

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 28 SEPTEMBER 2017  
title: PLANNING APPLICATIONS  
submitted by: DIRECTOR OF COMMUNITY SERVICES

## PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

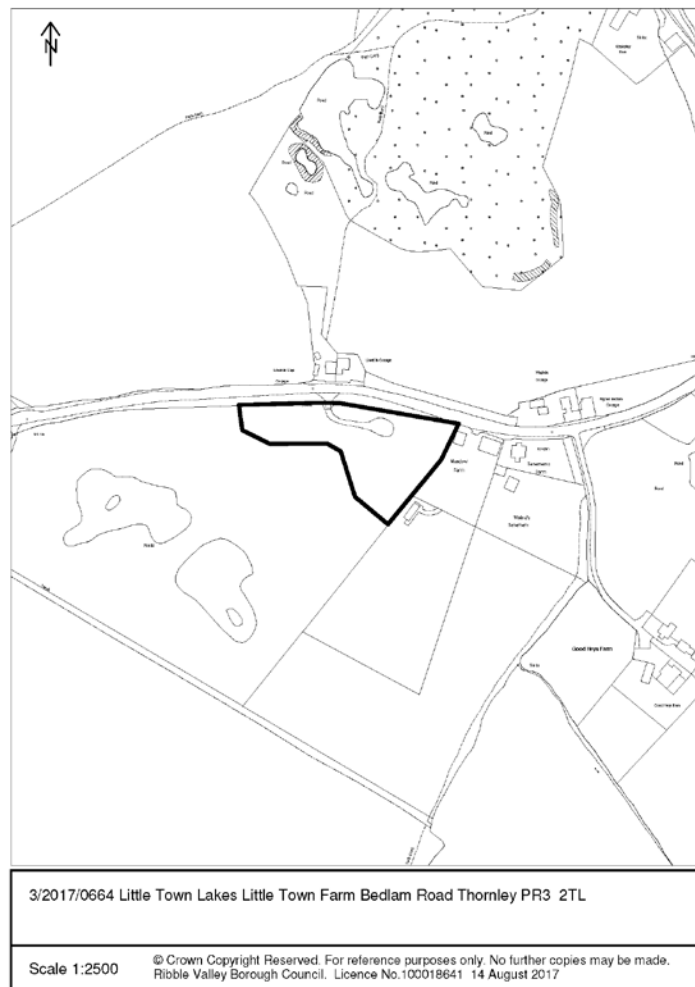
### C APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL

**APPLICATION REF: 3/2017/0664**

GRID REF: SD 362738 441027

#### **DEVELOPMENT DESCRIPTION:**

ERECTION OF A WORKING NURSERY AND SHOP AT LITTLE TOWN LAKES, LITTLE TOWN FARM, BEDLAM ROAD, THORNLEY, PR3 2TL



## **CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

### **PARISH COUNCIL:**

The application has been considered in detail. It is felt that the development has been planned to be in keeping with surrounding countryside, with sympathetic use of the site and materials. There is also potential for the development to support the local economy and other businesses and to provide interest to both locals and visitors to the area. Therefore the parish council strongly support this planning application.

### **ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):**

The additional information has addressed the concerns that were raised earlier.

I feel that the traffic speed data fulfils my request to indicate that the sightlines at the proposed new entrance will be sufficient. This being the case I can remove any objections to forming the new access but I would request that once completed the present field gate is closed off. It is also important that the preservation of the sight lines are conditioned into any permissions. Please see the revised notes and conditions below.

Since my first investigations, plans with much more detail have been submitted and these do include the details that I requested with regard to the position of the gate and the bound surfacing. I feel that this will fulfil the first condition that I outlined in my earlier comments. Subject to the development being completed to the submitted plans this condition will be fulfilled.

The new site plans also indicate that there will be sufficient provision to allow vehicles to turn within the site negating any need to enter or leave the site in reverse gears. Subject to the development being completed to the submitted plans this condition will be fulfilled.

In view of the revised information I would not raise objections to the proposed development on highway grounds subject to the following revised notes and conditions being attached to any permissions that your council is minded to grant.

### **Lead Local Flood Authority (LLFA):**

No comments

### **LCC AONB OFFICER:**

The proposed development site is an open, greenfield site within the Forest of Bowland AONB. The AONB Landscape Character Assessment (referenced in the applicant's LVIA) identifies the site as being within the landscape character type ***Undulating Lowland Farmland, E1 Whitechapel***, and adjacent to landscape character types ***Undulating Lowland Farmland with Parkland, G2 Little Bowland*** and ***Moorland Fringe, D11 Longridge***.

Consideration and analysis within the LVIA of the likely impact from views within the landscape character type, ***Moorland Fringe D11 Longridge*** is quite limited, despite there being strong intervisibility between the site and D11 Longridge. The assessment also identifies that D11 Longridge should be considered *'to have high landscape character sensitivity. Overall, the Moorland Fringe Landscape Character Type has limited to moderate capacity to accommodate change without compromising key characteristics.'*

Additionally, guidance for managing landscape change within D11 Longridge suggests that the AONB should seek to: *'Encourage a built form which respects the simple architecture of farmsteads and cottages and reflects the characteristic settlement pattern of small, isolated clusters of dwellings and individual farmsteads;'*. The proposed building is not vernacular in design or materials and appears to have limited relationship within the local landscape with any local farm buildings similar to those proposed. All the neighbouring/adjacent properties appear to be residential in nature.

Also, no viewpoints from adjacent public rights of way within D11 Longridge were included in the viewpoint analysis (particularly footpaths FP54,FP55,FP56,FP61 and BW58). Only one view from this landscape character type from the highway close to Cardwell House on Jeffrey Hill was considered.

The LVIA goes to outline the visual effects of the proposed development from the Up Bedlam road (looking west) should be considered as moderate, reducing over time with the maturing of the proposed tree and hedge screening. From this viewpoint, the building, car park and track will all be visible from the road, and these moderate effects are likely to impact on road users for a considerable time before the tree and hedge-screening has matured and will offer limited screening during months when these are not in full leaf.

For the above reasons, the AONB Partnership considers that the development as proposed is likely to erode the local landscape character and impact on the special qualities of this part of the AONB. For these reasons, the AONB Partnership considers the proposed development unacceptable in its current form.

#### **ADDITIONAL REPRESENTATIONS:**

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

- Impact of development on the AONB
- Cumulative impact of proposed on the AONB, surrounding areas and footpaths
- Visibility of proposal
- Adverse impact on current landscape
- Impact of lighting on the AONB
- Increase in volume of traffic
- Noise pollution/disturbance
- Doesn't create new employment is just the relocation of a business
- Impact on ecology of the area
- Existing business includes a restaurant/café the proposed relocation of these businesses would result in the suburbanisation of the area.
- Will lead to more development on the site
- Highway safety
- Setting of precedents for future applications
- Not in-keeping with the local vernacular
- The introduction of signage in the area would impact upon the AONB

#### **1. Site Description and Surrounding Area**

- 1.1 The application site comprises an area of open land adjacent to Meadow Farm to the south of Up Bedlam Road, Thornley with Wheatley. It is located around 1.2 miles south of the settlement of Chipping and 2.2 miles north east of the settlement of Longridge.

- 1.2 The site is located within Forest Of Bowland Area of Outstanding Natural Beauty (AONB) on land defined as open countryside. Existing site features including boundary trees, hedgerows and ponds within the site. The site to which the application relates forms the northern portion of an area of land that currently accommodates Little Town Fishing Lakes. The waterbodies associated with the fisheries are located approximately 60m to the south of the application site.
- 1.3 To the north of the site immediately opposite the existing site access is two residential properties, to the east is Meadows Farm. The site is bounded to the south and west by agricultural fields which are typically open and rural in character, the aforementioned land is predominantly utilised as grazing land.
- 1.4 Little Town Fishing Lakes were formed following the granting of planning permission in 2002 (Application Ref: 3/2002/0247). The aforementioned consent has only been partially implemented consisting –of a hard standing area, a storage container and a portable toilet in the north eastern corner of the site. The existing access serving the fisheries has been implemented in a differing location to that of which was originally consented with it being approximately 50m to the east of its intended and consented position.

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

- 2.1 Consent is sought for the change of use of the land to be used as part plant nursery and part retail. Given the predominant function will relate to the retail sale of plants and other horticultural goods the proposal will fall under use class A1 (garden centre). The submitted details propose the following:
  - Erection of shop/retail building for sale of plants and goods
  - Formation of hardstanding area to accommodate vehicular manoeuvring and customer parking with provision for the parking of 16 vehicles
  - Erection of new site access gates
  - Erection of Polytunnel to eastern extents of site
  - 1.8m high green mesh fencing to be erected along the entirety of the southern and western extents of the site
  - Installation of a number of lighting bollard and ground lit entry signage
  - Area of land for the purposes of external storage/display and growing of plant
- 2.2 It is proposed to create a new access 47m west of the existing access. The new access will be in the position for which permission was granted as part of the original application regarding the fishing lakes as consented under the umbrella of planning application 3/2002/0247. The access will have a width of 5m and will be set back 6m from Up Bedlam Road. It is intended that the existing access will be removed and no longer be available for use by vehicles.
- 2.3 The nursery and shop will be accessed via a new vehicular access point off Up Bedlam Road. The proposed access will be 5m in width with a hardcore rolled stone base with a dark stone chipping finish. The access will open into a large turning area which will accommodate 11 parking bays. This will be formed with a hardcore sub base with a stone chipping surface with stone setts laid to delineate each parking bay. Each parking space will measure 4.8m x 2.4m.

- 2.4 An additional parking area is proposed directly adjacent to the proposed shop building which will accommodate 2 disabled parking bays and 3 standard parking bays. They will be located in front of 0.9m stone wall, which will have a 1.8m green mesh fence set behind it. The parking spaces will be finished in a block paviour surface which will continue in front of the proposed shop to aid in customer/patron wayfinding
- 2.5 The proposed polytunnel will be located in the north east corner of the application site, with the proposed plant display and nursery area being located adjacent to the extents of the site.
- 2.6 The proposed shop/retail building will have a width of 10.3m and a length of 14.6m. It will be of a gabled roof appearance with an eaves height of 2.284m and a ridge height of 3.841m. The building benefits from an overhanging canopy roof to the west elevation, which projects 2.2m from the front elevation of the building and will be supported on external columns. The western elevation of the building will be clad in a mixture of vertical timber boarding and natural reclaimed stone; it is proposed that four window openings will be located on this elevation.

To the east elevation it is proposed to insert a door opening and 6 rooflights and to the south elevation the main entrance and the insertion of a large expanse of glass to the whole elevation with a door opening which will lead into the plant display and nursery area. The proposed building will be clad with a natural stone base with vertical timber boarding above, profiled steel roof sheets, timber doors and aluminium window openings.

- 2.7 The proposed polytunnel is to be located 3.8m west of the shop, measuring 8, in width and 14m in length. The tunnel will be of a typical semi-circular form with a maximum height of 3m.
- 2.8 The submitted details propose a significant amount of visual mitigation landscaping to each of the site boundaries. It is stated that this will consist of trees; hedgerow and wild flowers. The applicant states that once fully matured the landscaping will screen the 1.8m green mesh fencing which is proposed to the boundaries of the site.
- 2.9 The proposal also includes the insertion of 8 light bollards to the turning area/car park and 2 light bollards to demark the access entrance.

### 3. **Relevant Planning History**

**3/2014/0336** - Non illuminated plastic coated aluminium sign height 1.9 metres x 1.38 metres wide. Pole mounted 0.13 metres from ground level (Refused)

**3/2002/0247** - Proposed lake, shop, toilet and tea brew accommodation. Fishing lake and fish farm (Resubmission). (Approved with conditions).

**3/2001/0310** = Proposed fishing lake, dwelling, shop, toilet and tea brew area for fishermen (Refused).

### 4. **Relevant Policies**

#### **Ribble Valley Core Strategy**

Key Statement DS1 – Development Strategy

Key Statement DS2 – Presumption in Favour of Sustainable Development  
Key Statement DMI2 – Transport Considerations  
Key Statement EN2 – Landscape  
Key Statement EC1 – Business and Employment Development

Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport and Mobility  
Policy DME2 – Landscape and Townscape Protection  
Policy DME3 – Site and Species Protection and Conservation  
Policy DMB1 – Supporting Business Growth and the Local Economy  
Policy DMB3 – Recreation and Tourism

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

## 5.1 Principle of Development:

- 5.1.1 The application site lies within the AONB in a relatively isolated location being located a significant distance (1.2 miles) from the closest defined settlement of Chipping. The development Strategy for the Borough categorises Chipping as a tier 2 Settlement, which are the less sustainable of the 32 defined settlements in the borough. Policy DMG2 considers development within the AONB and states that ‘in protecting the designated Area of Outstanding Natural Beauty the Council will have regard to the economic and social well-being of the area’.
- 5.1.2 It is important to highlight, that in assessing this application, Policy DMG2 is explicit in that it states *‘the most important consideration in the assessment of any development proposals will be the protection, conservation and enhancement of the landscape and character of the area avoiding where possible habitat fragmentation.’*
- 5.1.3 Policy DMG2 further states *‘where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build.’*
- 5.1.4 In this instance the proposal consists of a new build development, rather than conversion of an existing building, and therefore would undoubtedly have an impact on the AONB through the introduction of built development on an area of land where none currently exists.
- 5.1.5 Policy DMG2 further states that *‘Development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the AONB by virtue of its size, design, use of material, landscaping and siting. The AONB management plan should be considered and will be used in determining planning applications’.*
- 5.1.6 The application comprises of the relocation an existing business within the borough. Policy DMB1 states that *‘the expansion of firms on land outside settlements will be allowed provided it is essential to maintain the existing source of employment and can be assimilated within the local landscape. There may be*

*occasions where due to the scale of the proposals relocation to an alternative site is preferable.'*

5.1.7 Whilst the business in question is not intended to expand or create additional employment Policy DMB1 requires that the proposal should be able to 'be assimilated within the local landscape'. It is therefore considered that the proposed development could not be adequately assimilated within the AONB and is therefore contrary to Policies DMB1 and DMG2.

5.1.8 Policy DMB3 of the adopted Core Strategy deals with Recreation and Tourism Development. The applicant states that they consider the policy to be relevant, though concede that it is not an "exact fit" for this particular application. The applicant states that the new location which is sited within the AONB would increase the role of the business as a visitor attraction.

5.1.9 However, to comply with policy DMB3:

- 1 *the proposal must not conflict with other policies of this plan,*
- 2 *the proposals must 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 and there are no suitable existing buildings or developed sites available;*
- 3 *the development should not undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design,*
- 4 *the proposals should be well related to the existing highway network. It should not generate additional traffic movements of a scale and type likely to cause undue problems or disturbance. Where possible the proposals should be well related to the public transport network*
- 5 *the site should be large enough to accommodate the necessary car parking, service areas and appropriate landscaped areas, and*
- 6 *the proposal must take into account any nature conservation impacts using suitable survey information and where possible seek to incorporate any important existing association with the development.*

5.1.10 I consider that the proposal is in direct conflict with the requirements of Policy DMB3 in that the proposal is not well related to an existing main settlement and will undermine the character and visual amenities of the area by introducing built form to the currently open and undeveloped area of the AONB.

5.1.11 The creation of the turning area and car parking facilities would contribute to the urbanisation of the landscape and the proposal as a whole has the potential to increase traffic movements in this location.

5.1.12 Policy DMB3 also goes on to state that '*in the AONB the following criteria will also apply:*

- 1 *the proposal should display a high standard of design appropriate to the area*
- 2 *The site should not introduce built development into an area largely devoid of structures (other than those directly related to agriculture or forestry uses)...*

*...In the AONB and immediately adjacent areas proposals should contribute to the protection, conservation and enhancement of the natural beauty of the landscape.'*

- 5.1.13 It is considered that the proposal would be contrary to the criterion of Policy DMB3 in that it would introduce built development into an area largely devoid of structures and would not *'contribute to the protection, conservation and enhancement of the natural beauty of the landscape'*.
- 5.1.14 The Development Policy section of the Council are of the opinion that it is accepted that there would be an economic benefit to retaining an existing business within the borough however I do not consider that the sensitive AONB site location proposed by the applicant is suitable for the relocation of this business. Therefore in this instance the economic benefits do not outweigh the detrimental impacts upon the protected landscape and would not constitute sustainable development.

Therefore, in principles and notwithstanding other Development Management considerations, it is considered that the proposed development is contrary to Policies DMG2, DMB1 and DMB3 of the Ribble Valley Core Strategy and therefore the principle of the development cannot be supported

## 5.2 Proposed Use of the Site

- 5.2.1 There is no formal definition of what a Garden Centre is other than it falls within the general A1 retail categorisation, for land use planning purposes. The proposed development is considered to be a 'Garden Centre' as opposed to a working nursery as the predominant use of the site is retail A1 for the sales of plants and other goods associated with horticulture. The plants will be displayed in the plant display and nursery area before being taken to the shop for purchase.
- 5.2.2 There is a tendency for Garden Centres to sell a wide range of goods which are additional to the original purpose of the sale of horticultural and gardening goods
- 5.2.3 The applicant has stated that the business will be focussed on growing plant and direct retail together with other locally grown plant and related goods as well as welcoming group visits to the site and undertaking demonstrations.
- 5.2.4 If uncontrolled, this could lead to a wide variety of unrelated goods being sold which would compete with existing shops and stores in nearby villages and towns. Should consent be granted a condition will be attached to restrict the general retail use to that associated with horticulture or gardening. Garden centres in particular can become significant commercial operations, with an increasingly urban appearance resulting from the number and size of buildings, the extensive areas of open display and storage and also the large car parks. Such developments would generally be harmful to the AONB and open countryside.
- 5.2.5 Garden Centres can also generate high volumes of traffic and as such will be considered having regard to wider transport and sustainable development objectives. The proposal lies outside any defined settlement. Given the isolated nature of the location it is considered that there are no non-transport related



facilities or services within adequate walking distance and there are no facilities that can be accessed on foot and it is therefore correct to assume that that this development would lead to an increased reliance on the private car to access services and facilities

### 5.3 Impact upon Residential Amenity:

- 5.3.1 Policy DMG1 of the Core Strategy states that development must not adversely affect the amenities of the surrounding area. The development is located in close proximity to sensitive uses. Located directly adjacent to the site on the north side of Up Bedlam Road are two residential properties, Limekiln Gate Cottage and Limekiln Cottage. They are located at a distance of around 20m from the site boundary and a distance of around 50m from the proposed new access. Located adjacent to the west boundary of the site is Meadows farm.
- 5.3.2 It is considered that there is sufficient distance between the proposed development and the neighbouring properties to ensure that the development would not impact adversely on the residential amenity of the occupants of the aforementioned properties.
- 5.3.3. The application proposes a development comprising a use which falls within class A1 of the Use Classes Order 2015. Therefore, noise and disturbance from the proposed development must also be considered in the determination of the application.
- 5.3.4 It is also recognised that vehicular movements within the site have the potential to create noise and disturbance to neighbouring residential properties. It is recommended that, should consent be granted a condition will be attached to any permission restricting the hours of opening and the timings/frequency and nature of deliveries to the site.

### 5.4 Visual Amenity/External Appearance:

- 5.4.1 In terms of landscape protection and conservation the site is within the open countryside and the AONB. Paragraph 115 of the National Planning Policy Framework (NPPF) states *“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.”* Therefore, the Government considers conserving the landscape and scenic beauty of the AONB very important.
- 5.4.2 Key Statement EN2 (Landscape) primarily deals aims to protect the Forest of Bowland Area of Outstanding Natural Beauty. The property is located within the AONB on land designated as open countryside, Key Statement EN2 states:

*‘The landscape and character of the Forest 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.’ and ‘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’.*

- 5.4.3 This is reiterated in Policy DMG2 of the Ribble Valley Core Strategy requires that *'development within the open countryside will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, landscaping and siting. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build.'*
- 5.4.4 Policy DMG1 is used in the determination of planning applications in terms of their general design and appearance. Policy DMG1 also 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, as well as scale, massing, features and style.
- 5.4.5 The appearance of the building has been considered to ensure that the elevation which faces the highway looks to be an agricultural building. The use of the stone wall with vertical timber boarding above and profiles steel roof sheets are typical of an agricultural building within the borough.
- 5.4.6 The opening proposed on the building would be overly domestic and harmful to the appearance and character of the building and the local rurality. It would reflect that of a contemporary building that fails to respond positively to the rural character of the area or reflect the rural setting/context. The introduction of these opening and the remainder of the external alterations would be considered to be wholly insensitive and would significantly detract from the character and appearance of the area.
- 5.4.7 It is therefore considered, by virtue of the external appearance, design and materials of the proposal would result in the introduction of an incongruous form of development that would be of detriment to the character and appearance of the defined open countryside and AONB as it would fail to enhance the character of the wider.
- 5.4.8 It is considered that cumulatively the proposal will have an adverse impact upon the visual amenities of the application site, the surrounding area and the AONB. The creation of the turning area, car parking bays, the substantial access track and the insertion of light bollards along with the proposed retail building and polytunnel by virtue of the cumulative level of development would result in the introduction of uncharacteristic built form within an isolated location within the AONB.
- 5.4.9 It is further considered that the proposal would result in introduction of an suburbanising effect and represent an urban encroachment into the area, being of detriment of the character and visual amenities of the defined open countryside and the AONB contrary to Key Statement EN2 and Policies DMG1, DMG2 and DME2 of the Ribble Valley Core Strategy.

## 5.5 Landscape:

- 5.5.1 To mitigate the impact of the proposal the applicant has proposed a vast amount of planting to the boundaries of the site. This will screen the proposed development and reduce the impact it would have on the surrounding area and the AONB.

- 5.5.2 It is proposed to plant native hedge to the north, south and west extents of the site, this will consist of varying widths and the planting of wild flower meadows to the north and west extents of the site.
- 5.5.3 The proposal will include the retention of the trees in the north eastern corner of the application site. Should consent be granted a condition will be attached to this permission ensuring that details shall be submitted of specific root protection measures identified for all trees to be retained.
- 5.5.4 A vast amount of new tree planting is proposed to all elevations of the site. All new planting will be appropriate to the site area, using native species typical of the locality to visually integrate with the wider context and provide increased biodiversity value.

5.6 Ecology:

- 5.6.1 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. Should consent be granted a condition will be attached to ensure that the mitigation methods identified shall be adhered to minimise & mitigate the impact of the proposed development.

5.7 Car Parking Provision

- 5.7.1 It was noted that as part of the 2002 planning permission which was granted for the fishing lakes and facilities that 17 parking spaces were proposed. This was considered acceptable due to the nature of the site and its use.
- 5.7.2 The current application proposed 14 parking spaces and 2 disabled spaces. These parking spaces will have a dual use, and will be utilised by those visiting the garden centre and those visiting the fishing ponds.
- 5.7.3 Members will note that the number of spaces to be provided has been reduced by the application and given the dual use of the site; it is of my opinion that there is adequate parking facilities proposed as part of this application.
- 5.7.4 Further comments were received from Highways regarding parking provisions:
- 'It is difficult to be prescriptive about parking for garden centres because it is not included within the LCC parking standards. However looking at other authorities (Warwick) 1:50 does appear to be reasonable (external/internal sales area) which would equate roughly to 33 spaces (assuming the poly tunnel is a sales area not propagation). If some of the landscaped area was used for parking (ie the strip to the north of the access road than a further 13 spaces could be provided).*
- 5.7.5 However, it is considered that the introduction of additional car park spaces would further exacerbate the introduction of an incongruous and unsympathetic form of development that would result in a suburbanising effect and represent an urban encroachment into the area.

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

- 6.1 In terms of benefits, there would be economic benefits arising from the development. However, it is considered that the economic benefits do not outweigh the detrimental impacts upon the Forest of Bowland AONB and the clear harm to the rural character and visual amenities of the area.
- 6.2 The application site has a high landscape value and contributes significantly to the visual appearance of the surrounding area. It is considered that the proposals would result in significant harm to the setting and character of the AONB and harm an important landscape contrary to Key Statement EN2 and Policy DME2
- 6.3 In this case, it is concluded that the adverse impacts of granting permission for this development proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Ribble Valley Core Strategy. As such, the proposal does not comprise sustainable development and would compromise the implementation of planning policies of the Council, contrary to the interests of the proper planning of the area. It is therefore recommended that planning permission be refused.

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

1. The proposal, by virtue of the cumulative level of development proposed, including the erection of a sales building, polytunnel, extent of hard-surfacing/car parking areas and unsympathetic perimeter fencing, would result in significant harm to the protected AONB landscape. It is further considered that the proposal result in the introduction of an alien, anomalous and discordant form of development that would result in a significant visual urbanising effect upon the landscape being of detriment of the character and visual amenities of the area contrary to Key Statement EN2 and Policies DMG1, DMG2 and DME2 of the Ribble Valley Core Strategy.
2. The proposal would be contrary to Key Statements DS1 and EC1 and Policies DMB3, DMG2 and DMB1 of the Ribble Valley Core Strategy and would result in development that would be harmful to the Development Strategy for the Borough as set out in the Core Strategy leading to unsustainable development.

## BACKGROUND PAPERS

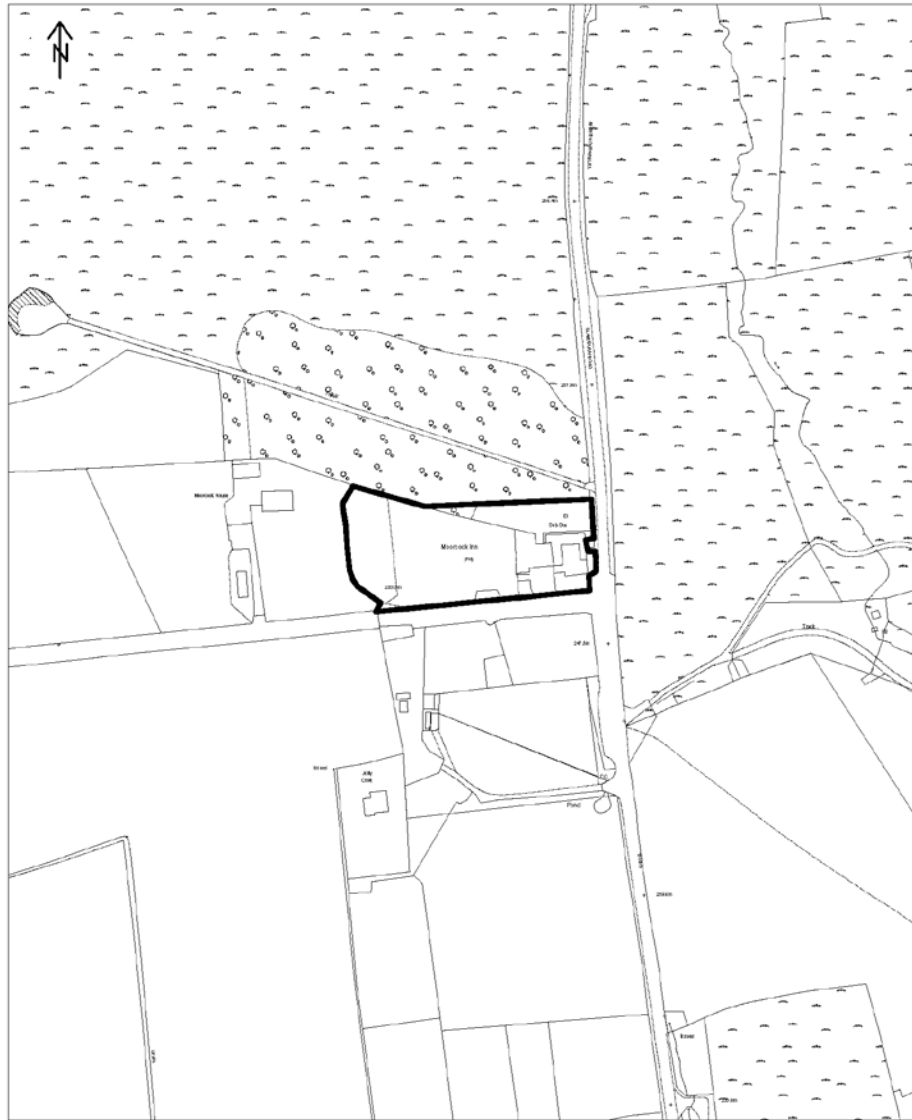
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0664](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0664)

**APPLICATION NO: 3/2017/0674/P**

GRID REF: SD 371966 446630

**DEVELOPMENT DESCRIPTION:**

DEMOLITION OF THE MOORCOCK INN AND ERECTION OF FOUR DWELLINGS INCLUDING ASSOCIATED DRIVES, GARDENS AND EXTERNAL LANDSCAPING WORKS. CREATION OF WORK FROM HOME OFFICE/STUDIO SPACE AT THE MOORCOCK INN, SLAIDBURN ROAD, WADDINGTON BB7 3AA



3/2017/0674 The Moorcock Inn, Slaidburn Road, Waddington BB7 3AA

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## **PARISH COUNCIL:**

Parish Council position remains the same and supports the redevelopment and understands that the two borough Councils' representatives also support the scheme. However, they query why it was refused last time when there is so much pressure for the Council to build new homes.

It is an eyesore and this reason alone should be enough to warrant consent.

## **ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):**

The Highway Development Control Section does not have any objections regarding the proposed demolition of The Moorcock Inn and erection of four dwellings and are of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.

Based on the car parking recommendations in the Joint Lancashire Structure Plan and the Ribble Valley Parking Standards, the Highway Development Control Section is of the opinion that the applicant has provided adequate off road parking provision for this type and size of development.

The access road to the site is a private road and is not subject to any future adoption agreement. The applicant should check with their solicitor that they have rights over this road to access the site.

From or mapping system "Mapzone", the proposed development does not affect any public rights of way.

The sight lines of 2.0 x 17m to be provided in both directions from the centre of each drive onto the private access road. The site line requirement is based on table 7.1 from Manual for Streets and an estimated wet road 85<sup>th</sup> percentile speed of 15mph.

The applicant should provide accurate details of the required sight line requirement, before determining the application, ensuring the entire sight line requirement is fully over land within the applicants control and to fully show all works which would be required to provide the sight lines. The sight line splays will require walls, fences, trees, hedges, shrubs, ground growth, structures etc. to have a maximum height of 1.0m above the height at the centre line of the adjacent carriageway.

The Highway Development Control Section recommends the following conditions as part of the formal planning decision: -

1. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5m behind the back edge of the verge. The gates shall open away from the highway. Reason: To permit vehicles to pull clear of the carriageway when entering and exiting the site.
2. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plan and the vehicular turning space shall be laid out and be available for use before the development is brought into use and maintained thereafter. Reason: Vehicles reversing to and from the highway are a hazard to other road users, for residents and construction vehicles.

3. The car parking and manoeuvring scheme to be marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative and permanently maintained thereafter. Reason: To allow for the effective use of the parking areas.

**LAAS:**

No representation but previously advised that the 1<sup>st</sup> Edition Ordnance Survey (Yorkshire Sheet 182) surveyed in 1847 shows the site to comprise two much smaller buildings adjacent to the main road in the southeast corner of the site. Buildings of this date, if well preserved, might be considered to be of some limited archaeological interest where the preservation by record (building recording to English Heritage Level 2) would be appropriate. However in this instance, information contained in the Heritage Statement makes reference to the building having been badly damaged by fire in the 1970's and subsequently been rebuilt, and that little or no original features survived. Consequently LCAS has no objection to the proposed demolition nor does it consider it necessary to require the applicant to undertake any archaeological recording of the buildings.

**PRINCIPAL AONB OFFICER:**

No comments but previously advised in relation to the 7 residential dwellings that are built to reflect the local building scale and stone vernacular. In order to facilitate the proposed development, the existing building and its car park would be removed – actions which, on their own, would have significant beneficial effects for the local landscape character. The building is relatively large scale, appearance, large car park in close proximity to Slaidburn Road emphasise its presence in the landscape and combined to create significant unacceptable landscape character impacts.

By virtue of the domestic building scale, simple building design using materials and a style which mimics that of the area, alongside mitigation planting, the AONB Officer is satisfied that there would be no significant adverse effects on the landscape character of the AONB. In fact, removal of the Moorcock Inn and its car park, together with the reinstatement of previously lost landscape fabric are clear positive outcomes of the proposed scheme. The AONB Officer stated that two detailed aspects of the landscaping elements of the proposal needed to be amended. (Those points have been satisfactorily addressed on an amended landscaping scheme submitted to address the points made by the AONB Officer.)

With those changes having been made, the AONB Officer is of the opinion that the likely landscape and visual effects of the proposed scheme would be acceptable in landscape terms and that the purposes of AONB designation would not be compromised.

**UNITED UTILITIES:**

No representation received but previously raised no objection.

Lead Local Flood Authority (LCC).

No objections subject to appropriate conditions.

## **ADDITIONAL REPRESENTATIONS:**

One letter of objections which whilst raising no objection to conversion or one large dwelling raises the following concerns and also asks for building to be made secure:

- Precedent and greenlight for people to buy rural buildings, demolish and then build dwellings.
- Concern regarding traffic and highway safety.
- Not sustainable.
- Visual detriment to the AONB and Waddington Fell.
- Still consider no change since previous refusal and dismissed appeal.

### **1. Proposal**

- 1.1 The application seeks full planning permission for the demolition of the existing building and the redevelopment of the site (including the car park) to provide 4 detached dwellings with home studio office space, associated landscaping and garages.
- 1.2 The existing vehicular access will be used to gain access to the new dwellings with each unit having a separated gated entrance. One unit has an integral double garage and a first floor work unit with the others having double garages set into embankment which have grass flat roofs.
- 1.3 The buildings are two storey 5 bedroom units with 2 of the dwellings having the gable end fronting the site. One plot has a cat slide roof arrangement and another has a small 2 storey gable treatment at the front of the building. The maximum height of the buildings would be 10 m which allows for bedroom accommodation in the roof space.
- 1.4 The proposed external materials comprise a mixture of appearance and details including reclaimed natural stone for walls and new dressed stone for quoins and surrounds. Roofs would be finished with natural slate with grass roofs for the detached garages.

### **2. Site Location**

- 2.1 The application relates to the former Moorcock Inn Public House and Hotel that is located on the northwest side of Slaidburn Road within the Area of Outstanding Natural Beauty approximately 2 miles north of Waddington Village. The buildings have not been in use since the business was ceased in the summer of 2010. The application site comprises the area upon which the buildings stand plus the large car park which, together, give a total area of approximately 1.8 acres. There are two dwellings relatively close to the application site, one to the west and one to the south west, otherwise there are few other buildings or properties within approximately 500m of the site.

### **3. Relevant History**

3/2012/0356/P – Proposed conversion and redevelopment of the public house and hotel to form three private residential properties. Approved with conditions.

3/2012/0819/P – Proposed demolition of the redundant public house and hotel and the erection of three detached dwellings, three detached garages with annex accommodation over and the creation of garden and landscaped areas. Refused.



3/2013/0394/P – Proposed demolition of the redundant public house and hotel and the erection of three detached dwellings with three detached double garages with annex accommodation over and the creation of garden and landscaped areas (resubmission of 3/2012/0819/P). Withdrawn.

3/2014/0592 - Proposed demolition of the Moorcock Inn and the erection of 7 no. dwelling houses including associated drives, gardens and external landscaping works refused and dismissed on appeal

3/2014/1119 - Proposed demolition of The Moorcock Inn and the erection of one dwelling house including associated drive, garden and external landscaping works. Approved with conditions.

3/2016/0587- Proposed demolition of the Moorcock Inn and the erection of 4 no. dwelling houses including associated drives, gardens and external landscaping works creation of work from home office/studio space at the Moorcock Inn, Slaidburn Road Refused.

#### 4. **Relevant Policies**

Ribble Valley Core Strategy (Adopted Version)

Key Statement DS1 – Development Strategy

Key Statement DS2 – Presumption in Favour of Sustainable Development

Key Statement EN2 – Landscape

Key Statement EN3 – Sustainable Development and Climate Change

Key Statement EN4 – Biodiversity and Geodiversity

Key Statement H1 – Housing Provision

Key Statement H2 – Housing Balance

Key Statement H3 – Affordable Housing

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME2 – Landscape and Townscape Protection

Policy DME3 – Site and Species Protection and Conservation

Policy DMH3 – Dwellings in the Open Countryside and AONB.

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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

##### 5.1 **Principle of Development**

5.1.1 In the determination of this application I consider it appropriate to look briefly at the recent planning history of the site and in particular the recent appeal decision and then to consider whether the proposal is acceptable in principle in relation to the sustainability requirements of NPPF and whether or not there is an exception policy.

5.1.2 The main issue is the effect of the proposal on the character and appearance of the open countryside, bearing in mind the need to conserve the landscape and scenic beauty of the Forest of Bowland Area of Outstanding Natural Beauty and whether or not it is contrary to sustainable development given its location outside

of any main settlement. In assessing its impact it is right to consider the existing negative impact as well as the impact of any new development.

- 5.1.3 In protecting the designated Area of Outstanding Natural Beauty the Council will have regard to the economic and social well-being of the area. However the most important consideration in the assessment of any development proposals will be the protection, conservation and enhancement of the landscape and character of the area avoiding where possible habitat fragmentation. Where possible new development should be accommodated through the re-use of existing buildings, which in most cases is more appropriate than new build. Development will be required to be in keeping with the character of the landscape and acknowledge the special qualities of the AONB by virtue of its size, design, use of material, landscaping and siting. The AONB Management Plan should be considered and will be used by the Council in determining planning applications.
- 5.1.4 This policy assists the interpretation of the development strategy and underpins the settlement hierarchy for the purposes of delivering sustainable development. In establishing broad constraints to development the Council will secure the overall vision of the Core Strategy.
- 5.1.5 This proposal does not comply with the basic intentions of policy DMG2 of the Core Strategy.
- 5.1.6 In addition, paragraph 55 of the National Planning Policy Framework (NPPF) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.
- 5.1.7 It also states that Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. Whilst one of these circumstances is “where the development would reuse redundant or disused buildings and lead to an enhancement to the immediate setting” these proposals would see the complete demolition of the existing inn with no retention (whereas the extant permission retained the best part of the building). Therefore, this proposal does not appear to be in compliance with the sustainability intentions of NPPF and the Core Strategy Development Strategy (policy DS1).
- 5.1.8 It is clear from the appeal decision in relation to 7 units that the Inspector considered there to be both visual harm to the AONB and that given its location considered the site to be in an unsustainable location. Although there is an introduction of a small work element I am firmly of the opinion that this reason for refusal remains. Furthermore the locational issues and sustainability concerns has recently been supported in an appeal for a single unit within Newton.
- 5.1.9 In relation to visual impact I recognise there has been some improvement since the appeal decision with an increase in the amount of open space and views of the AONB from within the site but no details have been changed since the latest refusal by Committee on the 22/08/16. In relation to national guidance I do not consider there to be any change in circumstances.

## 5.2 Highway Safety and Accessibility

5.2.1 It is evident that there is no objection from a highway safety perspective on this application and advice is given regarding the required visibility splay.

## 5.3 Landscape, Tree and Visual Impact

5.3.1 In relation to visual impact the intention of this application has been to create high quality development that would be appropriate to its AONB location. Having regard to the existing use and previous consents I am satisfied that the design and layout of the development is considered to be acceptable and that subject to appropriate landscaping would not have a harmful impact on the AONB. Previously the Countryside Officer considered the proposed landscaping to be appropriate and to a high standard; and the AONB Officer confirmed that he considers the proposal to be acceptable in relation to its landscape and visual effects.

## 5.4 Flood Risk and Drainage

5.4.1 No formal response has been received in relation to this matter but previously there were no issues with regards to any drainage or flood issues.

## 5.5 Residential Amenity

5.5.1 I note the previous comments of the objectors but do not consider there to be any harmful impact on residential amenity.

## 5.6 Affordable Housing

5.6.1 In relation to affordable Housing requirements no response has been received at the time of preparing this report. However, having regard to the number of dwellings and their gross floor space, the gross floorspace of the building to be demolished and the Vacant Building Credit I do not anticipate there to be any requirement in this instance.

## 5.7 Other issues

5.7.1 A comment has been received in relation to waste provision and bin carry distance advising that that there should be a turning point at Plot 1 or a designated communal collection point.

## 6. Conclusion

6.1 I am mindful of all other considerations including issues regarding the viability of the previously approved schemes, dereliction of the existing building and previous consents but conclude that due to its location it would result in appropriate unsustainable development contrary to the settlement strategy of the Core Strategy.

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

1. The proposed development is contrary to Key Statement DS1 and Policy DMG2 and DMH3 of the Ribble Valley Core Strategy as it would involve the construction of 4 dwellings in an isolated open countryside location that do not meet an identified local need. As such, the proposal would cause harm to the Development Strategy for the Borough as set out in the Core Strategy leading to unsustainable development.

2. Permission for the proposed development would create a harmful precedent for the acceptance of other similar proposals without sufficient justification which would have an adverse impact on the implementation of the Core Strategy of the Council contrary to the interests of the proper planning of the area in accordance with the core principles and policies of the NPPF.

### **Update following Planning and Development Committee Meeting on the 31 August 2017**

Committee resolved at the previous meeting to be minded to approve the application and it was requested to go back to Committee with appropriate conditions to enable further consideration. Members, at that meeting expressed concerns regarding the condition of the building so one of the conditions I have suggested relates to the progress on the demolition of the building which I consider should be a priority if Committee wish to approve the scheme. The applicants agent has indicated he would accept a condition requiring demolition within 3 months of any permission.

Should Committee be minded to approve the application I would recommend the following conditions:

1. The development must be begun not later than the expiration of one year beginning with the date of this permission and demolition schedule including timescales submitted within 3 months of this permission.

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

#### *Plans and Further Details*

2. The approval relates to drawing numbers:

Proposed Site Plan 4512-03/01 Rev D  
Proposed Sectional Elevational 4512/03/07A  
Proposed Plans and Elevations Plot 1 4512/03/02B  
Proposed Plans and Elevations Plot 1 4512/03/03  
Proposed Plans and Elevations Plot 1 4512/03/04  
Proposed Plans and Elevations Plot 1 4512/03/05

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

#### *Detailed Design/ Materials*

3. Precise specifications or samples of all external surfaces including any replacement materials and surfacing materials of the development hereby approved shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development. The approved details shall be implemented as part of the development.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies DMG1 and DME4 of the Core Strategy.

### *Demolition*

4. A demolition plan showing timescales and method statement including site clearance shall be submitted to and approved in writing by the LPA within 3 months of the date of this decision and full demolition and removal of materials within the site and land restored to the satisfaction of the L.P.A. within 12 months of the date of this decision unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interest of visual amenity and the residential amenities of the occupiers of nearby properties and in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

### *Highways*

5. No development shall take place until a Construction Method Statement 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. 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.

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

REASON: In order to ensure a satisfactory design of the building and in the interests of highway safety and comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy as vehicles reversing to and from the highway are a hazard to other road users.

7. The car parking area and garaging shown on the submitted plans shall be made available, before the use of the premises hereby permitted becomes operative and permanently maintained thereafter.

REASON: In the interests of highway safety and comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

8. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5m behind the back edge of the verge. The gates shall open away from the highway.

REASON: In the interests of highway safety and comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

9. Prior to commencement of the development a plan showing detail of the sight line visibility splay of each access shall be submitted to and approved in writing by the LPA. The sight line splays will require walls, fences, trees, hedges, shrubs, ground growth, structures etc. to have a maximum height of 1.0m above the height at the centre line of the adjacent carriageway.

REASON: In the interests of highway safety and comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

10. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

REASON: In order to ensure a satisfactory design of the building and in the interests of highway safety and comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy and to prevent stones and mud being carried onto the public highway to the detriment of road safety.

11. Prior to occupation of the units either a designated communal collection point for refuse collection shall be made available at an agreed location within the site or an improved turning area within plot 1 to allow refuse vehicles to manoeuvre in a safe manner.

REASON: In the interests of highway safety and comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

### *Drainage*

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

- ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

c) Means of access for maintenance and easements where applicable.

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

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

REASON: To ensure that the proposed development can be adequately drained. To ensure that there is no flood risk on or off the site resulting from the proposed development. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development to reduce the flood risk to the development as a result of inadequate maintenance and to identify the responsible body/bodies for the sustainable drainage system and comply with Policy DMG1 of the Ribble Valley Core Strategy.

13. No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.

Those details shall include, as a minimum:

- a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) The drainage strategy should demonstrate that the surface water run-off must not exceed pre-development runoff rates. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;

- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

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

REASON: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development; to reduce the flood risk to the development as a result of inadequate maintenance and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system and comply with Policy DMG1 of the Ribble Valley Core Strategy.

#### *Landscape/Wildlife*

- 14. Prior to commencement of any building work a scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing by the local planning authority. The scheme shall incorporate the recommendations of the Visual Impact Assessment and Mitigation Report and Arboricultural Impact Report dated June 2016 and June 10<sup>th</sup> 2016 .

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

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

REASON: To ensure the proposal is satisfactorily landscaped and in the interests of biodiversity and appropriate to the locality in accordance with Key Statements and Policies DMG1, DME1, DME2, DME3 and DME4 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 building dependent bird/bat species site plan and include details of the locations and the numbers of artificial bird nesting boxes and artificial bat roosting.

The artificial bird/bat boxes shall be incorporated into individual buildings or trees or structures around the buildings during the construction of those buildings identified on the submitted plan and be made available for use before the site 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 Key Statement and Policies DMG1, DME1 and DME3 of the Ribble Valley Core Strategy

#### BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0674](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0674)

**APPLICATION REF: 3/2017/0679**

GRID REF: SD 374242 441801

**DEVELOPMENT DESCRIPTION:**

INTERNAL AND EXTERNAL ALTERATIONS TO PROVIDE SELF - CONTAINED RESIDENTIAL ACCOMMODATION AT FIRST AND SECOND FLOOR. ADDITIONAL CAR PARKING SPACE WITHIN THE EXISTING REAR GARDEN AT 18 PARSON LANE, CLITHEROE



3/2017/0679 18 Parson Lane Clitheroe BB7 2JN

Scale 1:2500

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## **CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

### **PARISH COUNCIL:**

No objections.

### **LCC HIGHWAYS:**

No highway concerns. No objection on highway grounds.

### **HISTORIC ENGLAND:**

Do not need to notify or consult Historic England.

### **ADDITIONAL REPRESENTATIONS:**

No letters of representation have been received on this application. However, in respect to LBC application 3/2017/0680, Clitheroe Civic Society comments that it is broadly in favour and supportive of all applications which seek to bring unused, or under used, upper stories of town centre properties into fuller use (particularly Conservation Area and Listed Buildings). Historic fabric, general amenity and public safety over greater periods of the day are all improved (see HE studies). CCS supports this application in principle for these reasons.

However, there is a lack of detailed information and description provided in this application to be able to make a meaningful assessment of the impact and implications on this Listed Grade II property set within the Conservation Area.

Recommend deferral pending the submission of adequate detailed information to support the application. A professional consultant with experience of working with historic buildings will usually be aware of such basic requirements. In this instance, it may well require a detailed explanation to the applicant and/or their agent of what should be provided.

#### **1. Site Description and Surrounding Area**

- 1.1 '18 and 20 Parson Lane' is an early C19 Grade II listed building (30 September 1976) prominently sited within Clitheroe Conservation Area and the setting of other listed buildings. The list description refers to No 18 Parson Lane's shop front (now hair salon). The rear elevation is visible to the public (with the Castle Keep as a backdrop) from Newmarket Street/Market car park and the walkway between Market car park and Castle Street. The list description confirms the listed building's townscape and streetscape importance in identifying "Nos 16 to 20 (even), New Inn, Nos 28 to 36 (even) form a group" (all Grade II listed).

The site is also within the setting of '1-3 Parson Lane' (Grade II), Clitheroe Castle and outbuildings (Grade I listed and scheduled monument Keep; Grade II) and Clitheroe Castle Historic Park and Garden (Grade II).

The 1848 and 1886 OS maps suggest the rear extension (subject to extensive proposed works) was built sometime between these dates.

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

importance of curtilage structures, secondary elevations and C18 neo-classical details (including sash windows) to conservation area character and appearance:

Nos 12-14 Parson Lane, Nos 1-2 The Stables and Eastham House are shown on the Townscape Appraisal Map to be Buildings of Townscape Merit making a positive contribution to character and appearance. Nos 1-2 The Stables is immediately to the rear and faces the application site; Eastham House forms another side of the courtyard to the rear of the application site;

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

*“on the south side of the town, the main road into the town came from Edisford. This route curved round the north side of the Castle on its west side, today’s Parson Lane. This medieval pattern of streets remained relatively unaltered until the end of the 18<sup>th</sup> century and is illustrated in Lang’s map of 1766” (The effect of historical development on plan form).*

*“In Clitheroe, as in other market towns, the 18<sup>th</sup> 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).*

*“Many buildings are covered in stucco, a form of render that was popular in the early 19<sup>th</sup> 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” (Building materials and local details).*

*“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; Poor condition of building at rear of New Inn and no. 16 Parson Lane” (Principal negative features Character area 1: Clitheroe’s historic core).*

*“Many of the unlisted, and some of the listed, buildings in the conservation have been adversely affected by the use of inappropriate modern materials or details. Common faults include: the replacement of original timber sash windows with uPVC or stained hardwood” (Threats to the Clitheroe Conservation Area: Loss of original architectural details).*

The site is within Clitheroe Shopping Centre (Policy S1 of now defunct Ribble Valley Local Plan, 1998) and immediately adjoins residential properties to the north, east and west. The site faces Clitheroe Castle Park.

A Heritage Assessment has been submitted which identifies:

*“No 18 Parson Lane comprises an early 19<sup>th</sup> century town centre terraced building, in which the commercial role of a shop was historically combined with living accommodation to the rear and upper floors, a dual function which has been retained in the fabric of the present building” (7.1)*

“Internally, the essential plan form of the building has not been altered” (7.4)

“historic plan-form is largely intact ... interior was relatively plain” (7.6)

“The essential plan which is present on all three main storeys is a two-roomed arrangement, of front and back rooms, with a continuous brick cross-wall rising through the centre of the building. On each floor, the original staircases are attached to this cross-wall, and contain important original fabric and details (panelling, newel and balustrades), so these are fundamental to the building’s historic and architectural significance” (7.5)

“Externally, the front elevation makes a very important contribution to the setting of the listed building and the conservation area, through the traditional shop front, and the original openings to the two upper floors, and although none of the window frames here are original, they are of traditional form. The plain and modest, yet aesthetically pleasing arrangement of openings is important” (7.2)

“The building’s rear elevation is less notable, but nonetheless is a significant aspect of both the individual heritage asset and the conservation area. The simple pattern of vertically aligned window openings has been retained, although the later soil pipes and inserted bathroom window diminish the value of the overall appearance. The small rear kitchen extension is a mid 19<sup>th</sup> century addition which sits well with the original building” (7.3)

“The rear elevation ... the three original openings have sashes similar to those at the front” (6.3)

“single storey extension, built as a lean-to against the boundary, and with a single pitch, blue slate roof” (6.4)

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

2.1 It is proposed to self-contain the residential accommodation at first and second floors with alterations to the (i) rear elevation, (ii) historic extension and (iii) interior planform special architectural and historic interest of the listed building:

- i) A doorway is proposed to be created at First Floor of the rear elevation (to the left-side of the vertical line of sash windows). A steel dog-leg and balconied staircase is proposed to traverse the elevation and its features from Ground Floor right-side to First Floor left-side;
- ii) It is proposed to change the original lean-to roof of the historic extension to a double-pitch roof. The existing door is shown to be blocked and a new door proposed to be created immediately adjoining this
- iii) It is proposed to block historic staircase access at Ground – Cellar and Ground – First floors (no details submitted). It is proposed to further subdivide the rear First Floor room and to create two new rooms at Second Floor (the Second Floor is the only floor retaining a completely unaltered two-room plan form) including creation of a landing (including enclosure of the historic stairs) and new toilet/bathroom.

It is also proposed to replace most of the rear garden with a second car parking space.

The application submission includes a Planning Assessment (5 January 2017) which suggests that the proposed residential accommodation is to be occupied by the property owner:

*“the applicant has retained 18 Parson Lane ... the applicants parents have offered to pay for all proposed refurbishment works to 18 Parson Lane. Clitheroe, in the meanwhile of their daughter living in rented accommodation”.*

### 3. **Relevant Planning History**

Post decision (3/2016/0918 & 0831) advice provided 29 November 2016, 31 January 2017 and 16 May 2017.

The latter states:

*“Unfortunately, a significance assessment has not been submitted (NPPF Paragraph 128) for reference in the consideration of the impact of proposed works (I am mindful of John Macholc’s reference to the need for such information in his letter of 31 January 2017). However, it appears that this prominent building of national importance has been little altered and retains much of its architectural and historic interest including plan form and external appearance”.*

*“The draft ‘001’ plans indicate the retention of the historic staircase which is to be welcomed. However, in my opinion the loss of fabric, plan form and elevation character in the installation of an incongruous first floor door opening, the formation of external staircase and landing (which cuts across the historic extension and ground floor sash window) and radical changes to the plan form at first and second floors is harmful. I would therefore suggest that further consideration be given to the necessity/justification for these elements of the scheme and whether less harmful works could achieve the same objective”.*

3/2016/0918 - Replacement single storey extension, general internal structural improvements, provision of additional parking space. LBC refused 7 November 2016.

3/2016/0831 - Upgrade of existing ground floor hairdressing salon facilities and creation of two bedroom apartment above including demolition of existing rear kitchen extension and replacement with new single storey extension to rear, general internal structural improvements and the provision of an additional parking space within the existing rear garden. PP refused 7 November 2016.

3/1989/0033 – Re roofing using new Welsh blue slate rebuilding chimney stacks (re-using existing masonry) at 18/20 Parson Lane. LBC granted 24 March 1989.

3/1988/0316 - Installation of street lighting bracket, service box and cable. LBC granted 7 June 1988.

6/2/LA 98 – Change of use of retail shop and dwelling into 2 dwellings and erection of 2 garages. PP granted 22 June 1973. *Does not appear to have been implemented (‘As existing’ plans similar to those now being considered).*

### 4. **Relevant Policies**

Ribble Valley Core Strategy:

Key Statement EN5 – Heritage Assets  
Key Statement HS1 – Housing Provision  
Key Statement EC1 – Business and Employment Development  
Policy DMG1 – General Considerations  
Policy DME4 – Protecting Heritage Assets  
Policy DMR1: Retail Development in Clitheroe  
Policy DMB1 – Supporting Business Growth and the Local Economy

Planning (Listed Buildings and Conservation Areas) Act 1990. ‘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]).

Clitheroe Conservation Area Appraisal

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

## 5. **Assessment of Proposed Development**

5.1 Impact upon the special architectural and historic interest of the listed building, the setting of listed buildings and the character and appearance of Clitheroe Conservation Area.

5.1.1 The duty at Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, 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”.

5.1.2 The duty at Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

“In the exercise, with respect to any buildings or other land in a conservation area ... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

5.1.3 The submitted Heritage Statement identifies that this listed building (all elevations and interior) retains its special historic and architectural interest and national importance. Additionally, 18 Parson Lane makes a significant contribution to the setting of a number of listed buildings (including those in the townscape group identified in the list description) and Buildings of Townscape Merit and the character and appearance of Clitheroe Conservation Area. In my opinion and mindful of the Heritage Statement and Clitheroe Conservation Area Appraisal assessments above, the proposed works are harmful to the special architectural and historic interest and significance of the listed building, the setting of listed buildings in the group and the character and appearance of Clitheroe Conservation Area.

- 5.1.4 The First Floor door opening results in the loss of important historic fabric and is incongruous and conspicuous. The Heritage Statement identifies that the rear elevation “*is a significant aspect of both the individual heritage asset and the conservation area*” which is derived from the “*simple pattern of vertically aligned window openings*”. I would concur that the existing much smaller “*inserted bathroom window diminish(es) the value of the overall appearance*”. Furthermore, the steel staircase transects and obscures the neo-classically inspired pattern and form of openings.

The Adopted Core Strategy states:

*“Proposals within ... a conservation area will be required to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance.*

*This should include considerations as to whether it conserves and enhances the special architectural and historic character of the area as set out in the relevant conservation area appraisal.*

*... In the conservation areas there will be a presumption in favour of the conservation and enhancement of elements that make a positive contribution to the character or appearance of the conservation area.*

*Alterations ... to listed buildings ... which cause harm to the significance of the heritage asset will not be supported.*

*Any proposals involving the demolition or loss of important historic fabric from listed buildings will be refused unless it can be demonstrated that exceptional circumstances exist” (Policy DME4).*

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

*“Doors and windows are frequently key to the significance of a building”* (paragraph 15).

*“New openings need to be considered in the context of the architectural and historic significance of that part of the asset and of the asset as a whole”* (paragraph 43).

The Oxford Dictionary of Architecture (James Stevens Curl, 2000) states of ‘Neo-Classicism’:

*“the movement as a whole ... favoured clarity, stereometrical purity of form, and a lack of superfluous ornament or fussiness to evoke the Antique”.*

- 5.1.5 I concur with the Heritage Statement that the “*mid 19<sup>th</sup> century addition ... sits well with the original building*”. In my opinion, the proposed alteration to roof form and opening arrangement is profound in the context of this structure and unsympathetic to the historic and architectural character of the listed building.

The Clitheroe Conservation Area Management Guidance identifies:



*“The roof is nearly always a dominant feature of a building and the retention of its original structure, shape, pitch, cladding and ornament is important”.*

The addition is not currently highly visible to the public but I note the comments of the Planning Inspector at APP/T2350/E/08/2072213, Rodhill Lodge, Bolton By Bowland (8 August 2008):

*“I accept that views of the proposed conservatory from the public realm would be very limited but listed buildings are protected for their intrinsic value. The fact that the conservatory would be barely visible to anyone but the appellants is not a matter to which any great weight can be attached, therefore”* (paragraph 6).

- 5.1.6 Mindful of the ‘Threats’ and negative features identified in the Clitheroe Conservation Area Appraisal, I also have concerns as to the cumulative impact of works to the rear of the building group which has already been subject of harmful window and door opening works.

The Historic England Governance and Legal Director identifies in ‘The Big Issue of Little Harm’ (see below) that:

*“If we are to look after what matters about our historic buildings and sites – their heritage significance – then we need to not just worry about the major proposals for change, but also about the cumulative effect of the small things.*

*Fortunately, heritage planning law and policy is as concerned with the small changes as it is with the big”.*

- 5.1.7 NPPF paragraph 132 requires that “great weight should be given to the asset’s Conservation” and “as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.

The combination of retail and residential use of the property is a very long standing, apparently successful and important element of both historic and architectural interest (“the commercial role of a shop was historically combined with living accommodation to the rear and upper floors, a dual function which has been retained in the fabric of the present building”, Heritage Statement). Mindful that accommodation refurbishment is for the property and shop owner, it is not understood why such extensive and harmful works are required.

- 5.1.8 NPPG states that “substantial harm is a high test, so it may not arise in many cases” and I consider the harm to the special architectural and historic interest of the listed building to be ‘less than substantial’. NPPF paragraph 134 requires that this harm be weighed against any public benefits of the proposal. The submitted information does not suggest any immediate building repair or maintenance issues only a historically recent underuse of upper floors. In my opinion and mindful of the weighting to be given to the preservation of the listed building, the greater use of upper floors does not outweigh the harmful impact of proposed works.

- 5.2 **Land use issues:** In my opinion, the continued use of the upper floors of this commercial premise for residential accommodation (its historic use) in Clitheroe town centre is acceptable.

5.3 **Residential Amenity:** I have not received any concerns from RVBC Environmental Health. In my opinion, the proposed works have an acceptable impact upon residential amenity.

5.4 **Highway Safety and Accessibility:** LCC Highways raise no highway concerns and I am satisfied that the proposals have an acceptable impact upon highway safety.

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

6.1 I am mindful of the concerns of Clitheroe Civic Society in respect to the application information submitted. However, I am satisfied that pre-application advice from officers has now resulted in sufficient information (including a Heritage Statement that meets the requirements of NPPF paragraph 128 in respect to being 'sufficient to understand the potential impact of the proposal' and assessment using 'appropriate expertise') being submitted to determine the application.

However, I do agree that it is not clear from submitted information whether or not the mid-nineteenth century addition is to be extended - the proposed elevation drawings appear to show its west elevation being extended to part obscure the Ground Floor historic window.

6.2 The Historic England Governance and Legal Director identifies in 'The Big Issue of Little Harm' that:

*"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".*

Therefore, in giving considerable importance and weight to the duties at section 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in giving 'great weight' to the conservation of the designated heritage assets (NPPF paragraph 132), in consideration to NPPF paragraph 17 (conserve heritage assets in a manner appropriate to their significance), paragraph 60 (reinforce local distinctiveness) and paragraph 131 (development sustaining and enhancing the significance of heritage assets and positively contributing to local character and distinctiveness) and in consideration to Key Statement EN5 and Policies DME4 and DMG1 of the Ribble Valley Core Strategy I would recommend that planning permission be refused.

**RECOMMENDATION:** That planning permission be REFUSED for the following reason:

1. The proposal is harmful to the special architectural and historic interest of the listed building, the setting of listed buildings in the group and the character and appearance of Clitheroe Conservation Area because of the loss of important fabric and design resulting from the incongruous and conspicuous First Floor door opening, the dog-leg and balconied steel staircase and extensive remodelling of the mid 19<sup>th</sup> century addition. This is contrary to Key Statement EN5 and Policies DME4 and DMG1 of the Ribble Valley Core Strategy.

## 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.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/>  
(‘Conservation Principles, Policies and Guidance’, Historic England, 2008)

<https://content.historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/gpa2.pdf/>  
(‘Managing Significance in Decision-Taking in the Historic Environment’, 2015)

[https://www.ribblevalley.gov.uk/download/downloads/id/10010/adopted\\_core\\_strategy.pdf](https://www.ribblevalley.gov.uk/download/downloads/id/10010/adopted_core_strategy.pdf)  
(Adopted Core Strategy)

[https://www.ribblevalley.gov.uk/downloads/download/3329/clitheroe\\_conservation\\_area](https://www.ribblevalley.gov.uk/downloads/download/3329/clitheroe_conservation_area)  
[https://www.ribblevalley.gov.uk/downloads/file/3680/clitheroe\\_conservation\\_area\\_management\\_guidance](https://www.ribblevalley.gov.uk/downloads/file/3680/clitheroe_conservation_area_management_guidance)  
(Clitheroe Conservation Area Appraisal and Management Guidance)

**APPLICATION REF: 3/2017/0680**

GRID REF: SD 374242 441801

**DEVELOPMENT DESCRIPTION:**

INTERNAL AND EXTERNAL ALTERATIONS TO PROVIDE SELF - CONTAINED RESIDENTIAL ACCOMMODATION AT FIRST AND SECOND FLOOR. ADDITIONAL CAR PARKING SPACE WITHIN THE EXISTING REAR GARDEN AT 18 PARSON LANE, CLITHEROE (LBC)



3/2017/0680 18 Parson Lane Clitheroe BB7 2JN	
Scale 1:2500	© Crown Copyright Reserved. For reference purposes only. No further copies may be made. Ribble Valley Borough Council. Licence No.100018641 12 September 2017

## **CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

### **PARISH COUNCIL:**

No comments received (see response to 3/2017/0679).

### **HISTORIC AMENITY SOCIETIES:**

Consulted, no representations received.

### **ADDITIONAL REPRESENTATIONS:**

Clitheroe Civic Society are broadly in favour and supportive of all applications which seek to bring unused, or under used, upper stories of town centre properties into fuller use (particularly Conservation Area and Listed Buildings). Historic fabric, general amenity and public safety over greater periods of the day are all improved (see HE studies). CCS supports this application in principle for these reasons.

However, there is a lack of detailed information and description provided in this application to be able to make a meaningful assessment of the impact and implications on this Listed Grade II property set within the Conservation Area.

Recommend deferral pending the submission of adequate detailed information to support the application. A professional consultant with experience of working with historic buildings will usually be aware of such basic requirements. In this instance, it may well require a detailed explanation to the applicant and/or their agent of what should be provided.

#### **1. Site Description and Surrounding Area**

- 1.1 '18 and 20 Parson Lane' is an early C19 Grade II listed building (30 September 1976) prominently sited within Clitheroe Conservation Area and the setting of other listed buildings. The list description refers to No 18 Parson Lane's shop front (now hair salon). The rear elevation is visible to the public (with the Castle Keep as a backdrop) from Newmarket Street/Market car park and the walkway between Market car park and Castle Street. The list description confirms the listed building's townscape and streetscape importance in identifying "Nos 16 to 20 (even), New Inn, Nos 28 to 36 (even) form a group" (all Grade II listed).

The site is also within the setting of '1-3 Parson Lane' (Grade II), Clitheroe Castle and outbuildings (Grade I listed and scheduled monument Keep; Grade II) and Clitheroe Castle Historic Park and Garden (Grade II).

The 1848 and 1886 OS maps suggest the rear extension (subject to extensive proposed works) was built sometime between these dates.

The Clitheroe Conservation Area Appraisal (The Conservation Studio consultants; adopted by the Borough Council following public consultation 3 April 2007) identifies the importance of curtilage structures, secondary elevations and C18 neo-classical details (including sash windows) to conservation area character and appearance:

Nos 12-14 Parson Lane, Nos 1-2 The Stables and Eastham House are shown on the Townscape Appraisal Map to be Buildings of Townscape Merit making a positive contribution to character and appearance. Nos 1-2 The Stables is immediately to the

rear and faces the application site; Eastham House forms another side of the courtyard to the rear of the application site;

*"The architectural and historic interest of the area's buildings, 88 of which are listed" (Summary of special interest).*

*"on the south side of the town, the main road into the town came from Edisford. This route curved round the north side of the Castle on its west side, today's Parson Lane. This medieval pattern of streets remained relatively unaltered until the end of the 18<sup>th</sup> century and is illustrated in Lang's map of 1766" (The effect of historical development on plan form).*

*"In Clitheroe, as in other market towns, the 18<sup>th</sup> 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).*

*"Many buildings are covered in stucco, a form of render that was popular in the early 19<sup>th</sup> 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" (Building materials and local details).*

*"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; Poor condition of building at rear of New Inn and no. 16 Parson Lane" (Principal negative features Character area 1: Clitheroe's historic core).*

*"Many of the unlisted, and some of the listed, buildings in the conservation have been adversely affected by the use of inappropriate modern materials or details. Common faults include: the replacement of original timber sash windows with uPVC or stained hardwood" (Threats to the Clitheroe Conservation Area: Loss of original architectural details).*

The site is within Clitheroe Shopping Centre (Policy S1 of now defunct Ribble Valley Local Plan, 1998) and immediately adjoins residential properties to the north, east and west. The site faces Clitheroe Castle Park.

A Heritage Assessment has been submitted which identifies:

*"No 18 Parson Lane comprises an early 19<sup>th</sup> century town centre terraced building, in which the commercial role of a shop was historically combined with living accommodation to the rear and upper floors, a dual function which has been retained in the fabric of the present building" (7.1)*

*"Internally, the essential plan form of the building has not been altered" (7.4)*

*"historic plan-form is largely intact ... interior was relatively plain" (7.6)*

*"The essential plan which is present on all three main storeys is a two-roomed arrangement, of front and back rooms, with a continuous brick cross-wall rising through*

the centre of the building. On each floor, the original staircases are attached to this cross-wall, and contain important original fabric and details (panelling, newel and balustrades), so these are fundamental to the building's historic and architectural significance" (7.5)

"Externally, the front elevation makes a very important contribution to the setting of the listed building and the conservation area, through the traditional shop front, and the original openings to the two upper floors, and although none of the window frames here are original, they are of traditional form. The plain and modest, yet aesthetically pleasing arrangement of openings is important" (7.2)

"The building's rear elevation is less notable, but nonetheless is a significant aspect of both the individual heritage asset and the conservation area. The simple pattern of vertically aligned window openings has been retained, although the later soil pipes and inserted bathroom window diminish the value of the overall appearance. The small rear kitchen extension is a mid 19<sup>th</sup> century addition which sits well with the original building" (7.3)

"The rear elevation ... the three original openings have sashes similar to those at the front" (6.3)

"single storey extension, built as a lean-to against the boundary, and with a single pitch, blue slate roof" (6.4)

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

2.1 It is proposed to self-contain the residential accommodation at first and second floors with alterations to the (i) rear elevation, (ii) historic extension and (iii) interior planform special architectural and historic interest of the listed building:

- i) A doorway is proposed to be created at First Floor of the rear elevation (to the left-side of the vertical line of sash windows). A steel dog-leg and balconied staircase is proposed to traverse the elevation and its features from Ground Floor right-side to First Floor left-side;
- ii) It is proposed to change the original lean-to roof of the historic extension to a double-pitch roof. The existing door is shown to be blocked and a new door proposed to be created immediately adjoining this
- iii) It is proposed to block historic staircase access at Ground – Cellar and Ground – First floors (no details submitted). It is proposed to further subdivide the rear First Floor room and to create two new rooms at Second Floor (the Second Floor is the only floor retaining a completely unaltered two-room plan form) including creation of a landing (including enclosure of the historic stairs) and new toilet/bathroom.

It is also proposed to replace most of the rear garden with a second car parking space.

The application submission includes a Planning Assessment (5 January 2017) which suggests that the proposed residential accommodation is to be occupied by the property owner:

*"the applicant has retained 18 Parson Lane ... the applicants parents have offered to pay for all proposed refurbishment works to 18 Parson Lane. Clitheroe, in the meanwhile of their daughter living in rented accommodation".*

### 3. **Relevant Planning History**

Post decision (3/2016/0918 & 0831) advice provided 29 November 2016, 31 January 2017 and 16 May 2017.

The latter states:

*“Unfortunately, a significance assessment has not been submitted (NPPF Paragraph 128) for reference in the consideration of the impact of proposed works (I am mindful of John Macholc’s reference to the need for such information in his letter of 31 January 2017). However, it appears that this prominent building of national importance has been little altered and retains much of its architectural and historic interest including plan form and external appearance”.*

*“The draft ‘001’ plans indicate the retention of the historic staircase which is to be welcomed. However, in my opinion the loss of fabric, plan form and elevation character in the installation of an incongruous first floor door opening, the formation of external staircase and landing (which cuts across the historic extension and ground floor sash window) and radical changes to the plan form at first and second floors is harmful. I would therefore suggest that further consideration be given to the necessity/justification for these elements of the scheme and whether less harmful works could achieve the same objective”.*

3/2016/0918 - Replacement single storey extension, general internal structural improvements, provision of additional parking space. LBC refused 7 November 2016.

3/2016/0831 - Upgrade of existing ground floor hairdressing salon facilities and creation of two bedroom apartment above including demolition of existing rear kitchen extension and replacement with new single storey extension to rear, general internal structural improvements and the provision of an additional parking space within the existing rear garden. PP refused 7 November 2016.

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6/2/LA 98 – Change of use of retail shop and dwelling into 2 dwellings and erection of 2 garages. PP granted 22 June 1973. *Does not appear to have been implemented (‘As existing’ plans similar to those now being considered).*

### 4. **Relevant Policies**

Planning (Listed Buildings and Conservation Areas) Act 1990. ‘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]).

Clitheroe Conservation Area Appraisal

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



Ribble Valley Core Strategy:

Key Statement EN5 – Heritage Assets  
Policy DMG1 – General Considerations  
Policy DME4 – Protecting Heritage Assets

## 5. **Assessment of Proposed Development**

- 5.1.1 The main consideration in the determination of this listed building consent application is the impact upon the special architectural and historic interest of the listed building, its features and its setting (section 16 of the Act). Consideration is also made to the impact upon the setting of other listed buildings (section 66 of the Act) and the character and appearance of Clitheroe Conservation Area (section 72 of the Act) as well as any public benefit of proposed works, land use policy, impact on local residents and highway safety.
- 5.1.2 Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 identifies essential application considerations:
- “In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State development 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”.
- 5.1.3 The submitted Heritage Statement identifies that this listed building (all elevations and interior) retains its special historic and architectural interest and national importance. Additionally, 18 Parson Lane makes a significant contribution to the setting of a number of listed buildings (including those in the townscape group identified in the list description) and Buildings of Townscape Merit and the character and appearance of Clitheroe Conservation Area. In my opinion and mindful of the Heritage Statement and Clitheroe Conservation Area Appraisal assessments above, the proposed works are harmful to the special architectural and historic interest and significance of the listed building.
- 5.1.4 The First Floor door opening results in the loss of important historic fabric and is incongruous and conspicuous. The Heritage Statement identifies that the rear elevation “*is a significant aspect of both the individual heritage asset and the conservation area*” which is derived from the “*simple pattern of vertically aligned window openings*”. I would concur that the existing much smaller “*inserted bathroom window diminish(es) the value of the overall appearance*”. Furthermore, the steel staircase transects and obscures the neo-classically inspired pattern and form of openings.

The Adopted Core Strategy states:

*“Alterations ... to listed buildings ... which cause harm to the significance of the heritage asset will not be supported.*

*Any proposals involving the demolition or loss of important historic fabric from listed buildings will be refused unless it can be demonstrated that exceptional circumstances exist” (Policy DME4).*

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

*“Doors and windows are frequently key to the significance of a building”* (paragraph 15).

*“New openings need to be considered in the context of the architectural and historic significance of that part of the asset and of the asset as a whole”* (paragraph 43).

The Oxford Dictionary of Architecture (James Stevens Curl, 2000) states of ‘Neo-Classicism’:

*“the movement as a whole ... favoured clarity, stereometrical purity of form, and a lack of superfluous ornament or fussiness to evoke the Antique”.*

- 5.1.5 I concur with the Heritage Statement that the *“mid 19<sup>th</sup> century addition ... sits well with the original building”*. In my opinion, the proposed alteration to roof form and opening arrangement is profound in the context of this structure and unsympathetic to the historic and architectural character of the listed building.

The Clitheroe Conservation Area Management Guidance identifies:

*“The roof is nearly always a dominant feature of a building and the retention of its original structure, shape, pitch, cladding and ornament is important”.*

The addition is not currently highly visible to the public but I note the comments of the Planning Inspector at APP/T2350/E/08/2072213, Rodhill Lodge, Bolton By Bowland (8 August 2008):

*“I accept that views of the proposed conservatory from the public realm would be very limited but listed buildings are protected for their intrinsic value. The fact that the conservatory would be barely visible to anyone but the appellants is not a matter to which any great weight can be attached, therefore”* (paragraph 6).

- 5.1.6 The Heritage Statement suggests that *“the interior was relatively plain”* and interest derived from the *“essential”* two-room plan and *“fundamental”* original staircases. In my opinion, the proposed subdivision of rooms and extensive alteration of original building access and circulation is harmful.

‘Making Changes to Heritage Assets’ identifies:

*“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 ... will be subject to the same considerations of impact on significance (particularly architectural interest) as for externally visible alterations”* (paragraph 45).

- 5.1.7 Mindful of the ‘Threats’ and negative features identified in the Clitheroe Conservation Area Appraisal, I also have concerns as to the cumulative impact of works to the rear of the building group which has already been subject of harmful window and door opening works.

The Historic England Governance and Legal Director identifies in ‘The Big Issue of Little Harm’ (see below) that:

*“If we are to look after what matters about our historic buildings and sites – their heritage significance – then we need to not just worry about the major proposals for change, but also about the cumulative effect of the small things.*

*Fortunately, heritage planning law and policy is as concerned with the small changes as it is with the big”.*

- 5.1.8 NPPF paragraph 132 requires that “great weight should be given to the asset’s Conservation” and “as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.

The combination of retail and residential use of the property is a very long standing, apparently successful and important element of both historic and architectural interest (“*the commercial role of a shop was historically combined with living accommodation to the rear and upper floors, a dual function which has been retained in the fabric of the present building*”, Heritage Statement). Mindful that accommodation refurbishment is for the property and shop owner, it is not understood why such extensive and harmful works are required.

- 5.1.9 NPPG states that “*substantial harm is a high test, so it may not arise in many cases*” and I consider the harm to the special architectural and historic interest of the listed building to be ‘less than substantial’. NPPF paragraph 134 requires that this harm be weighed against any public benefits of the proposal. The submitted information does not suggest any immediate building repair or maintenance issues only a historically recent underuse of upper floors. In my opinion and mindful of the weighting to be given to the preservation of the listed building, the greater use of upper floors does not outweigh the harmful impact of proposed works.

## 5.2 Other matters:

5.2.1 Land use issues: In my opinion, the use of the upper floors of this commercial premise for residential accommodation (its historic use) in Clitheroe town centre is acceptable.

5.2.2 Residential Amenity: In my opinion, the proposed works have an acceptable impact upon residential amenity.

5.2.3 Highway Safety and Accessibility: LCC Highways raise no highway concerns in respect to the accompanying planning application and I am satisfied that the proposals have an acceptable impact upon highway safety.

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

- 6.1 I am mindful of the concerns of Clitheroe Civic Society in respect to the application information submitted. However, I am satisfied that pre-application advice from officers has now resulted in sufficient information (including a Heritage Statement that meets the requirements of NPPF paragraph 128 in respect to being ‘sufficient to understand the potential impact of the proposal’ and assessment using ‘appropriate expertise’) being submitted to determine the application.

However, I do agree that it is not clear from submitted information whether or not the mid-nineteenth century addition is to be extended - the proposed elevation drawings appear to show its west elevation being extended to part obscure the Ground Floor historic window.

- 6.2 In giving considerable importance and weight to the duties at section 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in giving 'great weight' to the conservation of the designated heritage assets (NPPF paragraph 132), in consideration to NPPF paragraph 17 (conserve heritage assets in a manner appropriate to their significance), paragraph 60 (reinforce local distinctiveness) and paragraph 131 (development sustaining and enhancing the significance of heritage assets and positively contributing to local character and distinctiveness) and in consideration to Key Statement EN5 and Policies DME4 and DMG1 of the Ribble Valley Core Strategy I would recommend that listed building consent be refused.

**RECOMMENDATION:** That listed building consent be REFUSED for the following reason:

1. The proposal is harmful to the special architectural and historic interest of the listed building because of the loss of important fabric, plan form and design resulting from the incongruous and conspicuous First Floor door opening, the dog-leg and balconied steel staircase, extensive remodelling of the mid-19<sup>th</sup> century addition, blocking of the central staircase and further alteration to the two room arrangement at first and second floors.

#### 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.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/>

('Conservation Principles, Policies and Guidance', Historic England, 2008)

<https://content.historicengland.org.uk/images-books/publications/gpa2-managing-significance-in-decision-taking/gpa2.pdf/>

('Managing Significance in Decision-Taking in the Historic Environment', 2015)

[https://www.ribblevalley.gov.uk/download/downloads/id/10010/adopted\\_core\\_strategy.pdf](https://www.ribblevalley.gov.uk/download/downloads/id/10010/adopted_core_strategy.pdf)

(Adopted Core Strategy)

[https://www.ribblevalley.gov.uk/downloads/download/3329/clitheroe\\_conservation\\_area](https://www.ribblevalley.gov.uk/downloads/download/3329/clitheroe_conservation_area)

[https://www.ribblevalley.gov.uk/downloads/file/3680/clitheroe\\_conservation\\_area\\_management\\_guidance](https://www.ribblevalley.gov.uk/downloads/file/3680/clitheroe_conservation_area_management_guidance)

(Clitheroe Conservation Area Appraisal and Management Guidance)

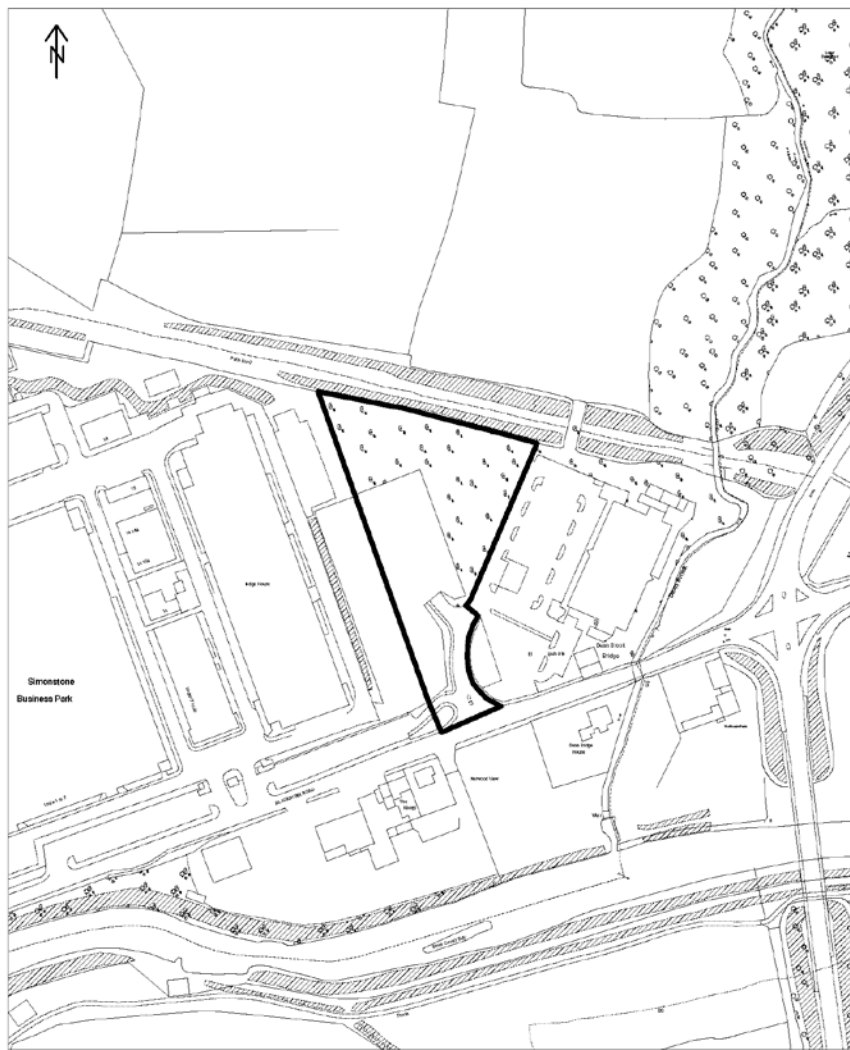
**D APPLICATIONS ON WHICH COMMITTEE 'DEFER' THEIR APPROVAL SUBJECT TO WORK 'DELEGATED' TO THE DIRECTOR OF COMMUNITY SERVICES BEING SATISFACTORILY COMPLETED**

**APPLICATION REF: 3/2017/0284**

GRID REF: SD 377838 433492

**DEVELOPMENT DESCRIPTION:**

PROPOSED BUSINESS PARK COMPRISING 18 INDUSTRIAL UNITS FOR B8 (STORAGE AND DISTRIBUTION) AND B1 (OFFICES AND LIGHT INDUSTRY) USES – RESUBMISSION OF APPLICATION 3/2015/0906) AT TIME TECHNOLOGY PARK, SIMONSTONE



3/2017/0284 Land adjacent to Time Technology Park Blackburn Road (A678)  
Simonstone BB12 7TY

Scale 1:2500

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**CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

**PARISH COUNCIL:**

No comments received

**ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):**

The proposal is likely to add additional traffic onto Blackburn Road with a proportion of this traffic using the A6068/Blackburn Road junction which currently has capacity issues at peak times. LCC are considering potential schemes to improve this junction and whilst the proposed development would not justify the full cost for these works a financial contribution of £73,780 (based on proposed floorspace) is expected – to be secured by a Section 106 Legal Agreement.

The proposed development should provide a 3.5m wide cycle access to connect Blackburn Road with the proposed cycle lane to be installed along the dismantled railway line (to the north of the site).

In order to improve the site access with Blackburn Road the existing island will likely need to be relocated – these works can be carried out under a Section 278 Agreement.

Subject to the above issues, the Highway Officer raises no objection subject to the imposition of conditions.

**HEALTH & SAFETY EXECUTIVE:**

No objection

**NATIONAL GRID/CADEN GAS:**

There is a MAJOR ACCIDENT HAZARD PIPELINE in the vicinity of the development and no development should take place within 15.5m of this pipeline.

**ENVIRONMENT AGENCY:**

No objection

**UNITED UTILITIES:**

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

**LOCAL LEAD FLOOD OFFICER:**

Originally objected to the proposal, however after further consideration the objection has been withdrawn subject to conditions being attached to any approval.

**BURNLEY COUNCIL:**

No comments received (however Burnley Council commented that they had no objection to the 2015 application).

## **ADDITIONAL REPRESENTATIONS:**

No representations have been received

### **1. Site Description and Surrounding Area**

- 1.1 The application relates to a plot of land measuring 0.785 hectares off Blackburn Road in Simonstone. The site forms part of the Time Technology Park, which itself is located within the larger **Simonstone Business Park**, and the land in question is situated between two existing commercial sites/units, close to the highway junction of the A678 (Blackburn Road) and the A6068.
- 1.2 The site is predominantly level, although it does rise at the northern end towards an embankment which separates the site from the disused railway line along the northern boundary. Approximately half of the site is currently hardsurfaced and used as a car park, with the other half, separated by a wire fence, covered in self-seeded trees and vegetation.
- 1.3 As mentioned above, beyond the vegetated area at the northern end of the site is an embankment and the disused railway line, with land beyond the northern boundary defined as Green Belt. To the east is relatively large call centre, currently occupied by Burnley Pension Centre, and its associated car parking area. Adjacent to the neighbouring call centre is an electricity substation. To the west is a very large industrial unit with its associated hardsurfacing/car parking area and to the south is the A678 (Blackburn Road). On the opposite side of Blackburn Road there is a mixture of open fields, residential dwellings and commercial businesses.
- 1.4 Vehicle access is currently obtained via a short road off Blackburn Road which also serves the call centre to the east and also other units to the west.
- 1.5 In 2015 an application to develop the site was submitted (3/2015/0906) however this application was withdrawn in order for the applicant to undertake a Transport Assessment before resubmission (as requested by LCC Highways).

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

- 2.1 The application seeks full planning permission for the erection of 18 industrial units. The units would have mixed use for either B1 (light industrial) or B8 (storage and distribution).
- 2.2 The units would be laid out in four distinct blocks as per below:
  - Units 1 & 2 – these two units would be sited at the southern end of the site, close to the western boundary. The units would comprise three two storey hipped roof structures with the central structure shared between the two end units. Both units would measure 8.26m to the ridge, with each unit having 362 sq m of floorspace over two floors. In terms of design the units would have a brick plinth and contain high levels of glazing with silver cladding and a profile sheet metal roof. These units do not contain industrial style doors and have the appearance of office blocks/buildings.
  - Units 3 – 6 – these units would be located in a single row along the eastern boundary of the site measuring 60m in length. All four units would have a pitched

roof, with units 3 & 4 measuring 7.4m high to the ridge and 5 & 6 measuring 7.9m to the ridge, however due to the slight level change across this part of the site units 5 & 6 would be set 1.5m high than 3 & 4. Whilst units 3 & 4 would be narrower and lower, all units would be single storey only and within this row each unit would have a different floor area to provide variety for potential occupiers. Each unit would have both pedestrian access and large industrial door openings, and finished in a mixture of cladding, brick and glazing.

- Units 7 – 10 – these four units would occupy a predominantly square shape, in a back-to-back formation, close to the western boundary. The four units would have a pitched roof design measuring 8.6m high to the ridge and at the longest points the units would measure 36m x 24m. Each unit would have both pedestrian access and large industrial door openings, and finished in a mixture of cladding, brick and glazing.
- Units 11 – 18 – these eight units would occupy a single row along the northern boundary of the site, adjacent to the rising embankment. This long row would measure 108m x 12m and 7.4m to the ridge. Each unit in this row would have both pedestrian access and large industrial door openings, and finished in a mixture of cladding, brick and glazing.

2.3 The proposed industrial estate will be served by a single spine road which would be a continuation of the existing road that serves the car parking area and adjacent call centre to the east. Each unit would have its own servicing area and car parking spaces, as well as communal parking areas. In total 90 car parking spaces would be provided within the site, of which 18 (20%) would be disabled accessible spaces. Access to the neighbouring unit to the east would not be altered. The submitted plans also show facilities for parking bikes/motorcycles as requested by the Highway Officer. Additionally the submission includes a cycle path throughout the site which links Blackburn Road to the proposed new cycle way to be installed along the railway embankment.

2.4 The submitted plans show areas of landscaping around the units and car parking spaces, however this landscaping scheme would appear to be indicative only at this stage. The application would involve the removal of a significant amount of self-seeded trees and shrubbery from the site. The application is accompanied by an Arboricultural Assessment and Ecology Report, both of which contain details of mitigation measures which are discussed later in this report.

### 3. **Relevant Planning History**

3/1998/0123 - *Outline application for industrial development (use classes b1, b2 and b8) 1.4 hectares – granted subject to conditions*

3/2015/0906 - *Proposed Business Park comprising 18 industrial units for B8 (storage and distribution) and B1 (offices and light industry) uses - withdrawn*

### 4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement DS2 – Presumption in Favour of Sustainable Development

Key Statement EN3 – Sustainable Development and Climate Change

Key Statement EN4 – Biodiversity and Geodiversity



Key Statement EC1 – Business and Employment Development  
Key Statement DMI1 – Planning Obligations  
Key Statement DMI2 – Transport Considerations  
Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport and Mobility  
Policy DME1 – Protecting Trees and Woodlands  
Policy DME3 – Site and Species Protection and Conservation  
Policy DME6 – Water Management  
Policy DMB1 – Supporting Business Growth and the Local Economy

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

## 5. **Assessment of Proposed Development**

### 5.1 **Principle of Development:**

5.1.1 It is a strategic objective of the Adopted Core Strategy to “Improve the competitiveness and productivity of local businesses by safeguarding and promoting local employment opportunities” (para. 3.14). Key Statements DS1 and EC1 of the adopted Core Strategy identify preferred locations for business and employment development, and EC1 specifically seeks to allocate an additional 8 hectares of employment land in appropriate and sustainable locations for the remainder of the plan period.

5.1.2 Policy DMB1 of the Core Strategy states “*Proposals that are intended to support business growth and the local economy will be supported in principle*” and paragraph 21 of the NPPF states that Local Planning Authorities should:

*“support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances.”*

5.1.3 The application site is located outside any settlement but is located within Time Technology Park which has a long established industrial use. Time Technology Park is itself part of a larger industrial site known as the Simonstone Business Park and the Council’s Employment Land Review 2013 (ELR) (which provides evidence for the Core Strategy) recognises the importance of Time Technology Park and identifies it within a hierarchy of sites as a Key Employment site in the Ribble Valley context. Time Technology Park is included in a list of six key sites identified as being of a scale or of local economic value that aligns to the NPPF ‘key employment sites’ designation and recommends their designation as “*key employment sites to be safeguarded for B Class uses and other employment uses which achieve economic enhancement without detrimental impact to either the site or the wider area*” (ELR 2013 para. 11.7).

5.1.4 More specifically this site is allocated in the submitted Housing and Economic Development Plan Document (HED DPD) as an employment allocation site and the proposed development would be entirely consistent with this allocation. It

should however be noted that the HED DPD is not yet adopted, and outstanding representations must be heard through the examination process.

- 5.1.5 The proposal seeks to develop a section of land within the boundaries of the established business park, and therefore the application would not extend the business park into surrounding land. The proposal would also contribute to the above mentioned outstanding employment land requirement of 8 hectares of employment land to be provided in accordance with Key Statement EC1.
- 5.1.6 In view of the above, whilst the site is not within a main settlement or the A59 corridor, it is allocated in the HED DPD as an employment allocation site. Furthermore it is well related to the strategic highway network of the A56/M65 corridors and the proposal would potentially contribute to the range and offer of employment opportunities in the Borough and strengthen the vitality of the existing operations.
- 5.1.7 The principle of the economic development of this site is therefore considered to accord with local policies.

## 5.2 Impact upon Residential Amenity and Neighbouring Land Uses:

- 5.2.1 As detailed above the application site relates to an empty site within Time Technology Park, with similar commercial/industrial units either side. The proposed units, having B1 and B8 uses would be in keeping with the units in the area and would have no detrimental impact upon the amenity of these neighbouring businesses.
- 5.2.2 To the north of the site is an embankment and disused railway line, and this embankment marks the start of the Green Belt. Beyond this railway line are open fields and therefore no neighbouring land uses to the north that would be impacted by the proposal.
- 5.2.3 To the south of the site is the busy highway of Blackburn Road (A678) and directly opposite the application site, on the other side of this highway is a field which leads down to the River Calder. Either side of this field are residential dwellings and other commercial businesses, and due to the separation distance (circa 100m) it is considered that the proposed units/buildings would have no significant impact in terms of overshadowing, loss daylight or outlook from any residential properties.
- 5.2.4 In terms of noise and disturbance, the Council Environmental Health Officer has commented that other similar units operate from Time Technology Park and what is proposed is unlikely to have a significantly greater impact than the existing units in the area. Notwithstanding this, if the application was to be approved a number of conditions could be attached to ensure that the noise impact is suitably controlled. Such conditions include the submission of details for noise mitigation measures within the units, control of hours of operation and deliveries, limitations on outside working, details of plant equipment etc...
- 5.2.5 It is therefore considered that the proposed development could take place without having a significantly greater impact upon the amenities of the surrounding area than the existing operations and uses in this area.

### 5.3 Visual Amenity/External Appearance:

- 5.3.1 The design and layout of the proposed units is detailed within the *“Proposed Development for which consent is sought”* section of this report.
- 5.3.2 The proposed units would be a of a standard style and size found on many industrial/business parks, both inside and outside of the borough, and would be a visual improvement in comparison to many of the older units that can be seen within this area. A significant design feature of the proposed units would be the large levels of glazing and the use of silver cladding and it is considered that these modern features would add visual interest to the area.
- 5.3.3 In terms of scale, again the units would be relatively large in size to meet the commercial/light industrial needs of the occupiers, however the units would be no larger or more dominant than neighbouring units within the immediate vicinity.
- 5.3.4 All units would be set back from the highway of Blackburn Road, with unit 1 being the closest unit to the highway with a setback of 35m. Within the site itself, the two most visible and prominent units would be 1 & 2, and these are the office style units and considered to be the visually most pleasing.
- 5.3.5 In summary, it is my opinion that the proposed units would be a visual improvement on the neighbouring units and consequently there is no sustainable reason to refuse the application of visual amenity grounds.

### 5.4 Highway Safety and Accessibility:

- 5.4.1 The County Survey has requested that the applicant submit a Transport Assessment in support of the application and this has been carried out. Upon reviewing the assessment the County Survey concludes that the proposed development would add additional traffic onto Blackburn Road, with a proportion of this heading east towards the busy junction of Blackburn Road and A6068. LCC are currently preparing a highway scheme to alleviate some of the existing traffic issues at this junction and the County Surveyor has requested that the applicant pay a contribution of £73,780 towards the highway improvements at this junction. In response to this request the applicant has stated that they would be willing to make a contribution of £45,000 and this figure has been accepted by LCC Highways. Should the application be approved this money would be secured via a Section 106 Legal Agreement.
- 5.4.2 The County Surveyor also requested a cycle lane be provided throughout the site, connecting Blackburn Road to the south with the dismantled railway line to the north which is to become a cycleway. The applicant has provided a 3.5m cycle path through the site as per the request of the Highway Officer.
- 5.4.3 The County Surveyor requested that provision for motorcycle and cycle parking be provided, along with electric vehicle chargers and such features can be secured by condition. Furthermore the Surveyor commented that the existing site access onto Blackburn Road be improved, by relocating the traffic island, and this be secured by condition/section 278 agreement should the application be approved.

5.4.4 In view of the above the applicant has addressed the issues/requests made by the County Surveyor and consequently no highway objection is raised, subject to the imposition of conditions.

## 5.5 Landscape/Ecology:

5.5.1 The submitted Phase 1 Habitat Survey raises no objection to the proposal, subject to the following recommendations/mitigation measures:

- A “one-way” exclusion fence erected around the site which will allow amphibians to leave but not enter the site;
- All tree and vegetation clearance to take place outside bird nesting season, unless a nesting bird survey is commissioned prior to work starting;
- The loss of trees and vegetation should be mitigated within a landscaping scheme, and faunal boxes should be provided for nesting/roosting birds and bats.

5.5.2 In respect of trees, the submitted Arboricultural Report has categorised that all trees on site are of “low quality” (category c) as they are all relatively young and self-seeded. The application would involve the removal of all these trees from the site and the trees beyond the northern boundary, outside the application site, will be protected during the construction process by protective fencing.

5.5.3 The Council's Countryside Officer has examined the submitted ecology and tree reports and raises no objection to their findings or the development as a whole, subject to the recommendations and mitigation measures detailing within both these reports being undertaken. The Countryside Officer has also commented that the proposal would provide the opportunity to improve the landscaping character and quality of the site, and this could be secured via condition. A further condition in respect of the safe removal of invasive species would also be attached to any approval.

## 5.6 Flood Risk and Drainage:

5.6.1 The submitted Flood Risk Assessment (FRA) concludes that there is no significant risk to flooding as a result of the proposed development. The EA have stated that they have no comments to make on this proposal and both United Utilities and the Lead Local Flood Authority have raised no objection subject to the imposition of conditions.

5.6.2 The Lead Local Flood Authority (LLFA) originally objected to the submission at the end of April and their objection was forwarded onto the applicant and in July a “Drainage Strategy” was submitted to the LPA to accompany the previously submitted FRA. This Drainage Strategy was forwarded onto the LLFA for further consultation.

5.6.3 Upon consideration of this “Drainage Strategy” the LLFA (7<sup>th</sup> September) wrote to the Council informing that they “*maintain its objections*” to the proposal for the same reasons previously given. However on 15<sup>th</sup> September the LLFA wrote to the Council again and confirmed that they wished to withdraw their objection to the proposal, subject to the imposition of conditions on any approval.

## 5.7 Economic Benefits and other issues

5.7.1 The submitted application includes no specific details of the economic benefits of the proposed development. However, it is clear that the proposal would bring employment benefits to the area, increase the borough's provision of employment land/business space, result in an increase in business rates and potentially bring people to the area that live outside of the borough. As the proposed uses of the individual units are unknown at this stage, there is no financial calculation that can be applied to calculate the amount of economic return from the proposal.

5.7.2 National Grid (now also known as Caden Gas) have commented that there is a hazard pipeline in the vicinity of the application and that no development should take place within 15.5m of this pipe. At the nearest point the boundary of the development site is some 50m from the pipeline and thus development would not be within 15.5m of the pipe. Nevertheless were the LPA minded to approve the application an informative would be attached to notify the applicant of the presence of this pipeline in the vicinity.

## 6. Conclusion

6.1 Considering all of the above and having regard to all material considerations and matters raised, it is considered that the proposed development would share an acceptable relationship with the surrounding area and would add to the provision of employment land within the borough, subsequently the application is recommended for approval. It is recommended that this application be approved (subject to conditions) with the decision deferred back to the Head of Planning for the completion of the Section 106 Legal Agreement.

**RECOMMENDATION:** That the application be DEFERRED and DELEGATED to the Director of Community Services for approval subject to 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. 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 in pursuance 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:

Location Plan (scale 1:1250)  
1883/01F (amended plan received 05/09/17)  
1883/03  
1883/06  
1883/07A  
1883/08

REASON: For the avoidance of doubt and to clarify which plans are relevant and to ensure that the development is carried out in accordance with the approved plans.

### *Materials*

3. Notwithstanding any description of materials in the application no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

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

### *Amenity*

4. Prior to the first use or occupation of each unit of the development as hereby permitted, a competent person shall have ensured that the rating level of noise emitted from the site's plant, equipment and machinery shall not have an impact on noise-sensitive premises. The assessment shall have been made in accordance with the current version of British Standard 4142 and the Planning Practice Guidance and confirmation of the findings of the assessment shall have been submitted to, and agreed in writing by, the Local Planning Authority and shall be adhered to thereafter.

REASON: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance in accordance with Policy DMB1 of the Ribble Valley Core Strategy.

5. Details of the design, specification, fixing and finish, including sections at a scale of not less than 1:20, of extract vents, means of extract, air conditioning, ventilation or any other associated externally mounted/ located plant shall have been submitted to and approved in writing by the local planning authority prior to their use within the development.

REASON: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance in accordance with Policy DMB1 of the Ribble Valley Core Strategy.

6. No external lighting shall be installed on the buildings hereby approved, or elsewhere on 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. The approved details shall thereafter be fully implemented.

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

7. No goods, materials, waste products, containers or vehicle trailers, used in connection with the new units hereby approved shall be stored within the external areas of the site.

REASON: In order to ensure a satisfactory appearance in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

8. The units hereby approved shall only operate between the hours of 07:00-19:00 Monday to Friday inclusive, and 08:00-13:00 on Saturday and not at all on Sunday and Bank Holidays.

REASON: In order to prevent nuisance arising in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

9. Deliveries to and from the units hereby approved shall only take place between the hours of 07:00-19:00 Monday to Friday inclusive, and 08:00-13:00 on Saturday and not at all on Sunday and Bank Holidays.

REASON: In order to protect the residential amenities of the occupiers of the adjacent properties and to comply with Policy DMG1 of the Ribble Valley Core Strategy.

10. There shall be no movements of HGV's or forklift trucks, used in connection with the units hereby approved, within the open areas of the site other than between 07:00-19:00 Monday to Friday, between 08:00-13:00 Saturday and not at all on Sunday and bank Holidays.

REASON: In order to prevent nuisance arising in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

11. No construction work, construction traffic or operation of any plant/machinery shall take place on the site during the course of the development hereby approved except between the hours of 08:00 hours and 18:00 hours Monday to Friday and 09:00 and 13:00 on Saturday. No construction work, construction traffic or operation of any plant/machinery shall take place on Sundays or Public Holidays. Furthermore, no deliveries or vehicles shall arrive on site outside these stipulated working hours.

REASON: In order to protect the residential amenity of the occupiers of the adjacent properties and to comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy (Adopted Version).

12. Notwithstanding the provisions The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015 and the Town and Country Planning (Use Classes) Order 1987 (as amended) or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the units hereby approved shall only be used for the purposes of use classes B1 and B8.

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 and DMB1 of the Ribble Valley Core Strategy.

### *Highways*

13. The car parking and manoeuvring scheme to be marked out in accordance with the approved plan and including a minimum of 15% incorporating electric charging facilities , before the use of the premises hereby permitted becomes operative and permanently maintained thereafter.

REASON: To ensure that provision is made for electric powered cars and to support sustainable methods of travel in accordance with Key Statement DMI2 and Policy DMG3 of the Core Strategy.

14. Prior to commencement of development on site the existing access to Time Technology Park shall be physically and permanently closed.

REASON: To limit the number of access points and to maintain the proper construction of the highway in accordance with Key Statement DMI2 and Policy DMG3 of the Core Strategy.

15. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a Section 278 agreement, under the Highways Act 1980. For the avoidance of doubt the Section 278 agreement shall include the re-positioning of the existing traffic island at the entrance point off Blackburn Road.

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

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

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

17. A Traffic Management Plan for the construction works, to be approved in writing by the planning department before any works begin on site and to include:-

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials used in the construction of the development;
- Storage of such plant and materials;
- Wheel washing facilities supplemented by road sweepers as necessary
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- Routes to be used by vehicles carrying plant and materials to and from the site;
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

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



18. Cycling facilities shall be provided in accordance with a scheme that has first been approved by the Local Planning Authority and the cycle facilities shall be provided in accordance with the approved scheme before any unit hereby permitted becomes operative.

REASON: To ensure that provision is made for cycles and to support sustainable methods of travel in accordance with Key Statement DMI2 and Policy DMG3 of the Core Strategy.

19. Motorbike facilities shall be provided in accordance with a scheme that has first been approved by the Local Planning Authority and the motorbike facilities shall be provided in accordance with the approved scheme before any unit hereby permitted becomes operative.

REASON: To allow for the effective use of the parking areas in accordance with Key Statement DMI2 and Policy DMG3 of the Core Strategy.

20. The approved cycle path as shown on drawing 1883/01 F (amended plan received 05/09/17) shall be installed and made available for use before any unit hereby permitted becomes operative.

REASON: To ensure that provision is made for cycles and to support sustainable methods of travel in accordance with Key Statement DMI2 and Policy DMG3 of the Core Strategy.

21. Unless otherwise agreed in writing with the Local Planning Authority, the new estate road/access shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place on site.

REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in accordance with Key Statement DMI2 and Policy DMG3 of the Core Strategy.

### *Ecology and Trees*

22. Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, within three months of development first taking place 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 and shrubs. The duly approved landscaping scheme shall be carried out within 12 months of any unit hereby approved first being brought into use 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 and provision of adequate off-road parking facilities in the interests of visual amenity and highway safety in accordance with the requirements of Policy DMG1 of the Ribble Valley Core Strategy.

23. The development hereby approved shall be carried out in complete accordance with the “Conclusions and Recommendations” measures detailed/recommended within Section 4 of the submitted Phase 1 Habitat Survey Report (JCA Ref: 12744/JoC2016-276)

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

24. No clearance of any vegetation in preparation for or during the course of development shall take place during the bird breeding season (March - August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of any vegetation shall take place during the bird breeding season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

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

25. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services, all the existing/retained trees and hedging shown detailed within the submitted Arboricultural Survey and its associated plan (ref: 160303TPP), shall have been enclosed with temporary protective fencing in accordance with BS5837:2012 [Trees in Relation to Demolition, Design & Construction] which is to be inspected on site by the Local Planning Authority. The fencing shall be retained during the period of construction and no work, excavation, tipping, or stacking/storage of materials shall take place within such protective fencing during the construction period.

REASON: To ensure that existing vegetation is adequately protected during construction in the interests of the visual amenity of the area in accordance with Policy DME1 of the Ribble Valley Core Strategy.

26. 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 made available for use before the units hereby approved are first brought into use and thereafter retained. The development shall be carried out in strict accordance with the approved details.

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

## *Drainage*

27. 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 Policy DME6 of the Ribble Valley Core Strategy.

28. 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 in accordance with the National Planning Policy Framework, Planning Practice Guidance and Policy DME6 of the Ribble Valley Core Strategy.

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

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

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

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

30. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable

drainage scheme have been submitted to and approved in writing by the local planning authority.

Those details shall include, as a minimum:

- a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The sustainable drainage system flow calculations (PDF files showing the input and output data for flow calculations) and storm simulation plan for: 1 in 1 year, 1 in 2 year, 1 in 30 year and 1 in 100 year + allowance for climate change are still required as the Quick Storage Estimate in the submitted Drainage Strategy (Project Ref:17136) are grossly insufficient.
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

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

REASON: To ensure that the proposed development can be adequately drained and that there is no flood risk on or off the site resulting from the proposed development in accordance with Policy DME6 of the Ribble Valley Core Strategy, and national guidance contained within the NPPF and NPPG.

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

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

32. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
- b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
  - i. on-going inspections relating to performance and asset condition assessments
  - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) Means of access for maintenance and easements where applicable.

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

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

#### INFORMATIVES

1. The applicant's attention is drawn to the comments received from National Grid/Caden Gas in respect of the hazardous pipeline in the vicinity of the development site. The applicant is therefore advised to contact National Grid/Caden Gas prior to any work commencing on site.
2. The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer.
3. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the contact the Environment Directorate for further information by telephoning the Developer Support Section (Area East) on 0300 123 6780, or email [lhscustomerservice@lancashire.gov.uk](mailto:lhscustomerservice@lancashire.gov.uk)

#### BACKGROUND PAPERS

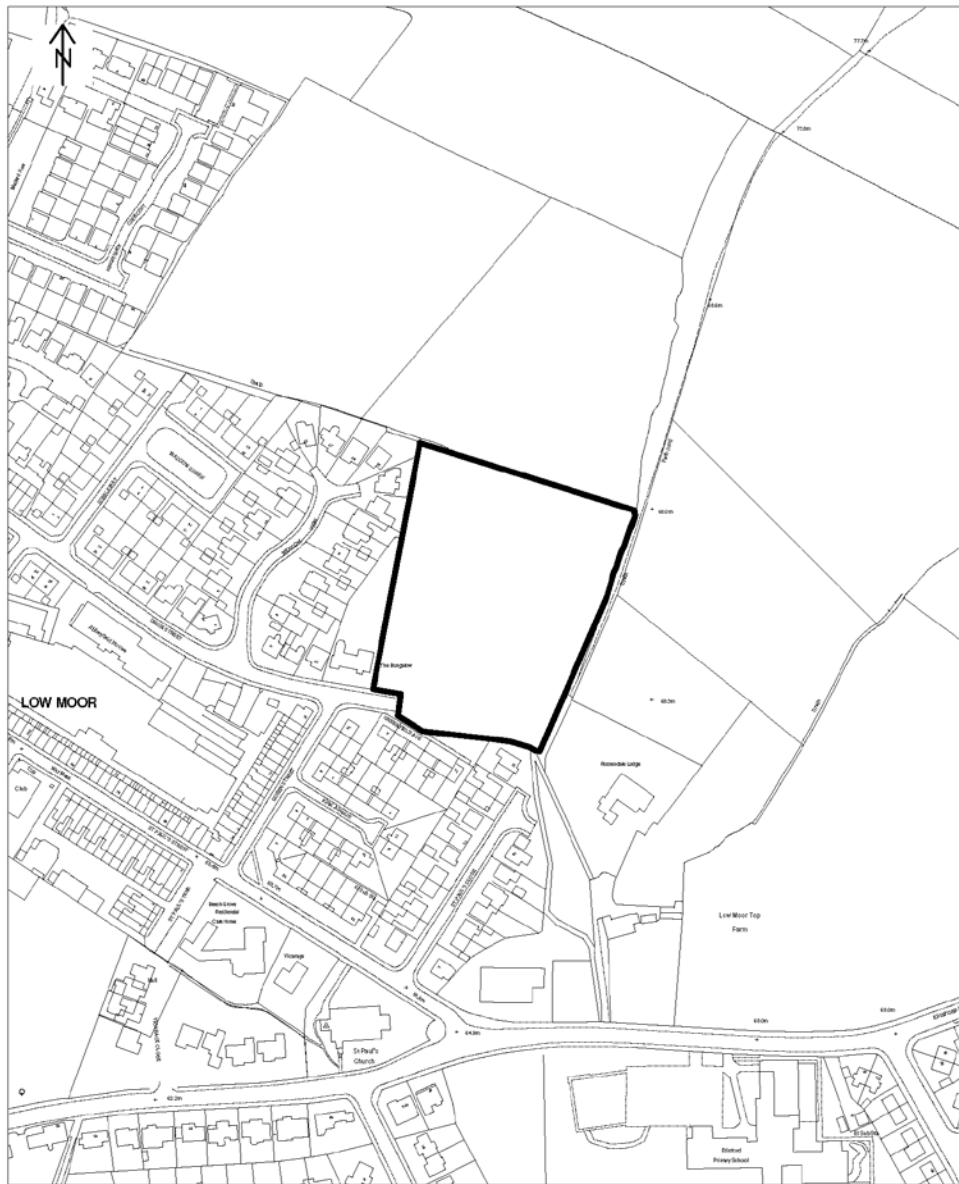
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0284](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0284)

**APPLICATION REF: 3/2017/0573**

GRID REF: SD 373281 441769

**DEVELOPMENT DESCRIPTION:**

APPLICATION FOR 36 DWELLINGS (INCLUDING 11 AFFORDABLE UNITS), CAR PARKING, LANDSCAPING AND NEW ACCESS FROM UNION STREET, CLITHEROE



3/2017/0573 Land off Union Street, Clitheroe

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## **CONSULTEE RESPONSES/ REPRESENTATIONS MADE:**

### **PARISH COUNCIL:**

Object to the application on following grounds:

- Further over-intensive development in a village environment;
- Cumulative pressure upon exiting highway network;
- Flooding issues on this site.

If the Council is minded to approve the application the developer should be asked to improve footpath 18 and a commuted sum paid to the Town Council for the Town Lengthsman to retain the improved footpath.

### **ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):**

No objection subject to conditions as the proposed development would have a negligible impact on highway safety and the highway capacity in the immediate vicinity.

In addition to the recommended conditions the Highway Officer has made the following comments:

- A Section 278 Agreement is required to secure give way markings at the junctions of Union Street, Greenfield Avenue, Queen Street and St Pauls Street;
- The two bus stops opposite St Pauls Church on Edisford Road should be up graded to quality bus stops. The works shall be carried out under a Section 278 Agreement and works should include provision of bus shelters raised kerbs and bus bay markings or the applicant to make a financial contribution towards bus pas/cycle vouchers;
- The new site access and all associated off-site works need to be constructed under a Section 278 Agreement;
- In order for the internal carriageway to be adopted the carriageway needs to be 5.5m wide with a 2m wide footway;
- Concern in respect of some car parking lengths and garage sizes.

### **LCC EDUCATION:**

Requirement for the applicant to provide a contribution towards the provision of three secondary school places at a cost of £64,269.81 to be secured by way of a legal agreement. It must be noted that this figure is calculated at the present time and LCC reserve the right to reassess the education requirements taking into account the latest information available at the time development commencing on site.

### **LANCASHIRE ARCHAEOLOGICAL ADVISORY SERVICE:**

The site is considered to have significant potential for prehistoric and Romano-British occupation, although such remains are likely to be of county-local importance rather than national significance. A scheme of archaeological investigation is therefore recommended to be carried out prior to work commencing on site and this should be secured by condition.

## **LEAD LOCAL FLOOD AUTHORITY:**

Object to the application on the grounds that the submitted Flood Risk Assessment is inadequate.

## **UNITED UTILITIES:**

No comments received

## **ADDITIONAL REPRESENTATIONS:**

Letters of representation have been received from 21 individual households/addresses, as well as the Civic Society, objecting to the application on the following grounds:

- Overdevelopment of site resulting in cramped development;
- Highway safety issues from additional vehicles/traffic in area and inadequate sight lines;
- Displacement of area used by residents of Greenfield Avenue to park their vehicles – an access should be created for parking to be provided at the front of these properties;
- Flooding/drainage issues on this land and impact this may have on neighbouring houses/sites;
- Potential noise from pumping station;
- Schools and health care facilities in the area are already at capacity;
- Work appears to have started on site;
- The boundary hedge shared with 21 St Paul's close should be retained, as should the hedge along the eastern boundary of the site;
- Impact on air quality from additional vehicles;
- No provision to encourage potential residents from using cars;
- The tenant of the adjacent agricultural land requires access to the fields from the ROW and this needs to be retained;
- Loss of privacy and overlooking;
- Loss of outlook and views;
- Unsustainable development due to infrequent bus service;
- Poor access for construction vehicles;
- Insufficient affordable units proposed;
- Houses will be built over an existing water gully;
- Loss of a greenfield site;
- Inadequate car parking provision;
- Noise disturbance and pollution.

### **1. Site Description and Surrounding Area**

- 1.1 The application relates to an almost rectangular shaped plot of land located at the end of Union Street in Low Moor, Clitheroe. The site (edged red) measures approximately 1.35 hectares and consists of a green field enclosed by boundary hedging.
- 1.2 The application site can currently be accessed via a track to the east, which is also a public right of way (Footpath 18), leading directly from Edisford Road, and once within the field access can be obtained into neighbouring fields to the north and east through gaps in the existing boundary hedgerows.
- 1.3 Directly to the west of the application site is the residential cul-de-sac of Meadow View with the rear elevations of these properties, and their back garden areas,



adjoining/facing the application site. To the south west the application site shares a boundary with a dwelling known as the Bungalow, which fronts onto Union Street. To the south the row of terrace dwellings on Greenfield Avenue face the application site and there is an intervening section of land between some of the houses on Greenfield Avenue and the application site (it is thought that this land is owned by Ribble Valley Homes). Towards the south east corner of the site are the detached dwellings at 21 St Pauls Close and Rossendale Lodge, with the dwelling at 21 St Paul's Close appearing to share a boundary hedge with the application site.

- 1.4 The application site is located on the edge of, but within, the defined settlement boundary of Clitheroe. In 2013 outline planning consent was granted for the erection of 30 dwellings on this plot of land and as a result of this previous consent the site is annotated as a "Committed Housing Site" in the draft Housing and Economic Development Plan Document.

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

- 2.1 The application seeks full planning consent for the erection of 36 dwellings within this field. In accordance with the Council's requirements 11 (30%) will be affordable units and six bungalows will be provided for over 55's accommodation (four of the bungalows would be affordable units and two open market).

- 2.2 Throughout the site the development would provide the following housing mix:

- 4 x older persons 2 bed bungalows (affordable);
- 4 x 2 bed dwellings (affordable);
- 3 x 3 bed dwellings (affordable);
- 2 x older persons 2 bed bungalows (open market);
- 17 x 3 bed dwellings (open market);
- 6 x 4 bed dwellings (open market).

- 2.3 Access to the development site would be obtained by continuing the existing highway of Union Street with a new road, with footways either side, serving the proposed dwellings.

- 2.4 The submitted application/plan shows that a 4m wide access will be retained along the eastern border of the site to allow the farmer to continue to access the adjoining fields from the existing track to the south east and the proposal includes an impassive footpath to link to the development to the existing right of way to improve pedestrian mobility/connectivity. In the north east corner the application includes a pumping station for foul water.

- 2.5 During the application process the LPA have engaged in positive discussions with the applicant and an amended plan has been received to show the provision of 5 additional car parking spaces to the front of the existing houses on Greenfield Avenue (on land owned by the applicant). These car parking spaces would be free to use by anyone, including the residents of Greenfield Avenue.

## 3. **Relevant Planning History**

3/2012/0014 – Outline application for the construction of 30no. dwellings on land off Greenfield Avenue with a suggested breakdown of 16no. houses with 3-4 bedrooms, 8no. low cost houses and 6no. bungalows with 2 bedrooms –approved subject to conditions

3/2016/0502 - Outline planning application, with all matters reserved except for access, for the construction of 30 dwellings (including nine affordable units) - withdrawn

#### 4. **Relevant Policies**

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy  
Key Statement DS2 – Sustainable Development  
Key Statement EN2 – Landscape  
Key Statement EN3 – Sustainable Development and Climate Change  
Key Statement EN4 – Biodiversity and Geodiversity  
Key Statement EN5 – Heritage Assets  
Key Statement H1 – Housing Provision  
Key Statement H2 – Housing Balance  
Key Statement H3 – Affordable Housing  
Key Statement DMI1 – Planning Obligations  
Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMH1 – Affordable Housing Criteria  
Policy DMH3 – Dwellings in the Open Countryside and AONB  
Policy DMG3 – Transport and Mobility  
Policy DME2 – Landscape and Townscape Protection  
Policy DMB4 – Open Space Provision  
Policy DME3 – Site and Species Protection and Conservation  
Policy DME6 – Water Management  
Policy DME4 – Heritage Assets

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

#### 5. **Assessment of Proposed Development**

##### 5.1 **Principle of Development:**

5.1.1 The application site is located within the Settlement Boundary of Clitheroe, which is categorised as one of the principal settlements in Key Statement DS1 of the Ribble Valley Core Strategy. Key Statement DS1, along with Policy DMG2, seeks to ensure new housing is located within either the three principal settlements of Clitheroe, Whalley or Longridge, the strategic site or the nine Tier 1 Villages which are considered to be the more sustainable of the 32 defined settlements.

5.1.2 The application site is adjoined by existing development on two sides and would therefore form a limited extension/consolidation of the existing development in this area. The site is well related to a built up area and is located within a sustainable location. As such the principle of residential development on this site would accord with the fundamental aims of the Development Strategy within the adopted Core Strategy.

- 5.1.3 With regard to housing land supply, as of the latest published figures (March 2017) the Council has a 5.73 year housing land supply and this is the figure that the Council must use when determining planning applications for housing. In respect of residual need, the Core Strategy proportions a total of 1280 houses to be built in Clitheroe during the plan period (2028). Whilst the housing requirement for Clitheroe has already been exceeded by 56 dwellings, and the proposal would therefore take this figure to 92 dwellings, such an over provision (7%) would not cause harm to the development strategy, particularly given that the application site is located within the settlement boundary of one of the principal (most sustainable) settlements in the borough, and the proposed development would further add to the borough's housing land supply, including the provision of both affordable and older persons accommodation. Additionally the residual need figures are expressed as a minimum requirement as opposed to a maximum. Furthermore the principle of residential development on this site has already been established by the previous outline approval.
- 5.1.4 In view of the above, it is considered that the principle of developing this site for residential use, within the Settlement Boundary of Clitheroe, complies with Key Statements DS1 and DS2, along with Policy DMG2, of the Core Strategy.

## 5.2 Impact upon Residential Amenity:

- 5.2.1 The application site is adjoined on two sides by open fields and on the other two sides by residential dwellings. In order to provide acceptable levels of residential amenity the Council seeks to ensure that a separation distance of 21m is achieved between principal elevations, and a distance of 13m between principal and secondary elevations.
- 5.2.2 To the south the front elevations of the dwellings on Greenfield Avenue face the proposed development site and a separation distance of 22m would be achieved from the front elevation of 2 Greenfield Avenue to the nearest proposed dwelling at plot 1. Due to the angled relationship this separation distance only increases (to a distance of 37m between 12 Greenfield Avenue and proposed plot 5) and thus the relationship between the existing dwellings on Greenfield Ave and the proposed development is considered to be acceptable.
- 5.2.3 With regard to the existing property at 21 St Paul's Close, the gable elevation of this property would face towards the side elevation of a bungalow (plot 36) and with a separation distance of 17m the relationship is acceptable. The resident at St Paul's Close has also made reference to a hedge along the application site boundary and requested that this is to be retained. The submitted application suggests that this hedge is on the applicant's land and both the Planning Officer and Countryside Officer have visited the site and agree that this hedge is in fact on the applicant's side of the boundary (rather than the objector's). Notwithstanding this, there is no indication that the applicant wants to remove this hedge as it is shown to be retained on the submitted plans and a condition has been attached which requires all trees/hedging that are shown to be retained to be protected with fencing during the application process.
- 5.2.4 In respect of the dwellings to the west on Meadow View, the rear elevations of these existing properties will face towards the rear elevations of the proposed dwellings and they would share a rear garden boundary. A number of properties on Meadow View have extended at the rear, however when measuring

separation distances it is common practice to measure distances from the original rear elevation, as opposed to an extended rear elevation (this is to ensure that extended properties do not compromise proposals/developments on adjacent sites). Due to the layout of Meadow View, the dwellings at 20 and 22 Meadow View would be located closest to the proposed development and at the nearest point a separation distance of 21m would be achieved between the original rear elevation of 22 Meadow View and proposed plot 18. Whilst this distance meets the 21m recommendation, it should also be noted that Plot 18 is a bungalow (single storey only) and thus the impact this proposed dwelling would have on the existing residents of Meadow View is significantly reduced when compared to a relationship between a pair of two storey properties. In view of the above it is not considered that the proposed bungalows in the north west corner of the site would unduly affect the amenity of existing residents on Meadow View.

5.2.5 With regard to the relationship between properties on Meadow View and the proposed two storey dwellings within the development site, a separation distance of approximately 30m would be achieved and such a relationship is considered to be acceptable.

5.2.6 To the south west the gable elevation of The Bungalow fronting Union Street would be situated 10m from the gable elevation of proposed plot 1 and the whilst the gable elevation of The Bungalow does contain a door and two windows, these openings are not principal openings and such a distance is considered to be acceptable.

5.2.7 In respect of the relationship between the proposed dwellings within the development site, the proposal would accord with the Council's recommended separation distances with the exception of the 15m distance between the front elevations of plots 33 and 34. As detailed above the LPA would normally expect a separation distance of 21m, however these specific dwellings occupy corner plots and thus are both dual aspect properties with principal windows in the side elevations, as well as in the front elevation. These properties have been arranged in such a way as to ensure that no habitable/principal windows would directly face each other.

5.2.8 In view of the above it is considered that the layout shows that the proposed dwellings would result in an acceptable relationship with existing neighbouring properties/uses in accordance with the relevant sections of Core Strategy Policy DMG1.

### 5.3 Visual impact:

5.3.1 The application site is adjoined on two sides by built form, with Meadow View to the west and Greenfield Avenue to the south, and thus the residential development of this site would result in a rounding-off of the built development in this area. Additionally, with the whole of the application site being located within the settlement boundary of Clitheroe the proposed development would not result in any encroachment into the open countryside.

5.3.2 With regard to housing density, an objection has been received stating that the density of housing proposed is out of keeping with surrounding area and represents an overdevelopment of the site. In response to this the proposed housing density of the site is 27 dwellings per hectare and this is considered to

be an acceptable density level for a new development. In comparison to adjoining built development, the cul-de-sac of Meadow View has a density of 25 dwellings per hectare and Greenfield Avenue/Kirk Avenue a density of 37 dwellings per hectare. The average housing density in the immediate vicinity (Greenfield Avenue, Kirk Avenue, Meadow View and Waddow Green) is 26.8 dwellings per hectare and therefore the proposed density of this development (27 dwellings per hectare) is entirely consistent with the surroundings and would not represent an over development of the site.

- 5.3.3 In respect of the proposed dwellings, the majority would be two storeys with six properties being single storey bungalows. All dwellings would be of brick construction with a tiled roof and features of interest include brick soldier course bands, vertical brick detailing around window openings, overhanging canopies and front porches. Across the site the application proposes seven different house types, some of which include integral or detached garages.
- 5.3.4 It is considered that the layout and design/appearance of the proposed development is in keeping with the surrounding area and would provide a mix of house types (mainly two and three bedroom properties). The proposal therefore complies with Policy DMG1 which requires all proposals to be sympathetic to existing land uses in terms of scale, style, features and materials.

#### 5.4 Highway Safety and Accessibility:

- 5.4.1 The County Highway Officer has raised no objection to the application, stating that the proposed development would have a negligible impact on highway safety and the highway capacity in the immediate vicinity.
- 5.4.2 The Highway Officer has commented that new give way lines would need to be provided at the junctions of Union Street, Greenfield Avenue, Queen Street and St Pauls Street, and that the two bus stops opposite St Pauls Church on Edisford Road should be upgraded to quality bus stops. These works, along with all other off site highway works would be constructed under a Section 278 Agreement of the 1980 Highway Act.
- 5.4.3 In response to this request the applicant has submitted a plan showing the proposed give way signs at the relevant junctions, however they have commented that the submitted Transport Statement demonstrates that the bus stop improvements are not justified and consequently the applicant is not willing to accept the full cost of upgrading these bus stops. The Highway Officer has however commented that they would instead accept a financial contribution of £300 per dwelling (total contribution of £10,800) which will be used to provide new residents with either a cycle voucher or a bus pass and the applicant has agreed to this request. This contribution would be secured by legal agreement (section 106).
- 5.4.4 The Highway Officer has confirmed that in order for the internal carriageway to be adopted the carriageway needs to be 5.5m wide with a 2m wide footway and the applicant has demonstrated that the proposal meets this requirement.
- 5.4.5 In respect of the Highway Officer's comments concerning driveway lengths and garage sizes, amended plans have been submitted showing the requested driveway lengths and the applicant has commented that the proposed garages

are of a standard size accepted at many development sites both in and outside of the borough. The Highway Officer has responded by stating that the garage sizes requested are to enable cycles to also be stored within the garages, however if the applicant was to provide cycle sheds in addition to the garages the Highway Officer would accept the reduced dimensions. The applicant has confirmed that cycle sheds would be provided in the rear garden areas and this will be secured by condition.

5.4.6 A number of objectors have commented that the proposed development would result in the loss of car parking spaces at the end of Union Street, where the access to the development site will be located, and this is the area that residents of Greenfield Avenue currently park. With regard to this issue, whilst the Officer has sympathy that residents will no longer be able to park in this location, this is a public highway and its primary purpose is to provide vehicle access as opposed to a parking area for the residents of Greenfield Avenue. As such it would be unreasonable and unsustainable to refuse the application on the grounds that the proposal would result in a loss of on-street car parking spaces for the residents of Greenfield Avenue, hence the reason the Highway Officer has raised no concerns in relation to this issue.

5.4.7 Notwithstanding the above, the LPA has been in discussion with the applicant, who has taken on board these concerns raised by residents and submitted an amended plan which shows that parking spaces would be provided for five vehicles to the front of Greenfield Avenue, and these parking spaces would be made available for anyone to use. These spaces are to be located on the applicant's own land and it is reiterated that this is a gesture of goodwill from the applicant and they were under no obligation to provide these spaces.

## 5.5 Landscape/Ecology/Trees:

5.5.1 The application relates to a field currently used as pasture land and consequently the field/land itself has limited ecological value. The application is accompanied by an Ecological Survey and Assessment and the Countryside Officer has no objection to the proposal subject to the development being carried out in accordance with the Recommendations and Enhancement measures detailed within this report.

5.5.2 Other conditions attached to the recommendation in respect of ecological issues include the provision of bat/bird boxes and the retention of hedging along boundaries. The submitted application also shows boundary treatment will include a 150mm gap at the base to allow habitat connectivity.

5.5.3 In respect of trees, the submitted Arboricultural Report and Landscaping Plan show that only one hazel tree would be removed in order to facilitate the development (specifically the access point). The tree to be removed is of poor form and small in size and offers very little amenity value to the area, as such there is no objection to its removal. All boundary hedging and trees will be retained and protected by fencing during the construction process, and the proposal includes new tree and hedge planting within the development site which the Countryside Officer is of opinion will improve biodiversity in comparison to a pastureland field.

## 5.6 Flood Risk and Drainage:

- 5.6.1 The application is accompanied by a Flood Risk Assessment (FRA) and proposes to install a foul water pumping station in the north east corner of the site, away from existing residential properties. The pumping station would be submerged below ground floor level with a control/electrical box above ground and thus noise from this station would be minimal. Both United Utilities (UU) and the LLFA have been consulted on the application and at the time of writing this report UU have yet to provide any response, despite being consulted on three occasions. The LLFA objected to the original FRA and have been in consultation with the applicant's own drainage consultants. A revised/updated FRA has been submitted to the LLFA and at the time of writing this report comments have not yet been received.
- 5.6.2 In respect of the above, whilst it is hoped that comments will be received from both UU and the LLFA so that they can be reported verbally to Members at Committee, should the formal comments not be received it is asked that if Members are minded to support the application, the decision is deferred and delegated back to Officers subject to no objections being received from UU and the LLFA.

## 5.7 Developer Contributions:

- 5.7.1 As per a request of the Council's Head of Cultural Services the applicant has accepted that they will make a financial contribution of £18,783.54 towards the improvement/maintenance of an existing area of Public Open Space.
- 5.7.2 Objections have been raised on the grounds that there are insufficient school places to accommodate the proposed development, however no such objection has been raised by LCC Education Service. LCC Education have however requested the applicant provide a contribution towards the provision of three secondary school places at a cost of £64,269.81. It must be noted that this figure is a calculation at the present time on the level of information provided and this figure could change depending on when the development takes place and the education needs at that time.
- 5.7.3 Additionally, there would also be the previously mentioned £10,800 contribution for bus pass/cycle vouchers for new residents of this development.
- 5.7.4 The above contributions would be secured by way of a Section 106 Agreement should this application be approved and the applicant has confirmed their acceptance of these amounts.
- 5.7.5 The Parish Council requested that the applicant make a financial contribution towards the improvement and upkeep of the Right of Way, however no such request has been made by LCC. It is the Officer's view that such a request is not justified and the applicant is improving pedestrian access links by providing a connecting pathway from the development site to the existing Right of Way.

## 5.8 Affordable Housing

- 5.8.1 In accordance with Policy DMH1, the development will provide eleven affordable dwellings, including bungalows, two and three bed houses and the Council's Housing Officer is satisfied with this provision.
- 5.8.2 In addition to the four affordable bungalows the proposal will also provide two open market bungalows, thus providing a total of six bungalows (over 55s accommodation) in accordance with Policy DMH1.
- 5.8.3 The above housing provisions, and the specific tenure mix, will be secured within the legal agreement (Section 106) should Members be minded to approve the application.

## 5.9 Other issues

- 5.9.1 Other issues raised by the objectors include noise disturbance during construction works and air quality/pollution. It is not considered that 36 dwellings would have a significant impact upon air quality and pollution in the vicinity and noise from construction works is not a valid reason to refuse a planning application as all developments will create some noise whilst under construction. Nevertheless a condition has been attached requiring a construction management plan to be submitted to the LPA prior to commencement of development and a separate condition restricting hours of operation on site.
- 5.9.2 A number of objectors have commented that works have commenced on site, however this is not the case. The applicant has in the recent past undertaken some preliminary investigation works on the land but these in themselves do not require consent and thus development has not commenced on site.
- 5.9.3 With regard to the local farmers' comments, the application will ensure that a right of way is retained for access to the adjoining field.
- 5.9.4 Lancashire Archaeological Advisory Service (LAAS) have advised the site has potential for prehistoric and Romano-British occupation, although such remains are likely to be of county-local importance rather than national significance. LAAS therefore recommends a condition which requires a scheme of archaeological investigation to be undertaken prior to work commencing on site.

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

- 6.1 The application site is considered to be within a sustainable location and the development will contribute towards the supply of housing within the borough, including contributing towards the provision of affordable housing and older person's accommodation. Considering all of the above and having regard to all material considerations and matters raised, it is considered that the proposed development would share an acceptable relationship with the surrounding area in terms of both residential and visual amenity, and subsequently the application is recommended for approval, subject to conditions and subject to the following conditions and any additional conditions if deemed necessary by the LLFA:

**RECOMMENDATION:** That the application be DEFERRED and DELEGATED to the Director of Community Services for approval subject to the satisfactory completion of a Legal



Agreement, and no objections being received from United Utilities and the Local Lead Flood Authority, 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:

*Details*

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:

**Plans:**

16041 01 Rev H (amended plan received 14/09/17)  
16041 03  
16041 05 Rev A (amended plan received 13/09/17)  
5327.02 Rev C (amended plan received 13/09/17)  
5327.03 Rev C (amended plan received 13/09/17)  
SCP/16391/F02 (plan received 22/08/17)

**House Types:**

01 – Bellflower  
02 A – Brookline Special (amended plan received 14/09/17)  
03 – Charlock  
04 – Foxtail  
05 – Holly Hock  
06 – Rosebay  
07 – Woodrush  
08 – Single Garage  
09 – Sales Garage  
16041-H-01 A – Holly Hock Plot 34 (amended plan received 14/09/17)

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

*Materials*

3. Notwithstanding the submitted details and the requirements of condition 2 of this approval, precise specifications or samples of all external surfaces including, door/window surrounds and framing materials, fascia/barge boards and roofing/ridge materials including their colour and texture shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development.

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

4. Prior to the commencement of the development details of the design and position of the external meter boxes shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt the details shall indicate that no meter boxes will be located on the primary elevations of the proposed dwellings or on locations that that are afforded a high level of visibility upon the streetscene. 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 results in acceptable standard of appearance in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

#### *Ground levels*

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

REASON: To ensure a satisfactory form of development in the interest of visual and residential amenities and in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

#### *Highways*

6. Prior to any building work commencing on site a scheme for the provision of facilities to charge electric vehicles within at least 30% of the dwellings hereby approved shall have been submitted to the Local Planning Authority for approval. The development shall be carried out in strict accordance with the approved details and the charging facilities shall be made available for use prior to the occupation of each dwellings house within which they will be installed.

REASON: To ensure that provision is made for electric powered cars and to support sustainable methods of travel in accordance with Key Statement DMI2 and Policy DMG3 of the Core Strategy.

7. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

REASON: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

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

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials used in the construction of the development;
- Storage of such plant and materials;
- Wheel washing facilities;
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- Routes to be used by vehicles carrying plant and materials to and from the site;
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

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

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

REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

10. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) Order 2015 and the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2015, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.

REASON: In the interests of visual amenity and to facilitate adequate vehicle parking and/or turning facilities to serve the dwelling in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

11. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a Section 278 Agreement, under the Highways Act 1980. Such highway improvement works will include the provision of give way signs, as shown on drawing SCP/16391/F02 (plan received 22/08/17), and highway improvements for the site access. No part of the development hereby approved shall be occupied until the approved scheme/highway works have been constructed and completed in 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 and to enable all construction traffic to enter and leave the premises in a safe

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

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

REASON: To maintain the construction of Greenfield Avenue/Union Street in the interest of highway safety.

13. The car parking and manoeuvring areas for vehicles shall be marked out and made available for use in accordance with the approved plan 16041 01 Rev H (amended plan received 14/09/17) before the dwelling to which those spaces relate becomes first occupied and the five car parking spaces shown at the southern end of the site (adjacent to Greenfield Avenue) shall be marked out and made available for use before any dwelling is first occupied. All car parking spaces shall be permanently maintained as such thereafter.

REASON: To allow for the effective use of the parking areas in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

14. Prior to commencement of development on site, a scheme detailing the location, size and design of the cycling storage facilities for all dwellings with integral/detached garages shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage facilities shall be provided in accordance with the approved details before each unit hereby permitted becomes operative and shall be retained as such thereafter.

REASON: To ensure that provision is made for cycles and to support sustainable methods of travel in accordance with Key Statement DMI2 and Policy DMG3 of the Core Strategy.

#### *Ecology and Trees*

15. The development hereby approved shall be carried out in complete accordance with the "Recommendations and Ecological Enhancement" measures detailed/recommended within Section 5 of the submitted Ecological Survey and Assessment (ERAP Ltd Ref: 2016-276)

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

16. Notwithstanding the submitted details and requirements of condition 15, 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 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 construction 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 protected species in accordance with Section 9 of the NPPF, and Key Statement EN4 and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

17. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services, all the existing/retained trees and hedging shown on drawing 5327.02 Rev C (amended plan received 13/09/17) shall have been enclosed with temporary protective fencing in accordance with BS5837:2012 [Trees in Relation to Demolition, Design & Construction] which is to be inspected on site by the Local Planning Authority. The fencing shall be retained during the period of construction and no work, excavation, tipping, or stacking/storage of materials shall take place within such protective fencing during the construction period.

REASON: To ensure that existing trees are adequately protected during construction in the interests of the visual amenity of the area in accordance with Policy DME1 of the Ribble Valley Core Strategy.

18. No clearance of any vegetation in preparation for or during the course of development shall take place during the bird breeding season (March - August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no clearance of any vegetation shall take place during the bird breeding season until a methodology for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved methodology.

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

19. Notwithstanding the submitted details, no building works shall commence on site until details of a scheme for any external building or ground mounted lighting/illumination, shall have been submitted to and approved in writing by the local planning authority.

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

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

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

20. Prior to occupation of the first dwelling, a landscape management plan including long term design objectives, timing of the works, management responsibilities and maintenance schedules for all landscaped areas (other than within curtilages of buildings), shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the proper long-term management and maintenance of the landscaped areas in the interests of visual amenity and biodiversity enhancement, in accordance with Key Policy DMG1 and DME3 of the Ribble Valley Core Strategy.

#### *Archaeology*

21. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. 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. The scheme of works should be phased and consist of

- (a) An initial phase of archaeological investigation of the development site and the production of a report; and
- (b) A second phase of recording or other mitigation works shown to be necessary by the initial investigation.

These works should be undertaken by an appropriately qualified and experienced archaeological contractor to the standards and guidance issued by the Chartered Institute for Archaeologists (CIfA, [www.archaeologists.net](http://www.archaeologists.net)).

REASON: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

#### *Residential Amenity*

22. Unless otherwise agreed in writing by the Local Planning Authority, no building or engineering operations within the site or deliveries to and from the site shall take place other than between 07:30 hours and 18:00 hours Monday to Friday and between 08:30 hours and 14:00 hours on Saturdays, and not at all on Sundays or Bank Holidays.

REASON: In order to protect the amenities of existing residents in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

#### *Contamination*

23. The development hereby approved shall adhere to the recommendations and conclusions of the Phase II Geo-Environmental Site Assessment (March 2017 Ref: 11-525-r1).

REASON: In the interests of providing an appropriate environment for the end users of the development and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

#### INFORMATIVES:

1. The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer.
2. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Environment Directorate for further information by telephoning the Developer Support Section on 0300 123 6780, or emailing the Developer Support Section, Lancashire County Council, Environment Directorate, at [lhscustomerservice@lancashire.gov.uk](mailto:lhscustomerservice@lancashire.gov.uk)
3. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.
4. This consent does not give approval to a connection being made to the County Council's highway drainage system.

#### BACKGROUND PAPERS

[https://www.ribbonvalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0573](https://www.ribbonvalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0573)

## SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2016/0974	Land West Preston Road Longridge	16/2/17	275	Issued 18/9/17
3/2017/0133	Land off Dale View Billington	31/8/17	41	With Legal

## APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2017/0190/P	Amend application 3/2013/0851 for development of The Whins. Full planning approval for the addition of 2 semi detached buildings consisting of four 3 bed houses (of these one is a replacement of one approved 5 bed detached house currently listed as plot 8)	Plot 8 The Whins Whins Lane Read
3/2017/0363/P	Change of use of land to sui generis (day care for dogs) and erection of timber shed 11.5m x 4m.	Stephen Moorlodge Wigglesworth Road Tosside

## 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>
3/2015/0393 R	10/08/16	Land west of Preston Road Longridge (Grimbaldeston Fm)	Inquiry	In abeyance	Bespoke timetable
3/2017/0088 R	03/07/17	1 and 2 Abbeycroft The Sands Whalley	WR		Awaiting Decision
3/2017/0039 R	07/08/17	18 Netherwood Gardens Brockhall Village, Langho	HH		Awaiting Decision
3/2017/0272 R	08/06/17	Ribble View Barn Alston Lane Longridge	WR		Appeal Dismissed 22/08/17
3/2016/1196 R	03/07/17	Lower Standen Fm Whalley Road Pendleton	WR		Awaiting Decision
3/2016/0708 R	10/07/17	The Dog & Partridge Tosside	Hearing	05/09/17	Awaiting Decision
3/2016/0709 R	10/07/17	The Dog & Partridge Tosside	Hearing	05/09/17	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>
3/2017/0029 R	24/07/17	Field at Hellifield Road, Gisburn	WR		Awaiting Decision
3/2017/0045 R	Awaiting start date from PINS	Newton Hall Newton in Bowland	WR (to be confirmed)		
3/2016/1202 R	17/08/17	Barn within the grounds of Greengore Farm	WR		Statement due 21/09/17
3/2017/0192 R	19/07/17	Countess Hey Elmridge Lane Chipping	WR		Awaiting Decision
3/2017/0308 R	10/08/17	Fields Farm Barn Back Lane Chipping	HH		Awaiting Decision
3/2017/0220 R	07/08/17	2a Whittingham Rd Longridge	WR		Awaiting Decision
Enforcement	Awaiting start date from PINS	Demesne Farm Newsholme Gisburn	Hearing (to be confirmed)		
3/2017/0441 R	Awaiting start date from PINS	19 Woodfield View Whalley	WR (to be confirmed)		
3/2017/0595 R	Awaiting start date from PINS	St Marys Community Centre Church Street Clitheroe	WR (to be confirmed)		Dismissed
3/2016/0999 R	Awaiting start date from PINS	Land at Dale View Billington	WR (to be confirmed)		
3/2016/0980 R	Awaiting start date from PINS	Land off Dale View Billington	WR (to be confirmed)		