

RIBBLE VALLEY BOROUGH COUNCIL

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Dear Councillor

The next meeting of the **PLANNING AND DEVELOPMENT COMMITTEE** is at **6.30pm** on **THURSDAY, 16 MARCH 2017** at the **TOWN HALL, CHURCH STREET, CLITHEROE.**

I do hope you can be there.

Yours sincerely

CHIEF EXECUTIVE

To: Committee Members (copy for information to all other members of the Council)
Directors
Press
Parish Councils (copy for information)

AGENDA

Part I – items of business to be discussed in public

1. Apologies for absence.
- ✓ 2. To approve the minutes of the last meeting held on 16 February 2017 – copy enclosed.
3. Declarations of Pecuniary and Non-Pecuniary Interests (if any).
4. Public Participation (if any).

DECISION ITEMS

- ✓ 5. Planning Applications – report of Director of Community Services – copy enclosed.
- ✓ 6. Lancashire Wildlife Trust Local Nature Reserves Crosshill and Salthill – report of Director of Community Services – copy enclosed.

INFORMATION ITEMS

- ✓ 7. Appeals (if any).
 - a) 3/2016/0750 – Removal of paint from store door and window lintels, repainting window frames and door at 24 Higher Road, Longridge – appeal allowed and listed building consent granted.
- 8. Reports from Representatives on Outside Bodies (if any).

Part II - items of business **not** to be discussed in public

- ✓ 9. 3/2017/0020/P – Mason House Farm – copy enclosed.

INDEX OF APPLICATIONS BEING CONSIDERED						
MEETING DATE: 16 MARCH 2017						
	<u>Application No:</u>	<u>Page:</u>		<u>Officer:</u>	<u>Recommendation:</u>	<u>Site:</u>
A	APPLICATIONS REFERRED BACK TO COMMITTEE FOR APPROPRIATE CONDITIONS:					
					NONE	
B	APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR APPROVAL:					
	3/2016/0895/P	1		AD	R	11 Castle Street Clitheroe
	3/2017/0020/P	13		AB	AC	Mason House Farm Bashall Eaves
	3/2017/0105/P	23		RM	AC	Red Pump Inn Bashall Eaves
C	APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL:					
					NONE	
D	APPLICATIONS UPON WHICH COMMITTEE DEFER THEIR APPROVAL SUBJECT TO WORK DELEGATED TO DIRECTOR OF COMMUNITY SERVICES BEING SATISFACTORILY COMPLETED					
	3/2016/1082/P	32		SK	AC	74 Higher Road and land to the rear, Longridge
E	APPLICATIONS IN 'OTHER' CATEGORIES:					
					NONE	

LEGEND

AC Approved Conditionally
R Refused
M/A Minded to Approve

AB Adam Birkett
AD Adrian Dowd
JM John Macholc

RH Rebecca Halliwell
RM Robert Major
SK Stephen Kilmartin

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 16 MARCH 2017
title: PLANNING APPLICATIONS
submitted by: DIRECTOR OF COMMUNITY SERVICES

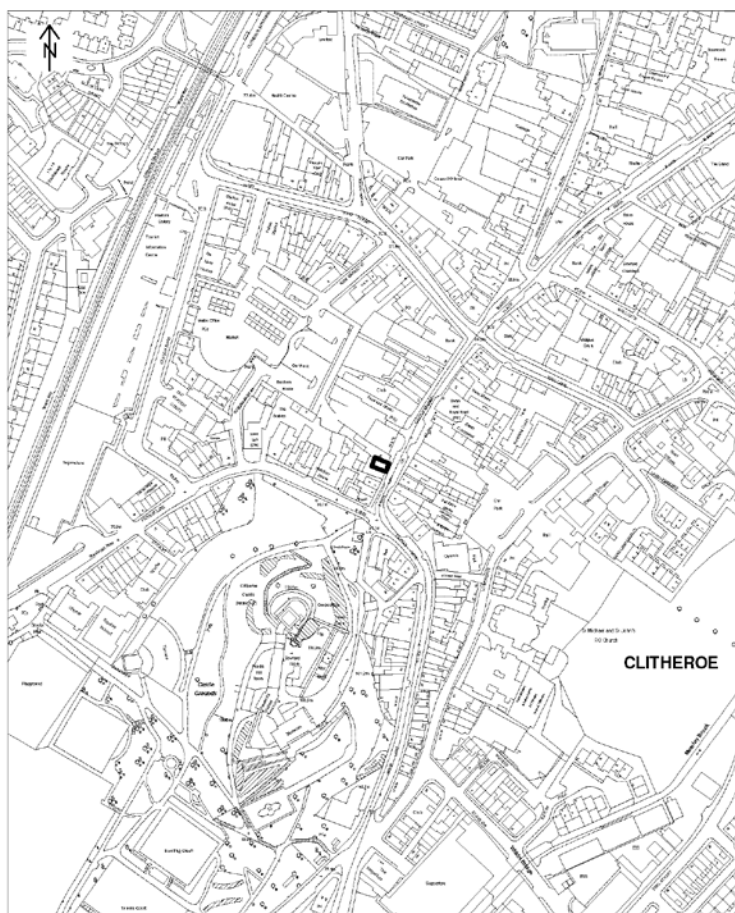
PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION REF: 3/2016/0895

GRID REF: SD 374305 441792

DEVELOPMENT DESCRIPTION:

INTERNAL ALTERATIONS TO COMPLY WITH CURRENT BUILDING REGULATION REQUIREMENTS AT NORMAN COPE OPTICIANS, 11 CASTLE STREET, CLITHEROE BB7 2BT



3/2016/0895 11 Castle Street, Clitheroe BB7 2BT

Scale 1:2500

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

No objections.

HISTORIC ENGLAND:

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

HISTORIC AMENITY SOCIETIES:

Consulted and comments received from the Society for the Protection of Ancient Buildings (SPAB; 5 October 2016) which welcomes usage of the whole building and the proposed programme of repair. However, the assessment and analysis of the building's special interest and significance is limited and particularly in respect to the historic staircases proposed for demolition and the structural wall and timbers proposed to be demolished and altered at ground floor level. The stairs to the ground floor look relatively recent but parts of the existing stairs on the first and second floors certainly appear to be historic. The significance of these parts and their role in the building overall should be assessed and the proposals amended accordingly.

It is understood that many parts of historic buildings will not comply with modern Building Regulations, however, this should not be seen as justification for alterations and demolition of historic fabric. SPAB therefore urge the applicants to work with the case officer, as the Council's specialist conservation advisor, to revise the scheme to enable as fuller use of the building as possible while fully conserving its special interest.

LAAS:

The Lancashire Archaeological Advisory Service (initial comments; 4 October 2016) welcome the proposals to repair and refurbish this Listed Building and consider that the changes proposed to the rear stair would have less than substantial harm. The benefits to the building in bringing the upper storeys back into effective use are considered to outweigh this harm and LAAS have no objection to the proposed work.

The application is accompanied by a Heritage Statement, a Building Survey and plans which provide a rapid overview of the building and it is not considered that any further archaeological building recording is currently justified. Should, however, opening up works reveal either decay or damage that would require the replacement of structural elements LAAS may wish to revise this advice.

Clarification was sought and subsequently provided because the case officer had already (29 September 2016) requested further information as to the significance of the stairs (and was mindful of Planning Inspector comments at 28 Church Street Ribchester; 2 July 2013, NPPF paragraph 128 and Historic England's 'Making Changes to Heritage Assets' paragraph 42 and 45). LAAS confirmed that comments were from an archaeological view, rather than an architectural one and LAAS would always defer to RVBC expert conservation opinion with regard to buildings and architecture. The statement that changes proposed are considered to be 'less than substantial harm' is an opinion rather than a statement of fact and must be tempered with the information that LAAS did not make a site visit but relied on available documentation. However, LAAS did discount the statement in the Heritage Statement (2.2) which suggested that the lower staircase may be of c.1980 - it seems to match the upper in

width and angle etc. and appears rather too steep for that period, though it could have been repaired at that date.

It would seem a little perverse of an applicant to rely on input from a 'public comment' to justify a planning proposal and it is always possible that, given that LAAS didn't make an internal inspection, that it has underestimated the impact of the proposed changes.

Given the comments made by the Inspector in the case quoted, and the requirement for a Heritage Statement to assess the impact of the proposals on the significance of the building, it would seem sensible for the applicants to get their own supporting assessment of the impact of the changes on the building particularly given that only one of the four extant sections of stair are to be retained.

ADDITIONAL REPRESENTATIONS:

No letters of representation have been received.

1. Site Description and Surrounding Area

- 1.1 11 Castle Street is a Grade II listed building (30 September 1976) with C18 origins (list description) prominently sited within Clitheroe Conservation Area and the street scene. The list description is typically brief and refers to the front elevation and the exterior only (see the Clitheroe list). It identifies:

“Gable end to road rendered, side elevation in coursed stone. Coped gable ends with kneelers, rusticated quoins. 1 window on 2 storeys, stone surrounds. Attractive mid to late C19 shop front with carved brackets and fascia, 2 windows and centre door, at either end a small pediment on trusses decorated with vine leaves.

Nos 3 to 19 (odd) and the Starkie Arms Hotel form a group, Nos 3 to 7 being buildings of local interest only”.

11 Castle Street is within the setting of other listed buildings most notably: ‘13-19 Castle Street’; ‘9 Castle Street’; ‘Rose and Crown Hotel’; ‘4-12 Castle Street’ all Grade II listed.

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

1-7 Castle Street to be Buildings of Townscape Merit making a positive contribution to character and appearance; an Important View from this part of Castle Street towards the Castle (Townscape Appraisal Map);

“The architectural and historic interest of the area’s buildings, 88 of which are listed”; (Summary of special interest).

“The conservation area is most notable for buildings from the late 18th century and 19th century, many of which replaced earlier structures - even the Church of St. Mary Magdalene dates primarily from a rebuilding in 1828 ...

In Clitheroe, as in other market towns, the 18th century marked a movement away from traditional vernacular building to a more consciously designed ‘polite’ form of architecture. Buildings from this period are influenced by a sense of proportion and

incorporate sliding sash windows and elements of classical detailing” (Architectural and historic character).

“The view of the Castle looking south along Castle Street is a defining image of the conservation area” (Key views and vistas);

“Stone is the most prevalent walling material ... conservation area’s lively roofscape ... Many buildings are covered in stucco, a form of render that was popular in the early 19th century. Similarly a large number of buildings have either by design or at a later date been rendered with a smooth or roughcast coat of plaster which conceals the walling material ... Historic windows are generally timber sliding sashes deeply recessed in the stone ... A particular architectural feature of interest is the different ways in which rainwater gutters are supported with curled metal or carved stone brackets at eaves level” (Building materials and local details).

“The Clitheroe Conservation Area contains a high proportion of commercial premises and a special feature of the conservation area is the remaining number of complete and partial 19th century shopfronts. Good examples of reasonably complete historic shopfronts are 11 Castle Street” (Historic shopfronts).

“Loss of architectural detail (original windows, doors etc)”; *“Insensitive alteration of historic buildings”*; *“Twentieth century development that fails to preserve the historic character and appearance of the conservation area”* (Principal negative features Character area 1: Clitheroe’s historic core).

1.3 The Buildings of England’ (Pevsner, 2000) identifies:

“Clitheroe is a townscape pleasure. It has no putting-off buildings, it has changes of level, and it has streets with bends. The main axis is Castle Street, wide, but not with strictly parallel frontages, and extending from the castle to the town hall. What new buildings were provided are imitation C16 and C17 and quite agreeable” (page 104).

2. Proposed Development for which consent is sought

2.1 Listed building consent is sought for the replacement of the Ground – Second Floor staircase (the First – Second flight of which is the only surviving stair in the listed building) and internal partition walls (including structural walling) and construction of a new staircase adjoining existing which to be compliant with current Building Regulations.

The applicant confirms (21 December 2016) that the business has continued to grow since purchase but future growth is restricted because of building constraints.

The application submission also includes a Building Survey Report. The Executive Summary identifies:

- (i) ‘*Substantial roof work*’ to be required (paragraph 2.3 suggests that this is the original roof construction; paragraph 3.1.1 suggests that the roof will require recovering and thermal efficiency upgrades);
- (ii) windows requiring ‘*considerable overhaul*’;
- (iii) ‘*the degree of timber decay within the shop front is extensive*’;
- (iv) ‘*services installations are very basic and generally considered to be lacking*’;
- (v) previous structural alterations and a sloping floor;
- (vi) debonding of the rendered surface may be occurring (paragraph 3.1. 6 suspects render may need replacing).

The report recommends the undertaking of further assessments and concludes (Chapter 6) that *“the building is considered to be in poor condition and warrants extensive repair and maintenance, which will need to be carried out in a sympathetic manner befitting a listed building ... envisage a substantial scope of work in order to bring the property back into a reasonable state of repair”*.

However, there is no schedule of proposed works submitted with the application. In respect to proposed roof works and protected species legislation, RVBC has been advised by the agent that *“the roof repairs do not require any local authority approval”* (emails 7 October 2016).

A heritage assessment has now been received. This interprets the brevity of the list description and reference to ‘group’ to suggest 11 Castle Street was *“listed for its group value contribution”*. The significance assessment is then made in respect to this belief in a *“group value listing”*. However, the ‘Principles of Selection for Listed Buildings’, DCMS, 2010, paragraph 6 (appended) explains that whilst group value can be an additional consideration *“The statutory criteria for listing are the special architectural or historic interest of a building”*. In my opinion, a disproportionate emphasis has therefore been placed on the external appearance of the building which has led to the conclusion that *“In summary the extent and nature of past changes to the interior mean that the interior plan form is not of notable evidential value and does not contribute to the primary significances of the building”*. In my opinion, the significance of the few interior surviving features of the 1984 conversion to opticians and test room is high as the remaining evidence of the historic character of the building.

The agent was advised of the case officer’s concerns and recommendation to refuse LBC on 11 November 2016. Unfortunately, no consideration has been made to the comments of SPAB in seeking amendments to the scheme and minimising harm to the special interest of the listed building in accordance with the legal duties [recent information submitted by the agent reiterates that the second floor is to be used as a store and shows that a Ground Floor Consulting Room can (and has been in the past) be accommodated without obstructing access to the First and Second Floors).

3. Relevant Planning History

No pre-application advice has been sought.

3/1992/0632 – Removal of skylights. LBC granted 27 November 1992.

3/1990/0451 – Refurbishment of shop front. LBC granted 25 July 1990.

3/1990/0393 – Section 53 determination - main fascia sign (Certificate of Lawfulness). 5 June 1990.

3/1984/0284 – Proposed alterations to existing premises to form Optician’s Shop and Test Room. LBC granted 13 June 1984. *Existing plans show a Basement – Ground stair running front to back and central in the plan. A Ground – First stair above this with a dog-leg to left. First – Second stair in same location as existing. Proposed plans show Ground – First in same location as existing. Notes state “All works to conform to the requirements of the Building Regulations 1976 (with amendment) ;“Strip out existing stairs between Ground Floor and First Floor including all existing Ground Floor partitions”; “Strip out stairs to Basement”; “Access to Basement for maintenance purposes only”; “Second Floor to be retained as existing except door sets”*. An April

1990 plan submitted by the agent (21 December 2016) confirms that the proposals were implemented.

4. Relevant Policies

Planning (Listed Buildings and Conservation Areas) Act 1990 (appended).
'Preservation' in the duties at sections 16, 66 and 72 of the Act means "doing no harm to" (*South Lakeland DC v. Secretary of State for the Environment* [1992]).

Section 16 states "In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

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

Clitheroe Conservation Area Appraisal (adopted by the Borough Council 3 April 2007 following public consultation)

Ribble Valley Core Strategy:

Key Statement EN5 – Heritage Assets
Key Statement EC1 – Business and Employment Development

Policy DMG1 – General Considerations
Policy DME4 – Protecting Heritage Assets
Policy DMB1 – Supporting Business Growth and the Local Economy

5. Assessment of Proposed Development

5.1 The main consideration in the determination of this listed building consent application is the impact upon the special architectural and historic interest and setting of the listed building (section 16 of the Act). Consideration is also made to the impact upon the setting of other listed buildings (section 66 of the Act), the impact upon the character and appearance of Clitheroe Conservation Area (section 72 of the Act) and any public benefits of proposed works.

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

5.2.1 In my opinion, the proposed removal of the historic staircase (First-Second Floor) is harmful to the special architectural and historic interest of the listed building.

I am mindful of the historically recent, extensive and harmful works undertaken to the listed building to bring the building into use as an Optician's Shop and Test Room (3/1984/0284). The removal of staircases and internal walls and relocation of staircases which predated the 1990 Act has had a detrimental impact upon the plan form and historic fabric significance of the listed building. I would concur with the heritage consultant that removal of the remaining historic staircase (now one of the few important surviving internal design features of the Georgian building along with a 6-panel door at Second Floor and covered fireplaces at Ground and First Floor back wall) is concerning. Furthermore, consideration to 3/1984/0284

and exposed historic fabric suggests the proposed replacement and widening of the Ground-First Floor stair (replaced 1984 - 1990) will result in further loss of original wide floor boarding and the part-obscuring of the First Floor back wall fireplace (the Ground Floor back wall fireplace is already obscured because of 3/1984/0284).

I am mindful of the intrinsic importance of the surviving historic stairs to the special interest of this listed building. 'Georgian Stairs' (The Georgian Group, 2001) states:

"Very often the stair was the most considerable and most conspicuous piece of craftsmanship in a building. Many Georgian builder's pattern books contain elaborate instructions for calculating the dimensions of stairs ... the detailed nature of the instructions emphasises the fact that it was in the positioning and construction of the stair that Georgian builders had to wrestle most conspicuously with spatial geometry" (page 6).

I am also mindful of: 'Making Changes to Heritage Assets' (Historic England, February 2016 paragraph 42, 43, 45 and 47) in respect to the importance of historic fabric and plan form; 'Managing Significance in Decision Taking in the Historic Environment' (Historic England, March 2015 paragraph 28) in respect to the cumulative impact of incremental small-scale changes and NPPG (Conserving and enhancing the historic environment, paragraph 015) in respect to the need to consider the likelihood of continued and future changes in the assessment of Optimum Viable Use.

'Making Changes to Heritage Assets' identifies the importance of plan form and historic fabric to significance:

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

This reiterates paragraph 38 'Conservation Principles, Policies and Guidance', Historic England, 2008 (appended).

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

The submitted Heritage Statement identifies the likely domestic origins of 11 Castle Street and in this respect I am mindful of the importance of interior features and plan form to the integrity of the building type. Historic England's Listing Selection Guide 'Domestic 2: Town Houses' (2011) identifies specific considerations when considering town houses for designation:

“Status and Survival - The Georgian town houses that survive today will tend, through natural selection, to be the grander examples ... In all cases, the things to look for are the same: the survival of exterior and interior features, and of plan form ...

Interiors - Many houses have never been inspected internally (see *list description*), and features of interest may survive which have never been considered: new discoveries and new designations thus remain to be made ... Internally they include staircases; fireplaces; decorative plasterwork; joinery; doors, architraves, panelling, shutters etc; built-in cupboards or shelved niches ...

Alteration - Internally, the loss of major elements such as the staircase, or the room plan of the principal floors, or the stripping out of internal features, will undermine the case for listing”.

The premises have been successfully used as an Optician's Shop and Test Room for the 33 years prior to purchase of the applicant. I do not consider the justification for the harmful works (principally the removal of the last surviving flight of historic stairs in this building of national importance but also the loss of original flooring and obstruction of a fireplace) to be clear or convincing (NPPF paragraph 132).

The submitted Design and Access Statement identifies:

“The staircase from ground to first floor which may also date from the late 1980's, is to be altered so that the lower flight discharges towards the door rather than within an office. The BRegs requirements for a property of this arrangement require the stairs to discharge to within 3m of the exit. This is not possible but the proposed seems a suitable compromise. It also allows customers to access the first floor without passing through the test room”.

The 1984 and 1990 plans demonstrate that the current conflict between ground floor consulting room and access to upper floors using the existing stairs is very recent and could be reversed by alteration of modern partitions of no historic interest.

The ‘existing’ plans to 3/1984/0284 show that before 1984 the property had centrally placed front-back Ground-First Floor stairs which discharged much closer to the Castle Street exit than the stairs now proposed – it is suggested that consideration to the restoration of these stairs may provide improvements in respect of the Building Regulations whilst minimising harm to the listed building to that necessary.

Mindful of the duty at section 16 of the Act to have ‘special regard’ to the desirability of preserving the building/features of special interest (see appended article ‘The Big Issue of Little Harm’) and NPPF paragraph 132, I therefore concur with the concerns of the national historic amenity society and question the necessity of the harmful works proposed.

Whilst the principle of repairs is welcomed, further information on the extent and impact on listed building character of all repair works is required. The LBC application contains a Heritage/Justification Statement which refers to Building

Condition and 'roofing works' (1.5) and a Building Survey Report which advocates potentially extensive repair works. In my opinion, insufficient information has been submitted to enable the Borough Council to understand the impact of the repairs (which are alterations) on the special architectural and historic interest of the listed building. Section 7 and 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (appended) relates. The Building Survey Report's reference to substantial roof work, recovering and thermal efficiency upgrades to an apparently original roof does not provide comfort in the agent's unilateral determination of LBC requirements. In respect to suggested significant upgrade to services, I am mindful of Planning Inspector's comments in respect to the need for details of such works to minimise harm to listed building special interest at APP/T2350/E/07/2041941, 58 Moor Lane, Clitheroe (12 October 2007; Grade II listed building) and APP/T2350/E/13/2194332, 8 Church Brow, Clitheroe (13 January 2014; Grade II listed building).

5.3 Impact upon the setting of other listed buildings

5.3.1 Details of repair works necessary to determine impact.

5.4 Impact upon the character and appearance of Clitheroe Conservation Area

5.4.1 Details of repair works necessary to determine impact.

5.5 Public benefits:

5.5.1 The principle of building repair is welcomed. In the absence of consideration and evaluation to possible alternative and potentially less damaging improvement to Building Regulation compliance (as advocated by SPAB) the public benefit of proposed works is not apparent.

5.6 Landscape/Ecology:

5.6.1 Details of repair works necessary to determine impact and potential mitigation.

6. Observations/Consideration of Matters Raised/Conclusion

6.1 It is unfortunate that assessment of the listed building's special architectural and historic interest and discussion of proposals (as advocated in NPPF paragraph 188-192) was not undertaken before application submission or building purchase. It is also disappointing that the applicant has not sought to engage in consideration to possible alternative proposals (as advocated by SPAB).

6.2 NPPG states that "substantial harm is a high test, so it may not arise in many cases" and in my opinion, the harm to the listed building is 'less than substantial'. NPPF paragraph 134 requires that this harm be weighed against the public benefits of the proposal and in this consideration I am mindful of recent legal decisions, NPPF paragraph 132 and comment on these by the Governance and Legal Director of Historic England:

"Any harm is to be given 'great weight' whether it is serious, substantial, moderate, minor or less than substantial. Whatever adjective you choose to describe it and however the harm is caused – directly or through an impact on the setting – every decision should acknowledge the general priority afforded to heritage conservation in comparison to

other planning objectives or public benefits” (Conservation Bulletin, Issue 73: Winter 2014).

- 6.3 In respect to the submitted information, I do not consider public benefits to have been established or to outweigh the harm to the listed building and its features of special interest.
- 6.4 Therefore, in attaching considerable importance and weight to the preservation of (i.e. avoiding harm to) the listed building, its setting and its features of special architectural and historic interest [section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990], I would recommend that listed building consent be refused.

RECOMMENDATION: That Listed Building Consent be REFUSED for the following reason:

1. The proposal has a harmful impact upon the special architectural and historic interest of the listed building because of the loss and alteration of important historic fabric and plan form (stairs, flooring and First Floor fireplace location) resulting from the removal of the First-Second Floor staircase and installation of the proposed Ground - Second Floor staircase.

Update following 16 February Planning and Development Meeting

Committee resolved on the 16 February 2017 to be Minded to Approve the application and Deferred to the Director of Community Services for appropriate conditions. Should Committee wish to approve the scheme, a list of suggested conditions is found below.

In my understanding of recent judicial review cases, there is a ‘strong presumption’ against the grant of permission where there is harm to the special architectural and historic interest of a listed building. Mr Justice Lindblom in *Forge Field* (2014; paragraph 49) and in consideration to *Barnwell Manor*, identifies that such a presumption is not irrebutable and can be outweighed by material considerations powerful enough to do so. But an authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering. I would therefore suggest, should Committee wish to approve the scheme, that their weighing of the material considerations be explicit and reasons be given for their decision.

Should Committee wish to approve the scheme the following is a list of suggested conditions:

Time Limit

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

REASON: Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Plans

2. The permission shall relate to the development as shown on Plan Reference 1639/T.01, 1639/T.02 and 1639/T.03.

REASON: For the avoidance of doubt.

Clarification of extent of permission

3. This consent does not include proposed repair works.

REASON: No information has been submitted to indicate the impact of proposed works on the special architectural and historic interest of the listed building.

Building record

4. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of recording, analysis and reporting. 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 in accordance with National Planning Policy Framework paragraph 141: "Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible".

Design and Materials

5. Precise specifications of the proposed stairs shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development.

REASON: In order to limit the impact of proposals on the special architectural and historic interest of the listed building.

Structural works

6. Precise specifications (including a structural engineer's method statement) of proposed fabric removal shall have been submitted to and approved by the Local Planning Authority before the implementation of this element of the proposed works.

REASON: In order to limit the impact of proposals on the special architectural and historic interest of the listed building.

BACKGROUND PAPERS

<http://www.legislation.gov.uk/ukpga/1990/9/contents>

[Planning (Listed Buildings and Conservation Areas) Act 1990]

<https://www.historicengland.org.uk/images-books/publications/conservation-bulletin-73/>

(page 46 'The Big Issue of Little Harm', Conservation Bulletin: Issue 73 Winter 2014)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

(National Planning Policy Framework)

<https://www.gov.uk/guidance/national-planning-policy-framework/12-conserving-and-enhancing-the-historic-environment>

(National Planning Policy Guidance: Conserving and Enhancing the Historic Environment)

<https://www.gov.uk/government/publications/principles-of-selection-for-listing-buildings>

(‘Principles of Selection for Listed Buildings’)

<https://www.gov.uk/government/organisations/planning-inspectorate>

(The Planning Inspectorate appeal decisions)

<https://www.historicengland.org.uk/images-books/publications/making-changes-heritage-assets-advice-note-2/>

(‘Making Changes to Heritage Assets’, Historic England, 2016)

<https://content.historicengland.org.uk/images-books/publications/conservation-principles-sustainable-management-historic-environment/conservationprinciplespoliciesguidanceapr08web.pdf/>

(paragraph 38 ‘Conservation Principles, Policies and Guidance’, Historic England, 2008)

<https://www.historicengland.org.uk/images-books/publications/dlsg-town-houses/>

(Historic England’s Listing Selection Guide ‘Domestic 2: Town Houses’)

<https://content.historicengland.org.uk/images-books/publications/easy-access-to-historic-buildings/heag010-easy-access-to-historic-buildings.pdf/>

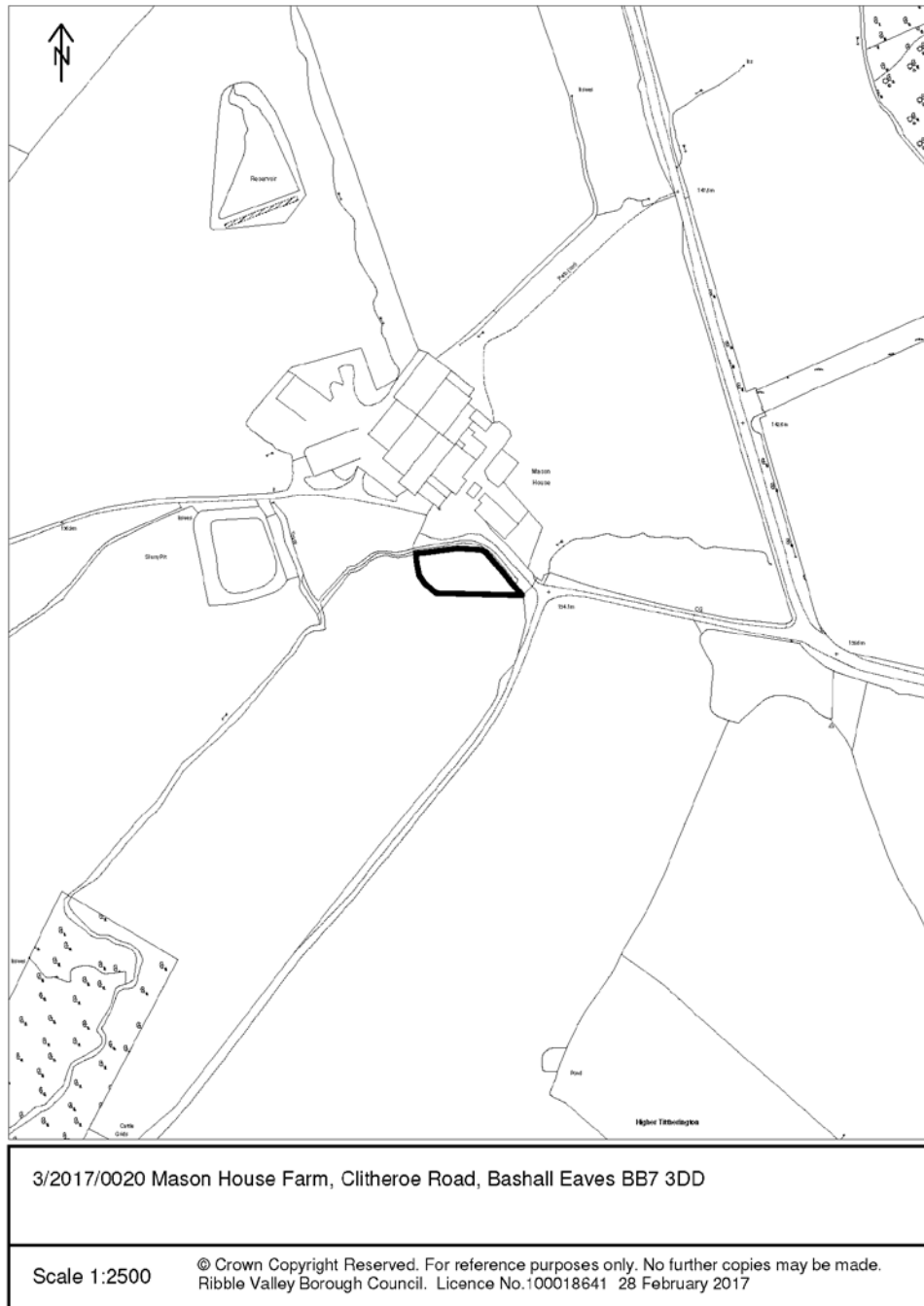
(Historic England’s ‘Easy Access to Historic Buildings’, 2015)

APPLICATION REF: 3/2017/0020

GRID REF: SD 369058 443824

DEVELOPMENT DESCRIPTION:

APPLICATION FOR OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED FOR A NEW FARM WORKER'S DWELLING AT MASON HOUSE FARM CLITHEROE ROAD BASHALL EAVES BB7 3DD.



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

No comments received.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

No objection raised.

RURAL ADVISOR:

Consider that there is agricultural justification for the erection of a farm workers dwelling.

ADDITIONAL REPRESENTATIONS:

One letter of support has been received from the National Farmers Union that states that the proposal meets the functional and financial tests.

1. Site Description and Surrounding Area

- 1.1 The application holding extends to approximately 134 hectares of grassland and is rented from the Bashall Eaves Estate. The farmstead is located on the south-west side of Clitheroe Road between Cow Ark and Bashall Eaves and lies within the Forest Of Bowland AONB. The farm operates as a dairy enterprise and the applicants have a herd of 200 pedigree Holstein dairy cows and also rear their own replacements. The applicants intend to expand the herd to around 250 cows over the next couple of years. There are also around 400 ewes agisted on the farm from September to January. Around 81 hectares of land is held on a secure Agricultural Holdings Act tenancy. The remaining land is held on medium term farm business tenancies with around 40 hectares having been farmed by the applicants for over thirty years. The holding is down to grass with 101 hectares mown for three cuts of silage and the rest grazed by young stock.
- 1.2 The farm has a main group of farm buildings located at Mason House Farm where the applicant and his family live. This includes the Grade II Listed traditional stone built farmhouse and the adjoining stone barn used to accommodate a biomass boiler and wood chip store and cow calving boxes. There is also a detached stone barn that currently accommodates isolation pens at ground floor. The remainder of the complex buildings comprise timber and steel portal framed livestock and storage buildings, silage clamps and slurry lagoon.

2. Proposed Development for which consent is sought

- 2.1 Outline consent is sought for the erection of a new farm workers dwelling at Mason House Farm, Clitheroe Road, Bashall Eaves with access being the only issue to be approved at this stage. The proposed development would be sited on a parcel of grassland land owned by the applicant's landlord which forms part of the tenanted holding. The application site adjoins the farmyard to the south. The dwelling is required to accommodate the applicant's son who works full-time on the holding and is currently living part-time in the farmhouse and part-time with his partner to whom he is engaged to be married next year when he will no longer continue to reside with his parents.

3. **Relevant Planning History**

3/2016/0181 – Covering of cattle feeding and storage area. Approved

3/2015/0034 – Proposed extension to existing building to house slurry handling equipment.

3/2014/0144 – Non-material amendment to planning permission 3/2010/0989/P for installation of 10kw wind turbine with hub height of 18.8m, tip height of 22.4m and rotor diameter of 7.28m.

3/2013/0020 – Application for an animal feed store.

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement DS2 – Sustainable Development

Key Statement EN2 – Landscape

Key Statement EN4 – Biodiversity and Geodiversity

Key Statement H1 – Housing Provision

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 DMH3 – Dwellings in the Open Countryside and AONB

National Planning Policy Framework (NPPF)

5. **Assessment of Proposed Development**

5.1 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, the ecological impact of the proposals and its effect on highway safety.

5.2 **Principle of Development**

5.2.1 The application site lies outside of any defined settlement boundary and is located with the Forest of Bowland AONB. Policy DMH3 of the Ribble Valley Core Strategy states that within the Open Countryside and AONB, residential development will be limited to “Development essential for the purposes of agriculture... In assessing any proposal for an agricultural, forestry or other essential workers dwelling, a functional and financial test will be applied”. Paragraph 55 of the NPPF is also relevant and states that “Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the Countryside”. Cancelled PPS7 Annex A criteria and tests still have a valid role in assisting to evaluate farm worker dwelling proposals.

- 5.2.2 In order to determine whether there is justification for an agricultural workers dwelling at Mason House Farm it must be established that there is an existing functional and financial need for an agricultural workers dwelling. A functional test is necessary to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. Such a requirement might arise, for example, if workers are needed to be on hand day and night: (i) in case animals or agricultural processes require essential care at short notice; (ii) to deal quickly with emergencies that could otherwise cause serious loss of crops or products, for example, by frost damage or the failure of automatic systems.
- 5.2.3 The applicant's farming activities are currently undertaken by two full time workers with part-time assistance and a full-time placement student. The applicants have been steadily increasing the size of their dairy herd and intend to increase numbers further in the next couple of years. The cows are high yielding and need close and effective management and supervision to maintain their health and productivity. The cows calve all year round and frequently cows require assistance calving. The cows are milked by four robotic milking machines with operate 24 hours a day 7 days a week and they can require the attention of the applicant or his son at any time of the day or night.
- 5.2.4 The Agricultural Appraisal submitted with the application calculates the labour requirement for the holding using the two usual methods of standard man days. Both methods indicate a need for additional labour at the holding however these figures are only a guide and will vary from holding to holding. The appraisal accepts that the figures do not make any allowance for the fact that some of the silaging operations are carried out by contractors or that the cows are milked by robots. However, the appraisal states that the use of robots does not reduce the need for out of hours work. The fact that cows can present themselves for milking at any time of the day and night means there is more frequently a need for workers to attend out of hours as robots do not always function correctly and when faults occur the machines need to be attended to at short notice. On average the applicant gets a couple of call outs during the night each week.
- 5.2.5 In terms of assessing the information provided by the applicant to establish a functional need, the Council's agricultural consultant ADAS broadly agree with the calculations on man days and the need for additional labour requirements at the holding. The functional need for the additional dwelling is to meet out of hours demands for farm labour, namely responding to alerts generated by the robotic milking equipment and to oversee calving. The applicant has provided additional supporting information in order to demonstrate a functional need exists for a new dwelling at the farm or in very close proximity including statements from the applicant's vet and business consultant. Failure of the robotic milking machines can have a severe impact on the health and wellbeing of the cows and there are obvious financial impacts. In addition, within a single year there are approximately 200 calving's with a night calving every third night and often calving can necessitate two people to be present. Existing buildings at the farm are predominantly timber or steel portal framed buildings that are unsuitable for conversion to a residential use; the stone built barn attached to the farmhouse may be suitable for residential conversion but currently accommodates a biomass boiler and wood chip store and cow calving boxes. There are therefore no existing vacant buildings on site that are capable of conversion. Furthermore, there are very few properties in the immediate area and none that are affordable

for the applicant or are close enough to Mason House Farm to meet the functional need. Taking into account the above information, ADAS advise that an acceptable case has been made that there is need for additional accommodation on this farm unit to serve the needs of the enterprise.

- 5.2.6 New permanent accommodation cannot be justified on agricultural grounds unless the farming enterprise is economically viable. A financial test is necessary for this purpose, and to provide evidence of the size of dwelling which the unit can sustain. The applicant has provided two years of accounts. ADAS state that the business has been profitable in the last three years (2014 figures are shown in 2015 year end accounts) and looks to be a viable business on a sound financial footing. The application also details the level of investment that the applicants have made in the business since 2007 expanding and improving Mason House Farm. This demonstrates a clear commitment to the continued farming of the holding (Information contained in Part II – Exempt).
- 5.2.7 It is important to note that this investment has been made on a tenanted holding and that Mason House Farm is not owner occupied. This is a tenanted holding occupied on a full agricultural tenancy, which forms part of the Bashall Eaves Estate. The family have farmed Mason House Farm since 1956 and the applicant's son is the third generation of the family to farm at the holding. If planning consent is granted and the dwelling is built it would not belong to the applicants but would remain part of the holding when their tenure of it ceases. The Estate Manager for Bashall Eaves Estate confirms that the Landlord would finance the erection of the new dwelling and let it on a long-term basis to the farm tenant; therefore construction of the proposed dwelling is possible without compromising the agricultural unit's ability to meet all normal outgoings. This arrangement, in my opinion, would not prohibit the Council from ensuring that the dwellings are kept available for meeting the functional need of the farm for as long as it exists through the use of appropriately worded conditions.
- 5.2.8 Taking into account the above, it is considered that the proposed development accords with Core Strategy Policy DMH3 and is acceptable in principle.

5.3 Design and Visual Impact

- 5.3.1 Whilst matters of appearance, landscaping, layout and scale are reserved it is important to consider the visual impact of development at this stage. The development is proposed on land designated as an Area of Outstanding Natural Beauty (AONB) (see policies EN2 and DME2 of the Core Strategy and section 11 of the National Planning Policy Framework). The AONB has the highest status of protection in relation to landscape and scenic beauty. As such, the landscape and character of the Forest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. The environmental effects of proposals will be a major consideration and the design, materials, scale, massing and landscaping of development will also be important factors.
- 5.3.2 The surrounding area is characterised as undulating lowland farmland with parkland which contains scattered isolated farmsteads and small historic villages. In terms of siting, preference is given to locations within the existing farm complex for amenity reasons. The application site is physically closely related to the existing complex of buildings and adjoins the farmyard area. This would serve to ensure that the dwelling would be suitably located from a functional

perspective. The siting of the dwelling would relate well visually to the existing farmstead. Mason House Farm is located approximately 120m from Clitheroe Road and is lower than the level of the highway. Views of the farmstead are somewhat restricted by intervening vegetation including trees and hedges and would be seen predominantly from the east and south against the backdrop of the existing buildings. It is considered that the proposed siting of the dwelling is the most suitable location from both a visual and functional point of view. Further detailed consideration of the appearance, landscaping, layout and scale would be considered at reserved matters stage to ensure that there would be no harm to the character and scenic beauty of the AONB.

- 5.3.3 It should be noted that the proposed dwelling would be located in close proximity to the Grade II listed farmhouse and barn. The NPPF makes it clear that the setting of a heritage asset is the surroundings in which a heritage asset is experienced. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral. Setting is not a heritage asset, nor a heritage designation. Its importance lies in what it contributes to the significance of the heritage asset. In this case the application site is located around 30m away across the farmyard and subject to the proposed dwelling being respectful and reflective of local vernacular buildings in terms of its design, materials, scale, massing it is considered that the proposed development would have a neutral impact on the significance of the Grade II listed farmhouse and barn which is already enclosed on three sides by agricultural buildings.
- 5.3.4 Agricultural dwellings should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the agricultural needs of the unit, or unusually expensive to construct in relation to the income it can sustain in the long-term, should not be permitted. It is the requirements of the enterprise, rather than those of the owner or occupier, that are relevant in determining the size of dwelling that is appropriate to a particular holding and it is considered that the proposed dwelling should also have regard to the size of the original farmhouse. The agent has provided indicative dimensions which are a width of 10m and a length of 20m to include a garage and an eaves and ridge height of 2.6m and 5.5m respectively. Assuming that living accommodation would be provided at ground floor only, the dwelling would have a floor area of 200sqm. A dwelling of this size would, in my opinion, be excessive. The National Technical Housing Standards sets a single storey 3-bed dwelling accommodating 5 bed spaces as a minimum 86sqm. It is also considered appropriate to have regard to the Council's previously adopted Agricultural Dwelling SPG which set a floor space limit for additional agricultural dwellings at 100sqm. The size of the dwelling would therefore be well in excess of any previously adopted size thresholds and deemed appropriate by the Council for this type of development and whilst it recognised that these thresholds have now been superseded by the Core Strategy they are indicators of the thresholds deemed appropriate by the local planning authority. It is therefore considered reasonable in this case, notwithstanding the information submitted as part of the application, to set a maximum floor space of 130sqm to ensure that the size of the dwelling is reasonably related to the agricultural holding, is commensurate with the established functional requirement and can be sustained in the long term.

5.3.5 Further consideration has been given to the dwelling's residential curtilage which would be defined by the red edged site denoted on the proposed site plan. This extends to an area of around 1000sqm. The extents of residential curtilage associated with the dwelling would give rise to the proliferation of domestic paraphernalia upon the landscape resulting in a visual urban encroachment to the detriment of the character and appearance of the AONB and immediate/wider landscape character contrary to Key Statement EN2 and Policy DMG2 of the Core Strategy. The recommendation for approval is therefore predicated on the submission of amended plans to reduce the red edged site to an area of no more than 300sqm in order to reduce the visual impact of the development to an acceptable level.

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

5.4.1 The County Surveyor does not raise any concerns relating to highway safety. The proposed dwelling would use the existing access track from Clitheroe Road that serves Mason House Farm and would be accessed off the existing farmyard. As such, the dwelling would not require the formation of additional access tracks.

5.4.2 The application site is down to grass and therefore is considered of low ecological value. There are a number of trees and hedgerows along the site perimeters and there would be a requirement to retain these within the layout of the development in accordance with Core Strategy Policies DME1 'Protecting Trees and Woodlands' and DME3 'Site and Species Protection and Conservation. Furthermore, there would be a requirement for the new dwelling to incorporate bat and bird nesting features in accordance with Policy DME3 which seeks to secure development which incorporates measures to enhance biodiversity.

5.4.3 Having regard to the above, it is considered that the proposals for the erection of a farm workers dwelling would be acceptable in principle subject to consideration of all other matters reserved. The siting of the development would minimise its visual impact and would be closely related to the existing complex of farm buildings to serve the functional requirements of the unit. Accordingly it is recommended that the application be approved subject to the submission of amended plans as detailed above.

RECOMMENDATION: That the application be APPROVED subject to the following conditions:

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. Unless explicitly required by condition within this consent, the development hereby permitted shall relate to the development as shown on the Proposed Location Plan (1:2500) and Proposed Site Plan (1:1250) received [date to be determined].

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

3. The approval of the Local Planning Authority shall be sought in respect of the following matters before the development is commenced:- the appearance; layout; landscaping; and scale.

REASON: The application is granted in outline only under the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

4. The submission of reserved matters shall include details of all proposed refuse storage area, boundary treatments/fencing/walling and existing and proposed land levels, including slab levels. The development shall be carried out in strict accordance with the approved details unless agreed in writing by the Local Planning Authority.

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

5. Unless otherwise agreed in writing with the Local Planning Authority, no development shall take place until the details of the tree protection measures, in accordance with BS5837: 2012 - Trees in Relation to Demolition, Design & Construction, for all the existing trees within, or directly adjacent to the site have been submitted to and agreed in writing by the Local Planning Authority. The details submitted shall also include a tree protection monitoring schedule. The approved tree protection measures shall be implemented in full under the supervision of a qualified arboriculturalist and inspected by the Local Planning Authority before any site works are begun.

REASON: In order to ensure that trees of visual amenity/botanical/historical value are protected against adverse effects of the development in accordance with Policies DME1 and DMG1 of the Ribble Valley Core Strategy.

6. No trees on the application site shall be willfully damaged, cut down, uprooted, pruned, felled or destroyed, either prior to or following the submission of a Reserved Matters Application, without the prior written permission of the Local Planning Authority.

REASON: In order to ensure that existing trees are retained in the interests of visual amenity and to comply with Policies DMG1, DME1 and DME2 of the Ribble Valley Core Strategy (Adopted Version).

7. 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 during the construction stage of the development and made available for use before the dwelling hereby approved is 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 reduce the impact of development in accordance with Policies DMG1 and Key Statement EN4 of the Ribble Valley Core Strategy.

8. The size of the dwelling hereby permitted shall be a maximum of 130 square metres of gross floor space measured externally (the domestic garage associated with the dwelling will be excluded from this floor area calculation) unless agreed otherwise in writing by the Local Planning Authority. Upon its occupation and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent enactment thereof 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 dwelling hereby approved unless planning permission has first been granted by the Local Planning Authority.

REASON: To ensure that the size of the dwelling hereby permitted is reasonably related to the agricultural holding and is commensurate with the established functional requirement and can be sustained in the long term, and in accordance with Core Strategy Policies DMG2 and DMH3.

9. The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the locality in agriculture as defined in Section 336(1) of the Town and Country Planning Act 1990 or in forestry, or a dependant of such a person residing with him or her or a widow or widower of such a person.

REASON: For the avoidance of doubt as permission has been granted for the dwelling on the basis of its occupation by an essential rural worker in a location where a dwelling for general occupation would not normally be permitted; and to comply with Policy DMH3 of the Ribble Valley Core Strategy.

10. 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. The dwelling shall not be occupied until the approved foul drainage scheme has been completed to serve the building, in accordance with the approved details. The development shall be completed maintained and managed in accordance with the approved details

REASON: To ensure satisfactory means of foul drainage in accordance with Policies DMG1 and DME6 of the Ribble Valley Core Strategy.

11. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after

completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To ensure satisfactory means of surface water drainage in accordance with Policies DMG1 and DME6 of the Ribble Valley Core Strategy.

BACKGROUND PAPERS

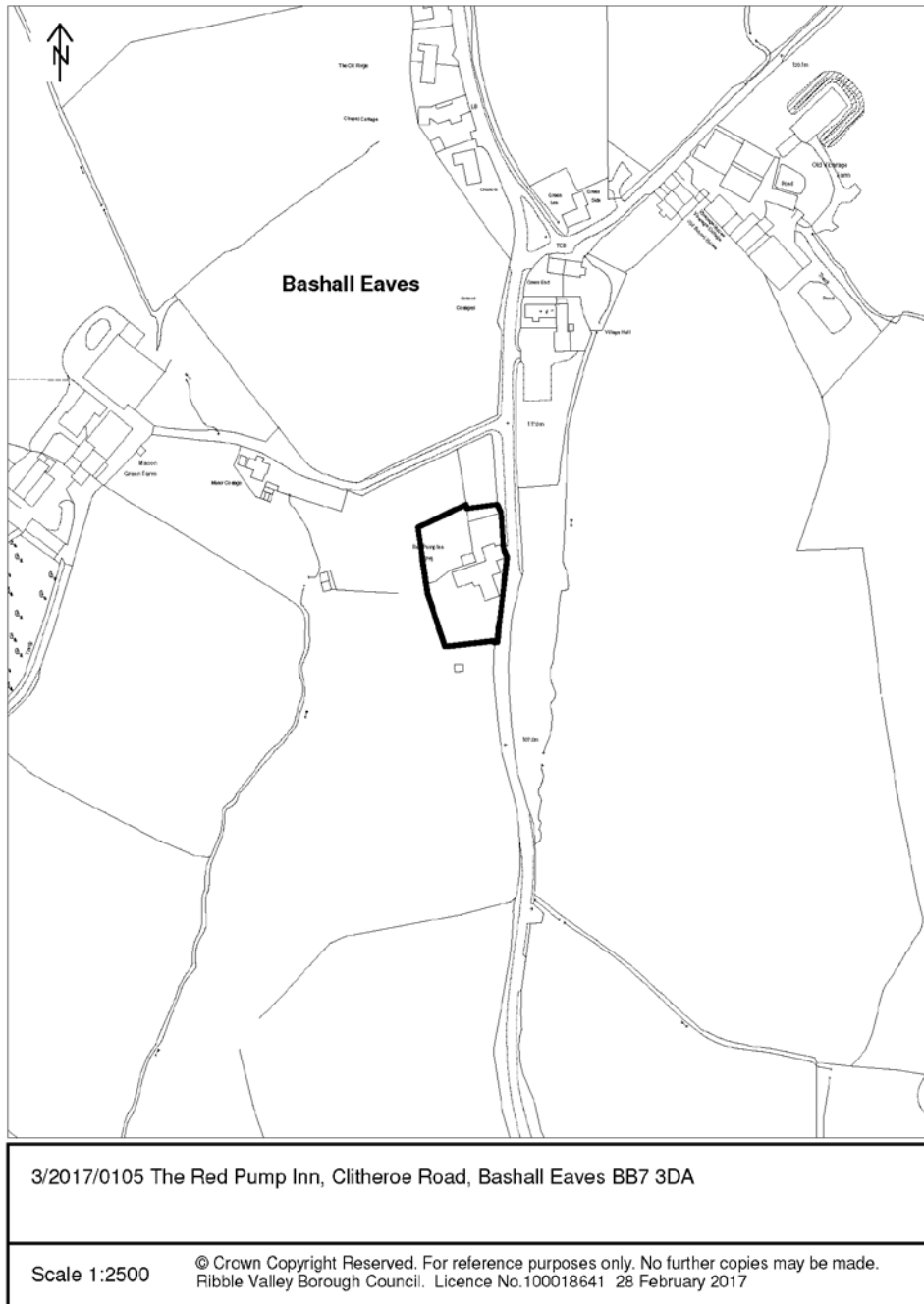
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0020

APPLICATION REF: 3/2017/0105

GRID REF: SD 369585 443183

DEVELOPMENT DESCRIPTION:

THE SITING OF FOUR YURTS AND ASSOCIATED STRUCTURES (RESUBMISSION OF APPLICATION 3/2016/0111) AT THE RED PUMP HOTEL, CLITHEROE ROAD, BASHALL EAVES.



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Great Mitton and Bashall Parish Council:

Support the application as it will bring added tourism and revenue to the area and can only be of benefit to the Red Pump. This application is considered neither detrimental to the area, nor contentious.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

No highway objection to this application.

LCC AONB OFFICER:

No observation received at time of preparing this report.

ADDITIONAL REPRESENTATIONS:

No representations have been submitted in respect of the consultation carried out by the Council, except for the call-in request from the Ward Councillor on the grounds that the proposal would have a lack of impact on the area and there is a high level of public support for this proposal.

1. Site Description and Surrounding Area

- 1.1 The application relates to an area of grassland within the grounds of the Grade II Listed Red Pump Hotel (Public House), Bashall Eaves. The land is located directly to the north of the pub building and its associated car parking area, and to the west of the existing beer garden.
- 1.2 The site is located within the open countryside and the Forest of Bowland Area of Outstanding Natural Beauty, and the surrounding landscape is categorised as Undulating Lowland Farmland with Parkland within the Forest Of Bowland AONB Landscape Character Area Appraisal.
- 1.3 The plot itself is relatively flat and whilst the general topography of the landscape raises from south to north, because of the rolling/undulating character of the area the land levels do gradually change in all directions. The plot is enclosed by 1m high timber post and rail fencing along the north, east and west boundaries, however along the southern boundary is a close boarded timber fence, measuring approximately 1.8m high. The application site is surrounded by open fields with long views of the application site from the north, south and west. The existing pub building and vegetation along the eastern boundary screens the site from the east.
- 1.4 In April 2016 an application to erect four Yurts was refused by the LPA (3/2016/0111), and in spite of this refusal the applicant erected the Yurts, and the associated facilities sheds, without consent. After being requested by the Council's Enforcement Team, two yurts were removed in October 2016, and the remaining two removed in January 2017, however the steel frames and facilities sheds have been retained on site.

- 1.5 The previous application for the Yurts (3/2016/0111) was refused for the following reason:

“The proposed Yurt tents, by virtue of their siting, design, style and materials would result in an uncharacteristic feature on the landscape which would have a significant harmful impact upon the existing visual qualities of the Forest of Bowland Area of Outstanding Natural Beauty. The proposal is therefore contrary to Key Statements EN2 and Policies DMG1 and DME2 of the Ribble Valley Core Strategy, as well as Paragraph 115 of the National Planning Policy Framework.”

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

- 2.1 This application is a resubmission of a previous refusal and seeks consent to erect four “Yurt” style tents, and their associated facilities sheds, on the land to the north of the Red Pump Hotel/ Public House.
- 2.2 The application states that the Yurts will be for temporary use only (from April to October each year), however it would appear that the steel frames and associated facilities sheds, will be retained on site all year round as these have not been removed this year.
- 2.3 Each Yurt would measure 5m in diameter and 2.3m tall to the highest point. In terms of materials the Yurts will have a canvas finish in dark green colour. Each Yurt will have an en-suite shower and toilet within the attached timber facilities shed, and guests will be also be able to make use of the facilities within the adjacent Hotel/PH.
- 2.4 The application is almost an identical resubmission of the previous refusal, however the current application does include a detailed Landscape and Visual Impact Assessment (LVIA), as well as a business case to support the proposed development.

3. **Relevant Planning History**

- 3.1 3/2016/0111 – *Erection of 4 yurt style tents on amenity land to the rear of the Red Pump Inn for holiday letting April through to September* – refused

4. **Relevant Policies**

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy
Key Statement DS2 – Sustainable Development
Key Statement EN2 – Landscape
Key Statement EN5 – Heritage Assets
Key Statement EC1 – Business and Employment Development
Key Statement EC3 – Visitor Economy

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME2 – Landscape and Townscape Protection
Policy DME4 – Heritage Assets
Policy DMB1 – Supporting Business Growth and Local Economy
Policy DMB3 – Recreation and Tourism Development
Policy DMB5 – Footpaths and Bridleways

Planning (Listed Buildings and Conservation Areas) Act 1990

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

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 Core Strategy Policy DMB1 generally seeks to support business growth and the local economy, and Policy DMB3 relates specifically to recreation and tourism uses. Policy DMB3 requires new tourism development to be physically well related to an existing main settlement or village or to an existing group of buildings, except where the proposed facilities are required in conjunction with a particular countryside attraction.

5.1.2 In this respect the application site is not located within an existing main settlement or village, and it is directly adjacent to a single existing building, rather than a “group of buildings”. However, the submitted application does state that there are three wedding venues within close proximity to the application site and guests at these weddings often stay at the Red Pump Hotel, hence there is a need/justification for tourist accommodation in the vicinity.

5.1.3 In view of the above, as the site already provides guest accommodation within the Hotel/PH, it is considered that the principle of additional accommodation in this particular location is considered to comply with the requirements of Policies DMB1 and DMB3 of the core strategy.

5.1.4 The applicant has also supplied business figures from 1st April – 30th September 2016 demonstrating that the Yurts (previously erected between April – October 2016) represented 18% of the overall occupancy rate for the Red Pump Hotel business and generated 21% of the revenue for the business derived from guest accommodation. This information therefore demonstrates that the Yurts are used and provide valuable revenue for the Red Pump Hotel.

5.2 **Impact Upon Residential Amenity:**

5.2.1 The Yurts would be sited within the grounds of an existing Public House and situated approximately 90m from the nearest residential dwelling at Manor Cottage (to the west). Other residential properties exist to the north but these are located more than 90m from the application site.

5.2.2 It is considered that the activities at the existing Pub will have a greater impact upon the amenity of neighbouring land uses than the proposed four Yurts and consequently the proposed development would share an acceptable relationship with nearby residential dwellings and uses.

5.3 **Impact upon Listed Building(s) and Setting:**

5.3.1 The Red Pump Hotel/Public House is a Grade II Listed building and therefore the impact of the proposal on the setting of this listed building must be considered.

- 5.3.2 Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 places a duty on the local planning authority in considering whether to grant planning permission for development that affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
- 5.3.3 One of the 12 core planning principles of the NPPF is to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Similarly, Policy DME4 of the Ribble Valley Core Strategy does not support development that would cause harm to the setting of Listed Buildings.
- 5.3.4 The visual quality of this Listed Building has over time been unfortunately degraded through various alterations, including replacement windows, re-rendering, installation of flues, external lighting and satellite dishes, as well as the erection of attached smoking shelters, external storage areas and boundary fencing to the south and west facing elevations of the building.
- 5.3.5 The proposal does not seek to further alter the listed building itself, but does seek to erect four Yurt style tents on land directly adjacent to it. Given the above mentioned alterations that have been carried out to the listed building itself, and the fact that the tents would be seen against the backdrop of the rear elevation of the listed building, rather than its prominent front elevation, it is not considered that the erection of four tents on an adjacent section of land would cause harm to the setting of the listed building in accordance with the requirements of The Planning (Listed Buildings and Conservation Area) Act 1990, the NPPF and Ribble Valley Core Strategy.

5.4 Visual Amenity/External Appearance/AONB:

- 5.4.1 In view of the above, the main issue in the determination of his application is the visual impact the proposed Yurts would have upon the visual character of the area and the Forest of Bowland Area of Outstanding Natural Beauty (AONB), particularly as the impact of the proposal on the landscape was the reason the previous application was refused.
- 5.4.2 Paragraph 115 of the NPPF considers the potential impact of development within an AONB and notes that '*Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.*'
- 5.4.3 Paragraph 58 of the NPPF encourages good design by stipulating that planning policies and decisions should aim to ensure that developments:
- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - *establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
 - *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*

- 5.4.4 Key Statement EN2 (Landscape) states *“The landscape and character of the Forrest of Bowland Area of Outstanding Natural Beauty will be protected, conserved and enhanced. Any development will need to contribute to the conservation of the natural beauty of the area...As a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, style, features and building materials”* and Policy DMG1 requires development to be of a high standard of design and be sympathetic to existing and proposed land uses in terms of size, intensity and nature.
- 5.4.5 The Forest of Bowland AONB Landscape Character Area Appraisal categorises this specific area as an Undulating Lowland Farmland with Parkland, which is characterised by pasture land interspersed with country houses and associated designed landscapes. Undulating Lowland Farmland such as this contain scattered isolated farmsteads and have a largely 18th and 19th century designed landscape, built for estate owners to enjoy.
- 5.4.5 This resubmission is accompanied by a detailed Landscape and Visual Impact Assessment (LVIA) which has assessed the visual impact of the proposed development on the landscape from five long range viewpoints, ranging from 150m from the application site to 2.6km from the application site, as well as various locations much closer to the development site. The LVIA concludes that from most vantage points the impact of the proposal would be negligible, and whilst there would be a slight-moderate adverse impact from a short section of public right of way 3-5-FP 15, overall the impact from this footpath would be negligible. The submitted LVIA also recommends that whilst native trees have been planted within the site to provide further screening and ecological/habitat value, there is scope for further planting along the fence line. A condition has therefore been attached to the recommendation requiring a detailed landscaping scheme to be submitted for the written approval of the LPA.
- 5.4.6 In view of the above, it is considered that the submission of a LVIA to accompany the resubmission has demonstrated to the LPA that the proposed development would only have an overall negligible visual impact on the surrounding landscape and AONB, and it is considered that the dark green colour of the proposed Yurts would reduce the visual impact of the proposal on the landscape qualities of the area. As such it is considered that on balance the proposed development would be sympathetic and in keeping with the surrounding landscape and buildings in accordance with Key Statement EN/2 and Policy DMG1 of the Core Strategy, as well as National Guidance contained within the NPPF.

5.5 Trees and Ecology

- 5.5.1 From the information submitted the proposal would not result in the loss of any trees or hedgerows either within or outside the development site. The submitted LVIA does comment that native tree planting works have been undertaken but as no detailing in this respect has been provided a condition has been attached to the recommendation requiring the applicant to submit a detailed landscaping scheme to the LPA within three months of the date of the decision, and the duly approved landscaping scheme to then be implemented within 12 months. It is considered that an acceptable landscaping scheme would further reduce the visual impact of the proposal on the landscape qualities of the area, as well as providing habitat and ecological benefits.

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

- 6.1 The previous application was refused on the grounds that the proposed development would have a detrimental impact upon the landscape qualities of the area and the AONB. The resubmission is accompanied by a detailed Landscape and Visual Impact Assessment (LVIA) which has demonstrated that the visual impact of the proposal is limited. The resubmitted application is also accompanied by business details demonstrating that the Yurts provide valuable revenue for the Red Pump Hotel as a business, as well as contributing to the wider rural economy. It is therefore considered that the benefits of the proposal outweigh the limited visual harm, and subsequently the application is recommended for approval, subject to conditions.

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

CONDITIONS:

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

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

2. 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:

Gle/762/2131/01
Yurt elevations (Scale 1:50 @ A4)

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

3. Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, samples or full details of all materials to be used on the external surfaces of the Yurts and the ancillary facilities buildings hereby approved shall have been submitted to and approved in writing by the Local Planning Authority prior to their use on site. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented and maintained in accordance with the duly approved materials.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Key Statement EN2, and Policy DMG1 of the Ribble Valley Core Strategy.

4. Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, within three months of the date of this decision a landscaping scheme for the site (including elements of both 'hard' and 'soft' landscaping) shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the proposed surface treatment of all hard surfaced areas and the type, species, siting, planting distances and programme of planting of any trees, hedges and shrubs. The duly approved landscaping scheme shall be carried out within 12 months of it first being approved in writing by the LPA and the areas which are

landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within three years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

REASON: In order to achieve a satisfactory level of landscaping in the interests of visual amenity and to enhance biodiversity in accordance with the requirements of Key Statement EN2, and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

5. No external lighting shall be installed on any structure hereby approved, or elsewhere within the site, without the prior written approval of the Local Planning Authority. Details of any such lighting shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. Only the duly approved lighting shall be installed on the buildings hereby approved.

REASON: In order to ensure a satisfactory appearance in the interests of visual amenity and to prevent nuisance arising in accordance with Key Statement EN2 and Policy DMG1 of the Ribble Valley Core Strategy.

6. The Yurts hereby approved shall not be let to or occupied by any one person or group of persons for a combined total period exceeding 90 days in any one calendar year and in any event shall not be used as a unit of permanent accommodation or any individual(s) sole place of residence. A register of all occupants of the accommodation hereby approved shall be maintained at all times and shall be made available for inspection by the Local Planning Authority on request. For the avoidance of the register shall contain the name and address of the principal occupier together with dates of occupation.

REASON: To ensure that the development remains compatible with the character of the area and the intensity and frequency of usage remains proportionate to the use hereby approved in accordance with Policies DMG1, EC1, DME2, DMB1 and DMB3 of the Ribble Valley Core Strategy.

7. Notwithstanding the provisions The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the yurts hereby approved shall only be used as holiday accommodation and for no other purpose, including any other purpose within Use Class C3.

REASON: For the avoidance of doubt, and to avoid an over-intensive use and to ensure that the development remains compatible with the character of the area and the intensity and frequency of usage remains proportionate to the use hereby approved in accordance with Policies DMG1, EC1, DME2, DMB1 and DMB3 of the Ribble Valley Core Strategy.

8. The Yurts hereby approved shall only be used between the dates of 1 April and 31 October and shall be removed in their entirety from the site when not in use between November and March.

REASON: In accordance with Policies EN2, DMG1 and DMB3 of the Ribble Valley Core Strategy, in order to limit occupation of the site and to maintain the scenic beauty of the Forest of Bowland Area of Outstanding Natural Beauty.

9. The Yurts hereby approved shall only operate as a business in association with the Red Pump Hotel (Clitheroe Road, Bashall Eaves BB7 3DA - or any such alternative name that the property is known as in the future), and shall not be sold off as a separate business.

REASON: For the avoidance of doubt and to ensure that the yurts remain part of the existing business at the Red Pump Hotel.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0105

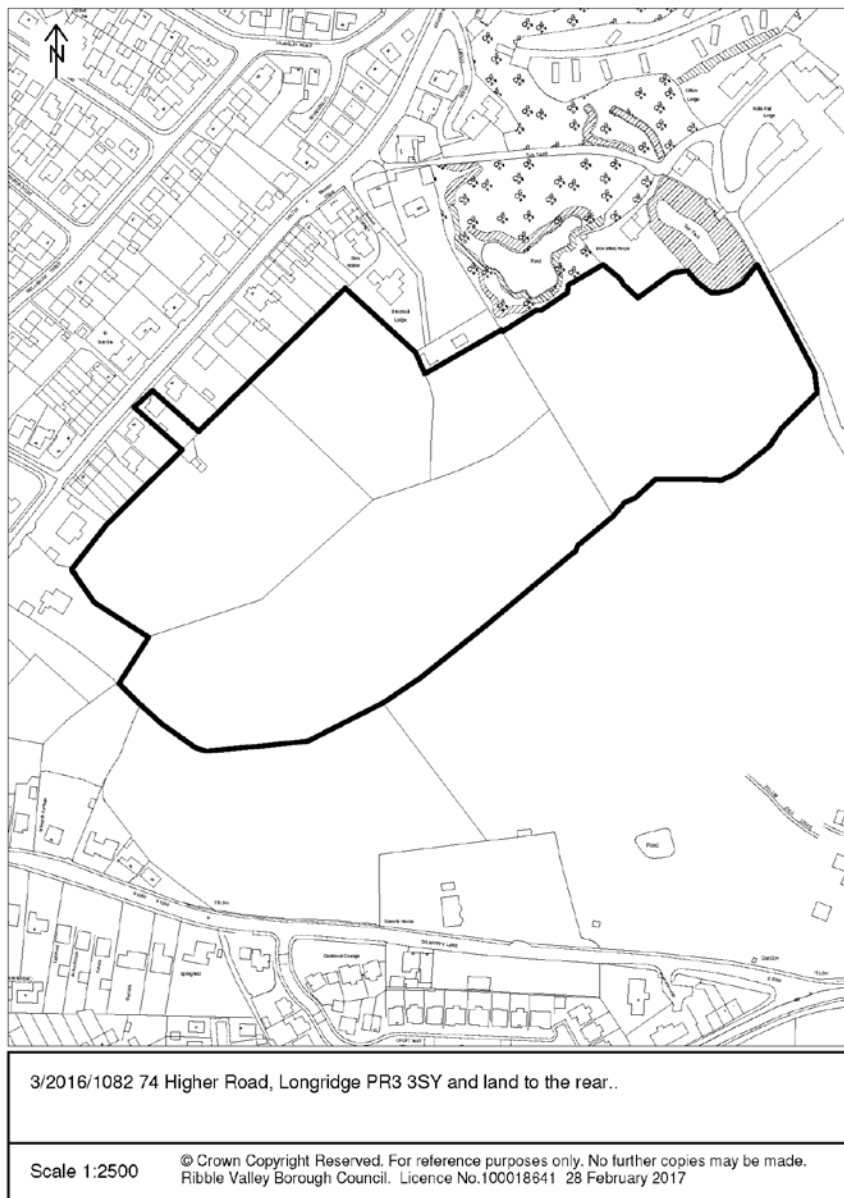
D APPLICATIONS ON WHICH COMMITTEE 'DEFER' THEIR APPROVAL SUBJECT TO WORK 'DELEGATED' TO THE DIRECTOR OF COMMUNITY SERVICES BEING SATISFACTORILY COMPLETED

APPLICATION REF: 3/2016/1082

GRID REF: SD 361005 437575

DEVELOPMENT DESCRIPTION:

APPLICATION FOR OUTLINE CONSENT FOR DEMOLITION OF 74 HIGHER ROAD AND CONSTRUCTION OF UP TO 123 HOUSES ON LAND TO THE REAR, INCLUDING ACCESS. 74 HIGHER ROAD LONGRIDGE PR3 3SY AND LAND TO THE REAR



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

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

- There are ongoing issues in regards to the highways situation
- Drainage issues
- Land Supply

LTC further believe that this development would have a detrimental impact on the landscape. However, should consent be granted the Town Council have requested that they have some input into the S106 Agreement negotiations to secure contributions towards the Longridge Loop, Health Services, Schools and the Civic Hall redevelopment.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

The Highways Development Control Section have raised no objection to the principle of the development and have stated that the proposed access is acceptable. The Highways Officer has requested that further work be undertaken to derive an acceptable transport assessment that will assist in identifying any potential mitigation/improvements required as a result of the development.

ENVIRONMENT AGENCY:

The application is not listed in the 'When to Consult the Environment Agency' document or in the Development Management Procedure Order 2015 / General Permitted Development Order 2015.

LOCAL LEAD FLOOD AUTHORITY (LLFA)

Response awaited.

LANCASHIRE FIRE AND RESCUE SERVICE (LFRS)

LFRS have no objection to the proposal but have offered the following observations:

The following recommendations are made to make the applicant aware of conditions which will have to be satisfied on a subsequent Building Regulation application. The conditions may affect the elevation of the building and access to them. These recommendations must be included if this application passes to another party prior to Building Regulation submission.

It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'. If Document B, Part B5 cannot be fully complied with then, in certain circumstances, the installation of a residential sprinkler system may be used as a compensatory feature, but professional advice should be sought in such cases.

LCC CONTRIBUTIONS (EDUCATION)

Based upon the latest assessment, taking into account all approved applications in the area, LCC will be seeking a contribution for 46 primary school places. However LCC will not be

seeking a contribution for secondary school places. Calculated at the current rates, this would result in a claim of:

Primary places:

$(£12,257 \times 0.97) \times \text{BCIS All-in Tender Price } (272 / 240) \text{ (Q1-2016/Q4-2008)}$
= £13,474.53 per place
£13,474.53 x 46 places = £619,828.38

This assessment represents the current position on 14/12/2016. LCC reserve the right to reassess the education requirements taking into account the latest information available

It should be noted, given the application is made in outline, that this assessment is based on the assumption that the dwellings are all 4 bedroom houses. Should this not be the case a reassessment will be required once accurate bedroom information becomes available.

UNITED UTILITIES:

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

ADDITIONAL REPRESENTATIONS:

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

- The position of the access will be of detriment to residential amenity.
- The proposal would result in an oversupply of housing in excess of that which has been stipulated within the Core Strategy.
- Increase in traffic and implications for the safe operation of the highways network.
- The proposal will put additional strain on existing services, facilities and infrastructure.
- Drainage and flooding issues.
- Inadequate capacity within existing schools or facilities.
- Negative impacts upon wildlife and protected species in the area.
- Loss of greenfield land.
- The submitted supporting information is inaccurate in respect of junction modelling.
- Loss of outlook.
- Cumulative level of development will undermine the character of Longridge.
- The access arrangements are inadequate and are likely to result in pedestrian and vehicle conflict.

1. Site Description and Surrounding Area

- 1.1 The application site is a 6.5 Hectare plot of land located to the rear of numbers 54 – 102A Higher Road. The eastern extents of the site also extends to the rear of Hollin Hall Lodge and Tan Yard. The site is located at the eastern extents of the Settlement of Longridge and is currently outside but adjacent the defined settlement boundary for Longridge. Members will note that the site is also located outside of the Regulation 18 Draft Settlement Boundary.

- 1.2 The site is greenfield in nature being currently used for the purposes of Agriculture. The site is bounded to the north by properties fronting Higher Road with the southern extents of the site bounding the Dilworth Lane development that is currently under construction. To the east of the site is Tanyard Lane (Bridleway 15). The western extents of the site bounds the rear curtilages of properties fronting both Higher Road and Dilworth Lane.
- 1.3 The site benefits from significant variances in topography with the most prevailing condition being that the land slopes downward towards the south east in varying degrees of extremity.

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

- 2.1 Outline consent is sought for the erection of up to 123 dwellings on land to rear of 74 Higher Road, Longridge including the demolition of number 74 to facilitate pedestrian and vehicular access to the site. Consent is sought solely in relation to detailed matters of access with the remaining matters of appearance, landscaping, layout and scale being reserved for consideration at a later stage.
- 2.2 The submitted details propose that the primary point of vehicular and pedestrian access to the site is provided off Higher Road following the demolition of number 74. The resultant access would measure 10.7m in width, consisting of 5.5m highway, 2m footways and 0.6m verges to either side of the new access road.
- 2.3 Given the access road will require the level of the land to be reduced to ensure an acceptable interface with Higher Road, the formation of the access will be bounded by to the east and west by retaining walls, due to the variances in topography the eastern wall (adjacent number 76) will be 2m in height with the western wall (adjacent number 70) measuring 0.9m in height. The retaining walls would be located approximately 2.55m from the shared boundaries from numbers 70 and 76. It is proposed that the road level will be set lower than the slab level of number 70 by approximately 2.3m and lower than number 76 by approximately 3.5m.
- 2.4 The submitted masterplan proposes a singular vehicular access which leads to a singular loop road serving the development, off of which are located a small number of secondary routes and cul-de-sacs. It is proposed that an area of land to the south will be brought forward as a usable semi-natural greenway, within which will be a number of new ponds integral to a sustainable drainage solution for the site. It is further proposed that a woodland walk and trim trail area will be provided to the east and north eastern extents of the site with a number of green streets running south to north through the site.
- 2.4 The applicant has submitted Draft Heads of terms which outlines that 30% of the proposed dwellings will be for affordable housing provision and that 15% of the overall number of dwellings on site will be for occupation by those over 55 years of age with half of this provision being provided within the affordable provision and the remaining being provided on an open market basis.

3. **Relevant Planning History**

None 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 EN4 – Biodiversity & Geodiversity
Key Statement DMI1 – Planning Obligations
Key Statement DMI2 – Transport Considerations
Key Statement H1 – Housing Provision
Key Statement H2 – Housing Balance
Key Statement H3 – Affordable Housing

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME1 – Protecting Trees & Woodlands
Policy DME2 – Landscape and Townscape Protection
Policy DME3 – Site and Species Protection and Conservation
Policy DME5 – Renewable Energy
Policy DME6 – Water Management

Policy DMH1 – Affordable Housing Criteria
Policy DMH3 – Dwellings in the Open Countryside
Policy DMB4 – Open Space Provision
Policy DMB5 – Footpaths and Bridleways

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Technical Guidance to National Planning Policy Framework

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 The application site is located outside but directly adjacent the north eastern extents of the currently Defined Settlement Boundary for Longridge. Key Statement DS1 of the Core Strategy aims to promote development in and guide development towards the most suitable locations in the borough. The classification of settlements into Principal, Tier 1 and Tier 2 settlements was ultimately determined by the preparation of an evidence base document, which assessed the sustainability of settlements which subsequently informs the overall Development Strategy for the Borough to aid in achieving sustainable development. The Development Strategy is clear in its approach that housing development outside of the 32 defined settlements or the principal settlements will therefore now only be acceptable, in principle, if it is for local needs housing or would result in measureable regeneration benefits.

5.1.2 Policy DMG2 sets out the strategic considerations in relation to housing and states that residential development or the creation of new residential planning units outside the defined Settlement Areas. In respect of dwellings in the open countryside and those located in the Forest of Bowland AONB these are covered by Policies DMH3 which similarly seeks to resist such developments unless they are to meet an identified local need or specific criteria.

- 5.1.3 A fundamental component of Key Statement DS1 is to guide the majority of new housing development towards the principal settlements within the Borough, in this respect the application clearly conforms with the overall aims of DS1 but it is also apparent an element of conflict remains in relation to Policy DMH3. However, in assessing the application I am mindful that a recent informal interim position in relation to 5 year housing land supply has shown that the Local Authority cannot at present demonstrate a 5 year supply of housing.
- 5.1.4 In respect of this matter the latest formal published housing monitoring position (October 2016) the Local Authority has a 5.32 year supply of housing.
- 5.1.5 Given the marginal supply position as demonstrated in the latest monitoring figures and given that an interim position has demonstrated that the Local Planning Authority may not be able to demonstrate a 5 years supply. Taking a balanced, realistic and pragmatic view, given latest projections, I consider it is not unreasonable to conclude that housing supply may from time to time fluctuate below 5 years.
- 5.1.6 Taking a long-term holistic and strategic view in respect of housing supply within the Borough, it could be argued that the singular solution to ensure that the Local Planning Authority can robustly demonstrate a 5 year supply of housing, both in the long and short term, would be to ensure and maintain an acceptable level or degree of 'oversupply' through the granting of additional consents for housing. It is further considered that the level of 'oversupply' should allow sufficient margins to take into account potential under delivery or take account of the inevitable lag in relation to sites coming forward following the granting of outline consents which inevitably cause fundamental fluctuations in housing trajectories and may result in a legacy of undersupply or under delivery that may become evident in future monitoring.
- 5.1.7 It is noted that the issue of 'oversupply' has been considered, in some extreme cases, to be harmful. Given the current marginal 5 year housing supply position, I can see no balanced argument to be formed or put forward that would robustly or adequately demonstrate the level of oversupply resultant from the current proposal could be harmful for the Development Strategy for the Borough in this instance.
- 5.1.8 Members should note that any such perceived harm must be measurable and quantifiable. In respect of harm to the Development Strategy for the Borough, I cannot in this case, demonstrate any quantifiable or measurable harm, particularly given the Development Strategy for the Borough seeks to guide the majority of all new housing development towards the Principal Settlements. In this respect, I consider that the application could be argued to be fully compliant with the main aims, objectives and thrust of the overarching Development Strategy for the Borough in that it seeks to guide housing towards the more sustainable settlements within the Borough.
- 5.1.9 The above points take into account the Borough wide viewpoint, however when further assessing 'harm' it is important to consider the potential implications from the proposal in respect of the settlement to which it will relate. In this respect it is recognised that the proposal, when taking into account recent recommendations and consents approved, would result in a level of oversupply when measured against the objectively assessed outstanding residual housing need for

Longridge. However, it should be noted that these residual housing numbers are no more than a minimum target to be met to achieve sustainable housing growth within the Borough. It is equally important to fully recognise that the residual housing need numbers are therefore not intended to be an upper limit not to be exceeded. In the absence of any local or national benchmarks that would clearly quantify at which point oversupply becomes harmful, I cannot demonstrate harm as a result of oversupply in this regard.

5.1.10 The other regards in which I consider oversupply could become harmful and quantified is where it could be demonstrated that the existing infrastructure services and facilities within a settlement could not adequately accommodate the level of growth proposed, potentially resulting in the creation of an unsustainable pattern form or scale of development by virtue of the inability for a settlement to adequately accommodate growth resultant from any such proposal.

5.1.11 I also consider that 'harm' could be potentially be quantified or measurable when the level of oversupply resultant from a proposal reaches a point that would preclude the ability for the Local Planning Authority to plan realistically and proportionately for sustainable development within the Borough when considering the implications for the next plan period.

5.1.12 In respect of the above points, it is my opinion that significant 'harm' or the nature of such 'harm' resultant from the proposal cannot, in this case, be clearly demonstrated or quantified. Members will additionally note that a number of inspectors decisions outside the Borough have considered that that the presumption in favour of sustainable development is not engaged where the Local Planning Authority can demonstrate a five years supply. However, the presumption in favour of sustainable development remains 'a golden thread running through both plan-making and decision-taking' it is also important to be mindful that the presumption in favour of sustainable development is one of the fundamental principles of the Adopted Core Strategy and is clearly enshrined within Key Statement DS2 which states that:

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- *any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- *specific policies in that Framework indicate that development should be restricted.*

5.1.13 A policy response from the Head of Housing and Regeneration has conveyed reservations about allowing further permissions for housing considerably in excess of the figures expressed in the Core Strategy but has raised no formal objection to the proposal. The reservations relate to the fact that an over provision of housing would cause harm to the implementation of the Development Strategy given that this would result in an increase of around 35% to the planned housing numbers in Longridge. On this basis I conclude the proposed development be considered to be sustainable by virtue of not only its proximity to a Principal Settlement, but must consider it to be sustainable given there is no evidence before me that would robustly demonstrate otherwise or that the 'harm' resultant from the proposal would outweigh the benefits associated with the proposal and its contribution to maintaining a 5 years supply of housing in the Borough.

5.2 Impact upon Residential Amenity:

5.2.1 Given the application is made in outline, no detailed assessment of any potential impacts upon existing neighbouring residential amenity can be made at this stage. However given the potential proximity of the development to existing residential dwellings the Local Planning Authority has sought to protect the amenities nearby and adjacent residents through negotiation which has resulted in the introduction of a landscaped buffer/margin of 5m between existing and proposed residential curtilages along the northern boundary of the site. Taking into account the inclusion of the margins and the proximity of the development to adjacent built form I do not consider, at this stage that the proposal will be of detriment to neighbouring residential amenity.

5.3 Masterplan and Urban Design Principles

5.3.1 Given the application is made in outline, members will note that matters of detailed design, external appearance and scale cannot be considered at this stage. However the Local planning Authority is of the opinion that the overall masterplan and Urban Design approach to the site should be clearly established and fully considered at this stage.

5.3.2 Adopting this approach ensures a level of consistency from outline consent to reserved matters stage and allows for acceptable principles and parameters to be agreed at an early stage that will subsequently inform the future detailed design development of the proposal.

5.3.3 Following a number of concerns in relation to the overall masterplan for the site, the Local Planning Authority has engaged in extensive negotiation with the applicant which has resulted in fundamental revisions to the masterplan for the site which now includes provision of the following:

Central Green

The green will form the gateway entry point into the site by acting as a key node that will be comprised of the following attributes:

- Flexible usable space for recreation including provision of informal natural play areas with a strong community based focus being placed on the central green space.
- Formal avenue tree planting to line the main access route into the site.
- Shared surface streets and highways arrangements that will slow traffic speeds and provide priority for the pedestrian over the motor vehicle.
- The green will be linked to the remainder of the development through a network of pedestrian and cycle routes.

Green Streets

Green Streets run north to south within the development and will be comprised of the following:

- Formal avenue planting to main road edges with 'rain gardens' to complement the wider SUDS system.
- Informal groups of native tree planting and SUDS channels with integral landscaping.
- Open grass verges and shared cycle routes.
- Junctions to be of varied surfacing to encourage reduced vehicular speeds and prioritise pedestrian movement.

Trim Trail & Woodland Edge

A Woodland Edge will be located to the north east and eastern extents of the site and will be comprised of the following:

- Existing perimeter woodland planting will be reinforced and introduced adjacent the existing public footpath to the eastern extents of the site to allow the proposal to work in concert with the consented development to the south.
- Mixed planting and grassed areas woven together with a trim trail which will provide an active family orientated amenity space linked to the central green spine.
- Trim trail including natural play spaces and shared pedestrian cycle routes.
- Formal woodland footpaths linking the central streets with green spaces.
- Includes the provision of a buffer margin ranging from 20m - 48m to the north eastern boundary and a buffer margin of 30m to the eastern boundary of the site.

Semi Natural Greenway

A Semi natural Greenway will be provided to the southern extents of the site that will comprise of the following:

- Network of informal cycle paths and footpaths around a number of small attenuation ponds that are integral to the SUDS system for the site.
- Streets to take on the appearance of 'country lanes' that front this area.
- Groups of native tree planting.
- Wildflower and wild grass verges.
- It is also proposed that this area will accommodate footpath links to the adjacent development to the south.

- Includes the provision of 9.5-30m buffer margins with the adjacent site boundary to the south.

5.3.4 Members will note that negotiations in relation to the above matters have progressed in a positive manner.

5.3.5 At the time of the writing of this report only a small number of minor matters remain outstanding in relation to the masterplan for the site and I am confident that these issues will be resolved to the satisfaction of the Local Planning Authority.

5.4 Highway Safety and Accessibility / Public Rights of Way:

5.4.1 The Highway Development Control Section has at this stage raised no objection to the proposal but have stated that further work will be required to derive an acceptable transport assessment and have identified a number of areas that require further work. Such work should include identifying which junctions will require analysis and a package of mitigation measures to address any issues that may arise. However in terms of the application submitted the Highway development Control Section are satisfied that the proposed access is sufficient to serve the proposed development.

5.4.2 The Highways Development Control Section have also noted that at present there are no suggestions for the improvement / enhancement of sustainable transport alternatives. The Transport Assessment will require further work to identify the pedestrian and cycle routes into the town centre and other attractions and where funding can be provided to improve the public realm. The Highways officer recommends that reference should be made to the Longridge Neighbourhood Development plan which identifies a route for the Longridge Loop which identifies a circular route for pedestrians and cyclists etc around Longridge. Reference is also made to an off road cycle route between Longridge and Grimsargh. This route currently does not exist although it has been identified as a potential route into Preston. No enhancements are proposed for public transport.

5.4.3 Negotiations in respect of these matters are underway and it is considered that these matters will be satisfactorily resolved following further negotiation and engagement between the applicant and LCC Highways.

5.5 Landscape/Ecology:

5.5.1 The application is accompanied by an Ecological Appraisal which has concluded that no conclusive evidence was found of any protected species regularly occurring on the site or the surrounding areas which would be negatively affected by the proposed development subject to appropriate mitigation being secured at reserved matters stage.

5.6 Infrastructure, Services and developer Contributions:

5.6.1 The submitted Draft Heads of term put forward a commitment by the applicant to pay a contribution towards off-site facilities in Longridge and this will be subject to negotiation and take account of the facilities to be provided on site. Given the application only seeks to establish the upper quantum of development to be provided on site, based on current practice by the Local Planning Authority, this

will require a method for calculation to be applied at the reserved matters stage as follows:

The contribution sought will be based on the following occupancy ratios at a rate of £216.90 cost per person:

- 1 bed unit - 1.3 people
- 2 bed unit - 1.8 people
- 3 bed unit - 2.5 people
- 4 bed unit - 3.1 people
- 5 + bed unit - 3.5 people

The above method for calculation and a commitment to meet such requirements will be enshrined within the finalised S.106 agreement.

5.6.2 The applicant has submitted a commitment to meet the Core Strategy requirements in relation to overall housing mix and affordable housing provision on site. It is proposed 30% of the proposed dwellings will be for affordable housing provision and that 15% of the overall number of dwellings on site will be for occupation by those over 55 years of age with half of this provision being provided within the affordable provision and the remaining being provided on an open market basis. The mix of rental, shared ownership and other tenure will be agreed through further negotiation and once again be enshrined within the final S.106 agreement for the proposal.

5.6.3 LCC Education have requested that a contribution be made towards 46 primary school places totalling £619,828.38. Members will note that this figure is based on the assumption that all units are 4 bedroom dwellings. A reassessment based on a £13,474.53 per primary place cost will be applied when an accurate bedroom mix is available. Such a method for calculation will be contained within the S.106 agreement for the proposal.

5.7 Flood Risk and Drainage:

5.7.1 United Utilities have raised no objection to the proposal subject to the imposition of condition. Comments are awaited from the Local Lead Flood Authority (LLFA) in respect to an overall drainage strategy for the site based on sustainable principles; however it is anticipated that such matters are likely to be resolved through the imposition of planning conditions.

6. Observations/Consideration of Matters Raised/Conclusion

6.1 It is recognised, at the time of the writing of this report, based on the latest formal monitoring position, that the Local planning Authority can demonstrate a 5.32 year supply of housing. It is also recognised that an interim position, recently conveyed by the Head of Housing & Regeneration has concluded that at present the Local Authority may not benefit from a 5 year supply due to the Local Authority having to make an adjustment to the Council's housing land calculation methodology. I am also mindful of committee's recent recommendation to defer and delegate, for approval (subject to outstanding matters being resolved) outline consent (3/2016/0974) for the erection of 275 dwellings at Land west of Preston Road Longridge.

- 6.2 Should the interim position prove to be conclusive (4.99 year housing supply), it is likely that the 275 dwellings, as referenced above, will make a contribution towards supply that will inevitably allow the Local planning Authority to be able to robustly demonstrate a 5 year supply of housing. However, the level of supply, over 5 years, resultant from the contribution made by the aforementioned application is still likely to be marginal without taking into account inevitable delays in actual housing delivery from the site.
- 6.4 In assessing the application I cannot ignore the level of uncertainty regarding 5 year housing land supply, the likely marginal level of 'oversupply' should a 5 years supply be demonstrated and the distinct absence of any quantifiable harm or local national benchmarks relating to harm resultant from oversupply.
- 6.5 I therefore consider that the contribution towards bolstering existing housing supply and the need for the Local Planning Authority to maintain a long-term robust stance in terms of 5 years supply outweighs any harm associated with the potential 'oversupply' of housing resultant from the proposal.
- 6.6 For the reasons outlined above the proposed development is considered to be acceptable provided outstanding matters in relation to the overall masterplan approach taken to the site and matters relating to Highways are satisfactorily resolved.
- 6.7 It is further considered that the benefits associated with the proposal and its contribution towards maintaining a 5 years supply of housing within the borough, in the context of Paragraph 49 of the National Planning Policy Framework, outweighs any harm from the proposal and the application is recommended accordingly.

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Community Services for approval to allow for further work to be undertaken upon the submitted transport assessment the detailed wording of conditions and following the satisfactory completion of a Legal Agreement, within 3 months from the date of this Committee meeting or delegated to the Director of Community Services in conjunction with the Chairperson and Vice Chairperson of Planning and Development Committee should exceptional circumstances exist beyond the period of 3 months and subject to the following conditions:

1. No part of the development hereby permitted shall be commenced on any phase (as referred to in Condition 4) until full details of the layout, scale and appearance of the buildings and landscaping within that phase (hereinafter called 'the reserved matters') have been submitted to and approved in writing by the Local Planning Authority.

In relation to landscaping, the details for each phase shall include: the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform, full specifications of all boundary treatments and a scheme of maintenance, including long term design objectives. The submitted landscape details shall take full account of the mitigation measures as contained within the submitted Ecological Appraisal (Report Ref: 3089 V1).

REASON: As the application is outline only and to define the scope of the reserved matters in accordance with Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

2. No more than 123 dwellings shall be developed within the application site edged red on the submitted Red Line Boundary Plan (VHLP/7782/2194/01 Rev:A).

REASON: For the avoidance of doubt and to clarify the scope of the permission in accordance with keys Statement DS1 and Policy DMG1 of the Ribble Valley Core Strategy.

3. Application(s) for approval of all of the outstanding reserved matters related to the consent hereby approved 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.

4. Prior to the submission of any reserved matters application, a phasing scheme including the parcels which shall be the subject of separate reserved matters applications shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the submitted information shall include anticipated commencement dates and annual delivery rates of housing for each phase or parcel of development.

REASON: To ensure the development is appropriately phased to deliver a sustainable form of development, to assist the Local Planning Authority in planning for future sustainable housing growth and assist the Local Planning Authority in the production of accurate housing trajectories in accordance with Policies DMG1, DMG2, DMI2 and Key Statements DS1, DS2 and EN3 of the Ribble Valley Core Strategy.

5. The details in respect of the submission of any reserved matters shall be in strict accordance with the design principles and parameters as set out in the following approved documentation:

RF15-293-IN03-02: Green Infrastructure and Character document (February 2017)
Masterplan SK10 (February 2017)
Indicative Site Sections (February 2017)
Movement Framework (February 2017)

REASON: To ensure the development accords with the agreed general principles in relation to design, green infrastructure and pedestrian, cycle and vehicular movement within the site in accordance with Policies DMG1, DMG3, DME1, DME2, DME3, DMI2, DMB4, DMB5 and Key Statements EN3 and EN4 of the Ribble Valley Core Strategy.

6. 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 retaining structure adjacent to the site access has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the retaining structure are acceptable before work commences on site in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

7. 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 a scheme for the construction of the pedestrian and vehicular site accesses has been submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

For the avoidance of doubt the submitted details shall also include the precise nature and design of all pedestrian/cycleway accesses into and out of the site including details of their interface with existing pedestrian/cycle routes or networks. The development shall be carried out in strict accordance with the approved details.

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.

8. Notwithstanding the submitted details, the height of any of the dwellings proposed in any subsequent reserved matters application(s) shall not exceed two storeys in height.

REASON: In the interests of the visual amenities and character of the area and to ensure that the proposed development remains compatible with the landscape character of the area and responds appropriately to the topography of the site so as to minimise undue visual impact in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

9. Applications for the approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) including the levels of the proposed roads.

For the avoidance of doubt the submitted information shall include existing and proposed sections through the site including details of the height, scale and location of proposed housing in relation to adjacent existing development/built form (where applicable). The development shall be carried out in strict accordance with the approved details.

REASON: To ensure a satisfactory form of development, its visual compatibility with the defined open countryside, in the interests of visual and residential amenities and to ensure the Local planning Authority can make an accurate assessment of the potential impacts upon existing nearby residential amenity in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

10. Applications for the approval of reserved matters shall be accompanied by full details of the proposed surface water attenuation ponds and all other water bodies on site.

For the avoidance of doubt the submitted information shall include existing and proposed sections through each pond including relevant existing and proposed land levels and details of all associated landscaping and boundary treatments where applicable. The development shall be carried out in strict accordance with the approved details.

REASON: To ensure a satisfactory form of development in the interests of visual and residential amenities and to ensure the Local planning Authority can make an accurate

assessment of the details relating to matters of flood risk and sustainable drainage in accordance with Policies DMG1 and DME6 of the Ribble Valley Core Strategy.

11. Foul and surface water shall be drained on separate systems.

REASON: To secure proper drainage and to manage the risk of flooding and pollution in accordance with Policies DMG1 and DME6 of the Ribble Valley Core Strategy.

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

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG and in accordance with Policies DMG1 and DME6 of the Ribble Valley Core Strategy.

13. Further Sustainable Drainage Details:

To be determined following response from the Local Lead Flood Authority

14. Prior to occupation 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. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system 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/details.

REASON: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with Policies DMG1 and DME6 of the Ribble Valley Core Strategy.

15. 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 to reduce the impact of development in accordance with Policies DMG1, DME3 and Key Statement EN4 of the Ribble Valley Core Strategy.

16. 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 package of proposed mitigation measures, as outlined in Section 6 of the approved Ecological Appraisal (Report Ref: 3089 V1) has been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the mitigation shall include, but be limited to the provision for bat and bird boxes, the improvement of existing hedgerow, creation of refugia/hibernacula/habitat features and bee and wasp nest boxes. The submitted details shall include the timing and phasing for the creation/installation of mitigation features and a scheme for future management and maintenance where applicable. 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 reduce the impact of development in accordance with Policies DMG1, DME3 and Key Statement EN4 of the Ribble Valley Core Strategy.

17. Applications for the approval of reserved matters shall be accompanied by elevational and locational details including the height and appearance of all boundary treatments, fencing, walling, retaining wall structures and gates to be erected within the development.

For the avoidance of doubt the submitted details shall include the precise nature and location for the provision of measures to maintain and enhance wildlife movement within and around the site by virtue of the inclusion of suitable sized gaps/corridors at ground level. The development shall be carried out in strict accordance with the approved details.

REASON: To comply with Key Statement EN4 and Policies DMG1 and DME3 of the Ribble Valley Core Strategy, to ensure a satisfactory standard of appearance in the interests of the visual amenities of the area and to minimise the potential impacts of the development through the inclusion of measures to retain and enhance habitat connectivity for species of importance or conservation concern.

18. Applications for the approval of reserved matters, where relevant, shall be accompanied by full details of all proposed play areas and associated play equipment.

For the avoidance of doubt the submitted details shall include the specification and nature of all proposed surfacing, informal/formal play equipment and details of existing and proposed land levels and all associated landscaping and boundary treatments where applicable. 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 allows for the provision of an acceptable and adequate form of usable public open space in accordance with Policies DMG1 and DMB4 of the Ribble Valley Core Strategy.

19. No development shall take place within a phase (pursuant to condition 4 of this consent) until a Construction Method Statement for the relevant phase has been submitted to and approved in writing by the local planning authority. For the avoidance of doubt the submitted statement shall provide details of:

- A. The location of parking of vehicles of site operatives and visitors
- B. The location for the loading and unloading of plant and materials
- C. The location of storage of plant and materials used in constructing the development
- D. The locations of security hoarding
- E. The location and nature of wheel washing facilities to prevent mud and stones/debris being carried onto the Highway (For the avoidance of doubt such facilities shall remain in place for the duration of the construction phase of the development) and the timings/frequencies of mechanical sweeping of the adjacent roads/highway
- F. 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)
- G. The highway routes of plant and material deliveries to and from the site.
- H. Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.
- I. Days and hours of operation for all construction works.

The approved statement shall be adhered to throughout the construction period of the development.

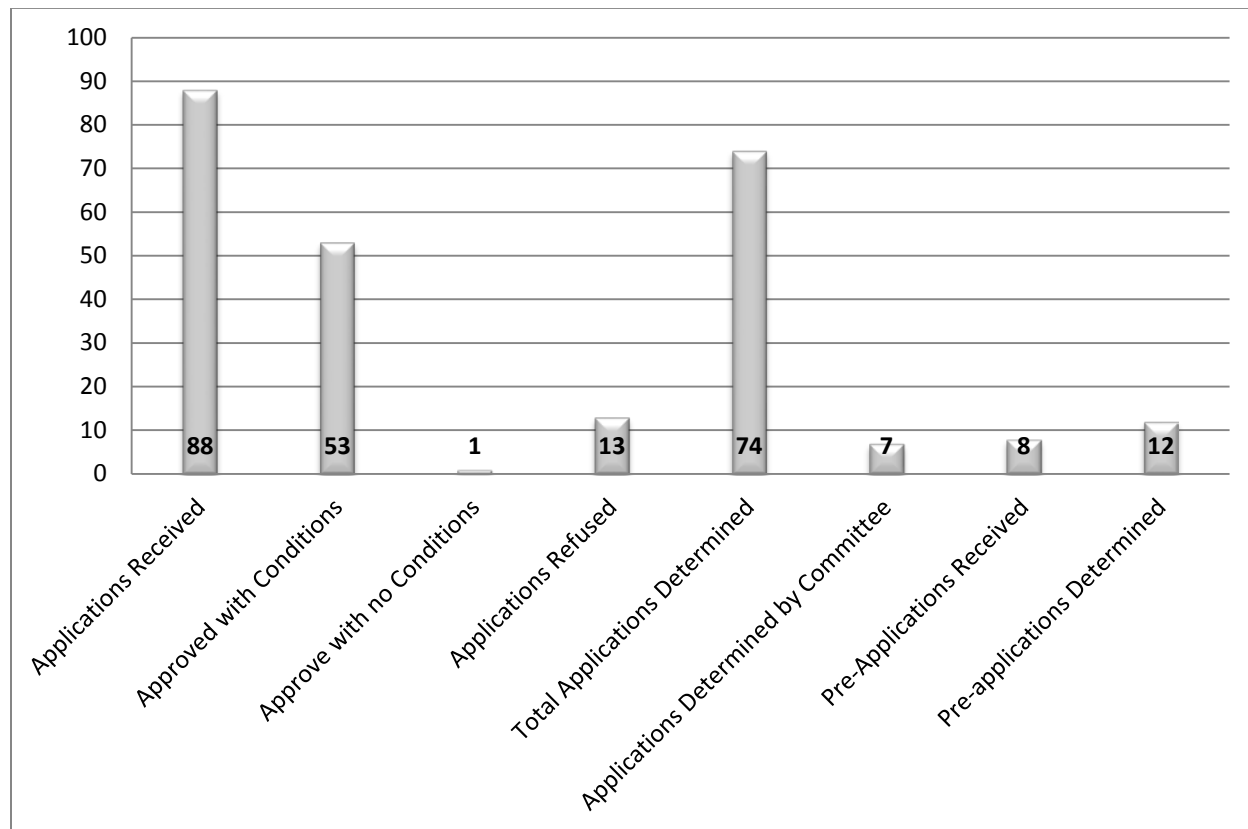
REASON: In the interests of protecting residential amenity from noise and disturbance and to ensure the safe operation of the Highway in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2016%2F1082

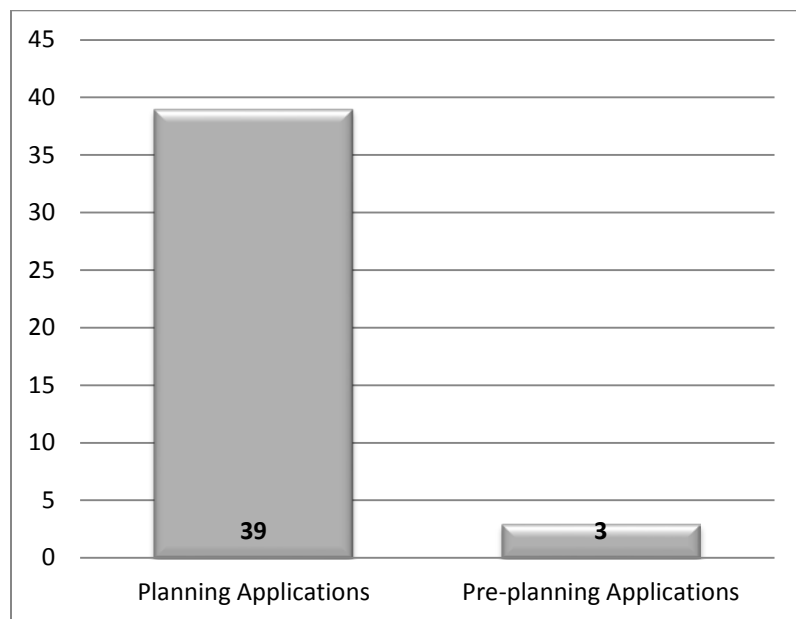
PLANNING APPLICATION STATISTIC REPORT

APPLICATIONS DETERMINED – 1 FEBRUARY – 28 FEBRUARY 2017

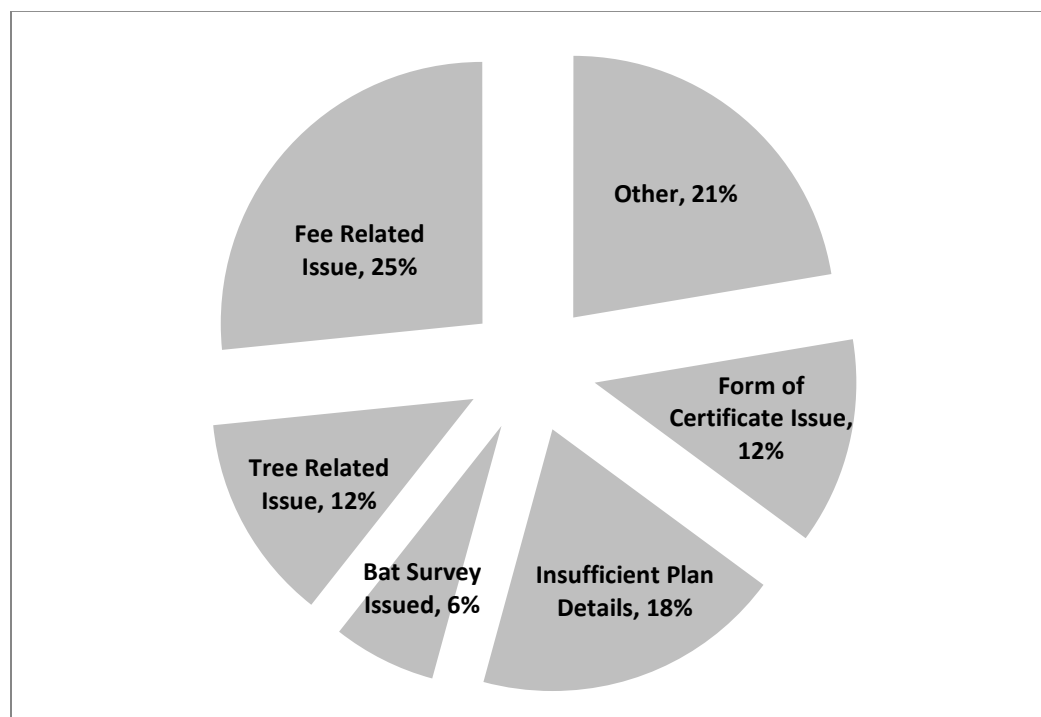


(This list does not include prior determinations, split decisions, observations to other Local Planning Authorities and other less frequent application types).

INVALIDITY REPORT TO 1 MARCH 2017



INVALIDITY REASONS TO 1 MARCH 2017



In relation to submitted applications, between 30-40% of new applications are invalid when submitted. The above pie chart gives a breakdown of the main reasons for applications currently invalid.

Although some applications are quickly made valid (between 2-3 days) in many cases agents/applicants take a considerable time in responding or providing the additional details. In some cases this may be due to the need to commission additional work such as arboricultural reports or bat surveys.

PLANNING APPLICATIONS DETERMINATION RATE

Members will be aware that the Council has been provisionally included as a Designated Authority in relation to the determination of planning applications. This was specifically due to the failure to meet the criteria of 60% of Minor applications to be determined within 8 weeks. This was during the 2 year monitoring period specified by DCLG. Local Planning Authorities were given an opportunity to comment and assess the figures as well to give an explanation for their performance. Consequently revised figures now show a determination rate of 66.4% rather than 59.9% and it is hoped that it will be confirmed that Ribble Valley Borough Council will not be a Designated Authority.

A copy of the letter is included as an Appendix at the end of this report.

It can be seen from the following figures for the quarterly determination rate show that significant progress has been made in the determination of all planning applications.

1 OCTOBER 2015 – 31 DECEMBER 2015

Major Applications – 6 applications which represents 46% determination within 13 weeks

Minor Applications – 20 applications which represents 30% determination within 8 weeks

Other Applications – 56 applications which represents 56% determination within 8 weeks

1 JANUARY 2016 – 31 MARCH 2016

Major Applications – 3 applications which represents 27% determination within 13 weeks

Minor Applications – 36 applications which represents 54% determination within 8 weeks

Other Applications – 55 applications which represents 60% determination within 8 weeks

1 APRIL 2016 – 30 JUNE 2016

Major Applications – 4 applications which represents 100% determination within 13 weeks

Minor Applications – 39 applications which represents 71% determination within 8 weeks

Other Applications – 65 applications which represents 74% determination within 8 weeks

1 JULY 2016 TO 30 SEPTEMBER 2016

Major Applications – 2 applications which represents 100% determination within 13 weeks

Minor Applications – 51 applications which represents 81% determination within 8 weeks

Other Applications – 94 applications which represents 85% determination within 8 weeks

1 OCTOBER 2016 TO 31 DECEMBER 2016

Major Applications – 4 applications which represents 100% determination within 13 weeks

Minor Applications – 44 applications which represents 86% determination within 8 weeks

Other Applications – 65 applications which represents 90% determination within 8 weeks

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2016/0580	Spout Farm Preston Road Longridge	12/1/17	34	With Applicants Solicitor

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2016/0974	Land West Preston Road Longridge	16/2/17	275	With Planning

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2016/1064/P	Replacement garage	Bank House Sawley Road Grindleton
3/2016/1094/P	New outbuilding to contain garden store, potting shed and greenhouse	Wiswell Manor Pendleton Road Wiswell
3/2016/1095/P	Creation of two parking spaces to NW of Broxup House (resubmission of 3/2016/0812)	Broxup House Holden Bolton by Bowland
3/2016/1114/P	Removal of tree on the junction of Dilworth Lane and Lower Lane to be replaced by 2 trees	Dilworth Lane Longridge
3/2016/1123/P	Single storey extension 5m long, 3.2m (max) high and 2.7m to eaves	Middlewood cottage Worston Road Chatburn
3/2017/0067/P	Discharge of conditions 2 (drawing), 3 (hard surface materials), 4 & 5 (foul and surface drainage society), 8 (arboriculture and tree protection), 9 (soft landscape), 11 (non-native species removal), 12 (ecological impact assessment, mitigation and enhancement), 13 (bat method statement, licence application, mitigation and enhancement) from planning permission 3/2015/0024.	Ribble Valley Remembrance Park Mitton Road Whalley

APPEALS UPDATE

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Date of Inquiry/Hearing if applicable</u>	<u>Progress</u>
3/2015/0605 R	03/05/16	Little Snodworth Fm Snodworth Road Langho	WR		Appeal Dismissed 22/12/2016
3/2015/0393 R	10/08/16	Land west of Preston Road Longridge (Grimbaldeston Fm)	Inquiry	03/05/17 to 05/05/17 (3 days)	Bespoke timetable
3/2016/0516 R	12/10/16	Seven Acre Bungalow Forty Acre Lane Longridge	WR		Awaiting Decision

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Date of Inquiry/Hearing if applicable</u>	<u>Progress</u>
3/2016/0750 R	17/11/16	24 Higher Road Longridge	WR		Awaiting Decision
3/2016/0279 R	Awaiting start date from PINS	Dove Syke Eaves Hall Lane West Bradford	LB		
3/2015/0776 R	26/01/17	Land off Lambing Clough Ln Hurst Green	Hearing	Provisionally 4 th or 5 th April 2017	Statement due 02/03/17
3/2015/0780 R (enf)	26/01/17	Timothy House Farm Whalley Road Hurst Green	Hearing	Provisionally 4 th or 5 th April 2017	Statement due 02/03/17
3/2016/0369R	30/11/16	Greengore Farm Hill Lane Hurst Green	WR		Awaiting Decision
3/2016/0370 R	30/11/16	Greengore Farm Hill Lane Hurst Green	WR		Awaiting Decision
3/2016/0346 R	15/02/17	30 Barker Lane Mellor	WR		Statement Due 22/03/17
3/2016/0858 R	13/12/16	Davis Gate Barn Clitheroe Road Dutton	WR		Appeal Dismissed 02/03/07
3/2016/0833 R	20/01/17	Moorgate Farm Kenyon Lane Dinckley	WR		Statement Due 24/02/17
3/2016/0765 R	14/02/17	68-70 Whalley Road Wilpshire	WR		Statement Due 21/03/17
3/2016/0366 R	Awaiting start date from PINS	Vicarage Fold Wiswell	Appellant asked for hearing		

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No. 6

meeting date: THURSDAY, 16 MARCH 2017
 title: LANCASHIRE WILDLIFE TRUST LOCAL NATURE RESERVES
 CROSSHILL AND SALTHILL
 submitted by: JOHN HEAP, DIRECTOR OF COMMUNITY SERVICES
 principal author: DAVID HEWITT

1 PURPOSE

- 1.1 For Committee to consider a request from Wildlife Trust for Lancashire for an additional contribution towards the management of the two local nature reserves at Crosshills and Salthill, Clitheroe and to seek Committee approval to begin a formal new lease agreement process with the Trust.
- 1.2 Relevance to the Council's ambitions and priorities
- Community Objectives – To help make peoples lives safer and healthier.
 - Corporate Priorities – To protect and enhance existing environmental quality of our area.
 - Other Considerations – None.

2 BACKGROUND

- 2.1 Salthill and Crosshill local nature reserves are designated Sites of Special Scientific Interest and recognise internationally important not only for the geology alone but also for the biology and biodiversity. The geology of the site draws academics and enthusiasts from the UK and further afield and they are also recognised as a key resource for people in Clitheroe as well as the Ribble Valley and beyond.
- 2.2 Both sites are leased from the Council by the Wildlife Trust for Lancashire under a 25 year fixed term agreement which dates from June 1990 until May 2015 but the tenant is now holding over until a new lease is granted or the old one is terminated by either party. The Trust have a right to a new lease agreement on no better terms than currently.
- 2.3 The reserves are heavily used for recreational, educational and volunteering health and wellbeing activities, as well as informal recreation on a daily basis. As a consequence to manage the habitats and the heavy public use of the site requires considerable time and effort as well as investment by the Trust.
- 2.4 The Trust has employed a reserves officer to undertake work to support volunteers and source further income. This employment of 2 days a week on the Clitheroe sites costs the Trust £12,000 per year.
- 2.5 Whilst the Council did not commit to an income stream at the inception of the lease, it has helped with the costs of some capital items and a contribution towards the revenue costs. We have contributed £2000 per annum since 2008 which coincides with the Trust employing a Reserves Officer.

3 REQUEST FOR ADDITIONAL GRANT FUNDING (2016/2017)

- 3.1 The Trust have invested considerable time and money into the reserves and would like to continue its involvement in these important sites and as the 25 year lease term is due for renewal, now is an opportunity to consider the way forward. The working relationship between the Council and the Trust for Lancashire has been a very productive one and the sites are well managed by the Trust. However, the Trust finds itself in a similar situation with the rest of the voluntary sector in that resources have declined due the recession and increased demands on the Trust's limited funds.
- 3.2 A request has been received from the Trust (Annex 1) seeking an increase in the Council's grant contribution to their work at the two sites from £2000 per annum to £4000 per annum.
- 3.3 This could be funded from existing budget and would enable the Trust to continue to their work at the two sites.

4 POTENTIAL FOR NEW LEASE AGREEMENT

- 4.1 The Trust has indicated that it would like to take on a further lease of the two sites following the expiration of the current long lease which is now being held over.
- 4.2 Subject to Committee agreement it is proposed to open discussions on a new long lease of the sites. Any proposals will be brought back to this Committee for consideration prior to being entered into.

5 RISK ASSESSMENT

- 5.1 The approval of this report may have the following implications
- Resources – An existing budget is available to fund any increase in contribution that Committee may be minded to approve up to £4000.
 - Technical, Environmental and Legal - Further lease agreement will be required to be drawn up for further consideration by this Committee.
 - Political – None.
 - Reputation – The Council's reputation for protecting and enhancing the existing environmental quality of our area will be upheld.
 - Equality & Diversity – None.

6 RECOMMENDED THAT COMMITTEE

- 6.1 Consider the request for an increase in the annual contribution to Wildlife Trust for Lancashire for 2016/2017 from £2000 to £4000.
- 6.2 Agree to the commencement of discussions with Wildlife Trust for Lancashire for a new long lease.

DAVID HEWITT
COUNTRYSIDE OFFICER

JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES

BACKGROUND PAPERS

Annex 1 - Copy of letter from Wildlife Trust for Lancashire.
Annex 2 – Details of Wildlife Trust work at Crosshill and Salthill Nature Reserves.
Annex 3 – Location Plans for Crosshill and Salthill Nature Reserves.

For further information please ask for David Hewitt, extension 4505.

Appeal Decision

Site visit made on 17 January 2017

by Siân Worden BA MCD DipLH MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 February 2017

Appeal Ref: APP/T2350/Y/16/3161563

24 Higher Road, Longridge, PR3 3SX

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Dominic Wiejak against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2016/0750, dated 26 June 2016, was refused by notice dated 23 September 2016.
 - The works are the removal of paint from stone door and window lintels, repainting window frames and door.
-

Decision

1. The appeal is allowed and listed building consent is granted for the removal of paint from stone door and window lintels, repainting window frames and door at 24 Higher Road, Longridge, PR3 3SX in accordance with the terms of the application Ref 3/2016/0750, dated 26 June 2016.

Procedural matter

2. By the time of my site visit the works had been carried out.

Main Issue

3. I consider that the main issue in this case is whether the works have preserved the listed building or any features of special architectural or historic interest which it possesses.

Reasons

4. The appeal property is a terraced cottage in a long row of similar dwellings; nos. 6 to 44 are listed together at Grade II. The listing description notes that they are constructed from squared, coursed sandstone with slate roofs and brick stacks; the windows have plain¹ reveals and projecting stone sills, and the doorways have plain stone surrounds. It adds that the row was built by the Longridge Building Society, which was one of the earliest terminating building societies in the country. A blue plaque installed by Longridge Heritage Committee explains that the terrace is thought to be the oldest surviving example of properties built by a building society in the world. The significance of the appeal dwelling lies mainly in its social history, therefore, as well as its place as a component of the listed row.

¹ The Council states that 'plain' in this instance does not mean 'unpainted' and I agree with that position.

5. The stone of the front wall has been cleaned previously. It has a somewhat patchy appearance with two vertical strips of discolouration around the drainpipe and level with the chimney stack. The door surround and window sills and lintels have also now been cleaned of their dark paint, such works being the subject of this appeal. There are some signs of damage, particularly around the windows where gouges can be seen. These are not deep, however, and not especially noticeable. It is possible that they have been in place for some time but were disguised by the previous paint. I cannot be certain, therefore, that any historic fabric has been lost or damaged. The window frames and door, which are modern, are painted light green and are similar in tone to the stone. Whilst not a traditional colour it is not obtrusive or significantly uncharacteristic.
6. The cottages in the listed row are not uniform in appearance. Some have been cleaned. Others have not but have been repointed, the light mortar contrasting strongly with the dark stone. There are painted lintels and door surrounds, both light and dark, as well as others with no paint similar to the appeal dwelling. Window frames and doors are also treated with a number of different finishes and colours. The works to the doors and windows at No. 24 have not, therefore, made the appeal property look conspicuous or incongruous in the row. It still has the appearance of a worker's cottage in a long terrace of similar dwellings. Neither its significance nor that of the row as a whole has been thus been harmed.
7. I am conscious of the statutory requirement to have special regard to the desirability of preserving the listed building and its features and, in line with the National Planning Policy Framework, to give great weight to an asset's conservation². All things considered it is my opinion that the appeal works have not been harmful and thus the listed building and its features of special architectural or historic interest are preserved. Since the terrace is listed as a whole it does not seem to me that the appeal property is within the setting of other cottages in the row. If it was considered so, however, the lack of harm would preserve those settings and also the character and appearance of the Longridge Conservation Area.
8. The Council has provided several extracts in respect of the cleaning of heritage assets, all urging caution. I can appreciate its concern, particularly with regard to the removal of the 'patina of age'. To my mind, however, it has been the cleaning of the stone walling which has had the greatest effect but those works are not the subject of this appeal. Furthermore, and as explained above, other cottages in the row have been cleaned such as the appeal property does not stand out in the row. I have taken all the matters raised into consideration but not found any sufficient to refuse the appeal.
9. For the reasons given above I conclude that the appeal should succeed.

Sian Worden

Inspector

² NPPF paragraph 132