the request of the Housing Officer older persons accommodation built to Life Time Home Standards.

- 2.2 The proposal would include the demolition of the former restaurant and the attached dwelling. All the submitted details and plans are indicative, but these show two dwellings would be sited in the area made available by this demolition. The plans show the access would be via the existing point off Whalley Road and the remaining dwellings constructed within the field.

- 2.3 The submitted plans state that the development would include (however as this is outline consent only this housing mix could alter):

- 5 x 2 bed properties;
- 12 x 3 bed properties;
- 6 x 4 bed properties.

- 2.4 The existing parking area, owned by the applicant but used by the existing residents on Old Row and Whalley Road, would be unaltered by the proposal.

3. **Relevant Planning History**

3/2014/0846 - Outline planning application with all matters reserved for the erection of 167 residential dwellings with access and associated landscaping following demolition of no 23 and 25 Old Row – refused with appeal pending

3/2012/0623 - Outline application with all matters reserved for residential development of 23 dwellings, with access, parking and associated landscaping following demolition of nos. 23 and 25 Old Row – granted subject to conditions

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement DS2 – Presumption in Favour of Sustainable Development

Key Statement EN2 – Landscape

Key Statement EN3 – Sustainable Development and Climate Change

Key Statement H1 – Housing Provision

Key Statement H2 – Housing Balance

Key Statement H3 – Affordable Housing

Key Statement DMI1 – Planning Obligations

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMH1 – Affordable Housing Criteria
Policy DMG3 – Transport and Mobility
Policy DME2 – Landscape and Townscape Protection
Policy DMB4 – Open Space Provision
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)

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

- 5.1.1 This is an outline application with all detailed matters reserved for subsequent consideration at reserved matter application stage. The main consideration in the determination of this application is therefore the principle of the development. The matters of highway safety, ecological interest, affordable housing, public open space and both visual and residential amenity, however, do have to be given some consideration (as per later in this report).
- 5.1.2 The application site is located within the Draft Settle Boundary of Barrow, which is categorised as a Tier 1 village in Key Statement DS1 of the Ribble Valley Core Strategy. Key Statement DS1, along with Policy DMG2, seeks to ensure new housing is located within either the three principal settlements of Clitheroe, Whalley or Longridge, the strategic site or the nine Tier 1 Villages which are considered to be the more sustainable of the 32 defined settlements.
- 5.1.3 It is recognised that there is a large number of existing housing commitments in Barrow, therefore there is no residual need for additional housing in this settlement. However, the site has a historic consent (2013) and the 23 dwellings previously approved on the site have already been included in the list of commitments when the development strategy was refined and adopted in 2014. The proposed development would not result in a net increase in dwellings beyond those already committed and accounted for in Barrow.
- 5.1.4 The objections raised in respect of there being too many houses in Barrow is noted, however as detailed above the 23 dwellings previously approved on the site have been included in the housing figures for Barrow and refusal of this application would result in a residential need for an additional 23 houses elsewhere within the settlement of Barrow and also impact upon the Council's five-year housing land supply. In respect of the objector's comment that the site is within the open countryside, the whole of the application site is located within the Draft Settlement Boundary for Barrow and this must be given considerable weight in the determination of this application.
- 5.1.5 In view of the above, it is considered that the principle of developing this site for residential use, in the Draft Settlement Boundary of Barrow (Tier 1), complies with Key Statements DS1 and DS2, along with Policy DMG2, of the Core Strategy. In addition, the principle of residential development has already been

established on this site by the granting of application number 3/2012/0623 in February 2013.

- 5.1.6 In respect of the demolition of the vacant restaurant building at 23-25 Old Row, objections have been raised on the grounds that this building is important to Barrow's industrial heritage. However, this is not a listed building, nor is it within a conservation area. Barrow comprises of a mixture of properties of various types, designs and age, and it is considered that the reserved matters application (when forthcoming) will provide the opportunity to design a high quality building in this prominent position and this new building would provide a visually more pleasing feature at the entrance point to the new development than would be presented by the retention of the existing building, which is presently boarded up and vacant. The principle of demolishing this building is considered to be acceptable as the existing building is not of any sufficient merit that would justify refusal of this application. Additionally, the principle of demolition of this building has already been established within the previous approval. A condition has been attached requiring details of how the gable of 21 Old Row would be made good has been attached.

5.2 Impact upon Residential Amenity and Visual Amenity/External Appearance:

- 5.2.1 Precise details of the layout will be considered at reserved matters application stage. However the illustrative layout submitted with the application would appear to represent a development that would be appropriate for the locality without any serious detriment to visual amenity in this area. The application would likely comprise of a mixture of two storey dwellings and bungalows, and this would very much be in keeping with the surrounding house types in this part of Barrow.
- 5.2.2 In terms of residential amenity, the retention of the existing residents' car parking area to the rear of the dwellings on Old Row would ensure that a more than sufficient separation distance is provided from the rears of these properties to the development site. To the north is the public footpath with Barrow School, the garden area of Penryhn and an open field beyond, and the development would share an acceptable relationship with these neighbouring land uses. To the east is an open field and to the south are the residential dwellings on Washbrook Close. It is the gable elevation of the end property on Washbrook Close that is closest to the application site and this property has no windows in the gable elevation facing the application site. It is therefore considered that the residential development of this site, subject to details of the exact siting of the dwellings and window locations, can achieve an acceptable relationship with surrounding uses.
- 5.2.3 In respect of the future residents of the proposed development, the submitted layout would appear to ensure that adequate amenity would be provided for the future occupiers of the proposed dwellings. The position of the dwellings in the south eastern corner of the site may need further consideration or adjustment from what is shown on the indicative plan in order to mitigate against any potential noise nuisance from the adjoining food distribution depot (Total Foods). Nevertheless the unit at Total Foods faces away from the and this will ensue that noise and vehicle movements, loading etc will be screened to a considerable extent by the depot building itself. Notwithstanding this, a noise report was submitted with the original application and this concluded that a number of mitigation measures, such as acoustic fencing and appropriate sound proof

glazing in the proposed dwellings would ensure that future residents would not be unduly impacted by this neighbouring use. A condition has been attached to the recommendation to ensure that the reserved matters application includes details of how these mitigation measures will be incorporated in the design of the proposed dwellings.

- 5.2.4 In view of the above it is considered that indicative layout shows that the proposed dwellings would result in an acceptable relationship with existing neighbouring properties/uses, and mitigation measures can be included to ensure the future occupiers of the proposed dwellings are not unduly affected by neighbouring land uses, in accordance with the relevant sections of Core Strategy Policy DMG1.

5.3 Highway Safety and Accessibility:

- 5.3.1 The Highway Officer has raised no objection to the principle of the development as it is considered that the surrounding highway network is capable of serving the level of development proposed. The particulars of the development, such as the access, road layout and car parking, would all be considered at reserved matters stage.
- 5.3.2 The Highway Officer has made advisory comments for the applicant to consider in respect of the access, and ways that the required sight lines can be achieved, but as mentioned above these are all matters to be considered in the future. The Highway Officer has commented that various highway works will need to be carried out by way of a Section 278 agreement with the Highway Department and a condition to this effect has been added to the decision. Such works include the upgrading of two bus stops on Whaley Road to “quality bus stops”, highway improvements for the site access and gateway features to the north which will reduce vehicle speeds.
- 5.3.3 LCC have also requested the applicant make a financial contribution of £10,000 for improvements to public right of way 3-4FP 1 to the north of the site. The applicant has agreed to this request and the contribution will be secured by way of legal agreement.
- 5.3.4 In respect of the existing car parking area to the rear of the properties on Old Row, it is accepted that local residents and parents, when picking up and dropping off at the school, use this informal parking area. However it must be noted that this plot of land is owned by the applicant (within the submitted site edged blue) and residents/parents are allowed to park on this land as gesture of goodwill by the owner – as far as I am aware there is no legal obligation for this land to be accessible to the public. The applicant could therefore prevent members of the public from parking on this land should they wish.
- 5.3.5 Notwithstanding the above, the application does not propose to build on this existing car parking area and provided that the applicant continues to allow members of the public to park in this area the situation would remain unaltered. Nevertheless, this is a private matter and not a consideration in the determination of this planning application.

5.4 Landscape/Ecology/Trees:

5.4.1 The site is not locally or nationally designated as an important ecological site. A Phase 1 Habitat Study has been provided in support of the application because of the presently grassland nature of part of the site. The submitted survey raises no concerns in respect of the development but has made the following recommendations, which will be secured by condition:

- No construction within 10m of the trees along the southern boundary and root protection measures in place prior to any excavation, or if work is to take place within 10m of these trees a bat survey for the trees must be submitted prior to commencement;
- Areas of shrub retained where possible;
- No trees or shrub removal in bird nesting season;
- Further survey (during spring) required in respect of Japanese Knotweed;
- The development where possible should include biodiversity enhancement.

5.4.2 Provided that the mitigation measures and recommendations are adhered to the proposal would not have any undue impact upon protected species or biodiversity.

5.4.3 In respect of trees, the application is accompanied by an Arboricultural Report which details that the proposal would require the removal of three individual trees and two separate groups of the trees from the site. The submitted report categorises all the trees to be removed as C (low quality) and all trees within the site that were rated A (high quality) and B (moderate quality) will be retained as part of the proposal. Again, this would be considered in more detail at reserved matters stage once the layout and design becomes clearer.

5.4.4 In view of the above, the Council's Countryside Officer has raised no objection to the outline application, subject to the imposition of conditions and informatives.

5.5 Flood Risk and Drainage:

5.5.1 The Environment Agency have raised no objection to the proposal, stating that there was no need for them to be consulted on this development as it is not within floodzone 2 or 3. Both United Utilities and the Local Lead Flood Officer have no in principle objection to the residential development of this site, subject to conditions and further information being submitted as part of the reserved matters application.

5.6 Developer Contributions:

5.6.1 As mentioned above the applicant will be required to make a contribution of £10,000 for the public right of way improvements, along with highway improvements via a Section 278 Agreement.

5.6.2 The applicant will also be required to make financial contributions in respect of education and Public Open Space, however both these contributions are calculated using the number of bedrooms within the proposed development and consequently the figure for both education and POS is unknown at outline planning stage. The applicant, subject to approval of this application, will enter into a Section 106 Agreement to secure these contributions, as well as the highway/Right of Way contribution detailed above.

5.7 Affordable Housing

5.7.1 In accordance with Policy DMH1, a development of this size would require 30% of the dwellings to be affordable – seven dwellings. The Council's Housing Officer has commented that the only remaining affordable housing need in Barrow is for older persons and therefore the Council would seek that the affordable provision on this site is for bungalows built to Life Time Home Standards with a mix of affordable home ownership and rented tenures. This is because the developments that have taken place to date in Barrow have provided enough general needs affordable housing and the housing waiting list shows that there is a clear demand for bungalows for older persons.

5.7.2 The applicant has agreed to this request for older persons accommodation to be provided and this will be secured within the legal agreement (Section 106) and shown within the reserved matters application. The Council will likely seek that this is provided via bungalows, but this is subject to further discussion and negotiation with the applicant by way of the legal agreement.

5.8 Other issues

5.8.1 A Phase 1 (desk study) Contaminated Land Study by Opus has been submitted and this recommends that intrusive ground investigation should be carried out in order to address a number of issues which may affect the proposed development. An appropriate condition has therefore been attached to the recommendation.

5.8.2 Lancashire County Council Archaeology Service have been consulted on this application and raised no objection subject to condition requiring archaeological programme be implemented prior to commencement of development on site.

5.8.3 The other objections raised by the Parish Council and residents are noted in respect of flooding/drainage, highways issues, oversubscription of schools and the demolition of the existing restaurant on Old Row. However, as discussed elsewhere in this report, no objections have been received from statutory consultees and a number of conditions have been imposed to ensure that the drainage/flooding and highway issues are fully considered at either reserved matters stage or via a discharge of condition application. The legal agreement will ensure that financial contributions are secured in respect of highway improvements, education and public open space provision, and as discussed elsewhere in this report the building to be demolished is not a listed building, or within a conservation area, and consequently the Council have no sustainably reason to refuse the application on these grounds.

6. Conclusion

6.1 The application site is considered to be sustainable location, within the Draft Settlement Boundary of Barrow, and will contribute towards the supply of housing within the borough, and in particular contribute towards the provision of older persons affordable housing. The principle of residential development on this site has already been established and subject to the attached to conditions being adhered to it is considered that the outline planning application, with all matters reserved, is acceptable.

RECOMMENDATION: That Members be minded GRANT planning permission subject to the conditions below, defer and delegate the issuing of the decision to the Director of Community services upon completion of the Section 106 Agreement:

CONDITIONS

Time limit, plans and details

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

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. No development shall begin until detailed plans indicating the access, appearance, landscaping, layout and scale, including a contoured site plan showing existing features, the proposed slab floor levels and road level (hereinafter called the 'reserved matters') has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: To comply with Policy DMG1 of the Ribble Valley Core Strategy and in order that the Local Planning Authority should be satisfied as to the details and because the application was made for outline permission.

3. 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:

00 rev A (Location Plan - scale 1:2500)
34 (Bus Stop upgrade)

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

4. The development hereby permitted shall not exceed 23 dwellings (use class C3) in accordance with the submitted application form and illustrative layout plan.

REASON: For the avoidance of doubt to ensure there is no ambiguity in the decision notice over what amount of development has been approved.

Drainage and floodrisk:

5. Prior to the commencement of the development, a strategy outlining the general system of drainage for foul and surface water flows arising from the site shall be submitted to and approved in writing by the Local Planning Authority. This strategy shall include a

programme of works showing build rates, a load and flow impact assessment, preferred discharge points, the proposed rates of flow for each discharge point and details of any necessary infrastructure. Thereafter the detailed scheme for foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority and no dwelling hereby permitted in outline shall be occupied until after the drainage system has been provided in accordance with the approved details.

REASON: In order to ensure the satisfactory drainage of the development in accordance with Policy DME6 of the Ribble Valley Core Strategy.

6. Prior to the commencement of development, details of how foul and surface water shall be drained on separate systems shall be submitted to the Local Planning Authority and approved in writing. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: In order to ensure the satisfactory drainage of the development in accordance with Policy DME6 of the Ribble Valley Core Strategy.

7. As part of any reserved matters application and prior to the commencement of any development, the following details shall be submitted to, and approved in writing by, the local planning authority, in consultation with the Lead Local Flood Authority.

Surface water drainage scheme which as a minimum shall include:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;
- b) The drainage scheme should demonstrate that the surface water run-off must not exceed the peak greenfield runoff rate for same event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing where applicable;
- f) Site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.
- h) Details of finished floor levels

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent and reduce the risk of flooding on and adjacent to the site and to ensure that water quality is not detrimentally impacted by the development proposal in accordance with Policy DME6 of the Ribble Valley Core Strategy national guidance within the NPPF.

8. No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

REASON: To ensure that the drainage for the proposed development can be adequately maintained and to ensure that there is no flood risk on or off the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system in accordance with Policy DME6 of the Ribble Valley Core Strategy and national guidance within the NPPF.

9. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:
 - a) the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
 - b) arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for 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;
 - c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

REASON: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, to reduce the flood risk to the development as a result of inadequate maintenance and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system in accordance with Policy DME6 of the Ribble Valley Core Strategy and national guidance within the NPPF.

10. No development shall take place until further investigations are carried out to establish the location, capacity, condition and discharge point of the culvert referred to in Flood Risk Assessment. The surface water drainage strategy and Flood Risk Assessment should be revised to accommodate findings as appropriate. Prior to commencement of

development, the revised surface water drainage strategy should be submitted to and approved by the Local Planning Authority in consultation with Lancashire County Council in their role as Lead Local flood Authority.

REASON: To ensure that the watercourse does not pose a flood risk, on-site or off-site in accordance with Policy DME6 of the Ribble Valley Core Strategy and national guidance within the NPPF.

11. 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. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to 5l/s.

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy DME6 of the Ribble Valley Core Strategy and national guidance within the NPPF and the NPPG.

12. 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 plan.

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 of the Ribble Valley Core Strategy and national guidance within the NPPF.

Archaeology

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

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site and buildings in accordance with Policy DME4 of the Ribble Valley Core Strategy and national guidance within the NPPF.

Contamination

14. Prior to the commencement of development, an intrusive ground investigation shall be carried out as recommended and described in Section 7 (Further Works) of the Phase I (desk study) Investigation Report by Opus that was submitted with the outline application; and a report of the findings of the investigation shall be submitted for the written approval of the Local Planning Authority. Any mitigation measures that are found to be necessary shall be carried out to the satisfaction of the Local Planning Authority prior to the commencement of development.

REASON: In the interests of providing an appropriate environment for the end users of the development and to comply with Policy DMG1 of the Ribble Valley Core Strategy.

Demolition

15. Prior to the commencement of any demolition works on the former public house (no 25) or the attached cottage (no 23) precise details of the means of making good the exposed gable wall of no 21 Old Row, including details of the external finish of that wall, shall be submitted to and approved in writing by the Local Planning Authority. These works shall be carried out to the satisfaction of the Local Planning Authority in accordance with the timescale that has first also been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the amenities of the owners/occupiers of that neighbouring dwelling and the visual amenities of the locality and to comply with Policy DMG1 of the Ribble Valley Core Strategy.

Renewable energy

16. Prior to commencement of development on site, a scheme shall be submitted to and approved in writing by the Local Planning Authority (including a timetable for implementation) to secure at least 10% of the energy supply of the development hereby permitted from renewable or low carbon energy sources or a scheme that demonstrates that alternative measures will achieve at least 10% less energy consumption than similar development constructed in accordance with the current Building Regulations Standards. The approved scheme/details shall be implemented as part of the development/as approved and retained as operational thereafter.

REASON: In order to encourage renewable energy and to comply the Key Statement EN3 and Policies DMG1 and DME5 of the Ribble Valley Core Strategy

Noise mitigation

17. The reserved matters application shall include a scheme of noise mitigation measures which shall then be fully implemented in accordance with the approved details.

REASON: To ensure a satisfactory level of amenity for the future occupiers of the proposed dwelling in order to comply with Policy DMG1 of the Ribble Valley Core Strategy.

Ecology and trees

18. All tree works/tree protection shall be carried out in strict accordance with the submitted Arboricultural Impact Assessment Overview dated February 2016. The specified tree protection measures shall remain in place throughout the construction phase of the development and the methodology hereby approved shall be adhered to during all site preparation/construction works.

REASON: To ensure the adequate protection of trees/hedging of landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development in accordance with Policies DMG1 and DME1 of the Ribble Valley Core Strategy.

19. The development hereby approved shall be carried out in complete accordance with the mitigation measures detailed/recommended within Section 5 of the submitted Extended Phase 1 Habitat Survey reference 160111.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and reduce the impact of development in accordance with Policies DMG1 and EN4 of the Ribble Valley Core Strategy.

20. No development shall take place until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites have been submitted to, and approved in writing by the Local Planning Authority. The details shall be submitted on a dwelling/building dependent bird/bat species development site plan and include details of plot numbers and the numbers of artificial bird nesting boxes and artificial bat roosting site per individual building/dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into those individual dwellings/buildings during the actual construction of those individual dwellings/buildings identified on the submitted plan before each such dwelling/building is first brought into use and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and reduce the impact of development in accordance with Policies DMG1 and EN4 of the Ribble Valley Core Strategy.

21. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until details of a scheme for any external building or ground mounted lighting/illumination, shall have been submitted to and approved in writing by the local planning authority.

For the avoidance of doubt the submitted details shall include luminance levels and demonstrate how any proposed external lighting has been designed and located to avoid excessive light spill/pollution and shall include details to demonstrate how artificial illumination of important wildlife habitats is minimised/mitigated.

The lighting schemes(s) be implemented in accordance with the approved details and retained as approved unless agreed in writing by the Local Planning Authority .

REASON: To enable the Local Planning Authority to exercise control over development which could prove materially harmful the character and visual amenities of the immediate area and to minimise/mitigate the potential impacts upon protected species resultant from the development in accordance with Key Statement EN4 and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

22. Any removal of vegetation, including trees and hedges, should be undertaken outside the nesting bird season (March to August) unless a pre-clearance check has by carried out by a licensed ecologist on the day of removal.

REASON: To ensure that there are no adverse effects on the favourable conservation status of birds and to protect the bird population from damaging activities and reduce or remove the impact of development in accordance with Key Statement EN4 and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

Highways

23. The new estate road for the residential/commercial development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any development takes place within the site and shall be further extend before any development commences fronting the new access road.

REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

24. No part of the development shall be commenced until the visibility splays are agreed with the Local Planning Authority in consultation with the local highway 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 Quality of Development Policy and Transport Policies DMG1 and DMG3 in the Ribble Valley Core Strategy.

25. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980. Such highway improvement works will also include the upgrading of two bus stops on Whaley Road to "quality bus stops" (identified on drawing no. 34), highway improvements for the site access and gateway features to the north.

REASONS: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe

manner without causing a hazard to other road users in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

26. Prior to the start of the development, a joint survey shall be carried out between the developer and the planning authority (in conjunction with the highway authority) to determine the condition of Whalley Road. A similar survey shall be carried out every six months and the final inspection within one month of the completion of the last house, and the developer shall make good any damage to Whalley Road to return it to the pre-construction situation as required.

REASON: To maintain the construction quality of the Whalley Road in the interest of highway safety in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

27. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. It shall provide details in respect of:

- Timing of delivery of all off site highway works
- The parking of vehicles of site operatives and visitors
- The loading and unloading of plant and materials
- The storage of plant and materials used in constructing the development
- The erection and maintenance of security hoarding
- Wheel washing facilities and road sweeper
- Details of working hours
- Contact details for the site manager
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- Routes to be used by vehicles carrying plant and materials to and from the site
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

REASON: In order to ensure that appropriate measures are put in place to limit noise, nuisance and disturbance to the occupiers of neighbouring dwellings and to ensure the development would not be of detriment to the safe operation of the immediate highway during the construction of the development in accordance with Policies DMG1, DMG3 and DMI2 of the Ribble Valley Core Strategy.

28. No development shall be commenced until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed. The Estate Street Phasing and Completion Plan shall set out dates for entering of the section 38 agreement of the Highways Act 1980 or the establishment of a private management and Maintenance Company.

REASON: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential financial security and highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the

locality and users of the highway in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

29. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. [The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established].

REASON: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential financial security and highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

30. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

Informative: For the avoidance of doubt, this response does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given.

BACKGROUND PAPERS:

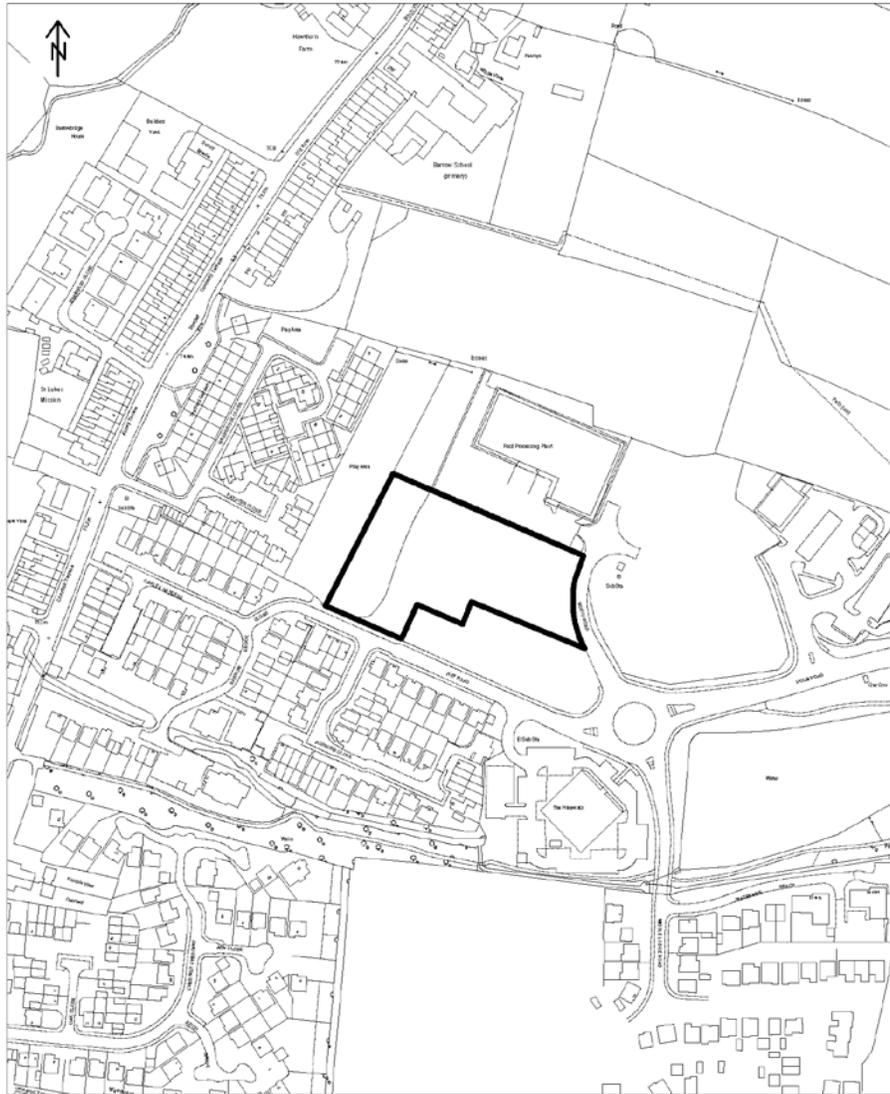
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0146

C. APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL

APPLICATION NO: 3/2016/0185/P

GRID REF: SD 373909 438265

CONSTRUCTION OF 8 LIGHT INDUSTRIAL UNITS WITH ASSOCIATED PARKING AND LANDSCAPING IMPROVEMENTS AT LAND AT BARROW BROOK ENTERPRISE PARK BARROW BB7 9QZ



3/2016/0185 Land at Barrow Brook Enterprise Park Barrow BB7 9QZ

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PARISH/TOWN COUNCIL:

The Parish Council make the following comments:

- The application is misleading as the application form refers to the construction of eight industrial units but the proposed floor plans show 14 units.
- The Lead Flood Authority at Lancashire County Council must be fully consulted.
- Not aware that any consultation has taken place with nearby residents and no attempt has been made to limit the effect of the industrial units on residential properties.
- The proposed layout and massing of the site is insensitive to its surroundings, opposite residential properties and next to a children's play area. The two storey units backing onto Hey Road will appear overbearing and will result in a loss of residential amenity for neighbouring properties.
- The scale of the industrial units and choice of building materials is inappropriate for its location opposite residential properties and will have an adverse effect on visual amenity. The two-storey units are located very close to the pavement and will result in a loss of light and privacy for residents of Hey Road.
- Cars visiting the units will have no choice but to park along Hey Road and this will result in parking problems for residents and have safety issues for children using the playing field adjacent to the site.
- The oak trees on the site are protected by a Tree Preservation Order and the Parish Council has strong objections to their removal.
- The proposed hours of operation for the industrial units are inappropriate for their location opposite residential properties and if the application is approved, these should be restricted to shorter hours, 5 days a week.
- If approved, conditions must be included for the industrial units to have adequate screening and landscaping, which are properly maintained.
- If approved, vehicular access to the industrial units must be limited to one entrance / exit on North Road. This will limit any disturbance to residents of Hey Road and ensure the safety of users of the playing field.
- There have been incidents of anti-social behaviour on Barrow Brook enterprise site with reports of speeding vehicles and drug dealing. If the application is approved, a security barrier must be installed across the entrance to any industrial units to limit such activity at nights.
- If approved, construction vehicles must be prohibited from using Hey Road during the construction phase to protect highway safety.
- To reduce opportunities for crime, the lighting should be subdued and not directed towards properties on Hey Road.
- If approved, there should be strict limits for any lighting on site. Whilst security lighting is important to reduce opportunities for crime, the lighting should be subdued and not directed towards properties on Hey Road.

HIGHWAYS (LCC):

No objection. Due to increased traffic flows generated by the development, to aid highway safety, to support sustainable transport and improve social inclusion within the vicinity of the site a section 106 highway contribution of £46,000, towards the provision of the Travel Plan and the implementation of an off road cycle route is requested. Additionally a request to upgrade the two bus stops on Whalley Road to quality bus stops with shelters under a section 278 agreement with LCC.

LANCASHIRE CONSTABULARY:

No objection. Recommend measures to reduce the risk of crime.

UNITED UTILITIES:

No objection subject to drainage conditions.

LEAD LOCAL FLOOD AUTHORITY:

Unable to provide a substantive response due to lack of information.

ADDITIONAL REPRESENTATIONS:

Letters of objection have been received from residents of 13 properties relating to the following:

- The plot is situated next to a row of houses and the trees would provide little or no visual coverage of the new buildings
- Loss of light and privacy to properties along Hey Road
- Safety of pedestrians crossing road adjacent to proposed entrance
- Highway safety issues due to increased capacity on local highway network
- Flooding and increased discharge into local drainage network – network cannot cope
- Ecological and nature conservation concerns – protected species seen on the site
- Development layout, density and massing not in-keeping with domestic buildings on Hey Road
- Inadequate parking provision
- Potential noise, odour and disturbance from units
- Removal of trees
- Boundary treatments
- Limitations of hours of operation and deliveries
- No ecology assessment has been provided
- No plans for refuse storage

1. Proposal

- 1.1 Permission is sought for the erection of 8 light industrial units with associated parking at land at Barrow Brook Enterprise Park, Barrow. This application relates to 'Phase 1' of an industrial development on undeveloped land between Total Flood Service building and residential properties along Hey Road. The proposed units would range in floor area from 200sqm to 453sqm, would be faced with low level red brick plinths and light and dark grey insulated panels and would have a uniform height of 6.4m with flat roofs. The application also includes a new vehicular access off North Road

2. Site Location

- 2.1 The application site lies within the Barrow settlement boundary and forms part of Barrow Brook Enterprise Park which lies to the west of the A59 dual carriageway. Access to Barrow Brook Enterprise Park is provided from the A59 via Holm Road which serves existing residential and commercial uses. The site currently consists of unmaintained grassland. To the north of the site is a two to two and a half storey warehouse building occupied by Total Foods which is accessed by North Road which skirts the eastern boundary of the application site. A commercial area including a Texaco petrol station

and food store lie approximately 120m to the east of the site and beyond this immediately adjacent to the A59 is a McDonalds restaurant. Modern detached residential properties face onto the site from Hey Road from the south. The north-west boundary of the site is demarked by a tree earth bund beyond which is a children's play area.

3. Relevant History

3/2002/0878 - Application for approval of reserved matters from application 3/93/0316 and 3/99/0743, namely siting, design and external appearance – Approved with conditions

3/2007/1065 - Unit No. 1 office complex - plans and elevations as a revision to the reserved matters approval 3/2002/0878 – Approved with conditions

Relevant Policies

Ribble Valley Core Strategy

Key Statement DS1 - Development Strategy

Key Statement DS2 - Sustainable Development

Key Statement EN2 - Landscape

Key Statement EN3 - Sustainable Development and Climate Change

Key Statement EN4 - Biodiversity and Geodiversity

Key Statement EC1 - Business and Employment Development

Key Statement DMI1 - Planning Obligations

Key Statement DMI2 - Transport Considerations

Policy DMG1 - General Considerations

Policy DMG2 - Strategic Considerations

Policy DMG3 - Transport and Mobility

Policy DME1 - Protecting Trees and Woodlands

Policy DME2 - Landscape and Townscape Protection

Policy DME3 - Site and Species Protection and Conservation

Policy DME6 - Water Management

Policy DMB1 – Supporting Business Growth and the Local Economy

4. Other Material Considerations

National Planning Policy Framework (NPPF)

Technical Guidance to the National Planning Policy Framework

Planning Practice Guidance (PPG)

5. Environmental, AONB, Human Rights and Other Issues

- 5.1 The main considerations in determining this application are the principle of the development, the design and visual appearance of the proposals, the impact of the development on the residential amenities of neighbouring occupiers, the ecological impact of the proposals and its effect on highway safety. It should be noted that this application relates only to 'Phase 1' of the development as shown edged red on the 'Proposed Site Plan' submitted with the application. Therefore for the purposes of the remainder of this report I will solely focus on the matters which relate to that which is contained within the red edge and will treat this site in isolation as there is no guarantee that the southern portion of the development site will be delivered or come forward at a later stage.

6. Principle of Development

- 6.1 Key Statement EC1 of the Ribble Valley Core Strategy aims to direct employment development towards the main settlements of Clitheroe, Whalley and Longridge as the preferred locations to accommodate employment growth together with land at Barrow Enterprise Site, the Lancashire Enterprise Zone at Samlesbury and locations well related to the A59 corridor. The development of the application site for light industry is considered acceptable in principle in this location subject to other material considerations and would accord with policies EC1 and DMB1 of the Core Strategy. In terms of employment generation, the proposed development would create around 24 full-time jobs which would support the Council's Strategic Objectives by promoting local employment opportunities. The Ribble Valley Core Strategy highlights the limited number of employment opportunities available in the Borough, which results in a high level of daily out commuting to access employment opportunities, and therefore this proposal would also support the underlying strategic approach to align jobs with homes in key areas
- 6.2 The principle of developing this site for employment generating purposes is thus acceptable subject to the other development management criteria being considered.

7. Design and Visual Appearance

- 7.1 The application proposes 8 industrial units ranging in floor space from 200sqm to 453sqm. As a whole the development would result in the creation of 2,346sqm of floor space contained within two buildings that would be subdivided to provide smaller units. The larger of the two buildings would be positioned along the north-west boundary of the site and would have a foot print of 74m x 18m and a height of 6.4m. The second building would be located along the north-eastern boundary and would measure 48m x 24m. Both buildings would face into the site courtyard which would provide parking for 52 vehicles. The proposed buildings would have a flat roof system and elevations would be faced with a low level red brick plinth, light grey insulated panels and a dark corrugated insulated panel above. Windows and doors would be grey aluminium or UPVC.
- 7.2 The proposal is likely to be afforded a significant level of visibility upon approach from the east. There are fundamental concerns regarding the elevational treatment of the proposed buildings and their overall visual mass. The design approach adopted fails to break-up the overtly horizontal proportions embodied within the elevations. The storage/collection of waste does not appear to have been considered and the layout fails to provide a dedicated footway adjacent the main vehicular entry point that would provide safe access to the site for the pedestrian/employee on foot. One of the units appears to accommodate internal stairs although no information has been submitted with regards to the first floor arrangement proposed or what the first floor use will be. Should consent be granted, a condition would be attached to preclude the introduction of additional mezzanines/floor levels.
- 7.3 Given the scale of the proposed buildings and the overall site arrangement the scheme fails to provide adequate visual screening or landscaping to minimise the visual impact of the proposal. Whilst the development, to some degree will be read in context with adjacent similar uses/building typologies, this is not sufficient justification for the lack of any form of landscaping. Landscaping should be secured within the main body of the site in addition to significant peripheral landscaping

7.4 The development as submitted, would be of significant detriment to the visual amenities and character of the area by virtue of its poor design and inappropriate response to the site context.

8. Effects upon Residential Amenity

8.1 Policy DMG1 of the Core Strategy states that development must not adversely affect the amenities of the surrounding area. The nearest residential properties are located on the south side of Hey Road and face the application site. At the nearest point the application site would be located at a distance of around 18m from the principal elevations of these dwellings. Of primary concern would be the impact of the proposals on no.1 Ashburn Close which would directly face the side elevation of unit 7. There are habitable room windows on the north-eastern elevation of this dwellinghouse and the side elevation of unit 7 of the proposed development would be located at a distance of 17m. There would be no windows in the side elevation of unit 7 that would provide views to the front elevation of no.1 Ashburn Close and in my opinion the separation distance of 17m is sufficient to avoid any significant adverse impact on this neighbouring resident through loss of light or privacy. However, I further consider that the proposal is likely to be of some detriment to the outlook of these residents located to the south due to the lack of any landscape significant buffer along this boundary.

8.2 The proposed development would lead to concerns regarding noise and disturbance that would arise from operations within the buildings and deliveries to and from the site and the close proximity of the proposed buildings to residential properties. The Council's Environmental Health Officer has requested that a noise assessment be undertaken. National Planning Policy Guidance on noise states that '*noise needs to be considered when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment*'. The applicant has failed to provide information in support of the application to satisfy the local planning authority that the proposals would not result in unacceptable noise and disturbance. The applicant would be required to submit a noise assessment and details of any mitigation measures that would ensure the development would not adversely impact upon the residential amenities of occupants of properties along Hey Road.

8.3 Without this supporting information the Council is unable to ascertain whether the proposals would have a detrimental impact on the residential amenities of nearby residents and therefore there is considered to be justification to refuse the application due to a lack of information.

9. Highway Safety

9.1 The site will be accessed via a new access on to North Road which is currently a private road and not subject to any future adoption agreement. The County Surveyor is of the opinion that the commercial development would have a negligible impact on highway capacity and safety in the immediate vicinity of the site and that the location and geometry of the proposed site access is acceptable. The site has a very low accessibility score indicating that future employees and visitors to the site would be highly reliant on private motor vehicles. Key Statement DMI2 states the new development should incorporate good access by foot and cycle and have convenient links to public transport. In support of transport policies DMI2 and DMG3 contained in the Core Strategy, the County Surveyor has requested a section 106 contribution of £40,000 towards the implementation of a new off road cycle route from Middle Lodge Lane to Whalley Road.

Additionally there is a request to upgrade the two bus stops on Whalley Road to quality bus stops with shelters under a section 278 agreement with Lancashire County Council.

- 9.2 The County Surveyor opines that the internal highway layout of the highways is not to an adoptable layout and as such the roads would not be considered for adoption in the future. While the internal highway layout is not to an adoptable layout the internal layout is considered sufficient for pedestrians and the size of vehicles expected to visit the site.

10. Ecology

- 10.1 It should be noted that the arboricultural impact assessment submitted with the application relates to parts of the site that do not fall within the red edge of the application and the proposal appears to propose tree removal that is also outside the red edge of the application. The proposals would result in the removal of relatively young trees on the north-eastern side of Hey Road which would be replaced by species with fastigate growth forms. Core Strategy Key Statement EN4 and Policy DME3 seek to avoid negative impacts on biodiversity through development. Where a proposed development would adversely affect biodiversity the applicant is required to demonstrate that any negative effects can be mitigated, or as a last resort, compensated for. There should, as a principle, be a net enhancement of biodiversity. In this case, the applicant has not provided any information in relation to the impact of the development on biodiversity. It is clear that no such benefits are proposed and on this basis I do not consider the proposal could be supported. An ecology survey is required to evaluate the ecological value of the site and make note of any important ecological features such as mature trees or ponds. Recommendations would then be made within the report regarding adequate protection measures for any features of ecological importance. In the absence of this information the local planning authority cannot determine the impact of the development on biodiversity and protected species. It is recommended that this lack of information forms a reason for refusal of the application.

11. Flooding and Drainage

- 11.1 The Lead Local Flood Authority (LLFA) is concerned that the scale of the proposed development may present risks of flooding on/off-site should the applicant fail to safely manage surface water within the site. The area surrounding Barrow Brook Enterprise Park is already known to have been significantly affected by flooding during the December 2015 flood events and therefore, the LLFA feels that a site specific FRA is required in order to understand the flood risks associated with (and resulting from) the proposed development.
- 11.2 In the absence of sufficient information relating to the site and drainage layout, the LLFA is unable to assess the principle of surface water drainage associated with the proposed development. The application form submitted by the applicant indicates that they intend to dispose of surface water via a mains sewer. This appears to be contrary to planning practice guidance which establishes a hierarchy for surface water disposal. Should the applicant intend to dispose of surface water via a mains sewer, then they would be expected to provide robust justification or evidence as to why preferable runoff destinations, notably into the ground (infiltration) or to a surface water body, cannot be used for this development proposal.
- 11.3 The application fails to provide sufficient information relating to the site and drainage layout contrary to Policy DME6 of the Core Strategy. The Lead Local Flood Authority is therefore unable to assess the impact of the development which could present risks of

flooding on/off-site. Without this information the Council cannot assess the impact of the development of flooding and it is recommended that the application is refused on the basis of a lack of information.

12. Economic/Financial Benefit

- 12.1 Section 155 of the Housing and Planning Act 2016 places a new duty on local authorities to consider the potential financial benefits of development proposals when considering whether to grant planning permission. Although this has yet to be implemented and guidance documents are likely to be produced it is still appropriate to consider the economic benefits. The applicant has failed to provide details of the potential financial benefits of the scheme. However, the proposal would make an important contribution to the provision of local employment opportunities for the area, and would support the economic aims of the Council towards promoting local employment opportunities. Furthermore, there would be highway benefits to the proposals, including upgrading of the two bus stops on Whalley Road and a section 106 contribution of £40,000 towards the implementation of a new off road cycle route from Middle Lodge Lane to Whalley Road

13. Conclusion

- 13.1 Notwithstanding the above, the application lacks essential supporting information to allow the Council to fully assess the impacts of the proposal in relation to biodiversity, flooding and drainage and residential amenity. In the absence of such information therefore, the likelihood that the proposed works would result in harm that would outweigh the benefits of the scheme cannot be determined. Moreover, in my opinion the proposed development, by virtue of its layout, design and mass, would result in an incongruous scheme of development that would be of detriment to the visual amenities and character of the area. It is therefore recommended that the application be refused.

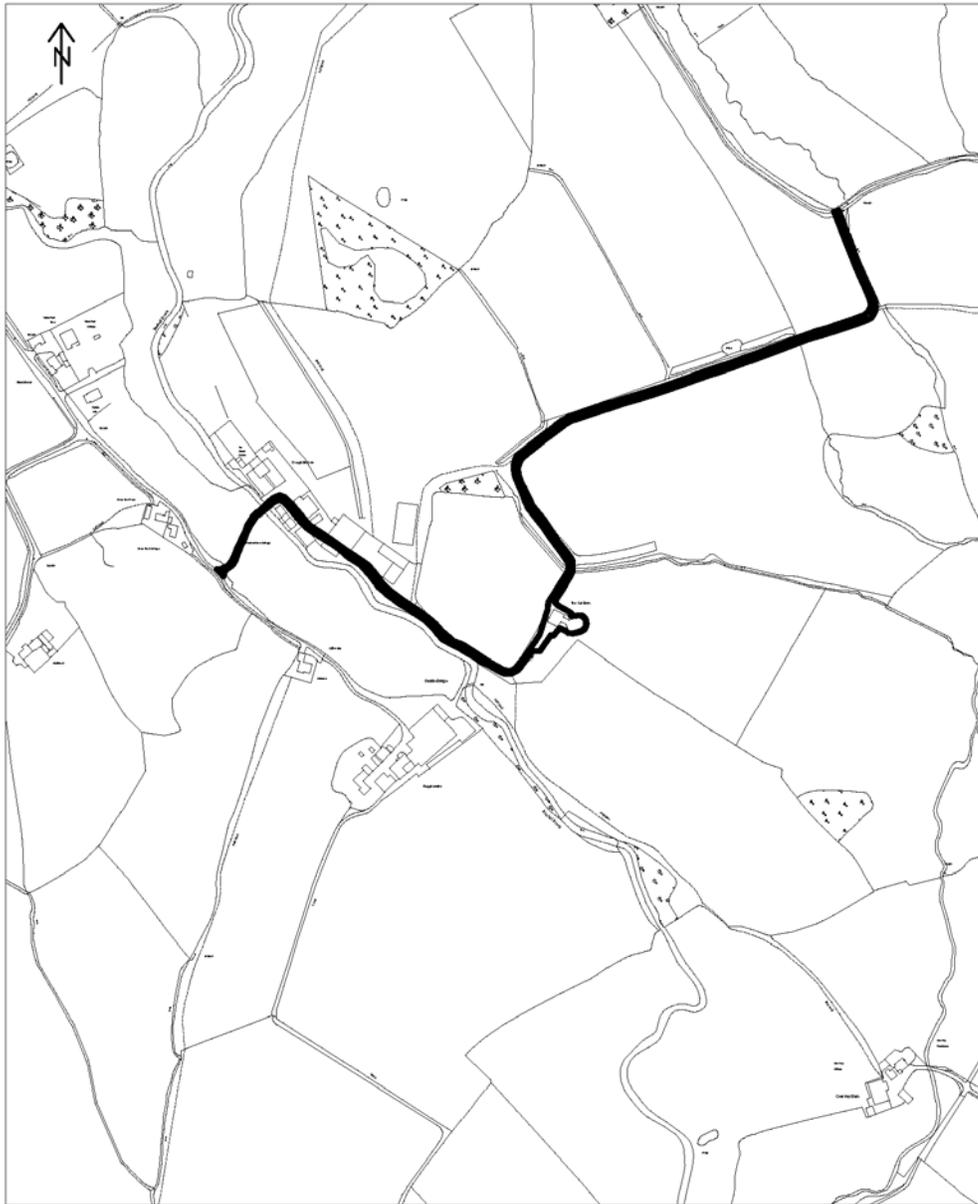
RECOMMENDATION: That planning permission be REFUSED for the following reason(s):

1. Insufficient evidence has been submitted to assess the potential impact of the development on: biodiversity and protected species; the acceptability of surface water drainage details; and potential noise and disturbance. In the absence of such information therefore, the likelihood that the proposals would be detrimental to the ecological importance of the site; would result in on and off-site flooding; and would harm the residential amenities of the occupants of nearby properties cannot be determined by the local planning authority. This is contrary to Key Statement EN4 and Policies DMG1, DME3 and DME6 of the Core Strategy.
2. The proposed development, by virtue of its layout, design and mass, would result in an unsympathetic and incongruous scheme of development that would be of detriment to the visual amenities and character of the area contrary to Policies DMG1 and DMB1 of the Ribble Valley Core Strategy.

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, 27 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. Additionally, a petition signed by 25 people in support of the application has also been received. 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 an 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 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 closed 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 considerable 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

Update following 30th June Planning and Development Meeting

On the 30th June 2016 Committee were minded to approve the application and required the application to go back to a future Committee with a list of appropriate conditions. Should this remain the wish of the Committee I would recommend the following conditions:

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

REASON: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The permission shall relate to the development as shown on the following drawings:

BACK/01b Dwg 01
BACK/01b Dwg 01

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

3. The D2 element of the mixed use hereby approved shall not exceed 40 days per calendar year. A register of all events shall be maintained at all times and shall be made available for inspection by the Local Planning Authority on request.

REASON: For the avoidance of doubt to ensure there is no ambiguity in the decision notice over what amount of development has been approved.

4. The mixed use venue hereby approved shall only operate between the hours of 08:00 – 22:00 Sunday to Thursday inclusive, and between 08:00 – 00:30 (the following morning) on Friday and Saturday.

REASON: In order to safeguard the amenity of nearby residents in accordance with Policy DMG1 of the Ribble Valley Core Strategy, and the NPPF.

5. The development hereby approved shall be carried out in complete accordance with the mitigation measures detailed/recommended within Section 8 of the submitted Noise Impact Assessment reference 340HB.

REASON: In order to safeguard the amenity of nearby residents in accordance with Policy DMG1 of the Ribble Valley Core Strategy, and the NPPF.

6. No training events (D1 use) and functions (D2 use) shall take place on the same day.

REASON: To reduce traffic conflict on the adjacent highways and in the interest of highway safety in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

7. Within two months of the date of this permission, a scheme detailing a one-way system within the site, including full details of the location of signage for the one way system, shall have been submitted for the written approval of the Local Planning Authority. The duly approved scheme shall be implemented with 28 days of its approval by the Local Planning Authority and adhered to thereafter unless otherwise agreed in writing with the Local Planning Authority.

REASON: To reduce traffic conflict on the adjacent highways and 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%2F0243

APPLICATION REF: 3/2016/0421/P

GRID REF: SD 376346 434559

DEVELOPMENT DESCRIPTION:

OUTLINE RESIDENTIAL DEVELOPMENT FOR 50 UNITS (33 BUNGALOWS AND 17 HOUSES) INCLUDING RESERVED MATTERS FOR ACCESS AT HAMMOND GROUND READ AT HAMMOND GROUND, WHALLEY ROAD, READ, BB12 7QN



3/2016/0421 Hammond Ground Whalley Road Read BB12 7QN

Scale 1:2500

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH/TOWN COUNCIL:

The Parish Council make the following comments:

- The location is outside the settlement boundary and in an open countryside location.
- Hammond Ground is part of Read Park, an ancient and historic landscape. There are stunning trees set within this designated landscape which would be spoiled by being surrounded by modern housing.
- Many people enjoy the green vista of Hammond Ground from public highways around Read and also from as far away as Great Harwood and Altham.
- The current proposal would contribute up to 50 dwellings, which along with the planned development at Worthalls Farm of 15 dwellings would greatly exceed the objectively assessed housing need for Read as defined within the adopted Core Strategy.
- Approval of the application for Hammond Ground could mean more than double the number of houses deemed appropriate for Read and Simonstone.
- Lack of existing facilities in Read for elderly residents.

HIGHWAYS (LCC):

No objections in principle. The applicant should pay to relocate the change of speed limits from the east of the site to the west of the site.

LANCASHIRE CONSTABULARY:

No objection. Recommend measures to reduce the risk of crime.

LCC ARCHAEOLOGY:

No objection subject to conditions.

UNITED UTILITIES:

Awaiting comments.

LCC CONTRIBUTIONS:

Awaiting comments.

THE COAL AUTHORITY:

No objection subject to conditions.

LEAD LOCAL FLOOD AUTHORITY:

No objection to the proposed development subject to the inclusion of conditions.

AONB OFFICER:

The applicant does not appear to have given adequate consideration to the likely landscape and visual impacts of the development on the AONB and its setting. In assessing this type's

sensitivity, the AONB LCA highlights that *'there is strong historic and cultural sensitivity resulting from the numerous built and natural parkland features and country houses'*. The proposed development is likely to have a significant impact on these important historic parkland landscape features. Based on the information provided and the importance of this local landscape, the AONB Partnership objects to the proposed development due to its likely impact on the natural and cultural heritage of the AONB and its setting.

ADDITIONAL REPRESENTATIONS:

Letters of objection have been received from residents of 109 properties, which includes representations made on behalf of the Hammond Ground Residents Group, and a petition signed by 261 people relating to the following:

- Harmful to the character of the area on approach to Read. The existing field gives a rural aspect to the village.
- Development is outside the settlement boundary.
- There is a development to provide 15 new houses at Worthalls Farm; this would leave a residual requirement for 5 new houses.
- Services within the village are being cut potentially including the library and bus services. This would only lead to more reliance on cars.
- Increase in traffic would make existing congestion worse and harm highway safety. Traffic volumes are already excessive.
- Hammond Ground is an historic burial ground and parkland listed in 'A local list of Lancashire's Unregistered Historic Designed Landscapes'.
- Loss of trees.
- Impact during the construction period.
- Increase surface water runoff would lead to further problems downstream.
- Bats and other wildlife would be harmed and habitat destroyed.
- The development would severely alter the character of the village.
- Previous application in 1973 was withdrawn due to detriment to visual amenity.
- There are mine works under the site.
- No evidence put forward that there is a need in the village for elderly person's accommodation.
- Lack of house sales on recent developments indicates low demand.
- Loss of amenity for properties along George Street.
- The proposals would impact negatively on heritage assets.
- Approving this development would open the door to further building on the edge of Read.

1. Proposal

- 1.1 Outline consent is sought for residential development comprising 50 dwellings (33 bungalows and 17 houses) including reserved matters for access at Hammond Ground, Whalley Road, Read. 30% of the dwellings would be affordable.

2. Site Location

- 2.1 The application site is an irregular parcel of land comprising 4.09 hectares and is situated to the west of Read outside of the defined settlement boundary. The site comprises the south-eastern end of land known as Hammond Ground and is sloping pasture land with a number of veteran trees. Levels on the site slope steeply from north to south. The southern boundary of the application site is bound by Whalley Road (A671) which is considered a strategic route. A roadside hedge forms the site frontage

facing Whalley Road. To the east the site abuts the gardens of residential properties along George Lane.

3. **Relevant History**

- 3.1 There is no recent planning history for the site that is directly relevant to the determination of the current application.

4. **Relevant Policies**

Ribble Valley Core Strategy
Key Statement DS1 - Development Strategy
Key Statement DS2 - Sustainable Development
Key Statement EN2 - Landscape
Key Statement EN3 - Sustainable Development and Climate Change
Key Statement EN4 - Biodiversity and Geodiversity
Key Statement EN5 – Heritage Assets
Key Statement H1 – Housing Provision
Key Statement H2 - Housing Balance
Key Statement H3 – Affordable Housing
Key Statement DMI1 - Planning Obligations
Key Statement DMI2 - Transport Considerations
Policy DMG1 - General Considerations
Policy DMG2 - Strategic Considerations
Policy DMG3 - Transport and Mobility
Policy DME4- Protecting Heritage Assets
Policy DME1 - Protecting Trees and Woodlands
Policy DME2 - Landscape and Townscape Protection
Policy DME3 - Site and Species Protection and Conservation
Policy DME6 - Water Management
Policy DMH1 – Affordable Housing Criteria
Policy DMH3 – Dwellings in the Open Countryside and the AONB

Other Material Considerations:

National Planning Policy Framework (NPPF)
Technical Guidance to the National Planning Policy Framework
Planning Practice Guidance (PPG)

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

The main considerations in determining this application are the principle of the development, the impact of the development on the visual appearance of the surrounding area, its effect on the residential amenities of neighbouring occupiers, the ecological impact of the proposals and its effect on highway safety.

5.1 Principle of Development

- 5.1.1 In terms of assessing the principle of residential development in this location, it is important to have regard to the Development Plan unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004). Paragraph 47 of the Framework requires LPA's to '*boost significantly the supply of housing and to maintain five years' worth of housing supply against their requirements*'. The Council is currently in a position to identify a five year supply

of housing sites in accordance with the annual figure of 280 dwellings per year set out in Key Statement H1 of the Core Strategy. The latest position is contained in the Council's Housing Land Availability Schedule April 2016 which states that on 31st March 2016 the Council was able to demonstrate a 5.36 year supply of housing land using the Sedgefield method of calculation; this figure includes for both a 20% buffer for persistent under delivery of housing (as required by paragraph 47 of the NPPF) and a 10% supply discount to address slippage. As such, the relevant policies for the supply of housing in the Core Strategy are applicable.

- 5.1.2 The Development Strategy put forward in Key Statement DS1 of the Core Strategy seeks to direct the main focus of new house building to the Strategic Site, the Principal Settlements of Clitheroe, Longridge and Whalley and Tier 1 villages which are considered the more sustainable of the 32 defined settlements. Key Statement DS1 identifies Read and Simonstone as a Tier 1 settlement and therefore some housing development is considered acceptable in the village. The Core Strategy identifies a requirement for 45 houses within the defined settlement boundary of Read and Simonstone. Since the start of the Core Strategy plan period a total of 14 dwellings had been built up to 31st March 2016 and there is a total of 11 dwellings with extant planning consent. Taking this into account, there is a residual number of 20 dwellings required in Read and Simonstone to meet the minimum housing targets in the Core Strategy. It is also noted that outline consent for the erection of up to 15 dwellings on land at Worthalls Farm with access off Westfield Avenue has been granted subject to a section 106 agreement. This would reduce the residual to 5 dwellings. It is noted that the applicant's Planning Statement refers to the application sites inclusion within the Council's Strategic Housing Land Availability Assessment (SHLAA) document, which seeks to identify potential housing sites across the Borough. The SHLAA is not a statement of Council policy and only seeks to make a broad-brush assessment of sites potential for housing in the future. It therefore bears no impact on the determination of this application.
- 5.1.3 Should this application for a development of 50 dwellings be approved it would result in an oversupply of 45 units; a significant oversupply against the housing requirement of 45 dwelling earmarked for the settlement of Read and Simonstone in the Core Strategy. It is acknowledged that the housing figures contained in Core Strategy Key Statement DS1 are a minimum requirement and that some quantum of oversupply can take place without detrimental harm to the development strategy. Key Statement DS1 directs spatial growth in order to achieve the most sustainable pattern of development. The scale of planned housing growth for each settlement reflects the existing population size, the availability of facilities and the extent to which development can be accommodated within the local area. In this case the proposed development would result in a significant surplus of residential properties over and above the numbers to be planned for as a residual in Read and Simonstone. This scale of oversupply would be injurious to the development strategy for the borough and would fail to adhere to the pattern of sustainable development prescribed in Key Statement DS1.
- 5.1.4 Core Strategy Policy DMG2 provides further guidance to direct development in the Borough. It 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'. Outside of the defined settlement areas development must meet one of the following considerations: (1) the development should be essential to the local economy or social wellbeing of the area; (2) the development is needed for the purposes of forestry or agriculture; (3) the development is for local needs housing which meets an identified need and is secured as such; (4) the development is for small scale tourism or recreational developments appropriate to a rural area; (5) the development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated; (6) the development is compatible with the enterprise zone designation. The proposed development would neither consolidate nor round-off development so that it is closely related to the main built up area of Read. It would extend significantly from the western boundary of the village into the open countryside and would be seen as an expansion of the existing settlement. Expansion on the scale proposed would not be appropriate to the scale of the existing village and would be disproportionate when compared to the existing population size.

- 5.1.5 The application proposes that 33 of the 50 dwellings would be bungalows to cater for the over 55s age group. Providing housing for older people is a priority within the Housing Strategy and the Strategic Housing Market Assessment (SHMA) supports the need for bungalows in the Borough. The shortfall in 55 years plus accommodation is expressly addressed through the affordable housing policies in the Core Strategy. By providing an element of housing for older people the application seeks to comply with criterion (3) of DMG2; *'the development is for local needs housing which meets an identified need and is secured as such'*. Whilst the development would provide bungalow accommodation that would contribute to the Borough's wider need, there is no evidence to support this number of dwellings in the settlement of Read and Simonstone. The LPA have not undertaken a Housing Needs Survey for Read and Simonstone and the Council does not hold a waiting list for properties as there is currently no affordable housing stock. There has been no evidence submitted with the application that identifies a housing need for older peoples accommodation on the scale proposed and therefore there is no identified need in the settlement. The proposals therefore fail to comply with criterion (3) of DMG2 or any of the other criteria within this policy.
- 5.1.6 Key Statement DS2 reiterates the need to achieve sustainable development which is at the core of the National Planning Policy Framework. There are three dimensions to sustainable development: economic, social and environmental. The social role of the NPPF seeks to support communities by providing the supply of housing required to meet the needs of the present and future generations. The proposed development would provide affordable and elderly persons accommodation for which there is a borough wide need and would contribute to the supply of housing in the Borough. However, planning permissions already granted for development in and around Read and Simonstone will substantially increase the number of dwellings in the village compared to the size of the existing population. Approval of further residential development in the village would undermine the social element of sustainable development, given the size of the existing village, the already committed development and the impact of this on infrastructure and services in Read and Simonstone. Having regard to the above, I am of the opinion that the proposed development of 50 dwellings would cause harm to the development strategy for

the Borough as set out in Key Statement DS1 and Policies DMG1 and DMG2 of the adopted Core Strategy and would be unacceptable in principle. The approval of this application would lead to an unsustainable form of development contrary to the NPPF presumption in favour of sustainable development as the adverse impacts of granting permission would significantly outweigh the benefits. The proposal has to be considered in the terms of the plan as a whole; targeting the proposal against DMG2 criterion (3) alone is not sufficient to support the proposal when judging the planning balance.

5.2 Affordable Housing

5.2.1 The application proposes 30% of the total number of dwellings constructed on the site would be affordable units, which would equate to up to 15 affordable units. This accords with the Council's housing strategy and would contribute to the provision of affordable housing in the Borough. However, as noted above the LPA have not undertaken a Housing Needs Survey for Read and Simonstone and the Council does not hold a waiting list for properties as there is currently no affordable housing stock. There has been no evidence submitted with the application that identifies a housing need and therefore there is no identified need in the settlement.

5.3 Impact on Visual Amenity and Landscape Character

5.3.1 The application proposes the development of 4.09 hectares of sloping pasture land with scattered veteran trees on the edge of the village of Read. The application site lies approximately 600m south of the boundary of the Forest of Bowland AONB and when viewed from the south across the Calder Valley the site is seen against the backdrop of the Forest of Bowland thus contributing to its setting and character. Currently the site forms an attractive gateway to the village and provides an open vista to the north of the A671 on entrance and exit on the west side of the village. The main visual impact of the development would be on views from the main road that runs through the village and is a strategic route within the Borough. The applicant's Landscape and Visual Impact Assessment identifies a moderate to major moderate visual impact when viewed from Whalley Road and the residential properties on George Lane. Whilst not a registered historic park, the significance of Read Hall and Park as a historic landscape is recognised in '*A local list of Lancashire's Unregistered Historic Designed Landscapes*' (LCC, 2013) which considers it to be of County/Regional Significance.

5.3.2 The AONB Officer states that the applicant does not appear to have given adequate consideration to the likely landscape and visual impacts of the development on the AONB and its setting. For a major development such as this within the AONB setting, an LVIA would normally provide the following:

- A description of the full extent of the proposals.
- A description of the baseline landscape
- An assessment of the site and wider landscape's landscape sensitivity/capacity to accommodate change
- Identification of visual receptors that may be affected by the proposals (in consultation with the local planning authority and other relevant interests)
- An assessment of the likely effects on the landscape's character, value (e.g. AONB), amenity and fabric

- An assessment of the likely effects on visual receptors
- An assessment of the likely effects of the proposals against key tests of national, sub-national and local landscape policy (e.g. NPPF, AONB Management Plan)

5.3.3 The Forest of Bowland AONB Landscape Character Assessment (LCA) identifies the site as being within landscape character type G6 – Sabden, Undulating lowland farmland with parkland. In assessing this type's sensitivity, the AONB LCA highlights that *'there is strong historic and cultural sensitivity resulting from the numerous built and natural parkland features and country houses'*. The proposed development is likely to have a significant impact on these important historic parkland landscape features. Without an LVIA including the provisions as outlined above, it is difficult to fully assess the likely impact of the proposed development.

5.3.4 Core Strategy Policies EN2 and DME2 set out how the Council will assess development within the Open Countryside and AONB. The landscape and character of those areas that contribute to the setting and character of the AONB will be protected and conserved and development must be in keeping with the character of the landscape. Development of the site for 50 dwellings would undoubtedly result in considerable harm to the setting and character of the AONB contrary to Key Statement EN2. Policy DME2 states that development proposals will be refused which significantly harm important landscape or landscape features. The Landscape and Visual Impact Assessment submitted with the application notes that *'the typical parkland landscape is highly visible from the main road through the village and is an important part of the village setting. The susceptibility of the landscape to development is high, because of the locally significant trees and parkland setting which is also of local significance'*. The application site has a high landscape value and its development for the delivery of 50 dwellings would have a severe detrimental impact on the visual appearance of the area.

5.3.5 Taking the above into account, the proposals would be injurious to the setting of the AONB and would result in irreversible harm to this parkland landscape that contributes significantly to the character of the village of Read and the surrounding area contrary to Policies EN2 and DME2.

5.4 Residential Amenity

5.4.1 Layout is a reserved matter, however, given the location of the site, I am satisfied that the proposed development of the land in principle would have no undue impact on the amenity of the occupants of adjoining residential properties. The applicant has failed to provide a noise report and details of appropriate mitigation measures that would be required to protect the future occupants of the dwellings from road noise associated with the A671. However, I am satisfied that noise mitigation measures could be secured by condition of any permission. No reason for refusal is therefore raised in these respects.

5.5 Ecology

5.5.1 The Ecology Survey submitted with the application notes that the trees on site have a high/moderate roost potential for bats. It is recommended that T1, T10 and T11 are subject of further surveys to establish whether bats are present and

to inform any requirements for mitigation. The trees, woodland and hedgerows on site provide good habitat for nesting birds and feeding. A breeding bird survey would have to be carried out at reserved matters stage to determine species present and inform mitigation and enhancement measures. Any subsequent reserved matters applications would need to demonstrate how the detailed design achieves a net enhancement of biodiversity and if a net loss is likely, biodiversity offsetting would be required. I am satisfied that a net enhancement could be secured and no reason for refusal is therefore raised in this respect.

- 5.5.2 The Tree Survey submitted with the application includes a survey of 8 individual trees, two groups of trees and one hedge. Five of the trees and one of the groups were categorised as high quality. Furthermore, due to their sizes, topography of the site and the wider area, the trees are highly visible in the immediate local landscape and confer a substantial visual amenity. The proposal, as it stands, includes the provision and ability to retain all of the trees on site. The development would require the partial removal of hedge along the A671 road frontage to create the access. However, the proposals include extensive new tree and hedge planting.

5.6 Highways

- 5.6.1 The proposed development would provide 50 dwellings on undeveloped land on the western edge of Read, with a new access on to Whalley Road. Whalley Road (A671) is categorised as a strategic road with a speed limit of 40mph fronting the site access and reducing to 30mph at the eastern boundary of the site.
- 5.6.2 The County Surveyor estimates the development will generate an estimated 325 two-way daily traffic movements with a peak flow of 30 two-way traffic movements during the morning and evening peak period. This equates to only one additional vehicle movement on Whalley Road every two minutes. The County Surveyor is of the opinion that the applicant should pay to relocate the change of speed limits from the east of the site to the west of the site and these works to be carried out under a section 278 agreement with Lancashire county Council. The relocated change in speeds would potentially reduce speeds fronting the site access by forming a gateway feature before the new settlement boundary.
- 5.6.3 The National Planning Policy Framework directs in paragraph 32 states "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". The County Surveyor is of the opinion that the proposed development should have a negligible impact on highway safety and capacity in the immediate vicinity of the site.

5.7 Flooding and Drainage

- 5.7.1 The proposals indicate that the applicant intends to carry out works on or near to an ordinary watercourse. Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), the applicant would need consent from the Lead Local Flood Authority to build a culvert or structure (such as a weir) or carry out works within the banks of any ordinary watercourse which may alter or impede the flow of water, regardless of whether the watercourse is culverted or not.

5.7.2 It is evident that the applicant intends to discharge surface water to an ordinary watercourse. Whilst other preferable runoff destinations should be considered first, namely into the ground (infiltration), it is noted from Section 5.5 of the Flood Risk Assessment that infiltration is unlikely to prove a viable drainage solution for all the surface water run-off generated by the proposals. This arrangement is considered to be acceptable in principle, subject to sufficient evidence of permeability testing for the site and subject to an appropriate point of discharge being identified.

5.8 Developer Contributions

5.8.1 Lancashire County Council are yet to advise whether the impact of the development on services and infrastructure would require mitigation in the form of s106 contributions. Contributions may be required to mitigate the impact on sustainable transport and education facilities. The proposal would also place pressure on existing sports and open space infrastructure in the Borough. Contributions would be necessary to mitigate the impact of the development.

6 **Conclusion**

6.1 In terms of benefits, there would be economic benefits arising from the development in terms of job creation during the construction period and funding from the new homes bonus. Whilst the provision of housing and affordable housing would normally comprise benefits, the NPPF is clear that housing provision is a benefit when it is of the right type and in the right location. In respect of the latter, the development strategy of the Borough identifies that Read is not the right location for new large scale housing development. In the case of Read and Simonstone, planning permissions for residential development granted to date would leave a residual housing requirement of 5 dwellings and a residential development of the scale proposed would clearly exceed the housing figures as set out in Key Statement DS1. Furthermore, no evidence has been submitted with the application that identifies a housing need in Read for older peoples accommodation on the scale proposed and therefore there is no identified need to be met in the settlement. The proposals therefore fail to comply with criterion (3) of DMG2 or any of the other criteria within this policy as well as Key Statement H2. The application site has a high landscape value and contributes significantly to the visual appearance of the surrounding area. It is considered that the proposals would result in significant harm to the setting and character of the AONB and harm an important landscape contrary to Key Statement EN2 and Policy DME2

6.2 In this case, it is concluded that the adverse impacts of granting permission for this development proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Ribble Valley Core Strategy. As such, the proposal does not comprise sustainable development and would compromise the implementation of planning policies of the Council, contrary to the interests of the proper planning of the area. It is therefore recommended that planning permission be refused.

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

1. The proposal, by reason of its scale and location, would lead to the creation of new residential development in the open countryside in excess of the identified residual number of dwellings proposed to be accommodated in Read and Simonstone. The proposal would cause harm to the development strategy set out in the Ribble Valley

Core Strategy. As such, the proposal does not comprise sustainable development and is therefore considered to be contrary to Key Statements DS1, DS2 and H2 and Policies DMG1, DMG2 and DMH3 of the Ribble Valley Core Strategy.

2. The proposal, by reason of its scale and location, would be injurious to the setting of the AONB and would result in irreversible harm to the visual amenity of the parkland landscape that contributes significantly to the character of the village of Read and the surrounding area contrary to Policies EN2 and DME2.
3. The proposal would create a harmful precedent for the acceptance of similar unjustified proposals, which would have an adverse impact on the implementation of the planning policies of the Council, contrary to the interests of the proper planning of the area.

BACKGROUND PAPERS:

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0421

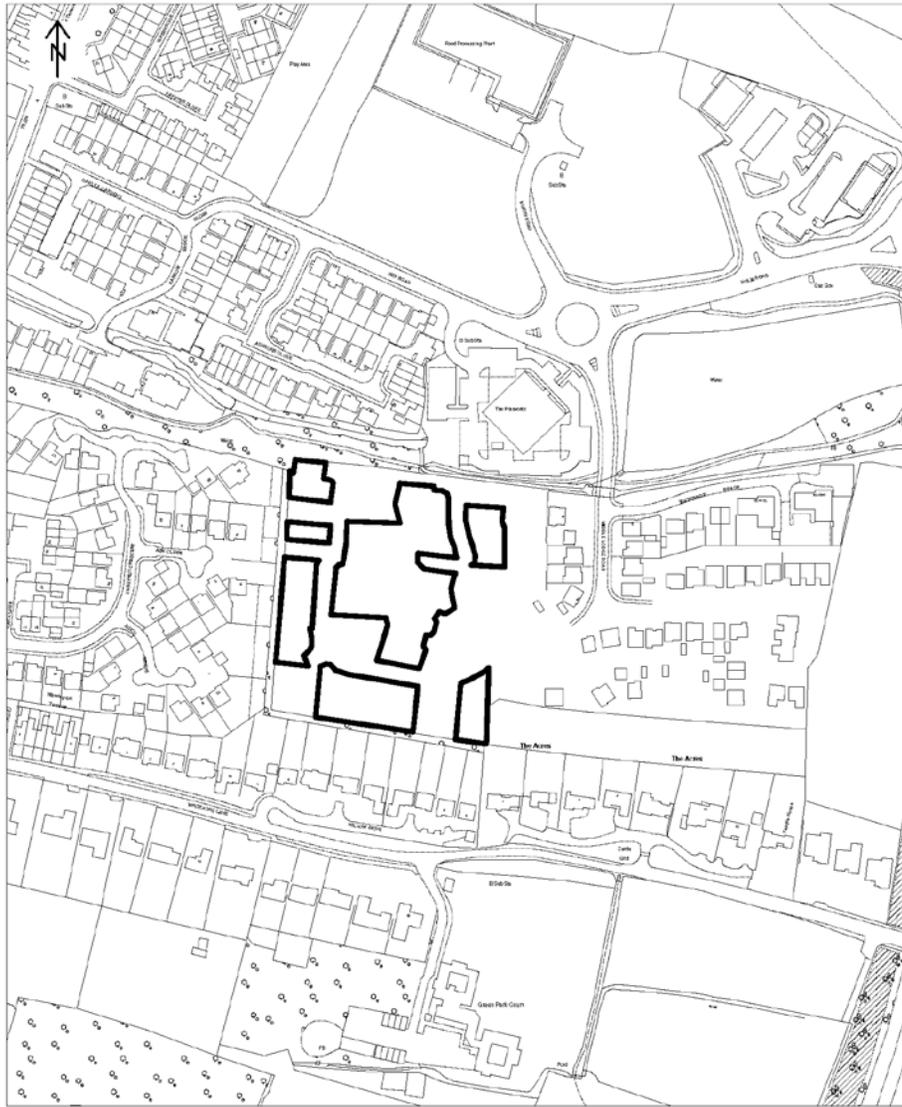
D. APPLICATION WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS DEFER AND DELEGATE

APPLICATION REF: 3/2015/1017/P

GRID REF: SD 374006 438180

DEVELOPMENT DESCRIPTION:

SUBSTITUTION OF 29 HOUSE TYPES INCLUDING THE ADDITION OF 8 NEW DWELLINGS.
LAND OFF MIDDLE LODGE ROAD BARROW.



3/2015/1017 Land off Middle Lodge Road, Barrow

Scale 1:2500

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

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

- The application, cumulatively, will result in an increase in numbers from 102 to 113 dwellings since the granting of the original consent on site.
- Barrow has a zero residual need for housing.
- The application will result in the loss previously approved bungalows and does not provide provision for an adequate number of affordable units.
- Increased flood risk as a result of flood events experienced last year.
- The Parish Council further considers that contributions should be sought that secures benefits for the local community.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

The Highway Development Control Section does not have any objections regarding the proposed substitution of 29 house types including the addition of 8 new 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.

UNITED UTILITIES:

No objection to the proposal subject to the imposition of planning conditions relating to drainage requirements and the need to submit a management and maintenance regime for Sustainable Drainage Systems.

LCC Contributions (Education):

There are projected to be surplus places available to address the impact of this development. Therefore, LCC will not be seeking any primary or secondary education contribution.

ADDITIONAL REPRESENTATIONS:

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

- Devaluation of property
- Impacts upon residential amenity
- Highways Impact
- Loss of view/outlook

1. Site Description and Surrounding Area

- 1.1 The proposal site is located to the south of the Printworks off Ribble Valley Enterprise Park, Hey Road, the A59 is located approximately 68m to the east of the development site with properties fronting Whiteacre Lane to the south backing onto the site. The site

is also bounded to the west by properties on Ash Close and Birch Grove also backing onto the site.

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

- 2.1 Consent is sought for a partial re-plan of the previously approved development including the substitution of 29 house types including the addition of 8 new dwellings.
- 2.2 The dwellings proposed are largely similar in appearance, design and materials to that of the previous approvals on site with the proposed plot substitutions largely altering bedroom numbers and mix.
- 2.3 The majority of the house type substitutions are located to the western extents of the site with the majority being within the main body of the development.

3. **Relevant Planning History**

3/2015/0101: Substitution of 16 house-types approved under planning permissions 3/2013/0771 and 3/2014/0944 together with the addition of 3 new dwellings. (Approved with conditions)

3/2014/0944: Substitution of house-types for 13 detached dwellings approved under planning permission 3/2013/0771. (Approved with conditions)

3/2013/0771: Proposed residential development of 102 No. Dwellings (Including 20 no. affordable units). (Approved with conditions)

3/2012/0158: Outline application for the erection of 73 open market detached dwellings and 31 social housing properties. (Refused - Appeal Allowed)

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement DS2 – Sustainable Development

Policy DMG1 – General Considerations.

Policy DMG2 – Strategic Considerations.

Policy DMG3 – Transport & Mobility

Policy DME2 – Landscape and Townscape Protection.

Policy DME3 – Site and Species Protection and Conservation.

Policy DMH3 – Dwellings in the Open Countryside

Policy DMH1 – Affordable Housing Criteria

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 Members will note that the principle of development has been established as acceptable though the previous full consent (3/2013/0771) and that of the outline application allowed at appeal (3/2012/0158).
- 5.1.2 The current submission seeks to increase the overall numbers on site by 8 resulting in a total of 113 units on site this will increase the number of dwellings originally approved by 11 dwellings (Ref: 3/2013/0771 102 dwellings approved).
- 5.1.3 It is noted that the most recent Housing Monitoring (March 2016) for the Borough has identified that there is a zero residual need for additional dwellings within Barrow. However given the residual numbers apportioned to each settlement are considered a 'minimum target' to achieve sustainable development throughout the Borough, the harm resultant, if any, from any potential over-supply of housing must therefore be considered proportionately.
- 5.1.4 Given that the original outline consent granted allowed for the development of up to 104 units, and that the current application would result in a total of 113 units I do not consider the increase in numbers and level of over-supply to be of such a level that it would cause harm to the Development Strategy for the Borough or result in an unsustainable form of development.
- 5.1.5 It is therefore considered that there are no reasons, in respect of the principle of development, to withhold the granting of planning consent.
- 5.1.6 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 The originally submitted details proposed a number of 2.5 storey dwellings to be located adjacent the southern and western boundary of the site. Following negotiation these have been relocated within the main body of the development.
- 5.2.2 Whilst the relocation of the aforementioned dwellings may have an additional impact upon future/existing occupiers of the development that is currently underway when compared to that of the originally approved development, I consider the over-looking distances and overall relationships proposed to be acceptable and broadly in line with standards applied to similar development across the Borough.
- 5.2.3 Therefore, into account the proposed separations distances and the spatial relationships between adjacent existing/future 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 In respect of the appearance of the proposed dwellings, I consider that the overall scale and design of the properties represents an appropriate response to the immediate context and will be read well in the context of the existing development within the vicinity.

5.3.2 The house types proposed are generally considered to be reflective of the approach adopted throughout the remainder of the site in terms of external appearance. The house type substitution introduces a further number of 2.5 storey dwellings, but given the plot locations and distances from existing properties do not consider that these will result in any additional impact upon residential amenity.

5.3.3 I am therefore mindful of the design and appearance of the proposed dwellings in relation to the wider and immediate and consider the proposed housing-types acceptable.

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 proposal adding that it will have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

5.5 Flood Risk and Drainage:

5.5.1 Representations have been received, including that of the Parish Council, in respect of the areas within the vicinity of the site experiencing flooding and. As members will note the Statutory Consultees responsible for matters relating to flooding and drainage have raised no objection.

6. Observations/Consideration of Matters Raised/Conclusion

6.1 Representations have been received in respect of the substitution of the house types resulting in the loss of a number of previously approved Bungalows on site. Members will note that the Local Planning Authority currently has no adopted policy in respect of securing specifically 'Bungalows' for the purposes of Development Management Purposes. The currently adopted Policy ensures that adequate provision is secured in relation to Over 55's accommodation but at this time it is not explicit in relation to a 'house type' or model of accommodation.

6.2 The applicant has submitted a Deed of variation which will ensure the requirements, imposed under the previous S.106 agreement remain relevant to the current consent and that the proportion of affordable housing and/or over 55's accommodation will remain as approved and may result in a financial contribution in lieu of on-site provision dependant on identified local housing need.

6.3 Taking into account the above matters and given the separation distances between existing and proposed/future 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.

- 6.4 I am satisfied that the external appearance, scale, layout and orientation of the proposed development would not be of detriment to the visual amenities and character of the area.
- 6.5 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
- 6.6 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 DEFERRED and DELEGATED to the Director of Community Services for approval following the satisfactory completion of a Legal Agreement within 3 months from the date of this decision and subject to 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:

- Drawing number list TBC

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, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until details of the provisions to be made for building dependent species of conservation concern, artificial bird nesting boxes and artificial bat roosting sites have been submitted to, and approved in writing by the Local Planning Authority.

For the avoidance of doubt the details shall be submitted on a dwelling/building dependent bird/bat species site plan and include details of plot numbers and the numbers of artificial bird nesting boxes and artificial bat roosting site per individual building/dwelling and type. The details shall also identify the actual wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into those individual dwellings during the construction of those individual dwellings identified on the submitted plan and be made available for use before each such dwelling is occupied and thereafter retained. The development shall be carried out in strict accordance with the approved details.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and reduce the impact of development in accordance with Policies DMG1 and EN4 of the Ribble Valley Core Strategy.

5. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Drainage design drawing 5611 02-03 Revision X which was prepared by Lees Roxburgh.

For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved details.

REASON: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding, both on and off site in accordance with Policy DME6 Ribble Valley Core Strategy.

6. 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.

7. 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(s) 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.

8. 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.

BACKGROUND PAPERS:

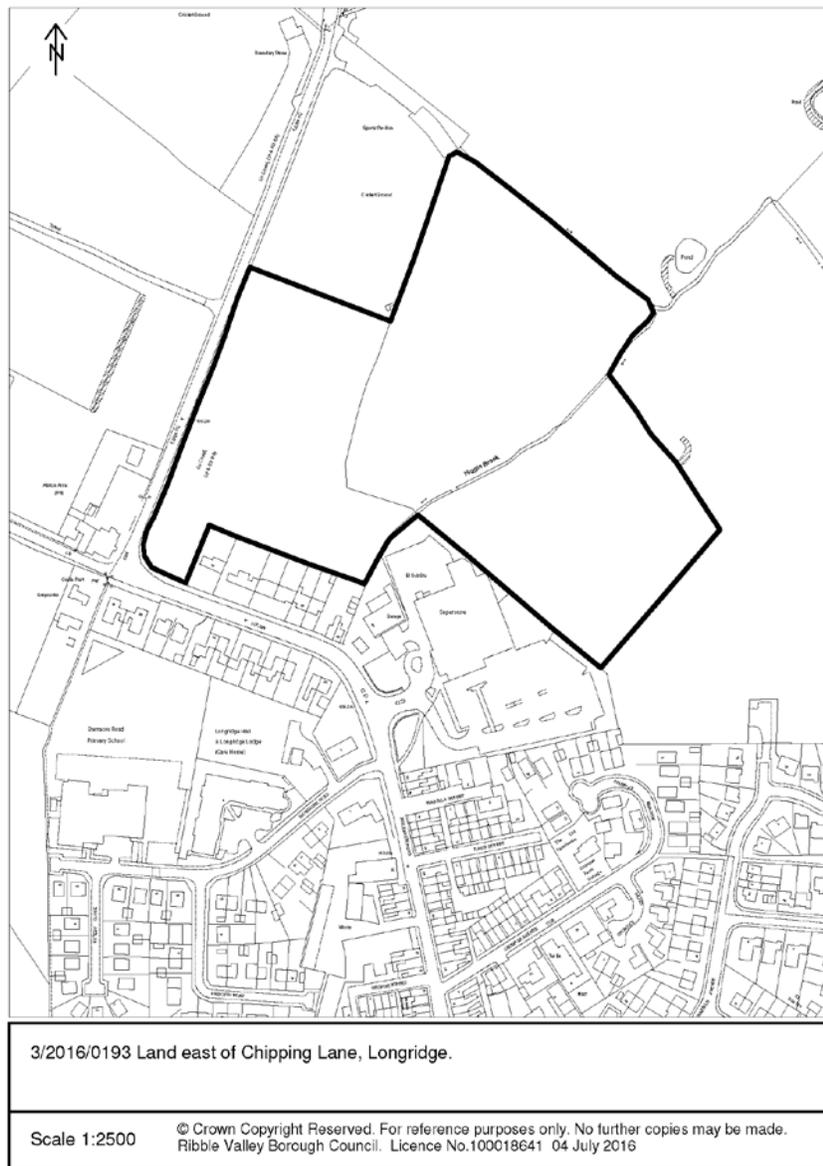
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F1017

APPLICATION REF: 3/2016/0193/P

GRID REF: SD 360397 438052

DEVELOPMENT DESCRIPTION:

APPLICATION FOR THE DETAILED APPROVAL OF APPEARANCE, LANDSCAPING , LAYOUT AND SCALE FOR THE ERECTION OF 118 DWELLINGS (PHASE 1) PURSUANT TO OUTLINE CONSENT 3/2014/0764 FOR THE DEVELOPMENT OF UP TO 363 HOMES INCLUDING AFFORDABLE HOUSING AND HOUSING FOR THE ELDERLY, RELOCATION OF LONGRIDGE CRICKET CLUB TO PROVIDE A NEW CRICKET GROUND, PAVILION, CAR PARK AND ASSOCIATED FACILITIES, NEW PRIMARY SCHOOL, VEHICULAR AND PEDESTRIAN ACCESS LANDSCAPING AND PUBLIC OPEN SPACE, WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS. LAND EAST OF CHIPPING LANE, LONGRIDGE



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Longridge Town Council objects to this application on the following grounds:

- Inadequate drainage on site
- The previous determination was based on misleading information.

Members will note that the Town Council have commissioned and submitted an independent drainage report (PSA Design Ref: T2069/DW). That undertakes a review of the 'Flood Risk Assessment and Drainage Appraisal' dated March 2015. The assessment is critical of the findings and the assumption made in the aforementioned report.

However, members will also note that the aforementioned Flood Risk Assessment does not form part of the current application for determination as the report was part of the submission documentation accompanying the outline consent (3/2014/0764) for the site which has subsequently been approved.

Thornley with Wheatley have also objected to the proposal and concur with the view taken by Longridge Town Council. The Council have raised particular concerns in respect of flooding at the area known as Tile Kiln Corner.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

The Highway Development Control Section has offered a number of observations in respect of the application and has raised no objection based on their suggestions/concerns being addressed. The majority of the observations relate to internal aspects of the development and their potential/suitability for adoption.

The applicant is currently revising the internal aspects of the development to take account of these concerns and do not consider that these amendments will result in significant changes that will have a material impact upon any existing neighbouring occupiers.

UNITED UTILITIES:

No objection to the proposal subject to the imposition of planning conditions relating to foul/surface water drainage and details to be submitted in respect of the Management and maintenance of Sustainable Drainage Systems.

LEAD LOCAL FLOOD AUTHORITY:

Lead Local Flood Authority has no further comments to add to those previously provided at the outline stage of the application.

ENVIRONMENT AGENCY:

No observation to make in respect of the application.

ELECTRICITY NORTH WEST:

Have considered the planning application and have found it could have an impact on existing infrastructure but have raised no objection to the proposals.

PRESTON CITY COUNCIL:

The council has no further comments to add to those already offered at outline stage (no objection).

SPORT ENGLAND:

Sport England does not wish to raise an objection to this application subject to the imposition of planning conditions requiring the submission of a Risk Assessment and Mitigation Strategy.

ADDITIONAL REPRESENTATIONS:

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

- Loss of Privacy and overbearing development
- Loss of view/outlook
- Impact upon the existing highways network
- Increased flooding as a result of the development
- The proposal suggests culverting
- Devaluation of property
- Impact upon highways safety
- Increased traffic generated by the application

1. Site Description and Surrounding Area

- 1.1 The application site comprises 13.22 acres of agricultural land and lies on the eastern side of Chipping Lane to the north west of Longridge. The site and surrounding land is defined open countryside.
- 1.2 Longridge Cricket Club is located to the north western extents of the development site with the application site bounding both the southern and eastern extents of the grounds.
- 1.3 The rear gardens of properties fronting Inglewhite Road back are located to the south and back directly onto the site, along with the vehicle service station and car wash on Inglewhite Road and the Sainsbury's store.

2. Proposed Development for which consent is sought

- 2.1 Reserved Matters consent is sought for Phase 01 of outline consent 3/2014/0764 (development of up to 363 homes). The matters for which consent is sought are appearance, layout, landscaping and scale.
- 2.2 The application seeks consent for the erection of 118 dwellings units consisting of the following housing mix:
 - 15 x 2 Bedroom affordable dwellings
 - 12 x 3 Bedroom affordable dwellings
 - 5 x 2 Bedroom bungalows (Affordable Over 55's LTH)
 - 4 x 1 Bedroom apartments (Affordable over 55's)
 - 4 x 1 Bedroom apartments (Over 55's open Market)

- 5 x 2 Bedroom bungalows (LTH open market)
- 3 x 2 Bedroom dwellings (Open Market)
- 36 x 3 bedroom dwellings (Open market)
- 34 x 4 Bedroom Dwellings (Open market)

2.3 The submitted layout proposes a single point of vehicular access off Chipping Lane (already approved) connecting to a main vehicular route that serves a number of private drives and will provide linkages to further phases of the development. The proposal benefits from the inclusion of a number of dedicated pedestrian/cycle links within the development that provides links to Chipping Lane with provision being proposed for connectivity to further phases of development to the north and east.

2.4 The majority of the development will be single storey and two storeys in height. It is proposed that 2 x pairs of semi-detached dwellings and a terrace block of three units will be of 2.5 storeys in height. It is proposed that these will be located to the east of the rear boundary of the adjacent supermarket, lessening their visual prominence and ensuring that they have no impact upon adjacent existing neighbouring properties. A further pair of semi-detached dwellings of 2.5 storeys in height are proposed towards the northern extents of the proposal within a small clustered parcel of development.

2.5 The proposal created provision for a Local Equipped Area for Play (LEAP), details of which will be secured via condition. Managed Open Space is also proposed directly to the south and east of the existing cricket ground which also provides a natural stand-off/buffer to the Cricket Grounds. A number of existing shelter belts/hedgerows are proposed to be maintained that will act as natural play areas and also aid in preserving and enhancing biodiversity and ecology.

3. **Relevant Planning History**

3/2014/0438:

Proposed development of 106 residential units, including affordable housing, new vehicular and pedestrian accesses, landscaping, public open space and ecological enhancement - Refused (appeal received, subsequently withdrawn).

3/2014/0764:

Development of up to 363 homes including affordable housing and housing for the elderly, relocation of Longridge Cricket Club to provide a new cricket ground, pavilion, car park and associated facilities, new primary school, vehicular and pedestrian access landscaping and public open space, with all matters reserved except for access. (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 DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

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 principle of the development of the site for residential purposes has been established as acceptable through the granting of consent 3/2014/0764, this permission is currently live and extant. The current application seeks reserved matters consent for Phase 01 of the aforementioned permission, therefore matters of principle and potential conflict with the Development Strategy for the Borough are not matters which can be considered as part of the current application.

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 or Policy DMG2 of the adopted Core Strategy.

5.2 Impact upon Residential Amenity:

5.2.1 The only residential properties directly adjacent or directly affected by phase 01 of the proposed development are those which front Inglewhite Road, being located directly to the south and adjacent the development site.

5.2.2 The proposed dwellings that have a direct relationship with the aforementioned existing properties are limited to two storeys in height with the form of development in this location being limited to semi-detached or detached dwellings. The side to side spacing between the proposed dwellings has been increased in this location to ensure they are afforded a higher level of visual permeability.

5.2.3 The submitted details propose that the new dwellings will have an offset distance of approximately 27m from the properties to the south, measured at their closest point with further offset distances ranging up to 35m being proposed.

5.2.4 It is proposed that a single detached dwelling will be located on the Inglewhite Road Chipping Lane corner. The siting of the dwelling responds well to the inherent building line of the existing dwellings on Inglewhite Road to which it will be read in conjunction with. A side to side offset distance of 8m is proposed from the nearest existing dwelling.

5.2.5 Therefore, taking into account the proposed separations distances and the spatial relationships between adjacent existing/future 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 The application has been subject to extensive negotiation at pre-application and application stage and is considered to be in broad accordance with the overall framework/masterplan established as acceptable at the outline stage.
- 5.3.2 Amendments to house type, layout and landscaping have been sought and secured to ensure the development as a whole will successfully visually reflect the beginnings of the transition from the more urban fabric of Longridge to that of a semi-rural/rural context. The overall success of the proposed development will be governed by a similar approach being taken to the further phases of development.
- 5.3.3 It is proposed that the dwellings will be constructed of a mixture of stone, render and brickwork with the materials pallet varying to define character areas and parcels of development. The house types will be detailed with stone heads, cills and jambs also befitting from the introduction of stone band detailing and the addition of chimney stacks to key plots. Quoin detailing and 'Lancashire projecting porches' amongst other additions have been incorporated into the elevation language to ensure an adequate and acceptable contextual response.

5.4 Highway Safety and Accessibility / Public Rights of Way:

- 5.4.1 The Highway Development Control Section have raised as small number of concerns regarding the potential future adoptability of element of the internal layout. Amended plans are awaited that will address these issues but it should be noted by members that these issues, in isolation could not constitute a reason for refusal given there is no requirement to construct the internal highway to an adoptable standard unless the applicant wishes to seek future adoption.

5.5 Landscape/Ecology:

- 5.5.1 The overall layout and development parcels follow closely the parameters and framework of the overall masterplan and landscape framework. However, further details have been sought in respect of landscaping including additional planting rations/margins and it will be required that the applicant demonstrates how this will achieve overall biodiversity ecological enhancement.
- 5.5.2 At the time of the writing of this report these matters are still outstanding but based on discussion with the applicant I am convinced that the detailed proposals to be brought forward will meet the aforementioned expectations/requirement.

5.6 Flood Risk and Drainage:

- 5.6.1 A number of representations, including that of the Town Council, have raised the issue of increased flood risk and drainage in respect of the application. 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 overall proposed layout it is not considered that the proposal would result in any significant detrimental impact upon existing/future residential amenities by virtue of direct over-looking.
- 6.2 Taking account of the overall scale and layout of the proposed development it is not considered that the proposal would be of detriment to the visual amenities and character of the area.
- 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 DEFERRED AND DELEGATED to the Director of Community Services for approval following the receipt of acceptable amended details relating to house types, landscaping and layout within 3 months from the date of this Committee meeting.

1. 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:
- Drawing numbers TBC following receipt of amended details.

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

2. 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.

3. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until 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 proposed development responds appropriately to the topography of the site and is appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

4. Prior to the commencement of the development details of the pumping station/sub-station and all utility structures/buildings and their precise location shall have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

5. Notwithstanding the submitted details, elevational details at a scale of not less than 1:50 and details of the precise location of all proposed refuse and cycle storage provision shall have been submitted to and approved by the Local Planning Authority prior to their installation. For the avoidance of all proposed cycle storage shall be enclosed and lockable.

The development shall be carried out in strict accordance with the approved details and the approved details which shall be made available for use prior to first occupation of the dwellings(s) hereby approved / prior to the use hereby approved becoming operative and shall be retained for use at all times thereafter.

REASON: In order that the Local Planning Authority may ensure that the development provides adequate provision for the storage of domestic waste and encourages the use of sustainable means of transport in accordance with Key Statement DMI1 and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

6. 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 upon the street scene/area in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

7. 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 dwelling 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 the residential amenities of future/existing occupiers in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

8. 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:

- The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
 - 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.
9. 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 for the duration of the lifetime of the development in accordance with Policy DME6 of the Ribble Valley Core Strategy.

BACKGROUND PAPERS:

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F0193

PLANNING APPLICATION STATISTIC REPORT

APPLICATIONS DETERMINED – 14/06/16 - 08/07/16

Approved with conditions	Approved no conditions	Applications refused	Total applications determined	Applications determined by Committee
59	8	16	89	5

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

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 Farm Westfield Avenue Read	11/2/15	5	With legal

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2016/0257/P	Two new four-bedroom detached houses with integral single garage	Vacant land adj Park Street play area, Park Street, Clitheroe
3/2016/0435/P	Two storey extension to side and extensions to existing front and rear dormers	71 Pasturelands Drive Billington, BB7 9LW
3/2016/0559/P	Variation of condition 2 (drawings for house types 1-4 on plots 2,8,9 and 10, site plans of cross sections and schedule of accommodation), removal of condition 10 (un-associated condition) of planning permission 3/2014/0618/P	Land off Chatburn Old Road Chatburn
3/2016/0160/P	Change of use of upper floors to 5 one-bedroom apartments including provision of parking to the rear, removal of external escape stair and rear porch and re-opening tap room entrance to public house	The Dog Inn Market Place Longridge PR3 3RR
3/2016/0549/P	Proposed demolition of 14No garages and erection of 4/3 bedroom dwellings (one pair of semi-detached and two detached) and alterations/improvements to access	Land adj/off Ribblesdale View Chatburn
3/2016/0585/P	Demolition and rebuilding of gable end walls, including insertion of extra window at first floor level	74 Whalley Road Wilpshire BB1 9LF

APPEALS UPDATE

<u>Application No</u>	<u>Date Received</u>	<u>Applicant/Proposal/Site</u>	<u>Type of Appeal</u>	<u>Date of Inquiry/Hearing</u>	<u>Progress</u>
3/2014/0697R	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
3/2015/0385 R	29/01/16	Land east of Clitheroe Road Whalley	WR		Appeal Allowed 04/07/16
3/2015/0886 R	18/03/16	Barraclough Cottage, Whalley Road, Pendleton	WR		Appeal Dismissed 30/06/16
3/2015/0647 R	16/02/16	Pinfold Farm Barn, Preston Rd, Ribchester	WR		Awaiting Decision
3/2015/0910 Undetermined	02/03/16	Primrose House, Primrose Rd, Clitheroe	HH		Approved with Conditions 29/06/16
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		Awaiting Decision
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		Awaiting Decision
3/2015/0159 C	13/05/16	Former Golf Driving Range, Upbrooks Lincoln Way, Clitheroe	WR		Awaiting Decision
3/2015/0074 R	13/05/16	Land adj Petre Arms, Langho	WR		Awaiting Decision
3/2016/0172 R	16/05/16	Stydd Garden Centre Ribchester (Shed 2 - education)	WR		Awaiting Decision
3/2016/0174 R	16/05/16	Stydd Garden Centre Ribchester (Shed 1 – deli)	WR		Awaiting Decision
3/2016/0022 R	21/04/16	1 & 2 Abbeycroft The Sands Whalley	WR		Statement Due 01/08/16
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		Awaiting Decision
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

<u>Application No</u>	<u>Date Received</u>	<u>Applicant/Proposal/Site</u>	<u>Type of Appeal</u>	<u>Date of Inquiry/Hearing</u>	<u>Progress</u>
3/2015/0959 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	15/06/16	Field Barn Old Langho Road Langho BB6 8AW	Submitted as HH appeal, but officer feels that it is not householder development. (Stable outside residential curtilage)		
3/2015/0509 R	23/06/16	Land adj Southport House, Sawley, BB7 4LE	WR (to be confirmed)		Statement due 28/07/16
3/2016/0368 R	Awaiting start date from PINS	Fourwinds 54 Fairfield Drive Clitheroe BB7 2PE	WR (to be confirmed)		
3/2016/0393 R	Awaiting start date from PINS	Ellerslie House Ribchester Road Clayton le Dale BB1 9EE	WR (to be confirmed)		
3/2016/0178 R	Awaiting start date from PINS	22 St Peters Close Clayton le Dale BB1 9HH	HH (to be confirmed)		
3/2016/0286 R	Awaiting start date from PINS	Riverside Cottage Sawley Road Sawley BB7 4NH	HH (to be confirmed)		
3/2016/0284 R	Awaiting start date from PINS	Riverside Barn Sawley Road Sawley BB7 4NH	HH (to be confirmed)		