

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 26 OCTOBER 2017
title: PLANNING APPLICATIONS
submitted by: DIRECTOR OF COMMUNITY SERVICES

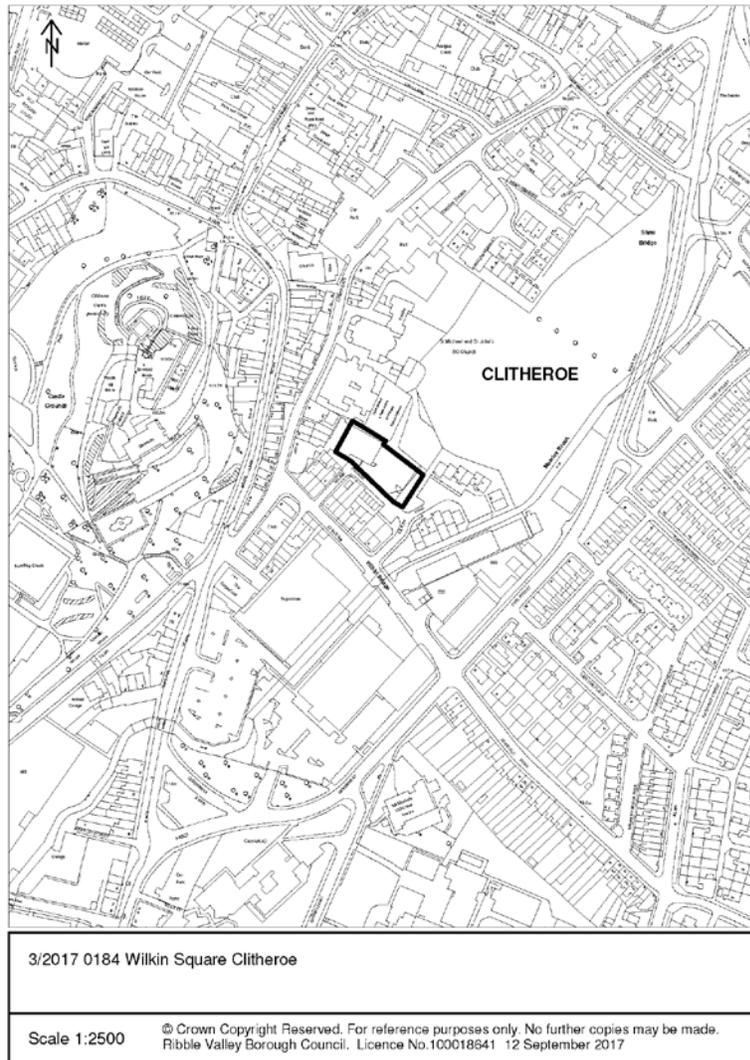
PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION REF: 3/2017/0184

GRID REF: SD 374353 441579

DEVELOPMENT DESCRIPTION:

ERECTION OF 10 DWELLINGS AND ASSOCIATED WORKS AT LAND OFF WILKIN SQUARE, CLITHEROE



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

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

- Concerns regarding the site access.
- The impact the proposals will have on the parking at the Mosque.
- The impact the proposals will have on the access to St Michael and St John's Church.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

The Highways Development Control Section have raised no objection to the proposal.

ENVIRONMENT AGENCY:

The Environment Agency has no objection to the proposed development subject to the imposition of conditions.

LOCAL LEAD FLOOD AUTHORITY (LLFA):

The Lead Local Flood Authority has no objection to the proposed development subject to the imposition of conditions relating to surface water drainage.

LCC CONTRIBUTIONS (EDUCATION):

No contribution is sought in respect of the development.

UNITED UTILITIES:

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

ADDITIONAL REPRESENTATIONS:

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

- The safeguarding of children and the potential for residents of the development to directly overlook the adjacent school playground.
- The impacts upon parking in the area due to a loss of parking and increased traffic.
- Inadequate access.
- The proposal will add to congestion in the town and the surrounding area.
- Disruption to school traffic.
- Unsympathetic design.

Clitheroe Civic Society have also offered the following observations:

CCS have looked at this application at the car park off Wilkin Square and do not wish to object to it in principle, which has a refreshingly imaginative design approach. However, we do have concerns that it will add further to the amount of traffic which our mediaeval street pattern will have to cope with. The instances of gridlock around this area are becoming more frequent and,

in the absence of any provision for the planned control to accommodate this increasing amount of traffic, this development can only add to the problem.

1. **Site Description and Surrounding Area**

- 1.1 The application site is a 0.132 Hectare (1322 Sqm) plot of land located to the north east of Wilkin Square off Highfield Road. The site is located within the defined Clitheroe Conservation Area and is located to the south east of the Clitheroe Main Centre boundary.
- 1.2 The site is classed as being brownfield in nature being currently used for the purposes of informal or overspill parking in association with the mosque to the northwest. The site is partially bounded to the northwest by the playground of St. Michael and St. Johns Primary school and to the north east by a staff car parking for the aforementioned school. To the east is Bayley Fold and to the southwest are 5 lock-up garages which adjoin the rear residential curtilages of dwellings that front Highfield Road.
- 1.3 The site benefits from variances in topography with the most prevailing condition being that the levels of the site decrease consistently towards the south east.

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

- 2.1 Full consent is sought for the erection of ten apartments; it is proposed that five of these will provide one bedroom accommodation with the remainder being providing two bedroom accommodation. The proposal takes the form of 5 three-storey blocks the westerly four blocks are linked by two storey mono-pitched communal circulation cores with remain block at the eastern extents of the site adopting a 'handed' configuration.
- 2.2 The submitted details propose that the primary point of vehicular and pedestrian access to the properties will be off Wilkin Square. Vehicular parking provision will be accommodated to the frontage of the properties with 11 parallel parking bays being proposed. Each of the blocks is allocated a garden area, these areas are unlikely to be communal and will be dedicated for use by the residents of the ground floor apartments. All of the apartments are dual aspect with the upper floor units being split over two levels, having their bedrooms on the first floor and primary living accommodation at second floor level.
- 2.3 The proposed apartments adopt a contemporary elevational language that utilises a number of traditional archetypes including parapet gables, stone jambs, sills heads and spandrel panels. The fenestrational language of the proposal is clearly contemporary insofar that elements of asymmetry are evident within the arrangement of the openings. The upper floor apartments benefit from terraces serving their kitchen/dining areas. Two of these terraces are located on the primary elevation (south west) with the remaining terraces being located on the rear elevations (north east) of the proposal. The terraces will be enclosed by stone walling allowing them to successfully visually integrate into the main body of their respective elevations.

3. **Relevant Planning History**

3/2006/0880 (Adjacent Site)

Demolition of factory sheds, forming car park and new entrance porch with internal alterations for change of use of Mount Vale to place of worship and community partnership centre. (Approved)

No other planning history relating to the site that is directly relevant to the determination of the current application.

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement DS2 – Presumption in Favour of Sustainable Development

Key Statement EN3 – Sustainable Development and Climate Change

Key Statement DMI1 – Planning Obligations

Key Statement DMI2 – Transport Considerations

Key Statement EN5 – Heritage Assets

Key Statement H1 – Housing Provision

Key Statement H2 – Housing Balance

Key Statement H3 – Affordable Housing

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME4 – Protecting Heritage Assets

Policy DME5 – Renewable Energy

Policy DME6 – Water Management

Policy DMH1 – Affordable Housing Criteria

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Technical Guidance to National Planning Policy Framework

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 The application site is located within the Defined Settlement Boundary for Clitheroe. Key Statement DS1 of the Core Strategy aims to promote development in and guide development towards the most suitable locations in the borough. The classification of settlements into Principal, Tier 1 and Tier 2 settlements was ultimately determined by the preparation of an evidence base document, which assessed the sustainability of settlements which subsequently informs the overall Development Strategy for the Borough to aid in achieving sustainable development.

5.1.2 A fundamental component of Key Statement DS1 is to guide the majority of new housing development towards the principal settlements within the Borough, in this respect the application, notwithstanding other Development Management considerations, clearly conforms with the overall aims of DS1.

5.1.3 The latest formal published housing monitoring position (April 2017) the Local Authority has a 5.73 year supply of housing, with the outstanding residual housing need for the Clitheroe, at the time of writing this report, having been

exceeded by 60 dwellings. Members will note that the residual housing numbers are no more than a minimum target to be met to achieve sustainable housing growth within the Borough. It is equally important to fully recognise that the residual housing need numbers are therefore not intended to be an upper limit not to be exceeded.

- 5.1.4 Members will be aware of the Governments recently published consultation proposals entitled 'Planning for the right homes in the right places'. Which seeks, amongst other matters, to seek views in respect of setting a standard methodology for calculating housing need across authorities. Within this consultation an indicative assessment of housing need for the Borough, based on the proposed revised methodology (from 2016 to 2026) indicates a need for 172 dwellings per year, a reduction of 108 units from the currently adopted figure of 280.
- 5.1.5 However, members will note that as this document is currently at consultation stage it can be afforded very little weight in the determination of applications and at this stage, does not form a material consideration. This matter has recently been clarified in a recent appeal decision (APP/X1355/W/16/3165490), Bellway vs Durham 2017. In respect of the status of the consultation the Inspector concluded that the consultation document and methodology, at this stage, carries *'little formal weight at this time. There is no certainty that the standard methodology suggested in the consultation document will be formally adopted, in due course – with or without amendment.'*
- 5.1.6 It is therefore accepted that the proposal would result in a level of oversupply when measured against the objectively assessed outstanding residual housing need for Clitheroe. However it is not considered that the degree of oversupply, as a result of the proposal, would result in any significant or measurable harm to the Development Strategy for the Borough.

5.2 Impact upon Residential Amenity:

- 5.2.1 A number of properties (7-21 Highfield Road) back on to the proposal site with numbers 13-17 having lock-up garages to the rear of their respective curtilages. Given the proposed apartments are dual aspect with a south westerly outlook there is there is the need to consider the potential impacts upon residential amenities of the residents of the aforementioned properties, particularly given the apartments are approximately a storey higher than their neighbouring counterparts, which can give rise to direct overlooking from an elevated position.
- 5.2.2 At their closet point the primary elevation of apartment number 2 is located approximately 11.5m from the rear curtilage of numbers 7-11 Highfield Road with a back to back distance of approximately 23.5m. Apartment number 4 benefits from a first floor terrace on the primary elevation which will directly overlook the aforementioned curtilages at a similar distance of 11.7m and a back to back overlooking distance of 23.7m - 23.8m. These distances are in excess of the minimum back to back overlooking distance the authority commonly seeks to achieve (21m) and in this respect the additional degree of separation is considered adequate to mitigate the potential impacts upon residential amenity as a result of the height of the proposal and direct over-looking from upper floor windows.

- 5.2.3 Taking into account the aforementioned separation distances and taking account of the orientation of existing and proposed primary habitable room windows it is not considered that the proposal will result in any significant detriment to the residential amenities of existing or future neighbouring occupiers.

5.3 Matters of Design:

- 5.3.1 The submitted details propose that the apartments will be accommodated within 5 distinct blocks that are designed to evoke the notion of a typical terraced built form. Elevational animation and articulation is provided through setback glazed linking elements that accommodate the communal stairwells of the apartments. Further relief and variation is provided through the variance in elevational treatment embodied within the primary and secondary elevations which includes the provision of projecting first floor terraces.
- 5.3.2 The elevational language of the proposal is clearly contemporary; however a positive relationship with the immediate townscape is maintained through the use of common archetypes including parapet gables and a window arrangement/hierarchy that benefits from diminishing proportions at upper levels, a common feature within the Conservation Area and town centre as a whole.
- 5.3.3 It is proposed that the development will be primarily faced in stone with slate roofing; precise details of such material will be required to be submitted to the authority for prior approval and prior to their use within the development.
- 5.3.4 It is accepted that the proposal seeks to introduce built form of a height that exceeds that which is immediately adjacent the site. However taking into account the separation distances between neighbouring dwellings I do not consider that the scale of the proposal will result in any undue impact upon residential amenity. In addition to this the neighbouring dwellings that front Highfield Road are located wholly to the south west of the proposal, taking this into account and the solar orientation of the site, it is unlikely that the proposal will result in any significant or noticeable loss of light to the aforementioned dwellings.
- 5.3.5 In relation to the proposals integration into the streetscene and how it will assimilate into the existing Conservation Area. Variations in height and form are apparent throughout the Conservation Area, the proposal does not seek to adopt a 'pastiche' approach nor does it seek to replicate existing elevational treatments in the area. The careful use of recognisable elements within the overall language of the proposal, whilst reflecting a contemporary expressive language, will allow the proposal to be read positively in the context of surrounding development and in the context of the wider Conservation Area.

5.4 Highway Safety and Accessibility:

- 5.4.1 The Highway Development Control Section originally raised an objection to the proposal in respect of the potential for the proposal to have a detrimental impact upon highway safety and potentially the amenity of the immediate vicinity of the site. However following the receipt of a revised Transport Statement the Highways officer has removed their objection and has requested that conditions be attached to the consent, should it be granted, that will ensure adequate

parking provision is provided on site and prior to first occupation of any of the apartments.

5.4.2 The Highways Development Control Section had also queried the potential implications that the proposal may have in reducing the approved parking provision for the mosque and the potential wider impacts through the displacement of parked vehicles elsewhere. Officers have subsequently confirmed that the parking provision as approved under application 3/2006/0880, which provided 15 dedicated parking bays, will remain unchanged and no loss of parking for the mosque will be resultant in this respect.

5.4.3 A number of representations have been received in respect of the current parking problems encountered on Wilkin Square and the loss of parking as a result of the proposed development. Members will note that the Highways Officer is of the opinion that the low amount of on-street vehicular parking that will be displaced by the development will be absorbed easily within the vicinity.

5.4.4 The officer also notes that the area of land to be developed appears to only accommodate occasional opportunistic parking and the public have no right of access to the area, therefore in real terms there will be very little loss of actual 'publicly available' parking provision as a result. The highways officer has raised concerns in respect of the reversing distances being less than 6m, however it has been clarified that this distance is achievable on site as the kerb fronting the lock up garages opposite is a dropped kerb and vehicles at present reverse over this area.

5.5 Landscape/Ecology:

5.5.1 The application is accompanied by an Arboricultural Impact Assessment which has identified the removal of two Leyland Cypress tree groups (totalling 5 trees) and one Amelanchier tree to enable the development. The aforementioned trees are of low visual amenity and have limited potential for future growth due to existing conflicts or due to the specimens being of a poor condition.

5.5.2 No landscaping details have been submitted in support of the application, such information will be required to be submitted through the imposition of conditions and it will be expected that any details submitted pursuant to the discharging of this condition will include the provision of replacement tree planting.

5.6 Infrastructure, Services and developer Contributions:

5.6.1 The application falls within the category whereby the small sites exemption is applied (Written Ministerial Statement November 2014) as such no developer contributions have been sought and there is no requirement for the applicant to provide on-site provision of affordable housing.

5.7 Flood Risk and Drainage:

5.7.1 The Lead Local Flood Authority (LLFA) originally raised an objection to the proposal on the basis that the Flood Risk Assessment was considered inadequate. Following the submission of revised details the LLFA have removed their objection to the proposal subject to the imposition of relevant planning conditions. United Utilities and the Environment agency have also raised no

objection to the proposal subject to the imposition of conditions relating to matters of drainage.

5.8 Other Matters:

- 5.8.1 A number of representations have raised the issue of child safeguarding and the potential risks to children by virtue of the development overlooking the playground associated with St. Michael and St. Johns Primary school which is located to the northwest of the site. In determining the application the authority must assess the application against the requirements of Policy DMG1 which, amongst other matters, requires that regard must be given to '*public safety and secured by design principles*'.
- 5.8.2 Secure by Design (SBD) contains no specific guidance in relation to 'Child Safeguarding' however it is noted that point 10.3 of New Schools 2014 (SBD) states that '*Surveillance over the site from the immediate neighbourhood can help to deter potential offenders who may fear that their presence on the site will be reported to the police. It is therefore important for the school to develop good relations with the community that overlooks the school and its grounds*'.
- 5.8.3 The majority of the representations received in respect of this matter seek to draw the officer's attention towards the potential for residents of the apartments to have unrestricted views of the children who attend the school whilst they are in the playground. Whilst such concerns, to a degree, are understandable. There are a number of scenarios within the borough whereby playgrounds are overlooked either by existing housing or areas that are publicly accessible be it areas of public open space, highways or footway. Furthermore, following a number of site visits at various times of the day, it is evident that the clear views of the playground are currently available from the mosque car-park, access to the school car-parking area off Wilkin Square and the School park itself, which whilst being private land, appears to allow open access for members of the public to enter the site.
- 5.8.4 Members will also note that Lancashire Constabulary have been consulted twice as part of the application and Lancashire Schools Planning Team have also been consulted however no concerns relating to child-safeguarding have been raised by either party. Therefore taking into account the above matters and taking account of the recommendations of Secure by Design and the criterion of Policy DMG1, I do not consider that the proposal raises any direct conflict with the aforementioned policy insofar that it cannot be reasonably or quantifiably argued that the proposal raises issues of public safety relating to the overlooking of the school playground.

6. Observations/Consideration of Matters Raised/Conclusion

- 6.1 Taking account of the above matters and all material considerations it is considered that the proposal will result in the redevelopment of a brownfield site that will bring forward new housing within a highly sustainable location benefitting walkable access to public services and facilities. It is further considered that the granting of consent will bring forward a form of development that will contribute to the overall enhancement of the Clitheroe Conservation Area and would result in a proposal that is considered to be of an appropriate scale, design and external appearance that will not result in any detrimental impact upon the character and visual amenities of the area.

- 6.2 For the reasons outlined above the proposed development is considered to be in broad accordance with the aims and objectives of the adopted development plan and do not consider that there are any reasons that would warrant the refusal to grant planning permission.

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

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

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

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

15.63/PL01 Rev: A - Proposed Site Plan
15.63/PL02 Rev: A - Proposed Floor Plans
15.63/PL03 Rev: A - Proposed Elevations
15.63/PL04 Rev: A – Proposed Sections

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

3. Precise specifications or samples of all external surfaces, including surfacing materials including details of the glazing and windows/door framing of the development hereby approved 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 detailed design of the proposal is appropriate to the locality and to protect the character and appearance of the defined Conservation Area in accordance with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy.

4. Notwithstanding the submitted details, prior to the commencement of the development details at a scale of not less than 1:20 of the proposed boundary treatments/fencing, walling and any retaining walls shall have been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality and to protect the character and appearance of the defined Conservation Area in accordance with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy.

5. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall be submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the submitted information shall include existing and proposed sections through the site including details of the height and scale and location of the proposed housing in relation to adjacent existing development/built form (where applicable). The details shall clearly show the eaves and ridge heights of the proposed building/dwelling(s) relative to the eaves and ridge heights of existing neighbouring development/built form. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the proposal responds positively to the topography of the site and to ensure that the detailed design of the proposal is appropriate to the locality and to protect the character and appearance of the defined Conservation Area in accordance with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy.

6. Prior to the commencement of development a noise survey/assessment ensuring that the rating level of noise emanated from uses adjoining the site will not have an undue or detrimental impact on the residential amenities of future occupiers of the development shall be submitted to and agreed in writing by the Local Planning Authority. The assessment shall have been made in accordance with the current version of British Standard 4142 and the Planning Practice Guidance.

Should the assessment indicate that noise from uses adjacent the site is likely to adversely affect the residential amenities of future occupiers then the submitted information shall also be accompanied by a detailed scheme or precise details of any sound mitigation/attenuation measures that are required or recommended by the findings of the assessment/survey.

The approved sound mitigation/attenuation measures shall be implemented as part of the construction of the dwellings in strict accordance with the approved details prior to first occupation and thereafter retained. Thereafter a verification report, that demonstrates the approved details have been installed as agreed, shall be submitted to and agreed in writing by the Local Authority.

REASON: In order that the Local Planning Authority may ensure that the activities associated with the proposal are appropriate to the locality and to protect the residential amenities of nearby residents/occupiers in accordance with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy.

7. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until a scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing by the local planning authority. The scheme shall indicate, as appropriate, the types and numbers of trees and shrubs, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and specifications of all retaining structures (where applicable).

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.

REASON: To ensure the proposal is satisfactorily landscaped and appropriate to the locality in accordance with Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy.

8. 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) Evidence of approval from United Utilities of permission to connect surface water drainage in to the 300mm diameter public United Utilities combined sewer within Highfield Rd, as stated in section 6.3.6 of the FRA, at the approved discharge rate.
- b) 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);

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 to ensure 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.

9. 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.

Reasons: 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.

10. 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.

11. The development hereby approved shall be carried out in strict accordance with the approved Flood Risk Assessment (FRA) (Ref: 2016-128 dated 30th January 2017) and the following mitigation measures detailed within the FRA:
- a) Finished floor levels are set no lower than 75.8m above Ordnance Datum (mAOD).
 - b) Flood storage compensation of 13.25 cubic metres to be provided on site, details of which shall be provided prior to commencement of development.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy DME6 of the Ribble Valley Core Strategy.

12. The drainage for the development hereby approved, shall be carried out in accordance with the principles set out in the submitted Flood Risk Assessment (Ref No. 2016-128, dated 30/01/17) which was prepared by FRC Ltd. No surface water will be permitted to drain directly or indirectly into the public sewer.

Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved details.

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

13. The parking areas hereby approved shall be surfaced and marked out in accordance with a scheme that shall first have been submitted to and agreed in writing by the Local Planning Authority. The agreed parking scheme shall be implemented and made available for use prior to first occupation of any of the dwellings hereby approved.

REASON: In order that the Local Planning Authority may ensure that adequate parking provision is provided on site and to ensure the proposal is appropriate to the locality and to protect the character and appearance of the defined Conservation Area in accordance with Key Statement EN5 and Policies DMG1, DMG3 and DME4 of the Ribble Valley Core Strategy.

14. Notwithstanding the submitted details, details of proposed cycle storage provision shall have been submitted to and approved by the Local Planning Authority prior to commencement of development. For the avoidance of doubt all proposed cycle storage shall be enclosed and lockable.

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

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

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, the dwellings hereby permitted shall not be altered or extended, no new windows shall be inserted, no alterations to the roof shall be undertaken and no buildings or structures shall be erected within the curtilage of the dwellings hereby approved unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the immediate area in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

BACKGROUND PAPERS

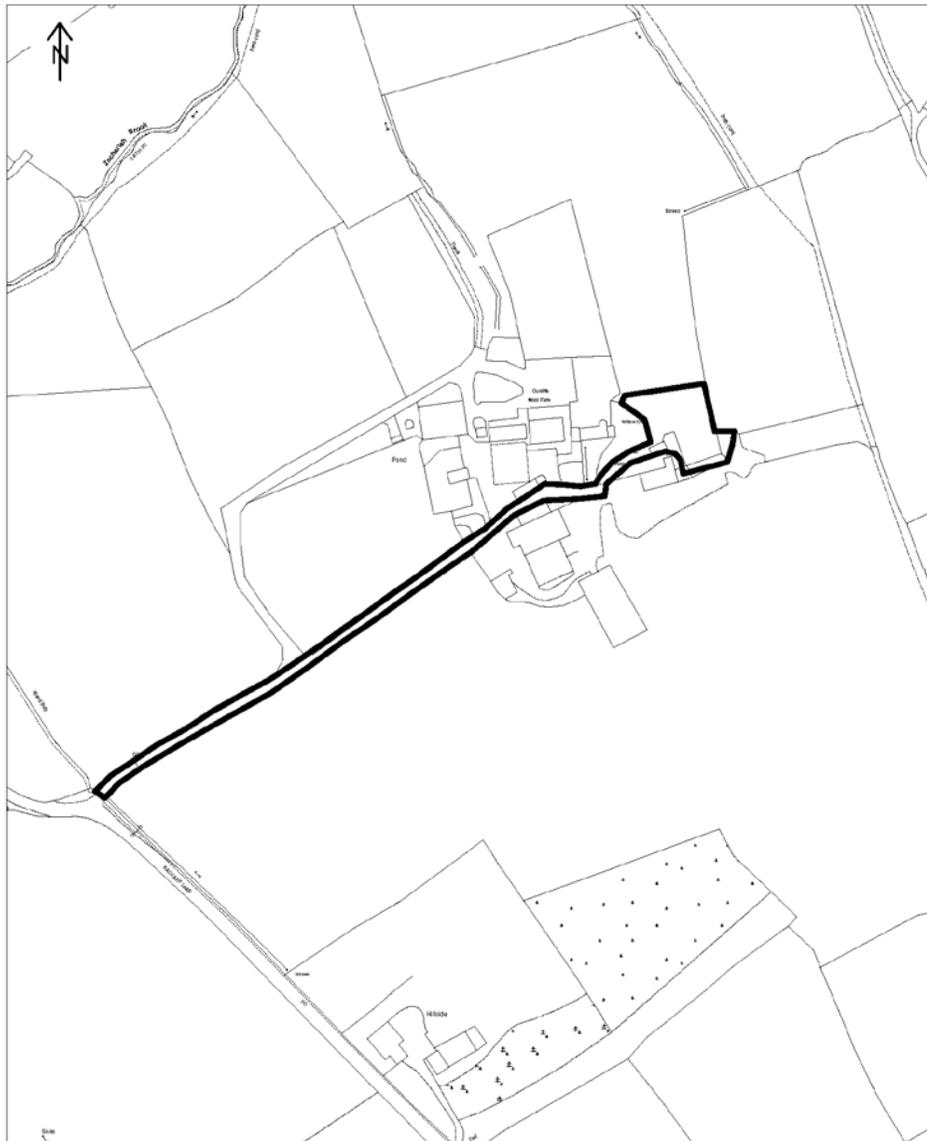
<https://www.ribblevalley.gov.uk/planningApplication/28205>

APPLICATION REF: 3/2017/0700

GRID REF: SD 366774 431520

DEVELOPMENT DESCRIPTION:

FULL AND PARTIAL DEMOLITION OF AGRICULTURAL BUILDINGS AND ERECTION OF THREE DETACHED, TWO-STOREY HOLIDAY COTTAGES AT CUNLIFFE MOSS FARM, SACCARY LANE, MELLOR



3/2017/0700 Cunliffe Moss Farm Saccary Lane Mellor BB1 9DL

Scale 1:2500

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Ramsgreave Parish Council:

No comments received

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

No comments received

ADDITIONAL REPRESENTATIONS:

No representations have been received.

1. Site Description and Surrounding Area

- 1.1 The application relates to land at Cunliffe Moss Farm, accessed via a private track off Saccary Lane in Mellor. The site occupies a rural setting with the land sloping down to the north in the general direction of the A59 which is approximately 1.5km north of the application site with an expanse of agricultural/rural land in between. To the south the land continues to rise up to Higher Ramsgreave Road which is located within an area known as Top of Ramsgreave.
- 1.2 Cunliffe Moss Farm consists of three dwellings and a number of agricultural buildings, and sections of the surrounding land is somewhat untidy consisting of shipping containers, rubble, building materials, pipes, timber/wood, unused machinery and general waste.
- 1.3 The application relates specifically to a section of land to the east of the dwellings at Cunliffe Moss Farm and this land slopes down from south to north, following the general topography of the area. The land currently consists of a couple of containers, a large agricultural building, and a single storey stable style building. Whilst some of the land is currently hardsurfaced the majority is grassland. The boundaries of the application site are defined by a mixture of fencing, hedging and mature trees.
- 1.4 The application site is located outside of the defined settlement boundaries and thus is categorised as open countryside. To the north and east of Cunliffe Moss Farm are Public Rights of Way 6, 7 & 18, and the application site is visible from these Rights of Way.

2. Proposed Development for which consent is sought

- 2.1 The application seeks to demolish the single storey stable style building, and a section of the large two storey agricultural building, and erect three holiday cottages on land to the east of the dwellings at Cunliffe Moss Farm.
- 2.2 The three holiday cottages would be relatively large in size, with two of the units providing four bedroom properties and the third a five bedroom property. Each unit would be differently designed, however all three would be two storey with a pitched roof design. All units would be constructed in natural stone with quoin detailing on the corners, and a blue slate roof. All windows and door openings would include stone

surroundings and Unit 1 would include a first floor balcony area, with high levels of glazing in the east facing gable elevation.

- 2.3 In terms of footprint, Units 1 & 2 would be square shaped with Unit 1 having a footprint of 100m² (10m x 10m) and Unit 2 135m² (11.2m x 12m). Unit 3 would be T-shaped with a footprint of 121m. With regard to the heights the units would vary in ridge height, ranging from 6.7m (Unit 1) to 8.2m (Unit 3).
- 2.4 Due to the natural slope of the land the existing land levels will be altered through elements of both cut and fill to provide two different land levels for the holiday cottages to be erected. Unit 1 would be located on the on the higher land level at the southern end of the site and Units 2 & 3 at the lower level to the north. A retaining wall would be constructed to support the higher level and as a result of the level alterations the ground floor level of Unit 1 would be located 2.5m higher than Units 2 & 3.
- 2.5 The existing track that serves the existing dwellings and buildings at Cuncliffe Moss Farm would be extended to serve the proposed holiday lets and each unit would be provided with car parking spaces and a small garden area.
- 2.6 The LPA have twice requested that the applicant/agent provide an economic justification to accompany this application, however the applicant/agent has refused to provide such information, commented that there is no policy requirement for them to do so.

3. **Relevant Planning History**

3/2010/0753 – Proposed demolition of an existing dwelling and erection of a replacement dwelling with garage and associated external works – approved with conditions

3/2011/0510 – Proposed demolition of the existing dwelling and the erection of a replacement dwelling with garage and associated external works. Revised submission of planning consent 3/2010/0753P - approved with conditions

4. **Relevant Policies**

Ribble Valley Core Strategy:

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

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME2 – Landscape and Townscape Protection
Policy DMB1 – Supporting Business Growth and Local Economy
Policy DMB3 – Recreation and Tourism Development
Policy DMB5 – Footpaths and Bridleways
Planning (Listed Buildings and Conservation Areas) Act 1990

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

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

- 5.1.1 Core Strategy Policy DMB1 generally seeks to support business growth and the local economy, and Policy DMB3 relates specifically to recreation and tourism uses. Policy DMB3 requires new tourism development to be physically well related to an existing main settlement or village or to an existing group of buildings, except where the proposed facilities are required in conjunction with a particular countryside attraction.
- 5.1.2 In this respect the application site is not located within an existing main settlement or village, however it is directly adjacent to a “group of buildings” at Cunliffe Moss Farm and thus the proposal would comply with this requirement.
- 5.1.3 As mentioned earlier in the report the LPA have requested that the applicant/agent provide an economic justification for this proposal. More specifically the LPA requested details of the marketing research that has been undertaken to ascertain whether there is a need for large (four and five bedroom) holiday cottages in this location, financial details of the building costs, projected occupancy rates and potential charges for guests, which would then provide an estimate timescale as to when the holiday cottages would become profitable.
- 5.1.4 Despite two requests, the applicant/agent has commented that they will not be providing such information as there is no policy requirement for them to do so.
- 5.1.5 Whilst it is accepted that there is no specific policy requirement for the applicant to provide this information, such information is often submitted with this type of application and it is considered that the information requested is not unreasonable. In most cases one would expect that the applicant will have calculated the potential costs builds for the development and researched the demand for holiday lets in this area before progressing to the stage of submitting a formal planning application.
- 5.1.6 Considering the above, despite the request of the LPA the applicant has not provided a financial justification or business case, however this in itself if not considered to be a reason to refuse the application at this stage. As such, the principal of holiday accommodation in this location is considered to be acceptable, however conditions have been attached which will ensure that the buildings are used solely as holiday accommodation only and not as permanent or primary living accommodation.

5.2 **Impact Upon Residential Amenity:**

- 5.2.1 The submitted application states that there are three residential dwellings at Cunliffe Moss Farm, with the Farmhouse being the central of these three properties. The Farmhouse is owned by the applicant and directly to the east is Willowcroft which does not appear to be in the ownership of the applicant (not included within the submitted site edged blue or red). The proposed holiday cottages would be sited to the east of Willowcroft.
- 5.2.2 The side elevation of Willowcroft would face towards the proposed new units and at the nearest point a separation distance of 20m would be provided. Such a

separation distance is considered to be acceptable so as to ensure that the proposal would not unduly impact upon the amenity of existing residents and furthermore there are mature trees on land in between which would significantly screen the proposal from the existing dwelling at Willowcroft.

- 5.2.3 Occupiers of the proposed holiday cottages would access the site via the existing track, which is to be extended, and this existing track does pass by the existing dwellings at Cunliffe Moss Farm. This track however is currently used by farm machinery and the additional vehicle movements associated with the proposed holiday lets would not have any greater impact upon neighbouring amenity.
- 5.2.4 Outside of Cunliffe Moss Farm the nearest neighbouring property is Higgs Hall Fields some 200m to the north east and other than this property, and the buildings at Cunliffe Moss Farm, the site is surrounded by open fields.
- 5.2.5 In view of the above the proposed development would not have any undue impact upon neighbouring land uses in accordance with Policy DMG1.

5.3 Visual Amenity/External Appearance:

- 5.3.1 Whilst the site can be seen from the A59, at a distance of 1.5km it is not highly visible or prominent, and in any case the proposed development would be viewed in conjunction with the existing/adjacent buildings and dwellings at Cunliffe Moss Farm. The site would be more prominent from the adjacent Public Rights of Way, but for similar reasons to the above the new units would be viewed in conjunction with the existing/adjacent buildings and dwellings at Cunliffe Moss Farm.
- 5.3.2 With regard to design and external appearance, the proposed units would be constructed in natural stone, with a blue slate roof, and such materials are considered to be acceptable in this rural location. The properties would contain significant levels of glazing, particularly Unit 3 which contains a first floor balcony, however the farmhouse of Cunliffe Moss Farm is a replacement dwelling and is of a relatively modern design with high levels of glazing and balconies.
- 5.3.3 Furthermore, as part of the proposal the application includes the removal of a single storey building and part of a two storey agricultural building, and it is assumed that the rather untidy area of land around the application site will also be tidied up if the applicant was to construct the proposed holiday lets.
- 5.3.4 With the above in mind it is considered that the design/appearance of the proposed development would be sympathetic and in keeping with the surrounding landscape and buildings in accordance with Key Statement EN/2 and Policy DMG1 of the Core Strategy, as well as National Guidance contained within the NPPF.

5.4 Highways

- 5.4.1 The application proposes to extend the existing access track to serve the proposed units and parking provision would be provided for each unit. LCC Highways have not commented on this proposal but there are considered to be no highway concerns in relation to this proposal.

5.5 Trees and Ecology

5.5.1 The land upon which the units would be erected is currently grassed, liley used by horses, and thus has low ecology value. To the west there is a group of mature trees, and also some trees to the east, and a condition has been attached which requires these trees to be retained and protected during the construction period.

5.5.2 The application is accompanied by an ecology survey in respect of the buildings to be demolished and this survey concludes that the buildings have low potential for bats and barn owls. The report did however find evidence of nesting Swallows in the area and therefore recommends that works should not commence during bird nesting season and a condition to this affect has been attached to the recommendation. A condition has also been attached requiring the applicant to provide bat and bird boxes within the proposed holiday cottages and details of these shall be submitted to the LPA prior to commencement of development.

6. Observations/Consideration of Matters Raised/Conclusion

6.1 In summary, the principle of holiday cottages in this location is considered to be acceptable and the proposed development would not have any undue impact upon neighbouring amenity. The proposal would not have any significant visual impact on the character and quality of the site and its surrounding area, and as such the application is recommended for approval.

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

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

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

2. 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:

Ain/798/2261/01
Ain/798/2261/02
Ain/798/2261/03
Ain/798/2261/04
Ain/798/2261/05

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

3. Unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall be carried out in complete accordance with the materials detailed on approved drawings:

Ain/798/2261/01
Ain/798/2261/02
Ain/798/2261/03

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

4. 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 approved drawing Ain/798/2261/04 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 protect the existing vegetation in the interest of visual amenity in accordance with Policies DMG1 and DME2 of the Ribble Valley Core Strategy.

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

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

6. The holiday cottages hereby approved shall not be used as a unit of permanent accommodation or any individual(s) sole place of residence. A register of all occupants/owners of the holiday cottages hereby approved shall be maintained at all times and shall be made available for inspection by the Local Planning Authority on request. For the avoidance of doubt the register shall contain the name and address of the principal occupier/owner(s) together with all dates of occupation.

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

7. Notwithstanding the provisions of Classes A to H of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, the holiday cottages hereby permitted shall not be altered or extended, no new windows shall be inserted (including rooflights) and no additional buildings or structures shall be erected within its external area unless planning permission has first been granted by the Local Planning Authority.

REASON: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality and the amenities of nearby residents in accordance with Key Statement EN2 and Policies DMG1 and DME2 of the Ribble Valley Core Strategy.

8. The car parking and manoeuvring areas (as shown on approved drawing Ain/798/2261/04) shall be laid out in accordance with the approved plan before the holiday cottages hereby approved are first brought into use and shall be permanently maintained as such thereafter.

REASON: To allow for the effective use of the parking areas in accordance with Ribble Valley Core Strategy Policies DMG1 and DMG3.

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

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

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: To prevent stones and mud being carried onto the public highway to the detriment of road safety in accordance with Ribble Valley Core Strategy Policies DMG1 and DMG3.

11. 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: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Ribble Valley Core Strategy Policy DME3 and the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

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

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

The artificial bird/bat boxes shall be made available for use before the holiday cottages 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.

13. 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.

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

REASON: In order to reduce the risk of flooding in accordance with Policy DME6 of the Ribble Valley Core Strategy and the National Planning Policy Framework.

BACKGROUND PAPERS

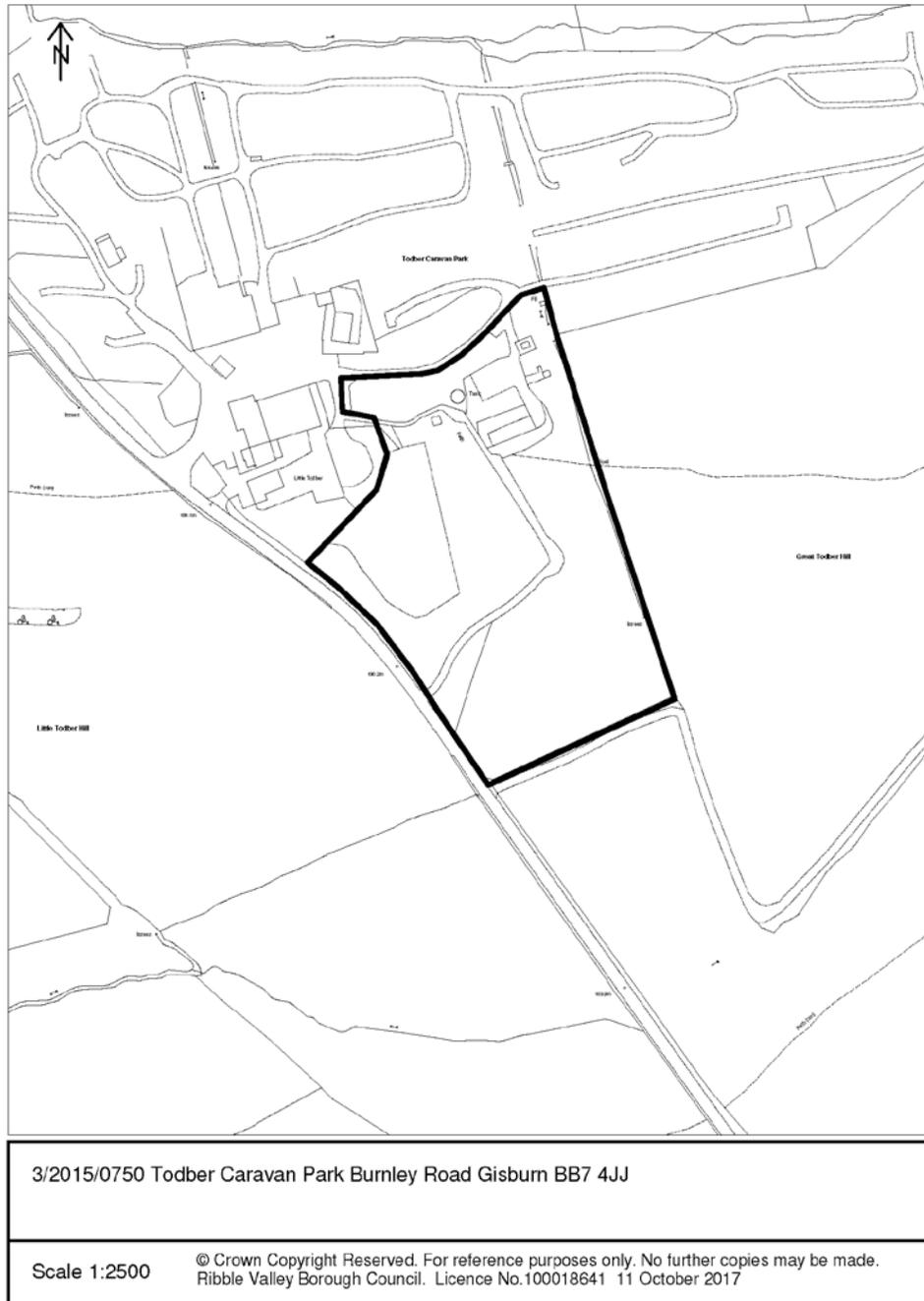
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0700

APPLICATION REF: 3/2015/0750

GRID REF: SD 383312 446506

DEVELOPMENT DESCRIPTION:

CHANGE OF USE OF LAND TO FORM EXTENSION TO EXISTING CARAVAN SITE FOR THE SITING OF A FURTHER 16 HOLIDAY CARAVANS. TODBER CARAVAN PARK, BURNLEY ROAD, GISBURN BB7 4JJ.



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Rimington and Middop Parish Council objects to the application on the following grounds:

- The overall impact. The proposed site is in a prominent position on the side of Great Todber Hill, and next to the A682. By virtue of this exposed west facing site it will have considerable visual impact.
- This visual impact is contrary to what is claimed in the Planning Statement/LVIA. It will be intrusive in the landscape which is an RVBC planning policy test.
- Currently the field proposed for the development is shown as “Recreational Field” in the Great Todber Valley Brochure. This, therefore, is the applicant’s classification of the purpose of this field.
- All previous applications 3/2006/0620 and 3/2010/0775 for additional/replacement vans were approved with the following conditions: Total units to remain at 306. This condition is going to be ignored if the proposed site is developed. Before new units were sited the old ones to be removed and the site grassed over. Unused parts of the site only were permitted for development. And most significantly under no circumstances should playing fields be used to site units, recreation field equals playing field and development is already prohibited for this site.
- Increasing the number of vans clearly increases the urbanisation of the parish, where even now the number of residents on residential caravan sites is, when all the vans are filled greater than the number of parishioners resident in permanent buildings, The necessary roadway lighting will further develop the pattern of urbanisation and could prove distracting to traffic descending the A682 from Cold Weather Hill.
- There are bound to be additional traffic movements on a road with a poor safety record.
- The application is confusing since the forms refer to 27 holiday caravans yet the drawings and LVIA refer to proposed lodge development. The PC understands lodges to be timber clad/log cabins rather than caravans, but since there are no details provided of the external appearance of the lodges the PC cannot make a judgement. Furthermore if the site runs true to form we could expect the usual array of decking, patios, sheds, and garden areas, increasing the urban effect to which the P C has already objected. Much of the existing Todber site is residential.
- The FRA/Drainage Plan does not provide any information on the capacity of the recently installed sewage treatment unit to cope with the proposed additional demands of the enlarged site.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

The Highways Development Control Section have raised no objection to the proposal and are of the opinion the proposal will have negligible impact upon highway safety.

RVBC ENVIRONMENTAL HEALTH:

RVBC Environmental Health have offered the following observations:

The main concern with the proposed scheme is a potential breach of condition no 14:- *“Where children stay on the site, space equivalent to about one-tenth of the total area shall be allocated for children’s games and/or other recreational purposes”*. It is clear from looking at the submitted plans that the large area currently used for recreational activity will be lost, resulting in a significant breach of this site licence condition.

ADDITIONAL REPRESENTATIONS:

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

- Concerns regarding the cladding material to be used on the caravans.
- Impact upon residential amenity
- The proposal will affect a Public Right of Way
- The area on which the caravans are to be sited is allocated as recreation space for the residents of the park
- Intensification of activity
- Significant visual impact upon the landscape
- Proposed earthworks will appear incongruous
- Highway Safety

1. Site Description and Surrounding Area

- 1.1 The application relates to a 2.8 Ha area of land within Todber caravan Park, located to its southern extents. The site is located to the eastern side of the A682, being located within the defined open countryside and approximately 2 miles to the south of the settlement of Gisburn.
- 1.2 The area of land is bounded to the west by the A682. The site is currently greenfield in nature, being used as informal recreational space for the caravan park. At the time of undertaking a number of site visits it is clear that the area is poorly maintained and largely unused by residents.
- 1.3 The site benefits from variances in topography with the most prevailing condition being that the levels of the site increase towards the north eastern extents of the site.

2. Proposed Development for which consent is sought

- 2.1 Full consent is sought for the siting of 16 additional caravans/lodges including landscaping and associated site-works. Vehicular access to the lodges will be provided via the existing main site entrance and off an existing track/lane that already serves a number of caravans. The application originally sought consent for the siting of 27 holiday caravans/lodges, subsequent to officer negotiation the quantum of development has been reduced by 11 units allowing for a more significant landscape mitigation scheme to be brought forward.
- 2.2 The submitted details propose that the lodges will be served by a single vehicular access track providing access to 8 lodges off of which will be two smaller cul-de-sac arrangements each accommodating 4 lodges. Each lodge benefits from an associated hardstanding that will create parking provision for two vehicles in a tandem arrangement.

- 2.3 The caravan/lodges will be of a pitched roof arrangement and measure 6.1m in width and 12.2m in length. The caravan/lodges will be 4.2m in height at ridge level. The units will be raised off of the ground by approximately 800mm resulting in an overall ridge height of approximately 5m when measured from ground level. It is proposed that the caravans will benefit from an attached porch and decking arrangement that adopts a wraparound 'L' shaped configuration that encompasses two elevations dependant on the orientation of the caravan. The submitted details propose that the lodges/caravans will be faced in a Canexel cladding system, details of which will be required to be agreed through the imposition of condition.
- 2.4 It is proposed that the southern extents of the site will remain undeveloped to allow for informal recreational use and that the north, south, east and western boundaries of the site will benefit from substantial native woodland planting complimented by deciduous and conifer tree planting. Earth mounding is also proposed to the southern and western extents of the site to reinforce the visual mitigation provided by the proposed woodland planting. It is further proposed that an informal track/route will be provided around the periphery of the site that will be integrated into the proposed woodland planting for use by residents of the park.
- 2.5 A Public Right of Way (FP 6) runs east to west through the site. The approximate route of the PROW has been accommodated within the proposed layout with a track being shown that will maintain the route and its access to the fields to the east.

3. **Relevant Planning History**

3/2013/1007:

Removal of condition 1 of planning consent 3/2005/0289 (3/2005/0289 was a resubmission of 3/2004/0287 to modify applications BO1318, BO1609, BO1806 and 3/1999/0662) to allow year round holiday use of the units. (Approved)

3/2011/0791:

Application for the variation of condition no.1 of planning consent 3/2005/0289P to allow plots N1 - N25 to be available for 12 months, only for the purpose of holiday lets and not as a permanent residence. (Approved)

3/2005/0289:

Proposed extension to operating period to allow for the use of the site for 10 and half months each year running from 1st March to 15th January. Re-submission of 3/2004/0287. (Approved)

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement DS2 – Presumption in Favour of Sustainable Development

Key Statement EC3 – Visitor Economy

Key Statement EN2 - Landscape

Key Statement EN3 – Sustainable Development and Climate Change

Key Statement DMI2 – Transport Considerations

Policy DMB1 – Supporting Business Growth

Policy DMB5 – Footpaths and Bridleways

Policy DMG1 – General Considerations
Policy DMG2 – Strategic Considerations
Policy DMG3 – Transport and Mobility
Policy DME6 – Water Management

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

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 The application relates to an existing well-established business within the area and will result in its further expansion by 16 caravan/lodge units and in this respect it is considered that the proposal accords with the main aims and objectives of Key Statement EC1 and Policy DMB1 which seek to encourage the expansion and growth of successful businesses within the Borough.

5.1.2 A fundamental component of Key Statement EC3 is to encourage proposals that will contribute and strengthen the visitor economy of the Borough including the creation of new accommodation and facilities associated with existing attractions. In this respect the proposals is considered to be in accordance with the main thrust of EC3 in that the expansion of the facilities is likely to contribute and strengthen the visitor economy of the Borough through additional visitors being attracted to the area.

5.1.3 The application has been accompanied by an Economic Impact Summary that contains typical stay characteristics that provide an insight into likely benefits to the local economy resultant from occupiers and visitors to of the development as follows:

Length of Stay

- The average length of stay of all visitors per holiday is 8.6 days. Longest average stay is by visitors in owned static units (10.2 days), followed by touring visitors (7.6 days) and then visitors to rented static units (6.2 days).
- The average number of days that owners expect to use their unit per year is 83.5. In addition, owners allow other people (eg family and friends) to stay an average of 25 days per annum, making a total average of 108.5 days usage per owned static unit.

Group Size

- The average size of group in all types of accommodation is 3.49 people comprising an average of 2.21 adults and 1.28 children. Groups in owned static units average 3 people, in rented static units average 4.82 people and in tourers 3.54 people.

Visitor Spend

- The average spend per group while away from home is £337 or an average of £11.25 per person per day. Highest category of expenditure is eating and drinking out (30%, split between 16% on park and 14% off park) followed by purchasing food and drink (for self-catering) at off park shops (26%), and transport (14%).
- Visitors in rented static units appear to spend slightly more (£13.20) a day than the average visitor spend, while visitors in touring units spend £12 and those in owned static units spend £11.

5.2 Impact upon Residential Amenity:

5.2.1 Only one residential dwelling lies within close proximity, located to the east and adjacent to the site, that being the property known as Little Todber Farm. Based on the submitted site plan the nearest proposed lodge will be located in excess of approximately 60m from the aforementioned dwelling.

5.2.2 Taking into account the aforementioned separation distances and taking account of the orientation of existing primary habitable room windows and the proposed location of the lodges it is not considered that the proposal will result in any significant detriment to the residential amenities of existing or future neighbouring occupiers by virtue of direct-overlooking or a loss of privacy.

5.3 Matters of Design and Visual Impact

5.3.1 Whilst it is accepted that the development will result in a degree of visual impact upon the open countryside, significant landscaping proposals have been submitted in support of the application to mitigate potential impacts from the introduction of development particularly upon long and short views.

5.3.2 The proposed landscaping proposals are substantial, being located around the boundaries of the site consisting of native species woodland planting at depths ranging from 28m to 13m consisting of a variety of native species. Additional reinforcement planting is provided within the woodland areas with 'island' woodland planting also being provided towards the central area of the site directly to the south of the proposed lodges. This will have the visual effect of a multi-layered planting scheme, that when established, will provide more effective visual screening than that of a typically linear planting arrangement.

5.3.3 It is further proposed that earth works will be undertaken to the southern and western extents of the site adjacent the A682 to create raised landscaped mounds, these will increase the effectiveness of the visual screening provided by the landscaping proposals.

5.3.4 It is recognised that it may take some time for the proposed landscaping to establish to a level whereby it will fully visually mitigate the visual impact of the lodges. However, officers have secured an agreement with the applicant that a landscape phasing plan for the implementation of the landscaping proposals shall be required to be submitted through the imposition of condition.

5.3.5 Members will note that the applicant has also stated that they will implement the landscaping prior to the siting of any lodges on site. The aforementioned

landscape phasing condition will therefore afford the Local Planning Authority control over a timeframe whereby lodges can be located on site. This will allow for the proposed landscaping scheme to establish, albeit not fully, prior to lodges being sited on the land and to ensure a higher degree of visual mitigation is provided from the outset of the development.

5.4 Highway Safety and Accessibility:

5.4.1 The Highway Development Control Section have raised no objection to the proposal and consider that it is likely to have a negligible impact upon the operation of the immediate adjacent highways. The section has not required that any conditions be imposed relating to highways and have suggested that an informative be attached in respect to the Public Right of Way that runs through the site.

5.5 Landscape/Ecology:

5.5.1 The application is accompanied by an Arboricultural Report which has identified 23 items of vegetation, comprised of 16 individual trees, and 7 groups of trees and hedges. Of the surveyed vegetation: 1 tree is retention category 'A'; 9 trees or groups are retention category 'B', and the remaining 13 trees or groups are retention category 'C' (explanatory details regarding the retention categories are included within Appendix 3). The central area of the site is considered to contain little arboricultural significance.

5.5.2 The majority of the surveyed vegetation is situated along or beyond the main development site boundary. Any additional off-site trees that could have an effect on a new development design have been included in the tree survey. The survey has concluded that the most significant trees surveyed are formed by 3 mature Oaks situated along the western boundary (T1, T3 and T4). Collectively these trees form an important part of the landscape and it is intended that these will be retained and incorporated into any new development.

5.5.3 The survey proposes the removal of T15, a low value Hawthorn. While it may be possible to retain the hawthorn shrubs adjacent to T15, it is recommended to use the development as an opportunity to remove the low value hawthorn G12, T14, T15 and T16 as they have very limited long term prospects and would be unsuitable for retention as part of the new development.

5.5.4 The survey concludes that the development proposals provide a significant opportunity to undertake management, restoration planting and additional landscaping proposals that will provide significant habitat and ecological benefit.

5.5.5 The application has also been accompanied by an Ecological Assessment that identifies the site as having low conservation significance due to low species diversity and that the development will not result in any loss of species or habitats of concern. The report has made further recommendations in respect of habitat enhancement and has identified bat roosting potential found in the Oak trees to be retained. Matters relating to the implementation and timings of the habitat enhancements to be put in place will be secured through the imposition of condition.

5.6 Other Matters:

5.6.1 Members will note that the RVBC Environmental Health originally raised concerns in respect of the reduction of available amenity space on site and that this will result in a breach of a licensing condition. Following the reduction in numbers the Environmental Health officer has no objection to the proposal in that recreational/amenity space is still being provided for use by residents/occupants. Notwithstanding this issue, it is imperative to be mindful that the potential breaching of a licensing condition would not be a valid material consideration in the determination of the application.

5.6.2 Members will also be aware that the site is currently subject to enforcement action with a breach of condition notice having been served relating to the permanent occupation of caravans. This matter is currently being monitored by the Borough Councils enforcement team. The presence of such a breach does not preclude the ability for the authority to consider the current application. It is intended that occupation of the additional lodges, for which consent is currently sought, will be controlled through the imposition of condition which precludes permanent occupation. This will ensure the proposals compatibility with the adopted development plan and inherent development strategy.

6. Observations/Consideration of Matters Raised/Conclusion

6.1 Taking account of the above matters and all material considerations it is considered that the proposal will result in the expansion of an already well-established business within the Borough. The expansion and additional lodges/caravans are likely to result in wider economic benefits by increasing visitor spending within the local area thus strengthening the visitor economy within the Borough.

6.2 Whilst it is accepted that the proposal will result in some measurable visual impact upon the defined open countryside such impacts are likely to be more apparent in the short-term. The significant landscape mitigation put forward is likely to provide an adequate level of visual mitigation in the long term that will successfully negate/mitigate any negative visual impacts resultant from the siting of the lodges.

6.3 It is further considered that the landscaping proposals are likely to have significant environmental benefits resulting in overall ecological/habitat enhancement and a net enhancement in overall biodiversity value.

6.4 For the reasons outlined above, the proposed development is considered to be in broad accordance with the aims and objectives of the adopted development plan and it is not considered that there are any material reasons that would warrant the refusal to grant planning permission.

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

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

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

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

Planting Plan: PP-0-01 Revision: 2
Proposed Block Plan (Option 02): 3579-235 Revision (March 2017)
Typical Lodge Elevations: 3579-260

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

3. Precise specifications or samples of all external surfaces, including all 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.

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

4. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until details of the phasing for the siting of lodges, implementation of landscaping proposals, woodland planting and informal pedestrian trails/routes have been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the submitted details shall indicate that the landscaping proposals and recreational/amenity routes shall be implemented in full prior to the siting of any lodge hereby approved. The submitted details shall also provide a detailed programme of timings for the implementation and completion of all landscaping elements and/or earthworks and a phasing plan (including timings) for the siting of each lodge following the full implementation of the aforementioned landscaping proposals.

The development shall be carried out in strict accordance with the timings and details provided within the approved details.

REASON: To ensure that adequate visual mitigation is provided in advance of the siting of the proposed lodges and to ensure that the recreational areas/routes are delivered on an appropriately phased basis to ensure that adequate provision is provided to serve the occupants of the wider site and lodges/caravans hereby approved in accordance with Policies DMG1, DMG2 and DMB5 of the Ribble Valley Core Strategy.

5. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas has been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the details shall also indicate that the landscaping proposals shall be maintained for a period of not less than 25 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 landscape management of the site shall thereafter be carried out in strict accordance with the approved details.

REASON: In order to ensure that the landscaping hereby approved is adequately and appropriately managed in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

6. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until full details of existing and proposed ground levels and proposed building/lodge floor and ridge height levels (all relative to ground levels adjoining the site) including the levels of the proposed roads have been submitted to and agreed in writing by the Local Planning Authority.

For the avoidance of doubt the submitted information shall include existing and proposed sections through the site including details of the height, scale and location of proposed caravans/lodges in relation to adjacent landform. The development shall be carried out in strict accordance with the approved details.

REASON: To ensure a satisfactory form of development that is visually compatible with the defined open countryside and in the interests of protecting the visual amenities and character of the area in accordance with Policies DMG1 and DMG2 of the Ribble Valley Core Strategy.

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

REASON: In order to limit occupation of the lodges/caravans to that of holiday use only and to define the scope of the permission. It is further considered that the condition is required to prevent the use of the lodges/caravans for permanent occupation which may lead to unsustainable patterns of development which would be of harm to the Development Strategy for the Borough and to ensure the development accords with Key Statements DS1, DS2 and Policies DMG2 and DMH3 of the Ribble Valley Core Strategy.

8. The caravans/lodges hereby approved shall not be occupied otherwise in accordance with the following terms:
 - A. The caravans/lodges shall be occupied for holiday purposes only
 - B. The caravans/lodges shall not be occupied as any persons or individuals sole or main place of residence
 - C. The owners/operators of the site shall maintain an up to date register of the names of all owners/occupiers of individual caravans/lodges on site which shall be made available for inspection by the Local Planning Authority on request. For the avoidance of doubt the register shall contain the name and address of the principal owner/occupier together with dates of occupation.

REASON: In order to limit occupation of the lodges/caravans to that of holiday use only and to define the scope of the permission. It is further considered that the condition is required to prevent the use of the caravans/lodges for permanent occupation which may

lead to unsustainable patterns of development which would be of harm to the Development Strategy for the Borough and to ensure the development accords with Key Statements DS1, DS2 and Policies DMG2 and DMH3 of the Ribble Valley Core Strategy.

9. The number of lodges/caravans on the site area subject to this consent shall not exceed 16 and under no circumstances should the site to which this consent relates accommodate touring caravans or any other caravans/lodges other than those indicated on the drawings hereby approved.

REASON: To clarify the nature of the consent hereby approved and to protect the visual amenities and character of the area in accordance with Policies DMG1 and DMG2 of the Ribble Valley Core Strategy.

10. Details of the alignment, height and appearance of all boundary treatments, fencing, walling, retaining wall structures and gates to be erected within the development shall have been submitted to and approved by the Local Planning Authority prior to their installation. The development shall be carried out in strict accordance with the approved details.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting that Order, no external lighting/floodlighting or building/ground or wall mounted lighting shall be erected or placed anywhere within the site to which this consent relates without written consent from 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 in accordance with Policies DMG1 and DMG2 of the Ribble Valley Core Strategy.

12. 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 unless and until a scheme for protective fencing for trees within and adjacent to the site, has been submitted to and approved in writing by the Local Planning Authority.

Such fencing shall be in accordance with BS5837 (2012): 'Trees in Relation to Construction'. Such fencing shall be erected in its entirety prior to any other operations taking place on the site. This fencing should not be breached or removed during development. Furthermore within the areas so fenced the existing ground level shall be neither raised nor lowered and there shall be no development or development-related activity of any description including the deposit of spoil or the storage of materials unless expressly agreed by the Local Planning Authority.

REASON: To protect trees/hedging of landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development in accordance with Policies DMG1 and DMG2 of the Ribble Valley Core Strategy.

13. No tree felling, vegetation clearance works, site clearance works, demolition work or other works that may affect nesting birds shall take place between 1st March and 31st August inclusive, unless the site has been subject to additional surveys by a competent ecologist, the results of which shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the ecological survey/s.

REASON: To protect any nesting birds that may be present on the site and to minimise the potential impacts upon species of conservation concern in accordance with Policy DMG1 and Key Statement EN4 of the Ribble Valley Core Strategy.

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

For the avoidance of doubt the details shall be submitted on a dwelling/building dependent bird/bat species site plan and include details of the mitigation measures to be provided and their precise location. The submitted details shall take account of the mitigation and compensation recommendations contained within the submitted Ecological Assessment (April 2015) and provide detailed timings for installation or implementation of all mitigation/compensation measures. The development shall be carried out in strict accordance with the approved details and the agreed mitigation measures shall be implemented in accordance with the approved timings and thereafter retained in perpetuity.

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 EN4 and Policies DMG1 and DME3 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 foul and surface water drainage for the site have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

REASON: To ensure appropriate drainage for the proposed development and to ensure 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.

16. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until details of all refuse collection/storage points/areas and utility buildings (where applicable) have been submitted to and agreed in writing by the Local planning Authority. The development shall be carried out in strict accordance with the approved details.

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 in accordance with Policies DMG1 and DMG2 of the Ribble Valley Core Strategy.

BACKGROUND PAPERS

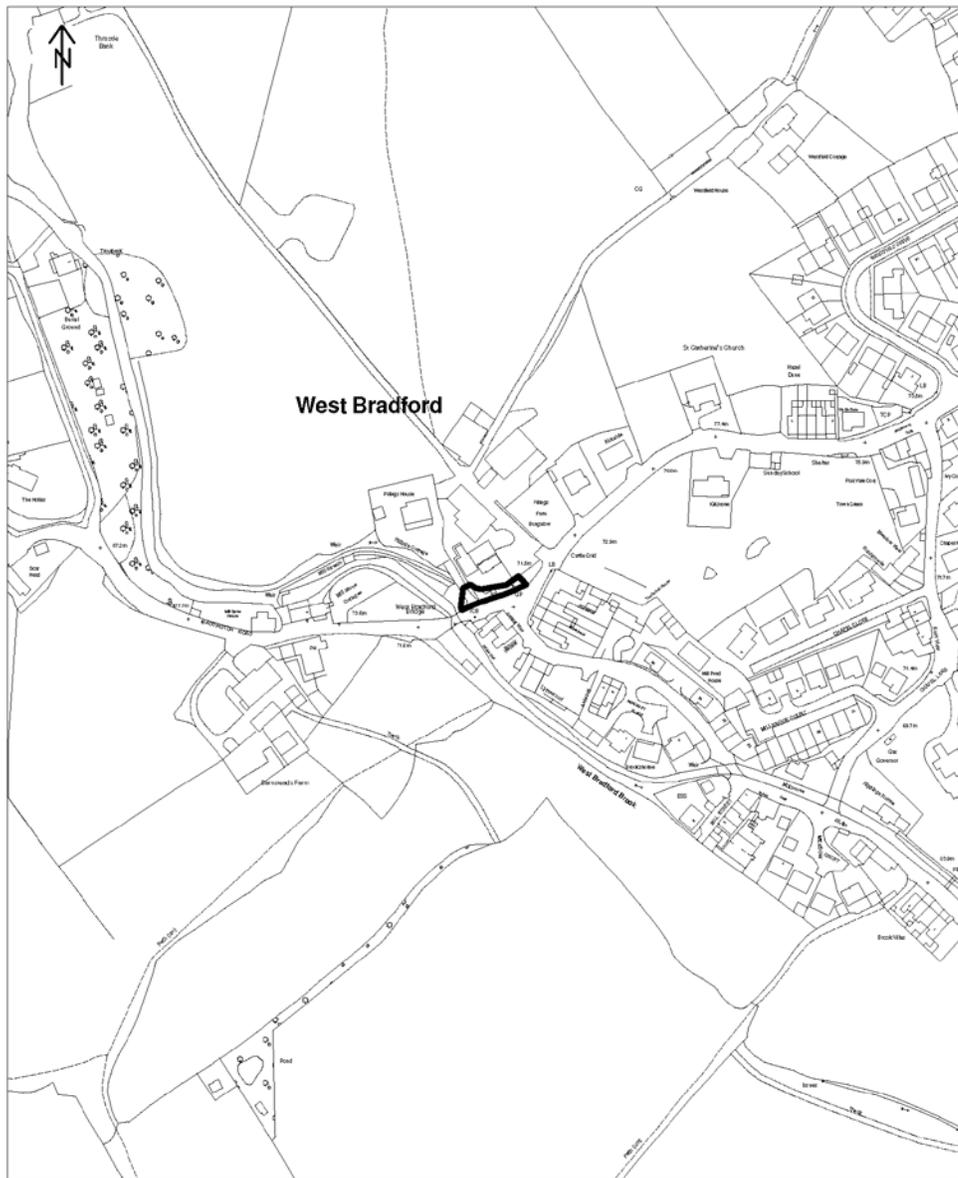
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2015%2F0750

APPLICATION NO: 3/2017/0771/P

GRID REF: SD 374238 444441

DEVELOPMENT DESCRIPTION:

PROPOSED WAR MEMORIAL AT LAND IN FRONT OF PILLINGS COTTAGE CORONATION GARDENS GRINDLETON ROAD WEST BRADFORD BB7 4TB



3/2017/0771 Land in front of Pillings Cottage Coronation Gardens Grindleton Road
West Bradford BB7 4TB

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PARISH/TOWN COUNCIL:

West Bradford Parish Council: No objection.

HIGHWAYS (LCC):

None received.

ADDITIONAL REPRESENTATIONS: No representations have been received.

1. Proposal

- 1.1 The proposal is for the erection of a war memorial on The Coronation Gardens owned by West Bradford Parish Council. The Coronation Gardens are an important feature of West Bradford, being situated at the heart of the village and the site of the Millennium Stone.
- 1.2 The Parish Council has taken responsibility for maintaining the Gardens and wishes to erect a war memorial to reflect the history of the village and honour its war dead. The war memorial would be made from granite and would have a Celtic cross design, standing at a height of 1.8m. The application also proposes to re-pave and extend the existing paved area and introduce low planting to the front of the memorial.

2. Site Location

- 2.1 The Coronation Gardens owned by West Bradford Parish Council east of West Bradford Bridge (grade II listed), on the north side, at the junction of Waddington Road, Grindleton Road and Clitheroe Road in the village of West Bradford.

3. Relevant History

There is no relevant planning history.

4. Relevant Policies

Ribble Valley Core Strategy

Policy DMG1 - General Considerations

Policy DME2 - Landscape and Townscape Protection

Other Material Considerations:

National Planning Policy Framework (NPPF)

5. Assessment of Proposed Development

- 5.1 The application seeks consent for minor alterations to the Gardens and the erection of a war memorial. The Gardens are retained at the boundary with Waddington Road by a small stone wall and the garden levels are above the main road. It is proposed that the memorial be positioned at the rear of the gardens in an area to the west of the existing steps. This would require a small extension of the paved area which would be completely re-paved to match. In front of the memorial would be low planting which would assist in encouraging visitors away from Waddington Road.

- 5.2 The proposed memorial would have a height of 1.8m. As such, due to its scale it would be a discreet feature and would integrate with the surrounding area. The proposals would result in an enhancement of the gardens and would accord with Core Strategy Policies DMG1 and DME2. The County Highways Officer has raised no objections to the proposals.
- 5.3 The proposals are located close to a listed bridge and grade II listed Pillings. The Planning Officer does not consider that the proposals would impact on the setting of these heritage assets and therefore there would be no harm to their significance.

6. **Conclusion**

- 6.1 Taking into account the above, it is recommended that the application be approved subject to appropriate conditions.

RECOMMENDATION: That the application be APPROVED 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 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 '001 Location Plan', '010A Existing Plans and Elevations', '020A Proposed Plans and Elevations' and '030 Memorial'.

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

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0771

APPLICATION REF: 3/2017/0797

GRID REF: SD 365099 430903

DEVELOPMENT DESCRIPTION:

TWO STOREY EXTENSION TO SIDE CREATING GARAGE AND UTILITY ROOM AT GROUND FLOOR LEVEL AND ADDITIONAL BEDROOM AT FIRST FLOOR LEVEL (WITHIN NEW ROOF). NEW SINGLE STOREY PORCH TO FRONT. RENDER TO FRONT ELEVATION AT MELROSE, CHURCH LANE, MELLOR, BB2 7JL



3/2017/0797 Melrose Church Lane Mellor BB2 7JR

Scale 1:2500

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Mellor Parish Council has considered the application and request refusal based on number of grounds as follows:

- The scale of the proposed extension is extensive and incongruous in both appearance and design, taking up a great deal of the curtilage of the property site and being contrary to the local street scene.
- The application suggests that exact dimensions are to be agreed with neighbouring residents, and Parish Council suggest that this may imply coercion. Planning history of the property has suggested previous disagreement regarding demolition of a wall without permission. Parish Councillors are aware that this cannot be a material consideration in planning terms, however the view was expressed that this may be an additional contributory factor and, since a breach of conditions has already occurred, this may be expected in the future.
- The size of the proposal will have an undue impact on the adjacent properties, causing a loss of both light and privacy.
- The comments by LCC Highways were noted and Parish Council wish to support those comments. The property is adjacent to St. Mary's Church and near St. Mary's Primary School, neither of which has sufficient car parking facilities. The creation of a further car parking need on Mellor Lane is to be avoided.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

Initially objected on the basis of inadequate parking but based on revised plans/additional information showing adequate parking no longer object.

ADDITIONAL REPRESENTATIONS:

Letters of representation have been received from 10 individual households objecting to the application on the following grounds:

- Loss of light to bathroom/stairs/landing & garden
- Potential for encroachment across the boundary – eaves/foundations
- Reduced and problematic access for maintenance for both roofs on the boundary
- Shared sewer runs under the new garage
- Garage size is too small
- Could cause damage to neighbouring properties foundations
- Lack of parking
- Not in-keeping
- Out of proportion
- Loss of hedged boundary
- Result in a major building project which will disturb local residents
- Spoil the appearance of the three properties which would be to the detriment of the village

1. Site Description and Surrounding Area

- 1.1 The application property is a single storey chalet style dwelling with living accommodation within the roofspace which is situated on the east side of Church Lane.

The site is located within the defined settlement of Mellor. The immediate area is predominantly residential in character.

- 1.2 St Mary the Virgin Church lies approximately 20m south of the application dwelling and Mellor St Mary C of E Primary School is located over 50m west of the site.

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

- 2.1 Consent is sought for the erection of a single storey extension with living accommodation in the roofspace, a single storey porch to front elevation and the rendering of the front elevation at Melrose, Church Lane, Mellor. The proposed porch will project 1.7m from the principle elevation and have a width of 2.5m. It will be of a flat roof construction with a maximum height of 2.6m.

- 2.2 The extension will project 2.565m from the side elevation and will have a maximum length of 13.2m. The proposal will accommodate a garage and utility at ground floor and an additional bedroom at first floor within the roof space. It will have a hipped roof with a maximum height of 6.6m.

- 2.3 The proposal includes the erection of a gable dormer extension to the front roofslope of the proposed side extension. It will have a pitched roof and will have a width of 1.3m and a depth of 3m. The face of the dormer will project to a height of 2.5m above the plane of the roof of the application dwelling.

3. **Relevant Planning History**

3/2006/0871: Construction of extension to side and rear (Resubmission) (Approved with Conditions).

3/2006/0406: Construction of extensions to side and rear of property. Single storey pitched roof extension to side comprising new garage and utility room. Rear two storey extension to provide additional living and bedroom accommodation with Juliet balcony to new bedroom (Withdrawn).

4. **Relevant Policies**

Policy DMG1 – General Considerations

Policy DMH5 – Residential and Curtilage Extensions

National Planning Policy Framework (NPPF)

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Technical Guidance to National Planning Policy Framework

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

- 5.1.1 The issues that need to be considered are visual impact, residential amenity and highway safety. It is also relevant to have regard to the extant consent issued in 2006. As the rear extension of the approved 2006 scheme was commenced and subsequently completed this constitutes a material operation in accordance with S56(4)(b) of the Town and Country Planning Act 1990. It is considered that the permission remains extant and fully capable of being finished.

5.2 Impact upon Residential Amenity:

- 5.2.1 It is important to consider the potential impact the proposed development would have on the residential amenity of the occupiers of nearby dwellings. The proposed two storey extension would be located on the south elevation of the application property and is not therefore considered to have any direct impacts upon the residential amenities of Silverdale, which is located to the north of the application site.
- 5.2.2 There are no windows proposed on the side elevation of the extension it is therefore considered that the development would not have an unacceptable impact on the residential amenity of neighbouring properties through loss of outlook.
- 5.2.3 The proposed extension would project 2.565m from the side elevation of the application property side to side elevational offset distance of 1.1m from the neighbouring property Melrose which is located to the south.
- 5.2.4 It is noted that the neighbouring property Ness Holt has a dormer extension in the northern side roofslope. Objections were raised due to the moving of the side elevation closer to the aforementioned property would result in loss of light to the window in the dormer extension. However this window serve a bathroom and is obscured glazed above 1.7m high windows further to this it is not considered as a habitable room. The proposal further includes a hipped roof which will reduce the impact the proposal would have on the window.
- 5.2.5 Taking into consideration the objectors comments all issues raised regarding relating to access issues to roof for maintenance, loss/damage to hedged boundary and foundations are non-material considerations. Issues regarding land/boundary disputes are private issues between neighbours and should not be taken into account when assessing the application.

5.3 Visual Amenity/External Appearance:

- 5.3.1 Policies DMG1 and DMH5 of the Ribble Valley Core Strategy requires extensions to be in keeping with the existing house and the surrounding buildings in terms of scale, size, design and facing materials. Any extension should be well proportioned and sit comfortably with the original building. It should respect the scale and proportions of the original dwelling and should not overwhelm it. Furthermore, new development should make a positive contribution to the local character and distinctiveness of the existing building.
- 5.3.2 In terms of its design, the proposed extension would be commensurate to the scale of the main dwelling; it would be set down 600mm from the ridge line of the existing dwelling and set back 600mm from the principle elevation.
- 5.3.3 It is considered that the proposed development would not adversely harm the character of the existing dwelling nor would it result in any harm to the host dwelling or the surrounding area, the materials proposed would maintain coherence between the main dwelling and the proposed development and would accord with Ribble Valley Core Strategy Policies DMG1 and DMH5.

5.4 Highway Safety and Accessibility:

5.4.1 The County Surveyor has confirmed that there is sufficient parking available for the dwelling post extension to meet the required parking standards and has removed their objection subject to the imposition of conditions. It is therefore considered that the proposal would not have an adverse impact upon highway safety.

6. Observations/Consideration of Matters Raised/Conclusion

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

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

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

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

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

Proposed Plans & Elevations – Drawing No: 1737-G&T-Z0-00-DR-A-0002
Proposed Block Plan – Drawing No: P2017-G&T-Z0-00-DR-A-1005

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

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

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policies DMG1 and DMH5 of the Ribble Valley Core Strategy.

4. No part of the extension hereby approved shall be occupied until the additional parking provision as per submitted plan 'Existing & Proposed Site Plan – Project No: 1737 – Drawing No: 07' has been constructed and completed in accordance with the scheme details agreed by the Local Planning Authority.

REASON: In order the parking standards for the size of dwelling are met.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F07970797

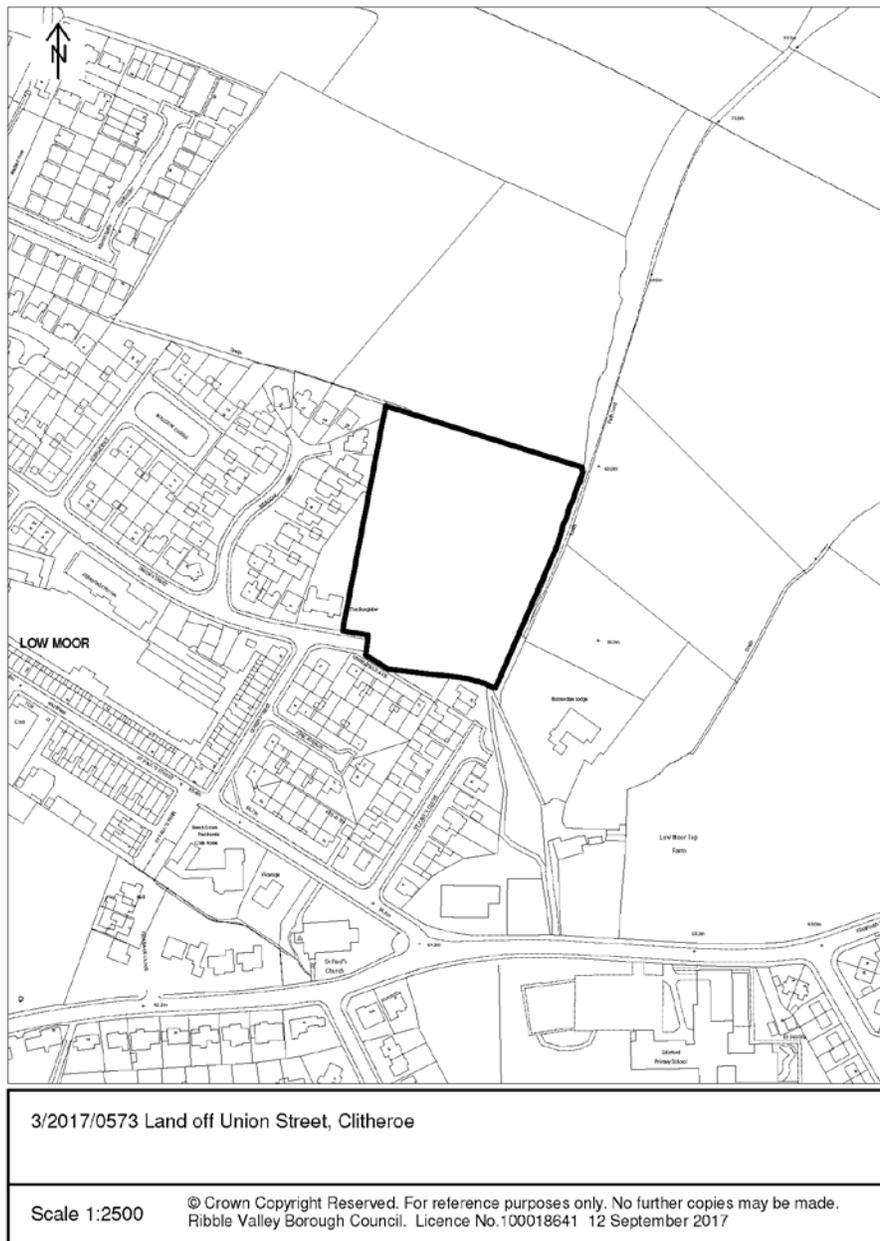
D APPLICATIONS ON WHICH COMMITTEE 'DEFER' THEIR APPROVAL SUBJECT TO WORK 'DELEGATED' TO THE DIRECTOR OF COMMUNITY SERVICES BEING SATISFACTORILY COMPLETED

APPLICATION REF: 3/2017/0573

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.



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:

No objection subject to conditions.

UNITED UTILITIES:

No objection subject to conditions.

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.

UPDATE

Members will be aware that this application was previously brought before the Committee in September, where Members deferred a decision to allow further consultation to take place with LCC Highways and the Lead Local Flood Authority. In respect of Highways issues Members were concerned that the engineer was not fully aware of Local Highway issues and thus this question has been raised with LCC Highways and their response will be reported verbally at Committee.

With regard to flood and drainage issues, the LPA have forwarded the objector's photos of the site onto the LLFA and asked them to confirm whether they were aware of these photos/flooding issues, and for their view on these photos. At the request of Members the LPA also asked the LLFA to confirm that in addition to considering the impacts of drainage and flooding on the application site, that they also consider the impact upon the surrounding area/houses? The LLFA's response to these queries are discussed in the "Flood Risk and Drainage" section of this report (para 5.5).

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 is 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. Highway Safety and Accessibility:

- 5.3.1 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.
- 5.3.2 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.
- 5.3.3 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).

5.3.4 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.

5.3.5 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.

5.3.6 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.

5.3.7 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.

5.4 Landscape/Ecology/Trees:

5.4.1 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.

5.4.2 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.

- 5.4.3 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.

5.5 Flood Risk and Drainage:

- 5.5.1 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.
- 5.5.2 The LLFA objected to the original FRA and have been in consultation with the applicant's own drainage consultants. A revised/updated FRA was submitted and both United Utilities (UU) and the LLFA raised no objection subject to conditions and this was reported verbally to Members at the September Committee.
- 5.5.3 As mentioned in the "Update" section of this report, at Planning and Development Committee in September Members raised concerns in respect of flooding and drainage issues on the site and requested that further consultation take place with the LLFA, including passing on of photographs showing previous surface water flooding on this site. The LLFA have reviewed the information and confirmed that they continue to raise no objection to the proposal subject to the conditions detailed later in this report.
- 5.5.4 In specific response to the submitted photos and queries raised, the LLFA have commented the following (2nd October):

"Although it may seem alarming that flooding has been observed on this site, it should be recognised that this application was accompanied by a site specific flood risk assessment which did identify that parts of the existing site are known to be at risk of flooding from a number of sources. In particular, Section 5.3 of the FRA did identify a risk of surface water flooding along the western boundary of the site, with potential flood depths of up to 0.3m up to the 1 in 1000 year return period. I think I am right in thinking that it is the western boundary of the site that is shown in the photos provided. As you will be aware, the applicant has put forward various flood mitigation measures to address these risks and they have also provided an indicative surface water drainage plan to demonstrate how surface water could be safely managed for the lifetime of the development. The LLFA has reviewed this information in line with the requirements of paragraph 103 of the National Planning Policy Framework (NPPF) and is satisfied that the development could go ahead in principle, subject to the recommended conditions detailed within our consultation letter dated 22 September 2017. As you will be aware, paragraph 103 of the NPPF broadly requires Local Planning Authorities to

ensure that flood risk is not increased elsewhere and for development to only be considered in areas at risk of flooding where it can be demonstrated, through a site specific FRA, that the most vulnerable development is located in areas at lowest flood risk and that the development is appropriately flood resilient and resistant.”

5.5.5 In addition to the above, the LPA have been in discussion with the applicant and it has been agreed that an additional condition has been which requires the applicant to submit full details of the improvements to the SW culvert, existing ditches and the land drain, as detailed on plan 30250/AppH rev B (amended plan received 11/10/17), prior to development commencing on site. This condition also requires the agreed works in relation to the culvert, ditches and land drain to be undertaken and completed prior to any development taking place.

5.5.6 A further condition has also been added to the recommendation which requires the approved landscaping scheme to be implemented in a phased manner to help improve surface water drainage on the site whilst the development is being implemented/constructed.

5.6 Developer Contributions:

5.6.1 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.

5.6.2 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.

5.6.3 Additionally, there would also be the previously mentioned £10,800 contribution for bus pass/cycle vouchers for new residents of this development.

5.6.4 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.

5.6.5 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.

5.7 Affordable Housing:

5.7.1 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.

5.7.2 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.

5.7.3 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.

5.8 Other issues:

5.8.1 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.

5.8.2 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.

5.8.3 With regard the local farmers comments, the application will ensure that a right of way is retained for access to the adjoining field.

5.8.4 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 recommend 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, 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.

21. No development, including any site preparation, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until a scheme of phasing for the approved landscaping scheme (as shown on approved drawing 5327.03 Rev C - amended plan received 13/09/17) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the duly approved timings and phasing's. 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: To ensure the proposed landscaped areas are provided on a phase by phase basis in accordance with Policy DME1 of the Ribble Valley Core Strategy.

Archaeology

22. 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).

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

Residential Amenity

23. 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

24. 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.

Drainage

25. 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 post development surface water run-off rate will not exceed the pre-development greenfield run-off rate for the corresponding rainfall event. The maximum surface water run-off rate from the development will be no greater than 10.6l/s. 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 watercourses (open or culverted) 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 a site investigation and test results to confirm infiltrations rates. If infiltration is shown to be a viable option for the disposal of surface water, then this should then be used as the primary method for disposing of surface water from the site. Disposal via an ordinary watercourse will only be considered where infiltration is proved to be unsuitable.
- 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 to ensure 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.

26. 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.

27. No development shall take place until further investigations have been carried out to confirm that the works detailed on drawing no. '30250/AppH Rev B' have been completed in full. This includes works to replace the existing 525mm diameter culverted watercourse within the site (to the junction between Union Street and Queen Street) and works to clear and re-grade the open ditch along the northern and eastern boundaries of the site. The final surface water drainage scheme should reflect the findings of this investigation as appropriate.

REASON: To ensure that the existing watercourse does not pose a flood risk, on-site or off-site and to ensure that the proposed development can be adequately drained in accordance with Policy DME6 of the Ribble Valley Core Strategy.

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

REASON: In order to reduce the risk of flooding in accordance with Policy DME6 of the Ribble Valley Core Strategy and the National Planning Policy Framework.

29. 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 Policy DME6 of the Ribble Valley Core Strategy and the National Planning Policy Framework.

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

The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process and relevant forms can be found via the following website: www.lancashire.gov.uk/flooding.

BACKGROUND PAPERS

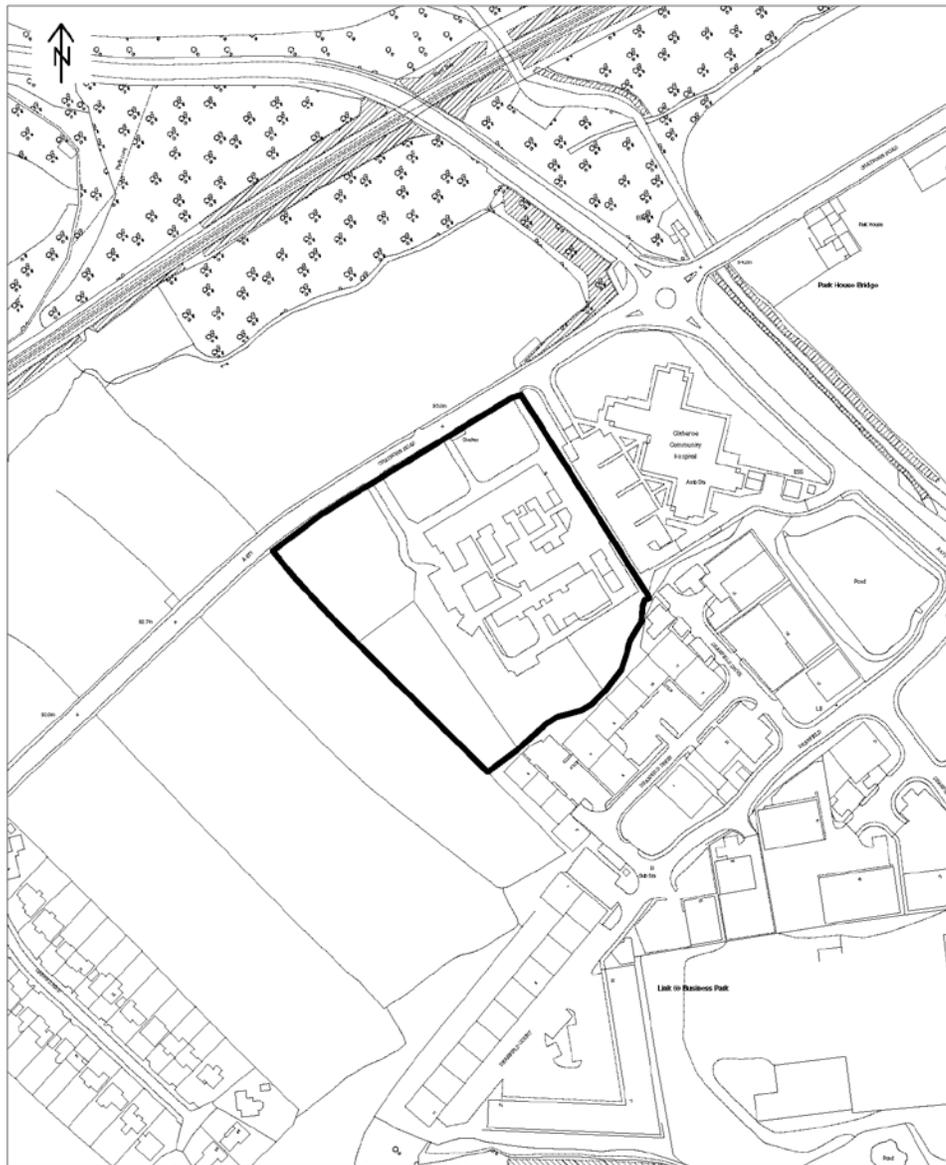
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0573

APPLICATION REF: 3/2017/0616

GRID REF: SD 377444 443028

DEVELOPMENT DESCRIPTION:

DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF 60 DWELLINGS AND ASSOCIATED INFRASTRUCTURE AT CLITHEROE HOSPITAL, CLITHEROE



3/2017/0616 Former Clitheroe Hospital Chatburn Road Clitheroe BB7 4JX

Scale 1:2500

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Clitheroe Town Council:

- The buildings are classed as non-designated Heritage Assets and are recorded on the National Record of the Historic Environment and Lancashire Historic Environment Record.
- The workhouse is a “*much loved and respected landmark on the eastern edge of Clitheroe and it displays a well designated Italianate symmetrical front elevation*” (spokesman for Historic England’s predecessor).
- Concern in respect of highway and traffic grounds.

In view of the above the Town Council object to the application.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

- No objection to the principle of this development, subject to imposition of conditions;
- In order to provide safe access to the development site the applicant is requested to fund proposals to extend the existing 30mph speed limit up to and including the roundabout and arms, as well as waiting restrictions on Chatburn Road in the vicinity of the access to improve visibility for emerging vehicles – these works would be secured via condition and a Section 278 Agreement.
- In order to encourage sustainable transport the developer should pay £300 per dwelling (£18,000) for cycle vouchers and/or bus passes. This contribution would be secured within the Section 106 Agreement.

LCC EDUCATION:

Requirement for the applicant to provide a contribution towards the provision of five secondary school places at a cost of **£107,116.35** 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 commences on site.

LEAD LOCAL FLOOD AUTHORITY:

No objection subject to attachment of recommended conditions.

UNITED UTILITIES:

No comments received.

ENVIRONMENT AGENCY:

Not required to be consulted on this application.

LANCASHIRE ARCHAEOLOGICAL ADVISORY SERVICE:

- Demolition runs contrary to Council Policies;

- The ancillary structures (such as the porter's lodge and mortuary) should not be casually dismissed as "of minimal interest" within the Heritage Statement. Whilst they are of lesser significance, they add to the value of the complex as a whole;
- The communal value of the complex has been downplayed in the Heritage Statement;
- Two of the four reasons given by Historic England not to list the main buildings are capable of significant remediation;
- The buildings as a whole are of Medium significance;
- Support the Council's previous stance that the building should be retained and therefore recommend the application is refused;
- Should the Council be minded to approve the application then a more thorough building record should be created. This can be secured by condition.

VICTORIAN SOCIETY:

- National Policy presumes in favour of sustainable development, which requires equal regard to be paid to economic, social and environmental issues. The protection and sensitive management of the historic environment is a key part of the environmental aspect, and by proposing the loss of this locally significant complex of buildings, it is one this scheme neglects. The application does therefore not constitute sustainable development;
- The applicant asserts the lack of viability of retaining any of the historic structures. Clearly the valuation of the site is an important factor in determining viability and its value should be calculated on the assumption that the most significant historic buildings are retained as part of any development
- Implementation of this scheme would result in the total and unjustified loss of significance of distinguished buildings of high local importance that could with relative ease be brought back into use. The substantial weight of national and local planning policy renders such a proposal entirely insupportable.
- It is recommended that this application is refused.

ADDITIONAL REPRESENTATIONS:

Four letters of representation have been received, including a letter from the Clitheroe Civic Society (CCS) objecting to the application on the following grounds:

- Two previous applications to demolish the Clitheroe Union Workhouse have been refused by RVBC, broadly on the grounds that this Non-Designated Heritage Asset is too important to lose as a result of its social, historic and architectural importance – there has been no change in the status of the building since these applications were submitted and if anything the significance of the building has increased as an online petition has received 855 'supporters';
- Since the previous application was submitted in November 2016 CCS have been trying to gain access to the building to investigate the internal architectural details. The applicant has not undertaken detailed surveys of the interior and this information should be provided;
- The Council can demonstrate a 5.73 housing land supply and Clitheroe has exceeded its residual need for housing. The proposal would further exceed these figures whilst negatively affect a Non-Designated Heritage Asset.
- CCS are not against the residential development of this site and would support an application for development that retained the former workhouse building;
- The proposal is a commercial requirement to maximise economic site value by those who have no connection to the this community whatsoever;

- The site could be used as an extension to the Link 59 Industrial Commercial Park;
- The proposal is contrary to local and national policies;
- RVBC does not have a Local Heritage List and if it did these buildings would be included on it and therefore afforded greater protection. The absence of such a list should not be an excuse to allow demolition;
- The applicant is proposing that a condition of approval include a photographic record be commissioned with some interpretive panels be provided, however it would be prudent to have these surveys undertaken before the application is considered;
- Council Policies place great emphasis on the retention of heritage assets in the borough;
- There should be a proven and significant justification for the demolition of his important building;
- In 2008 and 2012 applications which sought to keep the building and convert the buildings were proposed, as such there is clearly no need to demolish the building;
- The building is in good condition and constructed in high quality materials with very high quality Victorian detailing internally;
- The building so part of Clitheroe's history and once it is gone it is gone forever.

In addition to the above, comments have also been received from East Lancashire Ornithologists' Club (ELOC) requesting that should permission be granted a condition be attached which requires at least one swift nest box to be installed per new dwelling.

1. **Site Description and Surrounding Area**

- 1.1 The application relates to the former Clitheroe Hospital site on Chatburn Road, Clitheroe. The site measuring approximately 2 hectares in area and is located circa 1 mile north of Clitheroe Town Centre, however it is within the defined Settlement Boundary of Clitheroe. The site is generally square in shape and comprises the former Clitheroe Union Workhouse, Hospital Block/Infirmary and various other associated buildings.
- 1.2 The Workhouse and Hospital Block were constructed between 1870-1874 and are of two storey stone construction. The two buildings are connected by single storey link corridors and are considered to be non-designated heritage assets. The buildings are recorded in the National Record of the Historic Environment (1435994) and Lancashire Historic Environment Record (PRN30402). An application was made to English Heritage (now Historic England) for the Hospital Building to be nationally listed, however this application was refused in February 2009m, as Historic England did not consider that the building(s) merit listing. In October 2017 another application for this building to be listed has been submitted to Historic England by a third party and at the time of writing this report the application for listing is under review.
- 1.3 The NHS ceased using the buildings on this site in 2014, when they moved all operation into the purpose built new hospital building which was constructed directly adjacent to the application site. Since becoming vacant in 2014 the buildings have however been partially occupied by "Property Guardians" on a short term lease agreement with a company called "Ad-Hoc". These guardians vacated the building in April 2017 and the buildings are currently vacant. In the summer of 2017 the applicant contacted the LPA to inform them that the former hospital building had been vandalised with numerous windows smashed. The windows have now been boarded up and security fencing erected around the site.

- 1.4 To the front of the site, close to Chatburn Road, is a landscaped area consisting of lawned areas and mature trees. In November 2016 a Tree Preservation Order (7/19/3/203) was placed on these trees and this Order was confirmed in March 2017. At present the site is accessed via two points off Chatburn Road, at either end of the frontage.
- 1.5 To the north of the site runs Chatburn Road, and on the opposite side of this highway, and to the west of the site, are areas of open land. To the east the site is adjoined by the more recently built Clitheroe Hospital, and its associated car parking area. To the south of the site is the Link 59 Industrial Park.

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

- 2.1 The application seeks full planning consent to demolish all buildings and erect 60 dwellings on the former Clitheroe Hospital site. The application proposes 15 affordable units (25%) which would be Plots 11-25 which include 6 x 3 bed units and 9 x 2 bed units. Nine units would be specifically for over 55's (15%) and these would be plots 11-13 and 17-19 (lifetime homes) and plots 27-29 (lifetime home bungalows).
- 2.2 Throughout the site the development would provide the following housing mix:
 - 9 x 2 bed dwellings (affordable);
 - 6 x 3 bed dwellings (affordable);
 - 4 x older persons 3 bed bungalows (open market);
 - 3 x 2 bed dwellings (open market);
 - 23 x 3 bed dwellings (open market);
 - 15 x 4 bed dwellings (open market).
- 2.3 The proposed development would provide a wide mix of house types, consisting of detached, semi-detached and mews style properties. Predominantly the site would consist of two storey properties although the proposal does include four dormer bungalows and one house type (Churchill) does include a dormer/living accommodation in the roof space. In terms of materials the dwellings at the front of the site (facing Chatburn Road) would be finished in natural stone and render with the properties beyond being finished in artificial stone and render.
- 2.4 Vehicle access to the residential development would be provided via a new access point to be taken off Chatburn Road, at the western end of the site. The two existing access points would be blocked up.
- 2.5 The application proposes to remove three trees that are within the recently confirmed Tree Preservation Order and this is detailed further later within the report. The application also proposes to remove a significant number of other trees, shrubs and vegetation from the site, specifically to the rear (south) and side (western) boundaries of the site. The application does however include various new hedge and tree planting along the boundaries and throughout the development site, along with landscaped areas for gardens and amenity space.
- 2.6 With regard to layout the proposed dwellings would be set back from Chatburn Road in order to maintain the existing landscape buffer provided by the lawned areas and protected trees. The front elevation of the proposed dwellings closest to Chatburn Road would be positioned along a similar line of the front elevation of the existing hospital

building and the layout as a whole would be “n” shaped with one access in and out of the site.

- 2.7 Each dwelling would be provided with at least two designated car parking spaces with some properties having integral garages and/or cycle sheds in the rear garden.
- 2.8 The application is accompanied by a Flood Risk Assessment and Drainage Strategy and the proposal includes the installation of an attenuation pond for surface water at the northern end (front) of the site, close to Chatburn Road, on the landscaped area.

3. **Relevant Planning History**

3/2016/1185 – Outline application (all matters reserved save for access), for demolition of existing structures and construction of up to 50 dwellings - withdrawn

3/2012/0785 – Outline application for demolition/part demolition of the existing hospital and enabling residential redevelopment including associated access, parking, open space and related infrastructure – Deemed withdrawn

3/2008/0878 - Outline application for a residential development, open space, roads access and related infrastructure - Refused

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 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

Planning (Listed Buildings and Conservation Areas) Act 1990

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

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

- 5.1.1 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 three sides, the highway of Chatburn Road to north, the new hospital site to the east and the Link 59 Industrial Park to the south. To the west are three relatively narrow fields which separate the application site from the residential properties on Green Drive. As such the site is considered to be located within a sustainable location and 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 60 dwellings, and the proposal would therefore take this figure to 120 dwellings, such an over provision (9.4%) 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 application relates to the re-development of a brownfield site.
- 5.1.4 In respect of the Housing and Economic Development DPD (HED DPD), representations have been received promoting this site for both housing and a community health use. The HED DPD has now been submitted to the Secretary of State for Independent Examination and whilst it is therefore at an advanced stage, and the two representations remain valid, limited weight should be given to the DPD in relation to this application.
- 5.1.5 In view of the above, it is considered that the broad 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 **Demolition of Buildings:**

- 5.2.1 This application proposes the demolition of all existing buildings on site, in order to allow for the erection of 60 dwellings. The Workhouse Building to the front of the site and the Infirmary Building behind, are considered to be non-designated heritage assets, and thus great consideration must be given to the proposed demolition.

5.2.2 Applications have been submitted at this site in the past. In 2008 an application for residential development of the site, following the demolition of the buildings, was refused consent for the following reason:

“The demolition of the building would result in the loss of the building of considerable architectural quality and result to the detriment of the visual amenities of the locality and as such be contrary to Policy G1 of the Districtwide Local Plan.”

5.2.3 In 2012 a residential scheme that involved the demolition of all buildings on the site except for the workhouse building which was to be converted for residential use, was submitted. This application went before Committee in December 2012 where Members were minded to support the application, subject to the completion of a Legal Agreement (section 106). Unfortunately this Legal Agreement was never completed and in 2015 the Council deemed withdrew this application and therefore the consent was never granted.

5.2.4 In between the submission of the above mentioned planning applications, an application was made to English Heritage for the buildings at Clitheroe Hospital to be Nationally Listed, however in February 2009 English Heritage informed the Council that the building(s) is *“not of sufficient special architectural or historic interest to merit listing”*, citing four principal reasons as to why they reached such a decision.

5.2.5 In late 2016 the NHS submitted an outline consent to demolish all the buildings on this site and erect up to 50 dwellings, however this application was withdrawn before being determined. The current application has been submitted by McDermott Homes.

5.2.6 Whilst the buildings at Clitheroe Hospital are not Nationally Listed, or within a Conservation Area, they are considered to be non-designated heritage assets by the Council. One of the 12 core planning principles of the NPPF is to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Paragraph 131 of the NPPF states that local planning authorities should take account of the *“desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation”*. This paragraph also highlights the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality. Paragraph 132 of the NPPF stresses that *“great weight”* should be given to the preservation of heritage assets.

5.2.7 Paragraph 135 of the NPPF specifically relates to non-designated heritage assets, and this states that *“the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application”*. However, it does go on to state *“In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”*

5.2.8 In terms of Local Policies, Key Statement EN5: Heritage Assets states that *“There will be a presumption in favour of the conservation and enhancement of the significance of heritage assets and their settings. The Historic Environment*

and its Heritage Assets and their settings will be conserved and enhanced in a manner appropriate to their significance for their heritage value; their important contribution to local character, distinctiveness and sense of place, and to wider social, cultural and environmental benefits.”

- 5.2.9 Policy DME4: Protecting Heritage Assets states that “*alterations or extensions to listed buildings outbuildings of local heritage interest, or development proposal on sites within their setting which cause harm to the significance of the heritage asset will not be supported.*” The Policy then goes on to state that “*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.*” Whilst the policy does not specifically refer to the demolition of non-designated heritage assets, it does, in exceptional circumstances, permit the demolition of designated heritage assets (listed buildings) and therefore it is only reasonable to assume that the policy would also allow for non-designated heritage assets to be demolished if the circumstances permit.
- 5.2.10 The application is accompanied by a Heritage Statement which concludes that the former Workhouse and Infirmary are considered to be of “*low*” heritage significance and the out buildings of “*no to negligible*” heritage significance. A number of third parties have questioned this conclusion, with the Victorian Society commenting that the “*distinguished buildings*” are of “*high local importance*”. Additionally, the Lancashire Archaeological Advisory Service has commented that the submitted Heritage Statement has downplayed the communal value of the buildings on this site.
- 5.2.11 In line with previous applications determined at this site, the Council consider that the buildings are of “*considerable*” importance (particularly the Workhouse Building) and therefore the preference would be for this building to be retained, as was the case with the 2012 application. Additionally, the Council’s Principal Officer for Conservation and Listed Buildings has verbally reported that they are against the demolition of the non-designated heritage assets. However, it is recognised that according to national policies there must be a “*balanced judgement*” in determining whether or not to support the demolition of the buildings on this site, and other circumstances must also be taken into account.
- 5.2.12 As part of this “*balanced judgement*” it is a importance to consider the benefits and dis-benefits of the proposal. The dis-benefit is clearly the irreplaceable loss of a building(s) that is considered to be of local importance and a non-designated heritage asset. The main benefits are the re-use of a brownfield site, the contribution the proposed houses would make to the Council’s five year supply (within a Principal Settlement Boundary) and the provision of both affordable housing and older person’s accommodation on site. Another important consideration is the viability of the scheme, and especially in terms of the retention of the existing building (discussed below).

5.3 Viability Assessment in respect of retention of the Hospital buildings:

- 5.3.1 Objectors, and some consultees, have referred to the 2012 application which sought to demolish most of the buildings on site but retain the Workhouse Building at the front of the site and convert this into residential use, along with the erection of new dwellings on the remainder of the site. The Council were minded to approve this application, however due to issues with the Legal Agreement the

permission was never granted and in the end the application was deemed withdrawn.

- 5.3.2 In view of this previous application the LPA requested that the recently submitted 2016 application for outline consent give full consideration to a similar scheme, that would involve the retention of the Workhouse Building to be converted to apartments and the construction of new dwellings within the remainder of the site.
- 5.3.3 The applicant (NHS) for the 2016 application therefore submitted a viability assessment which concluded that the 2012 scheme (part conversion and part new build) was financially unviable, and that was with no affordable units being provided and no financial contributions by way of a legal agreement. Upon receipt of the applicant's (NHS) Viability Assessment the Council commissioned an Independent Surveyor to assess the applicant's submission in order to establish whether these figures were correct. The Council's Independent Surveyor agreed with the applicant's surveyor in that a residential scheme involving the retention/conversion of the existing building was not financially viable (even with no affordable units and no financial contributions by way of a legal agreement) and hence the Council's Independent Surveyor concluded that a residential scheme involving the retention/conversion of the Hospital building was an unviable and unrealistic option.
- 5.3.4 The current application also includes a viability assessment which begins with the same conclusion that the conversion of the building is not viable and the Council's Independent Surveyor has again agreed with this finding.
- 5.3.5 As such, the Council must therefore consider the advice and conclusion of both the applicant's Surveyor and the Independent Surveyor commissioned by the Council that the retention of the building for conversion to residential use is not financially viable and therefore extremely unlikely to come forward as an application. This is an important consideration in the "balance" of this decision as refusing this application would retain the building, yet it would appear unlikely that there is a viable use for the building and hence it would likely remain vacant/unused and only deteriorate over time. It is accepted that no one can predict what may happen in the future in terms of potential uses of the building, however all the enquiries that the LPA have received in relation to this site thus far have involved the demolition of the building and no enquires have come forward in respect of an alternative use (conversion) of the building, and as detailed above the expert advice concludes that the conversion of the building is, according to their calculations and estimates, not financially viable.
- 5.3.6 In view of all of the above, whilst the LPA's preferred position would be for this non-designated heritage asset to be retained and converted as per the previous application from 2012, regard must be given to the expert advice received and in particular the conclusion that the conversion of the building for residential use is not viable.

5.4 Viability Assessment in respect of affordable housing and vacant building credit:

- 5.4.1 Vacant Building Credit (VBC) is a Government Policy contained within the NPPG and seeks to incentivise the re-use of brownfield sites by reducing the amount of affordable units required on sites where a vacant building is to be either

converted or demolished. The VBC is national policy that supersedes/overrides Policy DMH1 of the Core Strategy. The VBC allows the floorspace of the existing buildings on site to be deducted from the amount of affordable units to be provided. As such, in this particular case the total floor space of the existing buildings on site is 42,765 sq. ft and hence it is only the additional floorspace that would be created on site that is subject to the 30% affordable unit threshold within the Core Strategy. The total floorspace of the residential development would be 57,080 sq.ft and the calculations below show how many units should be affordable:

Floorspace of existing buildings on site = **42,765 sq ft**

Proposed residential floorspace for 60 dwellings = **57,080 sq ft**

57,080 (proposed) – 42,765 (existing) = **14,315 sq ft** (additional floorspace created at this site)

14,315 x 0.3 (30% affordable according to Council Policy) = **4,294 sq ft** of affordable to be provided on this site.

4,294sq ft into actual units = 4,294 / 750= 5.72 units rounded up to **6 affordable units or 10%**

- 5.4.2 The above calculation shows that if the Vacant Building Credit was to be applied, in accordance with national policy the applicant would only be required to provide 6 affordable units (10%) and this is significantly below the 30% the LPA would normally seek to achieve on new development (Policy DMH1), however it must be reiterated that VBC is a national policy that supersedes/overrides Council Policies.
- 5.4.3 During the process of the 2016 (NHS) application, the LPA questioned whether the Vacant Building Credit was applicable given that the building was being occupied by “Property Guardians”, and hence the LPA considered that the building was not vacant and VBC was not applicable. Prolonged discussions took place between applicant (NHS) and the LPA on this matter and an agreement could not be reached. The LPA therefore sought independent advice from Counsel on this matter and after considering all the information Counsel considered that the building was vacant for the purposes of Vacant Building Credit and hence the Vacant Building Credit should be applied. Nevertheless, it must be noted that the “Property Guardians” no longer reside within the building and consequently it is vacant and the LPA accept that Vacant Building Credit is applicable in this case.
- 5.4.4 Within the submission the applicant acknowledges that the proposal would result in the loss of a non-designated heritage asset and in order to provide additional justification for the demolition of the existing buildings on site, they proposed to forfeit their right to impose the Vacant Building Credit and provide 12 (20%) affordable units on site, which is above the level they would need to if they invoked their right to utilise VBC. The application was accompanied by a Viability Assessment which concluded that the proposal was viable with 20% affordable units and financial contributions totalling £101,000.

- 5.4.5 The LPA considered that financial contributions totalling £101,000 was very low for a development of his scale as the LCC Education Contribution alone was £107,000. On top of this the Council was also seeking a financial contribution towards sustainable transport (£18,000), a contribution towards the provision of off-site Public Open Space (£32,665) and a contribution of £10,000 for biodiversity/ecology offsetting, in addition to the cost of Highway Works to be carried out under the Section 278 Agreement. As such the original submission was not providing the level of financial contributions required by this development.
- 5.4.6 As a result the LPA again had the applicant's viability assessment appraised by an Independent Surveyor who concluded that the application could provide addition financial contributions and a higher percentage of affordable units than what was originally proposed, and still be viable.
- 5.4.7 Various discussions and negotiations, including alterations to the proposal, then took place between the applicant, the LPA, and the Independent Surveyor in order to agree on a scheme that would be viable and seek to obtain the maximum amount of financial contributions and affordable housing, whilst still being acceptable in all other aspects of planning. After these lengthy discussions and negotiations the applicant has agreed to provide the following as part of this application:
- 15 (25%) affordable housing units;
 - 9 (15%) over-55's accommodation units (including 3 bungalows);
 - Education Contribution of £107,116.35;
 - Public Open Space Contribution of £32,665;
 - Ecology Contribution of £10,000;
 - Sustainable Transport Contribution of £18,000; and
 - Highway improvement works to be carried out under a Section 278 Agreement (secured by condition).
- 5.4.8 With the above in mind, the submitted application has progressed significantly in terms of providing a greater level (%) of affordable houses than would be required if the applicant was to invoke the Vacant Building Credit, and the applicant has accepted the financial contributions detailed above. The LPA, and the Independent Surveyor, accept the above concessions from the applicant and agree that any greater level of affordable units on this site, or financial contributions, would result in a scheme that is not viable and thus the above is the maximum contributions the applicant could provide in respect of this proposal.
- 5.4.9 In summary, lengthy discussions and negotiations have taken place throughout the application process and the above offer from the applicant is considered to be the maximum/best that is financially viable. The applicant has gone beyond what they are required to provide in terms of affordable units in order to offer a justification to mitigate for the loss of the non-designated heritage asset, and this offer, along with the other financial contributions, must be considered within the "balanced judgement" of determining this application.

5.5 Impact upon Residential Amenity:

- 5.5.1 The application site occupies a relatively isolated location in terms of its distance from neighbouring residential properties. To the west of the site the nearest properties are the dwellings on Green Drive, more than 200m from the application site, and to the east the nearest residential property is Park House some 160m away, with the new hospital building situated on land in between. As a result it is not considered that the residential development of this site would have any undue impact upon the amenity of neighbouring residential properties.
- 5.5.2 The LPA must however also consider the impact existing neighbouring land uses will have upon the future occupiers of the proposed dwellings. In this particular case the impact the adjacent hospital building to the east, the industrial units to the rear and the highway of Chatburn Road to the north. The application is accompanied by a noise impact survey, which details mitigation measures that can be incorporated into the design of the dwellings so as to ensure that future occupiers of these houses are not unduly impacted by the existing neighbouring uses and these include specific window and ventilation specifications. The Council's Environmental Health Officer has reviewed the survey and raised no objection, subject to a condition that requires the development to be carried out (constructed) in accordance with the mitigation measures detailed within this survey.
- 5.5.3 With regard to the relationship between the proposed dwellings within the development site, the proposal would accord with the Council's recommended separation distances so as to ensure that acceptable levels of amenity are provided for proposed residents.
- 5.5.4 In view of the above it is considered that the proposed dwellings would result in an acceptable relationship with existing neighbouring properties/uses, and mitigation measures can be included to ensure the future occupiers of the proposed dwellings are not unduly affected by neighbouring land uses, in accordance with the relevant sections of Core Strategy Policy DMG1.

5.6 Layout/Visual Amenity/External Appearance

- 5.6.1 The demolition of the existing buildings on site has been discussed earlier in this report (section 5.2). With regard to the residential development itself, the application proposes to erect 60 dwellings on this site which would be served by one access point off Chatburn Road, which then branches off into two roads to create an "n" shaped layout.
- 5.6.2 The front section of the site (forward of the existing hospital building) which contains the lawned area and protected trees would be retained, with the exception of the installation of an attenuation pond. As such the built development (dwellings) would be set back within the site, on a similar building line to the existing building, so as to reduce the visual impact of the proposed development, and retain the attractive avenues of trees to the front of the site. With regard to housing density, the site measures 2 hectares, and therefore the proposal would provide 30 dwellings per hectare which is considered to be an acceptable density level for a new development in this location.

- 5.6.3 In respect of the proposed dwellings, the majority would be two storeys with four properties being dormer bungalows, however the application includes a significant number of 2 and 3 bedrooms properties for which the applicant is of the opinion there is significant demand for within Clitheroe (as opposed to larger dwellings).
- 5.6.4 The most prominent dwellings at the front of the site, facing towards Chatburn Road would be constructed in natural stone and render, with the properties beyond finished in artificial stone and render. The use of natural stone at the front of the site is a further concession from the applicant and the additional cost has been factored into the above mentioned viability appraisal/calculations. The dwellings would include traditional features such as pitched roofs, bay windows, stone cills and lintels, with a modern blend incorporating integral garages and use of render on some elevations to provide variety. Across the site the application proposes 12 different house types, although the use of varying materials and designs to the elevation finishes would result in greater variety of house designs.
- 5.6.5 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 (two, three and four 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.

5.7 Highway Safety and Accessibility:

- 5.7.1 The County Highway Officer has raised no objection to the application including the creation of the new vehicle access point off Chatburn Road, subject to conditions, and as part of ongoing discussion between the applicant and the Highway Officer, a number of highway improvements will be carried out at the expense of the applicant. These include extending the existing 30mph speed limit up to and including the roundabout and arms, as well as waiting restrictions on Chatburn Road in the vicinity of the access to improve visibility for emerging vehicles – these works would be secured via condition and a Section 278 Agreement/condition.
- 5.7.2 The Highway Officer has also requested that in order to encourage sustainable transport the developer should pay £300 per dwelling (£18,000) for cycle vouchers and/or bus passes. This contribution would be secured within the Section 106 Agreement.
- 5.7.3 As detailed earlier in this report the applicant has agreed to the above works/contributions and thus there is no highway objection to this proposal, subject to the imposition of planning conditions.

5.8 Landscape/Ecology/Trees:

- 5.8.1 To the front of the site, close to Chatburn Road, is an attractive landscaped area which includes groups of mature trees forming avenues along the existing access points into the site. The Council were keen for these trees to be retained as part of any application and a TPO was placed on these trees in November 2016, confirmed in March 2017.

- 5.8.2 The submitted application includes a detailed arboricultural report and landscape proposals and these detail how various trees/vegetation will be removed from the site, including three trees covered by the TPO. The trees not covered by the TPO are not considered to be of any visual amenity value to the area and integral to the development being implemented, hence why they were not included within the TPO and there is no objection to their removal.
- 5.8.3 In respect of the three trees covered by the TPO, the submitted arboricultural report labels the three trees to be removed as T5 (Ash tree located on eastern boundary of site), T71 (Beech tree located on western boundary) and T75 (Ash tree located on western boundary). T5 and T75 are considered to be category C trees of average condition and the Council's Countryside Officer has no objection their removal. T71 however is considered to be a Category B tree and its loss would be of some visual detriment to the area, and could also potentially impact on other trees in the area due to additional exposure to the natural elements once it is removed.
- 5.8.4 In view of the above, whilst the LPA's preference would be for this tree to be retained, because of its canopy spread into the site its retention would cause conflict with potential residents and therefore an application for its removal is considered extremely likely in the future. The Countryside Officer therefore raises no objection to the removal of these three trees within the TPO subject to a condition which requires the applicant to submit and implement an agreed woodland management plan prior to commencement of development. This woodland management plan will help mitigate the loss of T71 and minimise the potential risk of failure from altered exposure of the remaining trees.
- 5.8.5 In addition to the above, it should also be noted that the proposal includes the planting of various new trees throughout the site, including new trees at the front of the site adjacent to Chatburn Road, close to the new access point, and the Countryside Officer is supportive of this landscaping scheme, and is of the opinion that the proposed landscaping scheme, along with the conditioned woodland management plan, would result in net improvement of tree planting across the site. Other improvements include additional planting along the rear boundary shared with the industrial estate and the installation of a hedgerow along the eastern boundary with the new hospital site.
- 5.8.6 With regard to the attenuation pond and its proximity to the protected trees, the Countryside Officer raises no concern, subject to safe digging practices being implemented within the root protection zones.
- 5.8.7 The submitted application also includes an extended Phase 1 Habitat Survey and a Protected Species Survey. The Countryside Officer has reviewed these documents and raised no objection, subject to the imposition of conditions in relation to removal of invasive plant species, restriction of vegetation removal in bird nesting season and a condition requiring a new bat survey to be undertaken within the 6 months prior to the removal of any trees or demolition of the buildings. A condition has also been included requiring habitat connectivity boundary treatments and details of bat and bird boxes to be installed throughout the site.

5.9 Flood Risk and Drainage:

5.9.1 The application site is not located within Floodzone 2 or 3, however given the scale of development a Flood Risk Assessment and drainage strategy has been submitted with the application. As part of the consultation process the LPA have consulted with United Utilities (UU), the Local Lead Flood Authority (LLFA) and the Environment Agency (EA). The EA responded by stating that they have no reason to comment on this application, the LLFA have raised no objection, subject to the imposition of recommended conditions to any approval. At the time of writing this report UU have not provided any comments and any comments received will be reported to Members. It should however be noted that UU raised no objection to the recent 2016 application.

5.10 Developer Contributions:

5.10.1 The applicant has agreed make a financial contribution of **£32,665** towards the installation/improvement/maintenance of an area of Public Open Space and sports provision facilities (off-site).

5.10.2 LCC Education have requested that the applicant provide a contribution towards the provision of five secondary school places at a cost of **£107,116.35** to be secured by way of a legal agreement (section 106). It must be noted that this figure is calculated at the present time on the level of information provided and therefore this figure could change depending on when any potential approval is implemented.

5.10.3 The application site is located within 1km of two Nature Reserves (Salt Hill and Cross Hill) and the Council's Countryside Officer has requested that the applicant make a contribution towards biodiversity on these sites, as an off-set to the works taking place on the application site which has some biodiversity value. The applicant has accepted this request and a sum of **£10,000**.

5.10.4 As previously mentioned the Highway Officer has requested a sustainable transport contribution of **£18,000** which will be spent on providing potential residents with a bus pass or cycle voucher.

5.10.5 All of the above contributions would be secured by way of a Section 106 Agreement should this application be approved and have been agreed with the applicant.

5.10.6 In addition to the above there are also the highway improvement works, but these would be secured via condition and a Section 278 Agreement with LCC Highways.

5.11 Other Issues

5.11.1 Objectors have referred to two previous applications being refuse for demolition of the hospital building, however only one application (2008) for demolition of the building has been refused by the Council.

5.11.2 Objectors have also stated that there has been no change in circumstances since the previous applications of 2008 and 2012 were considered by the Council, however it should be noted that when these two previous applications

were considered the building was still in use by the NHS whereas the property is now vacant and has already been vandalised since the “Property Guardians” moved out in April 2017 with the windows boarded up and security fencing erected around the site. The LPA consider that this is a change in circumstance and from experience the longer such buildings remain vacant and in a disused state the more difficult and unlikely it is that a viable use for the site will come forward.

5.11.3 The Council’s Contaminated Land Officer has reviewed the submitted ground investigation report and raises no objection subject to the development being implemented in accordance with the recommendations and mitigation measures detailed within this report.

5.11.4 The submitted heritage statement recommends that if the application is approved a photographic recording of the interior, exterior and surroundings of the building is carried out (prior to its demolition) and an interpretation/education board about the former Clitheroe Union Workhouse is installed on site to help mitigate the loss of these buildings. This would be secured via condition.

6. **Conclusion**

6.1 The LPA is in agreement with the consultees and objectors who have commented that the preference would be for these non-designated heritage assets to be retained and incorporated into the redevelopment of the site, most likely by a way of conversion, and this has been the LPA’s stance throughout pre-application and formal application discussions. However the application submitted seeks to demolish the buildings and erect 60 dwellings, and the proposal must be considered as submitted without prejudice in accordance with the National and Local Planning Policies, and it is too simplistic to state that the application should be refused because the Council would “prefer” an alternative form of development on this site.

6.2 Both the current and previous (2016) application demonstrate that a development for the conversion of the hospital buildings for residential use is not financially viable, even without the provision of any affordable units or financial contributions, and thus it is extremely unlikely that a developer will come forward with a scheme on this site that does not return a profit. The evidence and figures to support this conclusion have been verified by an Independent Surveyor, employed by the Council, in order to calculate the viability of a conversion scheme. Consequently in the determination of this application the Council have to realistically consider what the future holds for this building if it has no viable use.

6.3 With the above in mind, throughout this application (and the previous application) the LPA have engaged in prolonged discussions and negotiations with the applicant in order to achieve the “best” scheme possible in terms of achieving the highest possible percentage of affordable units on the site and securing the maximum financial contributions, whilst also ensuring that the scheme is acceptable in terms of planning issues such as design, scale, appearance, density, drainage, highways, ecology etc... It must also be considered that any potential developer of the site has to achieve a return on their financial investment. In addition, the applicant has sought to appease the loss of the buildings by providing significantly greater level of affordable housing than required by the Vacant Building Credit, as well as meeting all the required financial contributions requested by the LPA and consultees.

- 6.4 In summary, given that the application relates to a brownfield site within the defined settlement boundary of the Principal Settlement of Clitheroe, the principle of residential development on this site is considered to be acceptable. It is however accepted that the most contentious issue in the consideration of this application is the demolition and loss of all the existing buildings on this site, two of which are considered to be non-designated heritage assets. Nevertheless, on balance it is considered that for the reasons outlined throughout this report the proposed benefits of the proposal, such as the redevelopment of a brownfield site, provision of affordable housing and over 55's dwellings and contribution towards the Council's five-year housing land supply in a sustainable location, outweigh the harm arising from the loss of these non-designated heritage assets, especially when considering that there is verified evidence provided to demonstrate that a conversion scheme is no longer viable at this site. Consequently the application is recommended for approval, subject to conditions.

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:

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

Plans

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:

Red Line Boundary – A094939_001 Rev B
Site Layout – PL-01 rev B (amended plan received 10/10/17)
Materials Layout – ML-01 A (amended plans received 10/10/17)
Landscape Layout 5493.01 Rev. B (amended plans received 05/10/17)
Drainage Strategy - C2-P-96 rev. P01 (amended plans received 10/10/17)
Drainage Strategy - C2-P-97 rev. P01 (amended plans received 10/10/17)

House Types:

Ashdown – ASH 1.71
Buttermere – BUT(LTH) 1.9 (amended plans received 05/09/17)
Buttermere (LTH) – BUT(LTH) 1.2 (amended plans received 05/09/17)
Chatham (Plot 34 + 58) – CHA 2.0 (amended plans received 11/10/17)
Chatham – CHA 1.7
Churchill – Chur 1.7 (amended plans received 11/10/17)
Cleveland (Plot 59 + 60) – CLE 2.0 (amended plans received 11/10/17)
Cleveland – CLE 1.7
Garth – GAR 1.7 (amended plans received 05/09/17)

Garth Plot (Plot 31 + 35) – GAR 2.0 (amended plans received 11/10/17)
Maidstone (Plot 32 + 33) – MAI 2.0 (amended plans received 11/10/17)
Maidstone – MAI 1.7 (amended plans received 05/09/17)
Oakhurst (Plot 30) – OAK 2.0 (amended plans received 11/10/17)
Oakhurst – OAK 1.7 (amended plans received 05/09/17)
Dormer Bungalow – Bung 1.7 (amended plans received 11/10/17)
Welland – WEL 1.7 (amended plans received 05/09/17)
Windermere – Win 1.7 (amended plans received 05/09/17)
Winster – Win 1.7

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.

Highways

5. 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.

6. 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.

7. Notwithstanding the submitted details or the requirements of condition 2, 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;

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.

8. 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.

9. The parking, garaging and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved Site Layout Dwg. No. PL1 rev B (amended plan received 10/10/17) prior to the occupation of any of the dwellings. Such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).

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

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. The off-site highway works shall include the widening of the footway to the front of the site to a minimum width of 2.0m, alterations to the existing street lighting on Chatburn Road where required, the introduction of an extended 30mph speed limit and waiting restrictions on Chatburn Road, and reinstatement of the redundant access points.

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. 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 any development commences and maintained thereafter.

REASON: Vehicles reversing to and from the highway are a hazard to other road users, for residents and construction vehicles in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

13. 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, there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land hereinafter defined any building, wall, fence, hedge, tree, shrub or other device over 1m above road level. The visibility splay to be the subject of this condition shall be that land in front of a line drawn from a point 2.4m measured along the centre line of the proposed road from the continuation of the nearer edge of the carriageway of Chatburn Road to points measured 68m in an easterly direction and 104m in a westerly direction along the nearer edge of the carriageway of Chatburn Road, from the centre line of the access.

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

14. The two existing vehicle access points (onto Chatburn Road) shall be physically and permanently closed and the existing footway and kerbing of the vehicular crossing shall

be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads, concurrent with the formation of the new access.

REASON: To limit the number of access points and to maintain the proper construction of the highway in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

15. 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 Chatburn Road A similar survey shall be carried out every six months and the final inspection within one months of the completion of the last house, and the developer shall make good any damage to Chatburn Road to return it to the pre-construction situation as required.

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

16. Prior to the commencement of any development an order shall be placed for staff costs, the advertising and implementation of traffic regulation orders for waiting restrictions along Chatburn Road and the extension of the 30mph speed limit up to and including the Pimlico Link Road roundabout speed limits, to the satisfaction of the Local Planning Authority in consultation with the Highway Authority.

REASON: In the interest of highway safety and compliance with current highway legislation in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

Ecology and Trees

17. The development hereby approved shall be carried out in complete accordance with the recommendations and mitigation measures detailed within the submitted Protected Species Survey (Dec 2016) and Phase 1 Habitat Survey (Dec 16).

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.

18. Notwithstanding the submitted details and requirements of condition 19, 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.

19. 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 place until a detailed method statement for the removal or long-term management/eradication of Himalayan Balsam and Japanese Knotweed on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Himalayan Balsam and Japanese Knotweed during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/ root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall thereafter proceed in strict accordance with the duly approved method statement.

REASON: Himalayan Balsam and Japanese Knotweed are invasive plants, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment.

20. Within the six month period prior to any demolition or tree clearance works, a bat survey and ecology update shall have first been undertaken by a suitably qualified ecologist and submitted for the writing approval of the Local Planning Authority, in order to establish the habitat potential of the site (including all trees and buildings). The development shall then be undertaken in complete accordance with the recommendations and mitigations contained within this approved report.

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

21. 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.

22. 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) 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.

23. 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.

24. Notwithstanding the submitted details, prior to the commencement of the development, details at a scale of not less than 1:20 of the proposed boundary walling, gates and fencing shall have been submitted to and approved by the Local Planning Authority and these details shall identify the measures to be taken to encourage habitat connectivity. The development shall be carried out in strict accordance with the approved details.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality and to enhance biodiversity in accordance with Policies DMG1, DME3 and DMH3 of the Ribble Valley Core Strategy.

25. No development, including any site preparation, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until a scheme of phasing for the approved landscaping scheme (as shown on approved drawing 5493.01 Rev B - amended plan received 05/10/17) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the duly approved timings and phasing's. 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: To ensure the proposed landscaped areas are provided on a phase by phase basis in accordance with Policy DME1 of the Ribble Valley Core Strategy.

26. 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 5493.01 Rev B (amended plan received 05/10/17) 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.

27. Notwithstanding the submitted details, precise specifications including a method statement of the creation of the pond shall have been submitted to and approved by the Local Planning Authority before the implementation of any works within the Root Protection Areas of the protected trees, primarily G4 and G5 (as referenced within Clitheroe Old Hospital, A671, Chatburn Rd Tree Preservation Order 2017).

Any excavation within the Root Protection Area (RPA) of the protected trees shall be carried out by hand tools unless an arboriculturalist is present to monitor vehicle use. Any vehicle used in this way must work from existing hard standing and not enter the soft ground at any time.

If any roots are uncovered which are larger than 25mm or in clumps larger than 25mm all works should stop as the roots may be essential to the trees health and safety and appropriate action must be taken , in accordance with BS5837 (2012): Trees in Relation to Construction.

REASON: To protect trees of landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development in accordance with Key Statement EN2 and Policies DME1 and DME2 of the Ribble Valley Core Strategy.

28. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until a Woodland Management Plan, including long-term design objectives, management responsibilities, maintenance schedules and phasing/timetable of works to undertaken for G1 (as referenced within Clitheroe Old Hospital, A671, Chatburn Rd Tree Preservation Order 2017) has been submitted to and approved in writing by the Local Planning Authority. The Woodland Management Plan shall be carried out in complete accordance with the approved details, including the approved phasing/timetable of works.

REASON: To ensure the proper long-term management of retained woodland areas in the interests of visual amenity and biodiversity in accordance with Key Statements EN2 and EN4 and Policies DME1, DME2 and DME3 of the Ribble Valley Core Strategy.

Contamination

29. The development hereby approved shall adhere to the recommendations, mitigation measures and conclusions detailed within the "Ground Investigation Report" (Ref: A094939 – February 2017).

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.

Residential Amenity

30. 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.

31. Notwithstanding the requirements of condition 2 of this approval, the following windows shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed:

First floor landing window in the rear elevation of the Ashdown House Type;
First floor bathroom window in side elevation of the Churchill House Type;
First floor ensuite, bathroom and landing windows in both side elevations of the Cleveland House Type;
First floor landing and ensuite windows in both side elevation of the Maidstone House Type;
First floor bathroom and landing windows in both side elevation of the Oakhurst House Type;
First floor bathroom and landing windows in both side elevation of the Welland House Type;
First floor bathroom window in the side elevation of the Windermere House Type;
First floor bathroom window in the side elevation of the Winster House Type;

The duly installed window shall be retained as such thereafter.

REASON: To safeguard the privacy of occupiers of neighbouring dwellings and to ensure satisfactory levels of amenity for residents in accordance with the requirements of Policy DMG1 of the Ribble Valley Core Strategy.

Noise

32. The development hereby approved shall adhere to the recommendations, mitigation measures and conclusions detailed within the submitted "Noise Assessment" (Ref: A103492 – June 2017).

REASON: To ensure satisfactory levels of amenity for residents in accordance with the requirements of Policy DMG1 of the Ribble Valley Core Strategy.

Archaeology and Heritage

33. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological building recording and analysis. 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 programme of recording should comprise a Level 3 record, as set out in '*Understanding Historic Buildings*' (Historic England 2016). It should be undertaken by an appropriately experienced and qualified professional archaeological contractor to the standards and guidance set out by the Chartered Institute for Archaeologists.

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

34. No development shall take place until the applicant, or their agent or successors in title, has undertaken a photographic record of the interior, exterior and immediate surroundings of the former workhouse and infirmary buildings and submitted details of a method of "interpretation" (in relation to the former Clitheroe Union Workhouse) to be installed at the site. The submitted details shall include the content of this "interpretation", its design and siting, and a timetable for its installation on site, and the development shall be carried out in complete accordance with the approved details.

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

Drainage

35. 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 post development surface water run-off rate will not exceed the pre-development greenfield run-off rate for the corresponding rainfall event. The maximum surface water run-off rate from the development will be no greater than 10.6l/s. 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 watercourses (open or culverted) 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 a site investigation and test results to confirm infiltrations rates. If infiltration is shown to be a viable option for the disposal of surface water, then this should then be used as the primary method for disposing of surface water from the site. Disposal via an ordinary watercourse will only be considered where infiltration is proved to be unsuitable.
- 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 to ensure 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.

36. 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.

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

REASON: In order to reduce the risk of flooding in accordance with Policy DME6 of the Ribble Valley Core Strategy and the National Planning Policy Framework.

38. 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 Policy DME6 of the Ribble Valley Core Strategy and the National Planning Policy Framework.

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
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. No work to any trees covered by a TPO (other than the removal of two trees within the application) shall be undertaken without the relevant works to trees application being submitted to the LPA.
5. For the avoidance of doubt, this response does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given.
6. The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process and relevant forms can be found via the following website: www.lancashire.gov.uk/flooding.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0616616

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2017/0133	Land off Dale View Billington	31/8/17	41	With Applicants Solicitor

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Time from First Going to Committee to Decision</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2016/0974	Land West Preston Road, Longridge	16/2/17	31 weeks	275	Decision 18/9/17

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2017/0670	Conversion of former Punch Bowl Inn (Grade II listed building) into 5 holiday lets and café including demolition and extensions. New pitch holiday lodge park with 15no units within curtilage	Former Punch Bowl Inn Longridge Road Hurst Green
3/2017/0766	Removal of two existing cantilever roof structures and replace with single span roof, Yorkshire boarded down to eaves at both ends. Slate blue fibre sheets to be used for roof	Brungerley Farm Clitheroe Road Waddington
3/2017/0844	Erection of one two-storey building comprising 6 workshop/office space units with associated parking facilities	Chapel Hill Trading Estate Chapel Hill Longridge

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 Farm)	Inquiry	In abeyance until end of October 2017	Bespoke timetable
3/2017/0088 R	03/07/17	1 & 2 Abbeycroft The Sands Whalley	WR		Awaiting Decision
3/2017/0039 R	07/08/17	18 Netherwood Gardens Brockhall Village Langho	HH		Awaiting Decision

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Date of Inquiry/Hearing if applicable</u>	<u>Progress</u>
3/2016/1196 R	03/07/17	Lower Standen Farm Whalley Road Pendleton	WR		Awaiting Decision
3/2016/0708 R	10/07/17	The Dog and Partridge Public House, Tosside	Hearing	05/09/17	Appeal Dismissed 04/10/17
3/2016/0709 R	10/07/17	The Dog and Partridge Public House, Tosside	Hearing	05/09/17	Appeal Dismissed 04/10/17
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		Awaiting Decision
3/2017/0192 R	19/07/17	Countess Hey Elmridge Lane Chipping	WR		Awaiting Decision
3/2017/0308 R	10/08/17	Fields Fm Barn Back Lane Chipping	HH		Awaiting Decision
3/2017/0220 R	07/08/17	2a Whittingham Road 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	Cancelled by PINS	St Marys Community Centre Church Street Clitheroe			Incorrect appeal – legislation provides no right of appeal until TPO confirmed
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)		

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Date of Inquiry/Hearing if applicable</u>	<u>Progress</u>
3/2016/1192 R	Awaiting start date from PINS	Hammond Ground Whalley Road Read	Inquiry (to be confirmed)		