

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 30 NOVEMBER 2017  
title: PLANNING APPLICATIONS  
submitted by: DIRECTOR OF COMMUNITY SERVICES

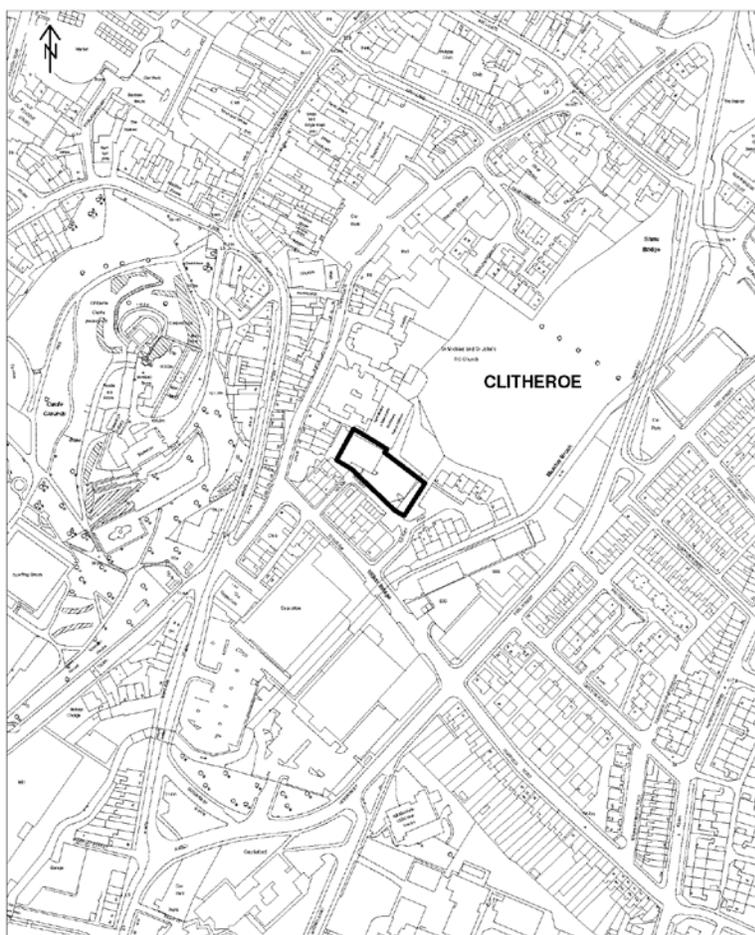
## PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

**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.



3/2017 0184 Wilkin Square Clitheroe

Scale 1:2500

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## **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. Pauls and St. Johns Church.

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

The Highways Development Control Section have raised no objection to the proposal following the receipt of revised information.

### **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 the remaining 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 located to the rear, 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 locational requirements 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 settlement of Clitheroe, at the time of writing this report, having been exceeded by 60 dwellings. Furthermore, applications totalling a further 96 units within Clitheroe were deferred and delegated for approval (subject to the signing of appropriate legal agreements) at the Planning and Development Committee meeting of the 26th of October.

- 5.1.4 Notwithstanding this matter, 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.
- 5.1.5 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, 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.
- 5.1.6 However, it is imperative to note that this document is currently at consultation stage and as such 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 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.'
- 5.1.7 It is therefore accepted that the proposal would result in a level of additional oversupply when measured against the objectively assessed outstanding residual housing need for Clitheroe. However it is not considered that the degree of additional 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 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 closest 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 currently apparent throughout the Conservation Area and to some degree such variations define its character and inherent value. 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 with ease into 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 the required distance. However following further discussion with the Highways Officer it has been clarified that the available reversing distance, taking account of the lightly trafficked nature of Wilkin Square is considered acceptable.

## 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 officers 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.

5.8.4 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, the access point to the school car-parking area off Wilkin Square and the School parking itself, which whilst being private land, appears to allow open access for members of the public to enter the site.

5.8.5 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 with 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 agreed in writing, 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.

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

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

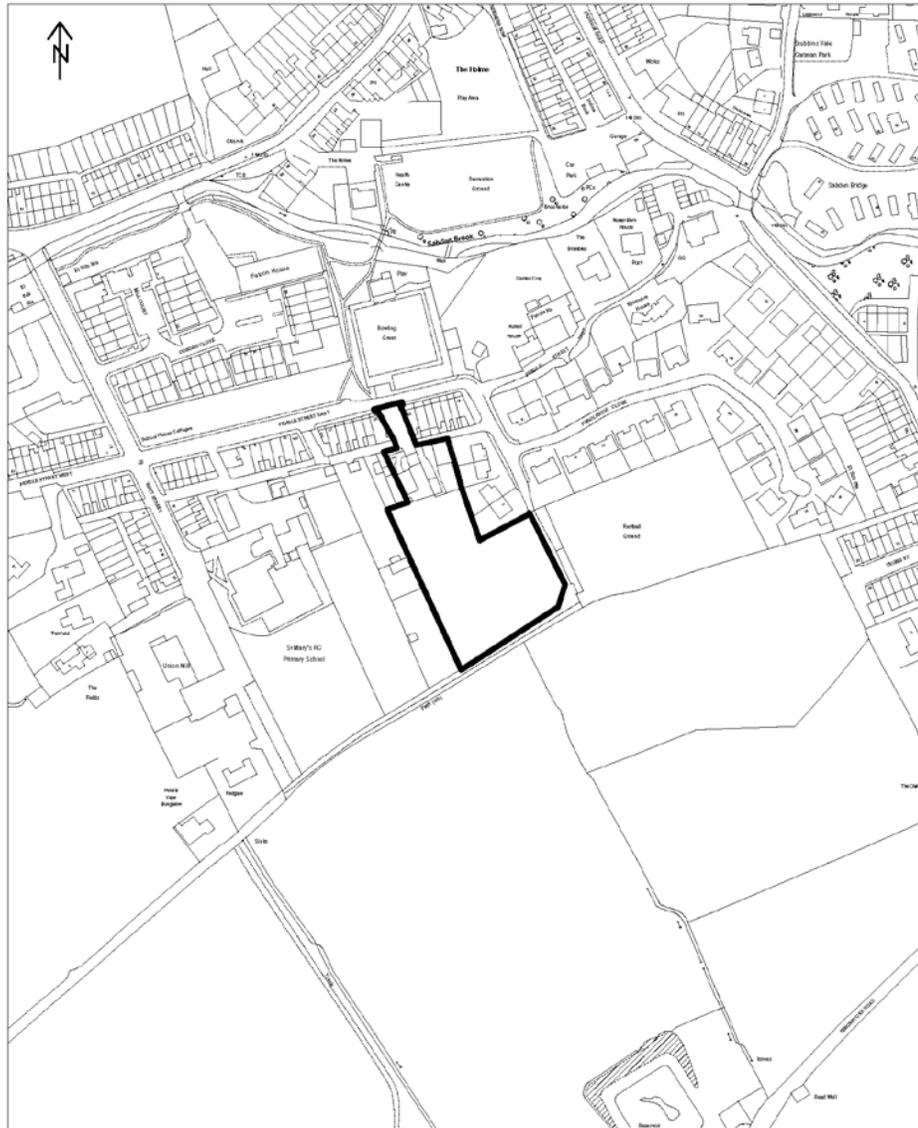
<https://www.ribblevalley.gov.uk/planningApplication/28205>

**APPLICATION REF: 3/2017/0351**

GRID REF: SD 377818 447230

**DEVELOPMENT DESCRIPTION:**

APPLICATION FOR APPROVAL OF RESERVED MATTERS FOR 14 HOUSES, 3 BUNGALOWS AND A NEW ACCESS ROAD INCLUDING APPEARANCE, LANDSCAPING AND LAYOUT, FOLLOWING OUTLINE PLANNING PERMISSION 3/2013/0440. LAND TO THE REAR OF PENDLE STREET EAST, SABDEN.



3/2017/0351 Land to the rear of Pendle Street East Sabden

Scale 1:2500

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

### **PARISH COUNCIL:**

No objections received in respect of the application.

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

The Highways Development Control Section have raised no objection to the proposal following the receipt of revised information and subject to the imposition of relevant conditions.

### **LOCAL LEAD FLOOD AUTHORITY (LLFA)**

Following the submission of the SUDS Drainage Strategy (BEK-17326-170911-JD) the LLFA have withdrawn its objections to the proposed development which will be acceptable subject to the imposition of conditions relating to surface water drainage and surface water lifetime management and Maintenance.

### **UNITED UTILITIES:**

No response received in respect of the application.

### **ADDITIONAL REPRESENTATIONS:**

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

- Loss of light
- Safety issues during construction
- Infrastructure in Sabden is at capacity
- Noise and disruption
- Additional traffic in the area
- Problematic access
- Increased traffic in the area
- Inaccurate information
- Land ownership issues
- Loss of wildlife
- Lack of visitor parking
- Devaluation of property

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

- 1.1 The application relates to a 6030 Sqm (0.6 Ha) area of land to the rear of Pendle Street East. The site is located to the rear and south of numbers 23–35 Pendle Street East and the rear of 1–7 Pendleside Close which directly bound the site to the east. The majority of the site is greenfield in nature with the northern extents of the site accommodating a number of garages and ancillary domestic structures, with the site also incorporating an element of domestic curtilage associated with 27 Pendle Street East.
- 1.2 The site is located within the Forest of Bowland AONB Designation. The northern extents of the site directly adjoins the Sabden Conservation Area with the vehicular and pedestrian access being located within the aforementioned designated area. The site is

currently designated as a Committed Housing Site within the Regulation 22 Submission Draft Proposals Map. Land Directly to the east (Football grounds) and west (allotments) also benefit from a designated within the Draft Proposals map, being identified as Existing Open Space (DMB4).

- 1.3 The south and south eastern extents of the site directly bound Bridleway no.76. The topographic characteristics of the site are typified by an increase in ground level to the south.

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

- 2.1 Reserved Matters consent (Appearance, landscaping and layout) is sought for the erection of 14 two-storey dwellings and 3 bungalows on land to Rear of Pendle Street east. It is proposed that the primary vehicular and pedestrian access will be provided off Pendle Street East, with a pedestrian/cycle link to Bridleway 16 being provided to the south-eastern extents of the site.
- 2.2 The layout of the housing will be configured in a cul-de-sac arrangement with areas of private drive being accessed off of the main highway to the sites southern extents. The development will be accessed by pedestrians via a footway on the western side of the proposed highway, with a 1m service verge being maintained to the eastern extents of the highway.

## 3. **Relevant Planning History**

### **3/2013/0440**

Outline application (Access & Scale) for residential development of land for 14 houses, 3 bungalows and a new access road. (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 EN2 - Landscape

Key Statement EN3 – Sustainable Development and Climate Change

Key Statement EN5 – Heritage Assets

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME3 – Site and Species Protection and Conservation

Policy DME4 – Protecting Heritage Assets

Policy DME6 – Water Management

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

5.1.1 The principle of the site being developed for residential purpose has been previously established as acceptable through the granting of outline consent (3/2013/0440) for the residential development of land for 14 houses, 3 bungalows and a new access road (Matters of Access and Scale). At the time of the submission of the application the aforementioned consent remained extant, with the current application having been submitted within the required three year timescale. Taking account that the application was made pursuant to an extant outline I consent it is no considered that the application, notwithstanding other Development Management considerations, results in any significant direct conflict with the Development Strategy for the Borough as embodied within Key Statement DS1 of the Adopted Core Strategy.

5.2 **Impact upon Residential Amenity:**

5.2.1 Plot 01 (Bungalow) and associated residential curtilage is sited directly to the south of the rear curtilages of numbers 1-7 Pendleside Close. The lengths of the residential curtilages associated with the aforementioned existing dwellings currently range from 8.4m to 14.6m with the offset distance between Plot 01 and the existing dwellings being 11.4m at its closest point, with the remaining offset distance, due to orientation, being within a range of 14.8m – 16.2m.

5.2.2 The rear elevation (east facing) of Plot 01 contains 4 windows, 3 of which serve a non-habitable corridor with the remaining window serving an en-suite. It is considered necessary, in the interests of protecting residential amenity, that these windows will be required to be obscure glazed when taking account of the proximity of the dwellings to the north and taking in consideration that the internal floorplan of the proposed dwelling could be altered at a later date without the need for planning consent resulting in the windows serving habitable rooms.

5.2.3 Plot 17 (Two-storey dwelling) is sited 8m to the south of the side elevation of number 7 Pendleside Close orientated in a side gable to side gable arrangement. Given that no windows are proposed on the north facing elevation of Plot 07 I do not consider that there will be any significant detrimental impact upon residential amenity as a result.

5.2.4 The site access lies between numbers 27 and 29 Pendle Street east with concerns having been raised in respect of vehicles causing disturbance when entering and leaving the site. Members will note that the principal of the vehicular access in this location has already been established as acceptable through the granting of the outline. Notwithstanding this matter it is not considered that the quantum of development proposed would generate a level of vehicular movements that would be of significant detriment to neighbouring residential amenity.

5.2.5 The proposal site has very little direct physical interface with other existing dwellings other than those already referred to above and as a result do not

consider that the proposal as submitted raises any significant concerns in respect of detrimental impact upon residential amenity.

### 5.3 Matters of Layout and Design

- 5.3.1 The application has been subject to extensive pre-application discussions to ensure that the proposal will be sympathetic and respond positively to the inherent character of the area in terms of scale, massing, external appearance, features and materials.
- 5.3.2 The submitted details propose that the primary elevations of the dwellings will be faced in natural or reconstituted stone (to be agreed) and roofed in natural slate or an alternative to be agreed at a later date. The two storey dwellings are grouped in semi-detached paired arrangements with the proposed bungalows being fully detached. The proposed bungalows are located to the northern extents of the site with the remaining dwellings being located to the south grouped in a cul-de-sac arrangement.
- 5.3.3 Plot 01 (bungalow) and associated private residential curtilage is located directly to the rear of numbers 1-7 Pendleside Close with Plot 16 (semi-detached dwellings) being located to the south of Number 7. Plot 01 benefits from parking provision provided by way of a detached garage and driveway area with the majority of the provision for the remaining dwellings being provided on plot in the form of side drives.
- 5.3.4 The proposed dwellings adopt a simple semi-rural language, employing stone surrounds and mullions, with eaves and chimney detailing. Variation is proved within the external appearance of the dwellings through the use of varying porch detailing which aids in creating a sense of legibility and ensures the proposal will not appear overly homogeneous.
- 5.3.5 Particular focus has been paid to the treatment of the public realm during negotiations with the applicant to aid in ensuring that the proposal responds appropriately to the character of the area and to ensure that the proposal does to appear overtly suburban in nature. As a result it is proposed that the frontages of the internal layout of the proposal will be delineated by 900mm stone/reconstituted stone boundary walling with the area delineating the curtilage of plot 01 being of a similar treatment albeit 1800mm in height. It is proposed that the driveway and parking areas will be surfaced in Key Block Herringbone paving sets which will aid in softening the appearance of the central road and footway which are to be faced in tarmac.
- 5.3.6. The peripheral site boundaries, namely the south-west, south and south-east, will benefit from a living 'green screen' boundary treatment. This will result in excess of 160m of 'Green Screen' being erected around the site, this will not only result in significant biodiversity enhancement but also ensure that the visual incursion of the extents of standardised boundary treatment associated with the development will be significantly reduced.
- 5.3.7 Dedicated parking provision for numbers 27 and 29 has been provided towards the northern extents of the site with provision of 2 parking bays per dwelling being proposed. The purpose of these dedicated parking bays is to ease potential congestion on Pendle Street East, at times when the road is under

pressure due to local events and to ensure that the opportunity exists to realign the Highway and footway access off Pendle Street East without compromising existing parking provision.

5.3.8 A pedestrian and cycle link to Bridleway 16 is provided to the south eastern extents of the site which aids in providing permeability and connectivity between the Bridleway, the existing dwelling and those which are proposed. The link will measure 3m in width, be surfaced and bollarded to preclude vehicular access.

5.3.9 Taking account of the above matters relating to design and layout it is not considered that the proposal will be of significant detriment to the character and visual amenities of the Protected Landscape or Adjacent designated Conservation Area.

#### 5.4 Highway Safety and Accessibility:

5.4.1 The Highways development Control Officer has raised no objection of the proposal subject to the imposition of condition. The relevant officer has subsequently confirmed that a number of the required conditions have already been attached at outline stage and therefore does not consider it necessary to reattach such conditions.

#### 5.5 Landscape/Ecology:

5.5.1 The application seeks consent for matters of Landscaping however, the proposed landscaping plans submitted in support of the application fails to contain adequate levels of detail in respect of shrub or tree species mix. In respect of this matter it is considered necessary to secure such details through the imposition of condition which will be required to be submitted prior to the commencement of development.

5.5.2 Notwithstanding this omission it is clear that the proposed layout contains sufficient margins to accommodate landscaping, front and rear of plot, that will aid in softening the appearance of the internal public realm. It is further likely that additional planting will be undertaken by residents of the development within rear curtilages.

5.5.3 Condition 11 of the outline consent requires that a Phase 1 Habitat Survey and Baseline Ecological Impact Assessment be submitted prior to the commencement of development. The condition further requires that the development be carried out in accordance with any timings, works or mitigation measures proposed within the aforementioned assessment. No assessment has been submitted in support of the current application however it is expected that such matters will be submitted prior to commencement of development as required by the condition.

#### 5.6 Flood Risk and Drainage:

5.6.1 LLFA have removed their objection to the proposal following the submission of a SUDS Drainage Strategy and subject to the imposition of conditions relating to Surface Water Drainage and Surface Water Lifetime Management and Maintenance.

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 is in broad accordance with the requirements of the previously approved outline consent and should be considered pursuant as such.
- 6.2 It is further considered that the proposal is of an appropriate scale, design and external appearance that responds positively to the inherent character of the area that will not result in any significant detrimental impact upon the character and visual amenities of the area or the character and visual amenities of the Sabden Conservation Area.
- 6.3 For the reasons outlined above the proposed development is considered to be in accordance with the main aims and objectives of the adopted development plan and do not consider that there are any significant material reasons that would warrant the refusal to grant reserve matters consent.

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

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

010-223 Drg No.06 Rev A:	Bungalow Plan and Elevations
010-223 Drg No.13 Rev B:	Plot 01 Plan
010-223 Drg No.14 Rev A:	House Plans and Elevations
010-223 Drg No.15:	Plot 01 Elevations
010-223 Drg No.19 Rev: A	Site Plan
010-223 Drg No. 21 Rev B:	Boundary Treatments
010-223 Drg No. 22 Rev A:	Landscaping and Surface Treatments
010-223 Drg No. 23 Rev A:	Waste Management Plan
010-223 Drg No. 24:	Side Elevations and Materials

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

2. Precise specifications or samples of all external surfaces, including surfacing materials including details of the window/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. 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 Key Statements EN2 and EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy.

3. Notwithstanding the submitted details, prior to their installation, elevational details at a scale of not less than 1:20 of the proposed boundary treatments/fencing, walling and any retaining walls, including their location, shall have been submitted to and approved by the Local Planning Authority. For the avoidance of doubt the submitted details shall also include the precise nature of the bollards to be erected within the site adjacent Bridleway 16. 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 Key Statements EN2 and EN5 and Policies DMG1 and DME4 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 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 in accordance with Key Statements EN2 and EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy.

5. The windows in the rear (east) elevation of the dwelling indicated as Plot 01 (Site Plan - Drg No. 19 Revision A) hereby approved shall be fitted with obscure glazing (which shall have an obscurity rating of not less than 4 on the Pilkington glass obscurity rating or equivalent scale) and shall be non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The windows shall remain in that manner in perpetuity at all times unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect nearby residential amenity and to negate the potential impacts of the development 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 a scheme for the 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 agreed 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 Statements EN2 and EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy.

7. The entirety of the parking areas and driveways 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. For the avoidance of doubt the agreed dedicated parking provision for 27 and 29 Pendle Street East (Site Plan - Drg No. 19 revision A) shall be implemented and made available for use prior to first occupation of any of the dwellings hereby approved and thereafter retained for use by numbers 27 and 29 Pendle Street east in perpetuity.

REASON: In order that the Local Planning Authority may ensure that adequate dedicated parking provision is provided on site to serve the dwellings hereby approved in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

8. The refuse storage areas hereby approved shall be constructed and made available for use prior to first occupation of any of the dwellings to which they are associated. The refuse storage provision shall be retained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order that the Local Planning Authority may ensure that adequate dedicated refuse storage provision is provided on site to serve the dwellings hereby approved in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

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

For the avoidance of doubt the details shall take account of the enhancement recommendations contained with the previously approved Ecological Phase 01 Survey Report (October 2012) and any subsequent recommendations made within any revised documentation submitted pursuant to condition 11 of outline consent 3/2013/0440. The submitted details shall identify the nature and type of the nesting boxes/artificial roosting sites and the locations(s) or wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into the dwellings hereby approved during the construction stage of the development and made available for use prior to first occupation and thereafter retained. The development shall be carried out in strict accordance with the approved details.

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

10. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site unless and until a revised tree and hedgerow survey/arboricultural impact assessment has been submitted to and agreed in writing by the Local Planning Authority including details for the protective fencing of affected trees/hedgerow (where applicable).

Any specified tree/hedgerow protection measures shall remain in place throughout the construction phase of the development and the methodology approved shall be adhered to during all site preparation/construction works.

REASON: To ensure the adequate protection of trees/hedging of landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development in accordance with Key Statement EN2 and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

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

Those details shall include, as a minimum:

- A. Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- B. The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate which has been calculated at 5 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- C. Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- D. Flood water exceedance routes, both on and off site;
- E. A timetable for implementation, including phasing as applicable;
- F. 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 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.

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

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

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

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.

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

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

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

REASON: To ensure to ensure that adequate parking provision is retained on site that limits the visual impact of the parked motor-vehicle upon the street scene/area in accordance with Policy DMG1 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 Key Statements EN2 and EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy.

#### BACKGROUND PAPERS

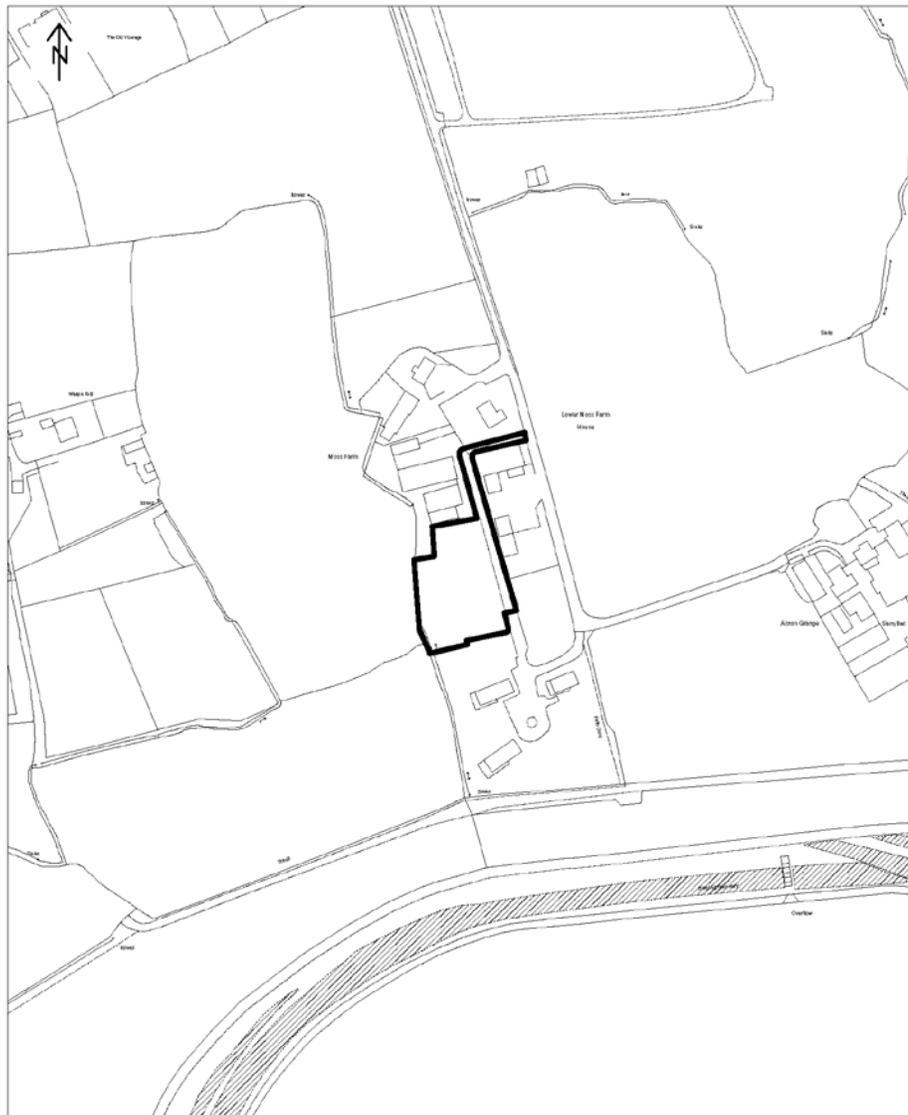
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0351](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0351)

**APPLICATION REF: 3/2017/0357**

GRID REF: SD 361065 436542

**DEVELOPMENT DESCRIPTION:**

CONSTRUCTION OF TEN, TWO-STOREY HOLIDAY COTTAGES, INCLUDING ASSOCIATED PARKING AND ACCESS, LANDSCAPING AND ASSOCIATED WORKS, IN CONNECTION WITH EXISTING HOLIDAY PARK AND LOWER MOSS FARM, LOWER LANE, LONGRIDGE



3/2017/0357 Lower Moss Farm Lower Lane Longridge PR3 2YH

Scale 1:2500

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

### **PARISH COUNCIL:**

*Longridge Town Council:*

No objections to the application but would like to secure a contribution to the Longridge Loop which would include the widening of the connective path going through the site.

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

Whilst no objection is raised the Highway Officer is concerned that the permanency of the proposed units may lead to them becoming permanent residences rather than holiday lets. If these properties were to be used as residential dwellings then the access from Lower Lane would be considered inadequate.

In view of the above, the Highway Officer raises no objection subject to a suitably worded condition ensuring that the units are for holiday accommodation only.

### **UNITED UTILITIES:**

No objections to the proposal subject to conditions regarding drainage.

### **LEAD LOCAL FLOOD AUTHORITY:**

Originally objected to the proposal due to the lack a Flood Risk Assessment (FRA), however the applicant has provided the FRA and the LLFA has withdrawn its original objection, subject to conditions.

### **ADDITIONAL REPRESENTATIONS:**

One letter of objection and one letter of support have been received. The points raised in the letters are summarised below:

*Objection:*

- The proposed units are too high and unattractive, resulting in them being out of keeping with the existing low level timber lodges;
- The units would be clearly visible from neighbouring properties at Walton Fold and would resemble a row of terrace houses;
- Lack of parking for existing and proposed use of the site;
- It is unclear what the total number of units on this site will be;
- Access via a single track, which is also a public footpath, is inadequate and will negatively impact upon users;
- No detail in respect of storage or collection of bins;
- The proposal represents a clear departure from the original approved development for holiday chalet;
- Potential future use as residential dwellings;
- An assessment should be undertaken to establish whether some of the occupants of the existing chalets are permanently residing at this site;
- The proposal would detract from the character and features of the area.

*Support:*

- The Council's Core Strategy, and the Longridge Neighbourhood Development Plan, are fully supportive of tourism and holiday accommodation;
- This holiday complex is unique, attractive and enhances the character of the area in comparison to the disused and derelict farming units on site;
- Location has good access to local shops and restaurants to the benefit of the local economy;
- Good access to tourist/recreational facilities such as walking, horse riding and cycling;
- The site already operates as a holiday park and contributes to local businesses;
- This application should be encouraged.

**1. Site Description and Surrounding Area**

- 1.1 The application relates to land at Lower Moss Farm off Lower Lane in Longridge. The site occupies a rural setting, just outside of the draft settlement boundary of Longridge and until 2007 Moss Farm was an active pullet rearing enterprise consisting of a significant number of poultry sheds and associated buildings. The poultry sheds were cleared from the site once this use ceased, although a number of the smaller buildings have been retained and are now used for storage, and as a workshop and office.
- 1.2 In 2007, on land to the south of the farmhouse of Moss Farm, where the poultry sheds were previously located, planning permission (3/2007/0060) was granted to erect 21 static caravans/pitches for holiday use. In 2012 a new consent was granted for 19 holiday chalets on this land (3/2012/0426) and the applicant has installed four holiday chalets at the southern end of the site and these are fully operational. As the 2012 planning permission has been part implemented this consent is now active and can be fully completed in the future.
- 1.3 This application relates specifically to a section of land between the existing buildings at the northern end of Moss Farm, and the four holiday chalets at the southern end. The land is presently hardsurfaced and used for storage and parking of vehicles.
- 1.4 The application site is accessed via a track leading directly off Lower Lane and this track serves the application site (Lower Moss Farm) and the neighbouring farm known as Alston Grange. The access track is also designated as a public right of way and a separate right of way runs through the land associated with Lower Moss Farm.

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

- 2.1 The application seeks to erect 10 two storey holiday cottages on a section of land which has an active/live consent for holiday chalets. The 10 holiday cottages proposed by this application would replace 4 of the previously approved 19 chalets, thus resulting in a total of 25 holiday units on this site (10 holiday cottages and 15 chalets). This application however only relates to the 10 holiday cottages and the chalets can be erected under the previously approved consent from 2012.
- 2.2 The proposed cottages would be sited directly to the south of the existing workshop building, on an existing hardsurfaced area, with access obtained via the existing access point off the track.

- 2.3 The proposed cottages would be arranged in a “C-shape” consisting of three blocks. Both the north and south blocks would contain 3 units and the western block 4 units. Each unit would be provided with one car parking space to the front and a small rear garden area. The submit plan also shows landscaped areas and some tree/shrub planting.
- 2.4 Each unit would measure 5.7m wide by 9m in length and have a pitched roof design measuring 6.9m to the ridge. The units would be two storey, although the upper floor would be provided within the roof by way of pitched roof dormers. Each unit would contain one dormer in the front and two in the rear elevations. The units would be constructed in stone with a slate roof, including chimney features, quoin detailing on the corners and surrounding stone detailing around the window openings.

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

3/2007/0060 – *Change of use of poultry farm to form a 21 pitch static caravan park and ancillary storage building* – approved with conditions

3/2012/0426 – *Static caravan/lodge park for 19no. pitches* - 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

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 Lower Moss Farm and thus the proposal would comply with this requirement.

Furthermore the application site has an extant consent for holiday accommodation and presently four chalets have been erected on the site.

- 5.1.3 The LPA have requested that the applicant/agent provide an economic justification for this proposal, and this has been received. The reason the LPA requested this information was that only 4 of the previously approved chalets have been erected, and therefore the LPA were concerned about the future of the park and the need for additional holiday accommodation when the previous approval has not been fully implemented.
- 5.1.4 The submitted business plan states that only four of the approved “bespoke” chalets have been sold as holiday homes, and therefore a different business model is required. The applicant comments that the reason only four chalets have been sold is summarised below:
- Wider economics following 2008 market crash led to cheaper alternatives abroad;
  - Competition from “brand” operators;
  - Comparable costs to a holiday home;
  - Expensive construction costs of bespoke units;
  - Lack of facilities on site, such a club house, entertainment etc..
  - Difficulty in buyers obtaining holiday home mortgages.
- 5.1.5 In view of the above the applicant is seeking to undertake a different business model more aimed at people wanting to undertake short breaks, as opposed to buying a holiday home/chalet. The applicant is of the opinion that this approach would increase potential for both short and long term revenue and offer the following advantages in comparison to chalets:
- Temporary let pending sales;
  - Retention of value;
  - Optional range of finance available;
  - Reduction in risk of capital investment;
  - Less vulnerability to market fluctuations.
- 5.1.6 The business plan accepts that the initial cost for the proposed holiday units is greater than that of the chalets, however they provide greater longevity for the investment and low cost of refurbishment, modernisation and upgrading over the lifetime of the building. The business plan estimates that the total construction cost of the 10 units would be between £700,000 - £800,000, and it is generally accepted that a good return on such an investment would be 10 - 12%. In order to achieve this 10% return each unit would therefore need to generate £7,000 - £8,000 per annum, and the submitted business plan states that holiday lets of this nature generally return between £8,000 - £12,000 per annum. As such the business plan seeks to demonstrate that the proposal is viable.
- 5.1.7 In response to the submitted business plan, the LPA compliments the applicant for providing such information as often applications for holiday accommodation come forward without a business plan or justification. The LPA accepts that as is the case with any business plan or business venture the calculations provided are estimates and it is somewhat impossible at this stage to calculate whether a business is likely to be viable or not. Nevertheless, the applicant has provided a

business plan which appears to show that with the projected returns the business could be viable.

- 5.1.8 In view of the above, the principal of holiday accommodation in this location has already been established and is therefore 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 nearest residential dwellings to the proposed units are the two dwellings associated with Lower Moss Farm (Moss Farm and Lower Moss Farm). These dwellings are located within the farmstead of Lower Moss Farm, with Lower Moss Farm being occupied by the applicant. At the nearest point the dwelling known as Moss Farm would be sited more than 80m from the proposed holiday units, with intervening buildings in-between and thus the proposed development would have no negative impact upon the residential amenity of the existing dwellings on this farm.

5.2.2 Outside of the farmstead of Lower Moss Farm, the application site is adjoined by open fields. To the west are the dwellings within the complex of Walton Fold Farm, some 190m away from the application site, and to the east is Alston Farm (approx. 180m from the proposed units). An objection has been received from one the residents within the complex of dwellings to the west on the basis that the proposed units would be clearly visible from Walton Fold, however at a distance of 190m it is not considered that the development would have any impact in terms of loss of residential amenity. The fact that a development is visible from a neighbouring property is not in itself a justifiable reason for refusal.

5.2.3 In view of the above, given the separation distances that would be achieved to neighbouring properties, the proposed development would share an acceptable relationship with neighbouring land uses in accordance with Policy DMG1.

## 5.3 Visual Amenity/External Appearance:

5.3.1 The application site occupies a relatively isolated position down a track which only serves the application site (Lower Moss Farm) and the neighbouring farm known as Alston Farm. As such the development site is not highly accessible or visible to the public. It is however accepted that the track which serves the application site is also a public right of way, and a right of way also crosses through Lower Moss Farm, to the north of the proposed development.

5.3.2 Nevertheless, the proposed units would be viewed in conjunction with the existing/adjacent buildings and dwellings at Lower Moss Farm and with a height of 6.8m to the ridge the proposed cottages are not excessively large in size and would not dominate the site. Further afield the neighbouring farm at Alston Farm has large agricultural buildings that are substantially larger than the proposed units and consequently the visual impact of the units on the wider area is considered to be acceptable.

5.3.3 With regard to design and external appearance, the proposed units would be constructed in stone, with a slate roof, and such materials are considered to be

acceptable in this rural location. The properties would contain significant levels of glazing, however the previously approved chalets are of a modern/contemporary design with high levels of glazing and outdoor decking areas. As such the proposed development would not be at odds with what has previously been approved at this site.

5.3.4 Furthermore, Lower Moss Farm previously consisted of large poultry sheds before consent was granted for holiday accommodation at the site, and the proposal includes new landscaped areas which will potentially improve the existing appearance of the site. A condition requiring the landscaping scheme to be submitted to the LPA and implemented on site has been attached to the recommendation.

5.3.5 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 utilise the existing track and access point and the Highway Officer raises an objection, subject to the condition which ensures that units are for holiday use only as the access would not be acceptable if these units were used as dwellings.

#### 5.5 Trees and Ecology

5.5.1 The land upon which the units would be erected is hardsurfaced and previously contained the poultry sheds in association with the farming activities that took place on this site. Consequently the land upon which the units would be built has no ecology value.

5.5.2 In order to enhance biodiversity a condition has been attached requiring bat/bird boxes to be erected on the proposed units and the above mentioned landscaping will not only bring visual benefits but also ecology improvements to the site/area.

#### 5.6 Other Issues

5.6.1 Longridge Town Council have requested that the applicant make a financial contribution towards the Longridge Loop, however such a request would require a Section 106 Agreement. National Guidance within the NPPG states that developer contributions can only be sought for development proposals that are in excess of 10 units and thus a legal agreement cannot be applied to this proposal. Notwithstanding the above, it is not considered that this is a reasonable request for the scale of development proposed.

5.6.2 The objector has raised a concern in respect of bin storage and collection from the site. In response to this there is sufficient space externally for the storage of bins and as the units would be a business (rather than for residential use) the bins would be collected under a private trade agreement rather than by RVBC's residential collection.

5.6.3 The objector has raised concerns in respect of the future use of these units as residential dwellings and questioned the existing use of the chalets on site. With regard to future use, conditions have been attached to ensure that the approved units are for holiday purposes only and not to be used as primary living accommodation. With regard to the current use of the existing chalets, the concerns raised within the objection are currently being investigated.

5.6.4 The application site is not located within Floodzone 2 or 3, however as the proposal seeks to erect 10 units a Flood Risk Assessment (FRA) has been submitted. The LLFA and UU have reviewed submitted information and raised no objection subject to conditions.

## 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):

### **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:

RAI/10/Dwg 01

RAI/10/Dwg 02

RAI/10/Dwg 03

RAI/10/Dwg 04

6201 01-01 (amended plan received 29/09/17)

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

### *Materials*

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

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

#### *Use of units*

4. 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.

5. 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.

6. 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.

#### *Highways*

7. The car parking and manoeuvring areas (as shown on approved drawing RAI/10 Dwg 02) shall be laid out in accordance with the approved plan before any of 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.

8. 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.

#### *Amenity*

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. 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.

#### *Landscape and Ecology*

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. Notwithstanding the details shown on the approved plans and the requirements of condition 2 of this permission, within three months of development first taking place a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of the type, species, siting, planting distances and programme of planting of any trees, shrubs, hedges and other soft landscaped areas. The duly approved landscaping scheme shall be carried out within the first planting season after any holiday cottage hereby approved becomes

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

REASON: In order to achieve a satisfactory level of landscaping in the interests of visual amenity in accordance with the requirements of Policy DMG1 of the Ribble Valley Core Strategy.

13. 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.

### *Drainage*

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.

15. 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.

16. 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.

17. 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.

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

REASON: To ensure that the drainage for the proposed development can be adequately maintained and 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.

INFORMATIVE:

The proposals indicate that the applicant intends to discharge surface water into the open watercourse at the west side of the development site.

Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), you need consent from the Lead Local Flood Authority if you want to build a culvert or structure (such as a weir) or carry out works within the banks of any ordinary watercourse which may alter or impede the flow of water, regardless of whether the watercourse is culverted or not.

As a minimum, the applicant will be expected to:

Carry out studies of the existing culvert/watercourse condition and capacity;

Undertake an examination of the downstream condition and implications of the development proposal, and;

Restrict discharge rates so that the peak runoff rate from the development to the ordinary watercourse for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.

As per Lancashire County Council Consenting and Enforcement Policy, it should be noted that the Lead Local Flood Authority will generally refuse consent applications which seek to culvert an existing ordinary watercourse. This is in line with Environment Agency guidance on protecting watercourses: <http://evidence.environment-agency.gov.uk/FCERM/en/FluvialDesignGuide/Chapter8.aspx?pagenum=6>

#### BACKGROUND PAPERS

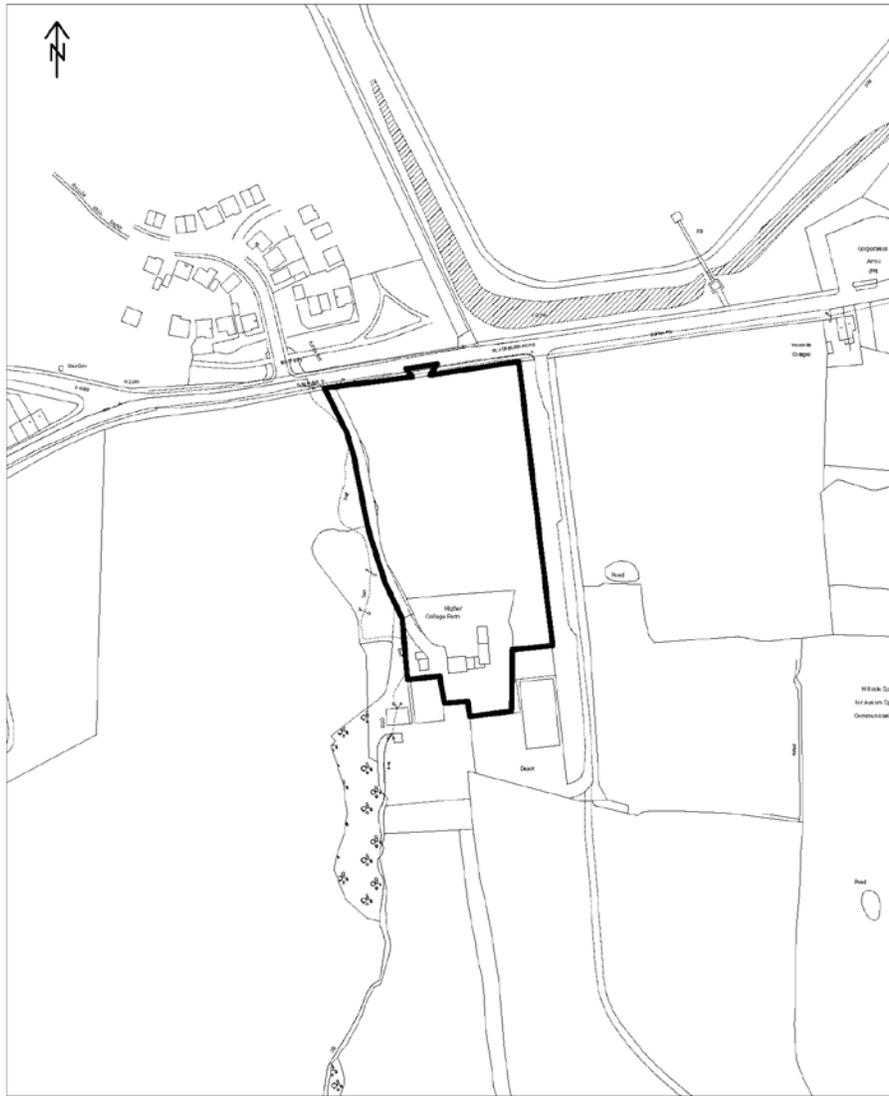
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0700](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0700)

**APPLICATION NO: 3/2017/0602/P**

GRID REF: SD 361561 437175

**DEVELOPMENT DESCRIPTION:**

OUTLINE PLANNING PERMISSION FOR INDUSTRIAL UNITS (USE CLASSES B1, B2, B8) AND ASSOCIATED ACCESS, PARKING, LANDSCAPING AND SERVICES INFRASTRUCTURE WITH ALL MATTERS RESERVED EXCEPT ACCESS AND CHANGE OF USE OF FARMHOUSE TO OFFICE (B1) AT HIGHER COLLEGE FARM, LOWER ROAD, HOTHERSALL PR3 2YY



3/2017/0602 Higher College Farm Lower Road Hothersall PR3 2YY

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## **PARISH/TOWN COUNCIL:**

**Longridge Town Council:** No objection.

**Hothersall Parish Council:** Have a number of concerns relating to the application which are set out below:

- This is the second application for employment use in the parish. This application must be considered against the context of the application at the neighbouring site.
- Whilst the site is included in the draft HEDDPD as an allocation for employment use, the HEDDPD has not yet been subject to an EiP and remains subject to objections. It should be afforded very limited weight.
- The siting, scale and form of the application proposals are inappropriate and conflict with policies EC1, DMG1 and DMG2 in the Core Strategy. The proposals provide no information of the eaves/ridge height of the buildings and the development will comprise a significant mass of building that will harm the landscape.
- Application provides little information to help assess its conformity with Policy DMG1, DMG2 and EN2 of the Core Strategy. In the event that consent is granted, it should be subject to a requirement to provide a design code and landscape and maintenance plan.
- Use and type of development is inappropriate to the location. There is no identified or evidenced need for additional employment provision and the benefit arising from such provision should be given limited weight.
- Site is poorly related to the strategic road network and is served by a minor road. There are 'pinch points' when travelling towards Ribchester and Longridge from the site.
- Concerns relating to Transport Statement. It is not produced by transport professionals and should be treated with caution.

**Ribchester Parish Council:** The number of car parking spaces will inevitably boost vehicle movements through the area, particularly during the morning and early evening leading to traffic congestion on local roads. Vehicles accessing the motorway network through Longridge and Grimsargh already meet delays through heavy traffic. Drivers will inevitably seek to find an alternative; the only route available being through the village of Ribchester where roads are unsuitable for heavy traffic and are already congested. The traffic safety record on Blackburn Road is average.

The Transport statement is poorly argued and should be treated with caution. The lack of evidence is of concern and the submitted evidence on traffic generation is unconvincing. Public transport passed the site is infrequent (and non-existent for much of the weekend) and does not offer a viable alternative travel option.

The proposed site is situated in open countryside on greenfield land. While good design might help to mitigate some of the negative effects of the development, these are unlikely to compensate for the loss of visual amenity in the area, particularly given the amount of detritus that inevitably surrounds any industrial buildings.

The site is adjacent to a source of water which drains into local watercourses that eventually find their way into the river Ribble via Boyce's Brook. There is a worry that without a well-designed site drainage system the Brook will be polluted by commercial and domestic waste.

**HIGHWAYS (LCC):**

No objection subject to appropriate conditions.

**UNITED UTILITIES:**

United Utilities have no objection to the application subject to appropriate planning conditions.

**LEAD LOCAL FLOOD AUTHORITY:**

No objection subject to appropriate conditions.

**ENVIRONMENT AGENCY:**

No objection subject to appropriate conditions.

**ADDITIONAL REPRESENTATIONS:** Twelve letters of objection have been received and raise the following concerns:

- Increase in road noise and environmental noise during unsociable hours.
- Increase in road congestion of local road networks resulting in risk to road safety and more HGVs.
- Light pollution from proposed industrial estate.
- Local play areas are situated very close by and lots of walkers in local area.
- Hillside Specialist School close by.
- The Council refused planning permission for 3/2006/0329.
- Site is visible from the AONB, bridleways and footpaths.
- Protection of tourism in the Ribble Valley is vital and is at odds with industrial development.
- Currently five vehicular access points on this stretch of Blackburn Road.
- Traffic generated will put children at risk from airborne pollutants.
- Highway safety impact of the development.
- Blackburn Road is a death trap.
- No demand for employment in Longridge area.
- Longridge under siege with development despite significant local objection.
- Much better locations for such a development.
- Adverse impact on landscape character (AONB) and residential amenity.
- The application needs to be considered in light of planning application 3/2017/0317.
- Site is not connected to the built-up areas of Longridge.
- Poor transport links to the site. Bus services are not sufficiently frequent.
- Application should provide a suitable Economic Impact Assessment.
- Traffic would be forced to use narrow minor roads and bridges.
- Existing businesses at Higher College Farm don't have planning permission.
- The proposal does not conform to the Longridge Neighbourhood Plan.
- Businesses on the site will wish to operate 24/7.
- Feeder road for this site is a few meters from residential development.
- Most of the traffic generated would be travelling to and from Preston and the motorway.

- Likely to affect biological heritage sites and ecology.
- Traffic will pass through Conservation Areas.
- Transport Assessment is inaccurate.
- Inaccuracies within the planning application form.

## 1. **Proposal**

- 1.1 This application seeks outline planning consent for the erection of industrial units (use classes B1, B2, B8) and associated access, parking, landscaping and services infrastructure with all matters reserved except access and change of use of the existing farmhouse to an office (B1) at Higher College Farm, Lower Road, Hothersall.
- 1.2 It is proposed to create a new vehicular and pedestrian access for the site off Blackburn Road. The illustrative layout submitted with the application shows a new build floor area of 2,592 square metres to be provided across eight separate buildings (Buildings A to H) and the conversion of the farmhouse to office accommodation would provide an additional 476sqm. Car parking provision shown on the illustrative layout would include 102 spaces (including 11 disabled spaces).

## 2. **Site Location**

- 2.1 The site at Higher College Farm is located at the eastern edge of Longridge and extends to an area of approximately 1.55 hectares including the former farmhouse of Higher College Farm. The site is bound to the north by a hedgerow fronting Blackburn Road. Along the western boundary of the site runs a hedgerow lined track providing access to Higher College Farmhouse. Higher College Farmhouse and its associated outbuildings are located within the site boundary to the south. Beyond the farmhouse to the south of the site are a range of commercial buildings used for food processing, packaging and distribution, along with external parking and servicing areas; to the east is a roadway leading to the food processing businesses.
- 2.2 The site is flat and is presently used for pasture together with the domestic dwelling and outbuildings at Higher College Farmhouse. The farmhouse is currently accessed via the track leading from Lower Road running the length of the western side of the site. On land to the east of the site there is currently outline planning approval for employment development on approximately 2 hectares of agricultural land. A residential development comprising 195 dwellings is presently under construction on the north side of Blackburn Road opposite the application site.
- 2.3 Existing site features including trees and hedgerows that lie within and adjacent to the site. The southern boundary of the Forest Of Bowland AONB lies approximately 1km to the north of the site. There is a Public Right of Way that runs adjacent to the site's eastern boundary. A number of Biological Heritage Sites are located in the surrounding area, however; the site itself does not contain any land designated or recognised for its ecological value.

## 3. **Relevant History**

3/2008/0268 - Rebuilding of existing outbuildings to form an extension to the existing dwelling. Approved with conditions.

3/2006/0195 - Closure of existing access to farmhouse and provision of new access road off existing access road off Lower Road. Approved.

3/2003/1009 - New building to allow expansion of existing cheese business. Approved with conditions.

3/1991/0224 - Use of main barns for the storage re-packing and distribution of cheese, use of ancillary farm buildings for garaging, formation of car parking area, formation of new access road. 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 EN3 - Sustainable Development and Climate Change

Key Statement EN4 - Biodiversity and Geodiversity

Key Statement EC1 - Business and Employment Development

Key Statement DMI1 - Planning Obligations

Key Statement DMI2 - Transport Considerations

Policy DMG1 - General Considerations

Policy DMG2 - Strategic Considerations

Policy DMG3 - Transport and Mobility

Policy DME1 - Protecting Trees and Woodlands

Policy DME2 - Landscape and Townscape Protection

Policy DME3 - Site and Species Protection and Conservation

Policy DME6 - Water Management

Policy DMB1 – Supporting Business Growth and the Local Economy

##### **Other Material Considerations:**

National Planning Policy Framework (NPPF)

Technical Guidance to the National Planning Policy Framework

Planning Practice Guidance (PPG)

Regulation 14 Longridge Neighbourhood Plan

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

5.1 This is an outline application with all detailed matters except access reserved for subsequent consideration at reserved matters application stage. The main consideration, therefore, concerns the principle of the proposed commercial development. However, the matters of visual amenity, residential amenity, tree/ecological considerations, highway safety/traffic/public footpath issues do have to be given some consideration. Each of these matters are discussed below.

##### 5.2 **Principle of Development**

5.2.1 Core Strategy Key Statement EC1 seeks to direct employment related development towards the three Principal Settlements, in this particular case Longridge. Core Strategy Policy DMB1 'Supporting Business Growth' offers general support for business growth. It is acknowledged that the site lies in the open countryside and must therefore meet one of six considerations to be considered acceptable in this location. The Council's Housing and Regeneration Officers consider the development to be essential to the local economy and therefore it satisfies one of the considerations for development outside of the

defined settlement areas outlined in Core Strategy Policy DMG2. Whilst Key Statement EC1 also prioritises brownfield locations, given the absence of suitable brownfield sites in the area it is considered that the loss of a greenfield site would be acceptable in this case.

- 5.2.2 The concept of the provision of additional employment land at Longridge is supported as both a planning and economic development principle. The Council is seeking to address an objective of the provision of employment land and sites to serve Longridge are a particular concern to be delivered as identified in the Employment Land Study Refresh 2013. The Employment Land Study recommended that the Council explored the feasibility of bringing forward new employment allocations in Longridge (considering sites at College Farm and to the rear of Sainsbury's) in order to address sustainability issues for what is acknowledged as a key service centre. Core Strategy Key Statement EC1 states that the Council will aim to allocate an additional 8 hectares of land for employment purposes in line with the supporting evidence base during the plan period 2008-2028. It should be noted that the employment land requirement of 8 hectares is not expressed as a maximum – it is the minimum requirement to meet the economic needs of the borough to the end of the plan period. The most recent position is that there remains a residual requirement for employment land across the borough of 2.41ha which the emerging Housing and Economic DPD makes provision for. The Council proposes to allocate 4ha of employment land (including the application site) which results in an overprovision against the identified requirement in the Core Strategy of 1.6ha to provide for a choice of sites and locations to accommodate economic growth.
- 5.2.3 The application site is proposed as a formal allocation for employment land in the emerging Housing and Economic Development DPD (HED DPD) which is currently awaiting Examination in Public by the Planning Inspectorate. As such it is regarded as complying with relevant Core Strategy policies for employment land in relation to amount and spatial distribution and has also been tested through the Sustainability Appraisal work associated with the HED DPD. As a part of the HED DPD it has been endorsed as an allocation by the Council.
- 5.2.4 A significant number of people that live in the Ribble Valley out-commute on a daily basis for employment purposes and there is a need to provide jobs within the Borough that maximise the skills of the resident population to promote more sustainable travel patterns and to benefit the Borough's long-term economy. The Core Strategy aims to align employment opportunities relative to housing and to improve physical accessibility to jobs as travel to work statistics indicate that the use of the private car in the Borough is above regional and national levels. Opportunities should be sought to reduce dependence on the private car and increase public transport use and it is therefore important to ensure that new employment sites can be easily accessed by public transport.
- 5.2.5 It is important to note that outline planning consent for employment development has recently been approved on two hectares of agricultural land adjacent to the application site under planning permission 3/2017/0317. The c.8,000 square metres of employment floor space approved will contribute to the provision of employment land in the Longridge area. Notwithstanding this extant consent, the Council's Planning Policy and Regeneration Officers have raised no objection to the proposed development and consider the proposal to develop a further 1.5 hectares of land for employment use as essential to the local economy and in

accordance with the Core Strategy Strategic Objectives and the priorities and objectives of the Corporate Strategy.

- 5.2.6 The proposed development would provide employment opportunities at a site that is considered well connected to public transport links and is within walking and cycling distance of a significant proportion of the Longridge population. There is a bus stop near to the Corporation Arms on Blackburn Road within 250m of the proposed site entrance with two-hourly buses to Clitheroe, Whalley and Longridge. There are also bus stops within Longridge centre approximately 1.4km from the proposed development site that provides a regular bus service to Preston. Employees would not therefore be solely reliant on the private motor vehicle to travel to the site.
- 5.2.7 Taking into account the above, the proposals would contribute to the provision of local employment opportunities for the area, and further support the economic aims of the Council towards promoting local employment opportunities in accordance with Core Strategy Key Statements DS1 and EC1 and Policies DMG2 and DMB1. The principle of developing this site for employment generating purposes is thus acceptable subject to the other development management criteria being considered.

### 5.3 Design and Visual Impact

- 5.3.1 This is an outline application and the issues of appearance, landscaping, layout and scale would be considered in detail at reserved matters stage. However, the overall masterplan and design approach to the site should be fully considered at this stage.
- 5.3.2 The application site includes the existing farmhouse and associated outbuildings. The application site lies opposite residential development on the northern side of Blackburn Road which is currently under construction and is also adjacent to the recently approved outline consent for the provision of employment premises on 2 hectares of farm land to the east. As described previously, there is also a complex of buildings to the south of the site used for food processing, packaging and distribution. Evidently the development site is not isolated from other built form and would be seen in the context of the buildings that already exist or are proposed in close proximity to the site.
- 5.3.3 To the north of the development site is Blackburn Road and Spade Mill Reservoirs and around 1km beyond that lies the Forest of Bowland AONB boundary. There are long distance views of the application site from public footpaths and bridleways within the AONB. The development site lies within Landscape Character Type 5c Lower Ribble as defined in the LCC Landscape Character Assessment which recognises that this landscape type is characterised by a complex pattern of hedges and woodland that give an overall impression of a well wooded landscape. The Landscape Character Assessment also acknowledges that the area is well settled.
- 5.3.4 It is noted that existing built form at the site is located a significant distance back from the main road so that it is not readily visible from Blackburn Road. Furthermore, there is degree of separation between the western boundary of the site and the draft settlement boundary of Longridge. The development of this site would introduce built development on a parcel of greenfield land and undoubtedly

there would be a visual influence resulting from the proposals. However, it is considered that the visual impact of the development on the surrounding landscape would not be so visually damaging as to warrant refusal of the application at this stage. I am mindful that the existing landscape features including hedging and trees would be retained and that, according to the illustrative site layout the buildings would be set back from the site frontage with Blackburn Road by around 20 metres. As stated in the Planning Statement, it is anticipated that the buildings would be of a single storey scale and, as such, would be commensurate in height to existing buildings surrounding the site. The details of the proposed buildings including facing materials would require careful consideration at reserved matters stage in order to allow them to assimilate into the landscape and have least visual harm.

- 5.3.5 The area surrounding the application site is characterised by various forms of built development and there is inter-visibility between the site and settlement boundary of Longridge. It is not considered that the proposed development would result in significant detriment to the character and visual appearance of the area to outweigh the economic benefits which would arise subject to acceptable details of appearance, landscaping, layout and scale which would be considered at reserved matters stage and subject to appropriate conditions which would moderate the visual impact of the development to an acceptable level.

#### 5.4 Effects upon Amenity

- 5.4.1 Policy DMG1 of the Core Strategy states that development must not adversely affect the amenities of the surrounding area. The application proposes to convert the existing farmhouse to office premises and the existing uses to the south of the site are not sensitive to noise. The ongoing residential development of land to the north of Blackburn Road provides for a landscape buffer of approximately 25 metres at its southern boundary. This would result in a separation distance of around 55-60 metres between the proposed industrial/storage buildings and residential properties at their closest point.
- 5.4.2 This is an outline application with all matters reserved at this stage other than the proposed access. As such the application does not at this stage detail the internal layout of the site nor the end-use of the individual buildings – these would be considered at reserved matters stage.
- 5.4.3 The application proposes a mixed use development comprising uses falling within classes B1 to B8 of the Use Classes Order. It is generally accepted that uses within class B1 (office, research and light industrial use) can be carried out in a residential area without detriment to the amenity of that area. The main potential noise sources for the development relate to the proposed B2 and B8 use classes, namely general industry and storage or distribution, however, as stated above, at this stage the application is outline with no fixed detail in relation to the end uses which would be clarified at the reserved matters application stage.
- 5.4.4 There are a number of measures that can be taken to ensure that the proposed development would not impact upon the closest residential properties including insulating the units against noise breakout and orientation of buildings to ensure that no openings face towards nearby residential properties including loading

areas and access doors. In addition planning conditions to restrict the site opening hours and delivery times would be imposed should consent be granted.

- 5.4.5 It is considered that with a noise assessment at reserved matters stage and implementation of suitable controls, the site can be operated without impacting on nearby noise sensitive receptors. Should consent be granted, it is recommended that a noise assessment be a conditional requirement at reserved matters stage. Given the distances to the existing noise sensitive receptors it is not considered that noise will have a significant impact once the initial mitigation measures are included within the design.
- 5.4.6 I note concerns regarding an increase in air pollution levels arising as a result of the operation of the site and associated vehicle movements. I am mindful of air quality information that was submitted in support of the consented planning application for employment development at the neighbouring site. This concluded it was extremely unlikely that the development would cause an exceedance of any relevant air quality objectives.
- 5.4.7 There is one Air Quality Management Area within the Ribble Valley located at Whalley Road, Clitheroe. However, air quality across the Borough in general is good and the development would be subject to a condition that would require consent from the Council for any fixed plant, machinery or equipment (including ventilation and extraction equipment). In addition, a proposed scheme of off-site highway improvements are proposed that would ensure that the site is well served by sustainable transport links which would help to reduce the reliance on motor vehicles and thus lessen vehicle emissions.

## 5.5 Highway Safety

- 5.5.1 In respect of the current application all matters are reserved except for the site access. The site is to be served via the B6243 from Longridge. The proposed new site entrance would be approximately 7.4m wide. The existing pavement running along the north side of the B6243 provides pedestrian access into Longridge. The proposals include off-site highway improvements that would be provided through a Section 278 legal agreement with the Highway Authority. Improvements would include the provision of 1.8m wide footpaths along the site frontage and continuing from the easterly side of the proposed access road along the south side of Blackburn Road to the existing bus stop adjacent to Woodville Cottages. A pedestrian refuge would be provided to the west of the site entrance which would require the carriageway to be widened at this point.
- 5.5.2 The Highways Officer has stated that the inclusion of the pedestrian refuge to the west of the site entrance would be welcomed. As with the planning application at the adjacent site, a highway safety issue has been identified at the Corporation Arms junction and the applicant has proposed a scheme at this junction to address these concerns.
- 5.5.3 In providing representations, the County Highways Surveyor has given due consideration to the cumulative impact of development in the immediate area on highway safety. This includes the recently approved planning application 3/2017/0317 for the development of 2 hectares of land for employment use which would be served by a new access off Blackburn Road approximately 100 metres south of the proposed access for the application site.

- 5.5.4 The traffic generation figures for the development have been calculated at 78 vehicle movements on/off the site per day. The validity of this information has been checked and the Highways Officer considers that the traffic generated by the development is unlikely to result in any highway capacity or safety concerns. In view of the nature of the road environment changing in this area the Highways Officer advises that it would be appropriate to consider the imposition of an additional 40mph speed limit extension to the existing 30mph limit in an easterly direction beyond the Corporation Arms.
- 5.5.5 The proposed parking provision is sufficient to meet the likely demand of the proposed development. Should the application be approved, there would be a requirement for the reserved matters application to provide facilities for covered cycle storage and to facilitate pedestrian access to the proposed buildings in order to promote sustainable methods of travel.
- 5.5.6 The illustrative site plan provides adequate turning areas to suit smaller vehicles and it is stated within the application documents that the units are to be starter units. The site has been designed to accommodate small and medium sized businesses and the layout of the site caters only for smaller vehicles which would serve the starter units at the site. Taking this into account, it is recommended that a planning condition to prevent merger of starter units into larger premises that could attract HGVs etc. be imposed to ensure the layout of the site remains adequate for the volume and type of traffic generated.
- 5.5.7 The Planning Officer is mindful of representations that have been received that raise objections on highway safety grounds and it is noted that a planning application for the erection of a single industrial unit close to the site was refused on highway grounds in 2006. However, the NPPF was introduced in 2012 and states that development should only be refused on transport grounds where the residual cumulative impacts of development are *severe*.
- 5.5.8 Having regard to the above, it is considered that the proposals would not result in an unacceptable impact on highway safety subject to appropriate conditions.

## 5.6 Trees and Ecology

- 5.6.1 There are number of individual trees located within the site boundary including a mature sycamore (T1) at the site frontage. The site boundaries are delineated on three sides by hedgerows including its frontage with Blackburn Road. The buildings and hard surfaces shown on the illustrative layout plan would avoid the root protection areas of all identified trees and hedgerows with the exception of the access points which would require removal of sections of hedgerows H1 and H2 which are regarded by the Arboricultural Constraints Appraisal as low quality. The scheme also proposes soft landscaping which would provide an opportunity for replacement tree planting.
- 5.6.2 Considering the development proposals would only require the removal of small sections of hedging the direct impact of the development is likely to be negligible. Where proposed hard surfaces encroach within or are immediately adjacent root protection areas of retained trees special construction measures would be required in order to safeguard the trees. Taking into account the above it is recommended that any reserved matters application include a detailed arboricultural assessment/tree constraints plan that shall indicate how the

existing trees have informed the detailed layout that has been submitted for reserved matters approval.

- 5.6.3 Core Strategy Key Statement EN4 and Policy DME3 seek to avoid negative impacts on biodiversity through development. Where a proposed development would adversely affect biodiversity the applicant is required to demonstrate that any negative effects can be mitigated, or as a last resort, compensated for. There should, as a principle, be a net enhancement of biodiversity. An Ecological Appraisal has been submitted in support of the application and finds the site to be of low ecological value. None of the hedgerows at the site perimeter are considered important under the Hedgerow Regulations (1997).
- 5.6.4 Feeding or roosting by bats is unlikely to occur on site and the overall habitats on site are considered to be of poor quality for foraging and nesting birds. In accordance with Key Statement EN4 and Policy DME3 of the Core Strategy appropriate roosting features should be provided on-site to enhance nesting and roosting potential for birds and bats along with compensatory planting that would enhance the ecological value of the site. The Ecological Survey contains details of appropriate mitigation measures which would ensure the development would not adversely impact species of conservation concern.
- 5.6.5 A bat survey has been provided to determine the presence of bats within the existing farmhouse and associated buildings that would be converted to office accommodation. A scoping survey and evening emergence survey have been carried out and recorded bats emerging from the south west corner of the main farmhouse. It is considered that the change of use of the farmhouse would not impact on the bat population currently roosting in the roof and would not require the roof or external walls of the building to be disturbed.

## 5.7 Flooding and Drainage

- 5.7.1 The site lies entirely within Flood Zone 1. A Flood Risk and Drainage Assessment has been submitted with the application which concludes that the primary source of flood risk to the site is from an increase in surface water run-off. Surface water from the development site would be discharged into the watercourse to the west of the site which flows from Spade Mill Reservoir in a southerly direction beneath Blackburn Road and discharges into the River Ribble some 3.7km south of the site. Surface water attenuation measures have been proposed which would manage surface water to discharge at existing greenfield run-off rates. It is considered that infiltration into the ground is unviable at the site and therefore it is proposed to attenuate flows through provision of a geocellular storage tank of 22m x 22m or a mixture of attenuation storage tanks and SUDs structures such as oversized pipes. Statutory consultees the Lead Local Flood Authority, the Environment Agency (EA) and United Utilities have raised no objections to the development subject to appropriate planning conditions.
- 5.7.2 In relation to foul drainage EA raised an objection to the proposed development as submitted because it was proposed to use a non-mains foul drainage system in a publicly sewered area. Accordingly, the applicant now proposes to connect to the main sewer and EA have now withdrawn their objection.

6. **Conclusion**

- 6.1 Having regard to the above, the proposed development would result in the creation of additional local employment opportunities and would support the strategic objectives of the Council in accordance with the Employment Land Study Refresh 2013 and Core Strategy Key Statements DS1 and EC1 and Policies DMG2 and DMB1. The economic and public benefits that would arise from the proposed development would outweigh the minor negative environmental impacts of the proposals.
- 6.2 It is considered that the proposed development would not result in an unacceptable level of harm to the appearance and character of the surrounding landscape subject to the submission of appropriate details at reserved matters stage. 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. Application(s) for approval of all of the outstanding reserved matters related to the consent hereby approved must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates.
  - (a) The expiration of three years from the date of this permission; or
  - (b) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. Detailed plans indicating the layout, scale and appearance of the buildings, facing materials, landscaping and boundary treatment and parking and manoeuvring arrangements for vehicles (called the "reserved matters") shall be submitted to and approved by the Local Planning Authority before development commences.

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

3. The permission shall relate to the development as shown on Plan Drawing 5296-01A.

REASON: To clarify which plans are relevant to the consent.

4. No single unit of B1(c), B2 or B8 accommodation hereby approved shall have a ground floor area of more than 200m<sup>2</sup> and, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any Order revoking or re-enacting that Order, no internal alterations involving the removal of walls between these individual units shall be carried out which would enlarge them so that any single unit has a ground floor area of more than 200m<sup>2</sup> unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent a proliferation of over large units in this area and to ensure that the access provided to the site can accommodate the traffic generated by the development and in accordance with Policy DMG3 of the Ribble Valley Core Strategy.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting that Order, no extensions or alterations, including the introduction of mezzanine floors, shall be carried out in respect of the buildings to which this permission relates.

REASON: To prevent an intensification in the use of the premises, in the interests of the visual amenities of the area and the amenities of local residents within the Borough in accordance with Key Statements EC1 and EN2 and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

6. Applications for the approval of reserved matters shall be accompanied by a noise assessment to ensure that the rating level of noise emitted from the site shall not have an impact on noise-sensitive premises. The assessment shall have been made in accordance with the current version of British Standard 4142 and the Planning Practice Guidance and confirmation of the findings of the assessment shall have been submitted to, and agreed in writing by, the Local Planning Authority and shall be adhered to thereafter.

If the assessment indicates that noise from the development is likely to affect neighbouring residential or commercial properties then a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the unit.

The noise mitigation measures shall be designed so that nuisance will not be caused to the occupiers of neighbouring noise sensitive premises by noise from the development.

REASON: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

7. 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.

8. No part of the development hereby granted consent shall be commenced until details of all artificial lighting has been submitted, the details of which shall include the location, intensity of lighting, type of application and direction.

The details shall include the light mitigation measures designed to reduce the impact of artificial lighting on protected species and species of conservation concern.

The external lighting shall be installed precisely in accordance with the approved details and thereby retained as such unless otherwise agreed in writing with the Local Planning Authority.

REASON: In order to reduce the harmful impact of artificial lighting on the natural foraging/roosting/nesting behaviour of a protected species and species of conservation concern and to minimise the possibility of inconvenience to nearby residents in compliance with Policies DMG1 and DME3 of the Ribble Valley Core Strategy Adopted Version.

9. The working hours within the premises shall be restricted to the period from 0800 to 1800 hours on Mondays to Fridays and 0900 to 1300 on Saturdays only. No work shall take place in the buildings on Sundays, Bank or Public Holidays.

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

10. No externally sited fixed plant, machinery or equipment (including ventilation and extraction equipment); or internally sited fixed plant, machinery and equipment (including ventilation and extraction equipment) which communicates directly to the exterior of a building used in connection with the development shall be fitted without first obtaining planning permission from the Local Planning Authority.

REASON: In the interests of the amenity of the surrounding area due to noise from such equipment, in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

11. No goods, plant or materials shall be deposited or stored on the site other than in the buildings shown on the approved plans.

REASON: To ensure a satisfactory appearance of the site in the interests of local visual amenity to comply with Policy DMG1 of the Ribble Valley Core Strategy.

12. There shall not at anytime whatsoever be any working outside of the buildings, or any noise generating work inside the buildings with the doors open.

REASON: In the interest of safeguarding residential amenity and to comply with Policy DMG1 of the Ribble Valley Core Strategy Proposed Main Modifications (May 2014).

13. There shall be no deliveries or collections to/from the new units hereby approved other than between 07:00-19:00 Monday to Friday, between 08:00-13:00 Saturday and not at all on Sunday and bank Holidays.

REASON: In order to protect the amenity of the surrounding area and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

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

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

15. No goods, plant or material shall be displayed for sale in the open on the site.

REASON: To ensure a satisfactory appearance of the site in the interests of local visual amenity and to comply with Policy DMG1 of the Ribble Valley Core Strategy.

16. As part of any reserved matters application and prior to the commencement of any development the following details shall be submitted to, and approved in writing by, the local planning authority, in consultation with the Lead Local Flood Authority.
- a) Information about the lifetime of the development, design storm period and intensity 1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
  - b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
  - c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
  - d) Flood water exceedance routes, both on and off site;
  - e) A timetable for implementation, including phasing as applicable;
  - f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
  - g) Details of water quality controls, where applicable.

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

REASON: To ensure that the proposed development can be adequately drained, that there is no flood risk on or off the site resulting from the proposed development and that water quality is not detrimentally impacted by the development proposal in accordance with Ribble Valley Core Strategy Policy DME6.

17. 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 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 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.

18. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment (Ref No. BEK-17203-1 RevA, Dated August 2017) which was prepared by BEK. 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 and no building shall be occupied until the approved foul drainage scheme has been completed to serve the buildings, in accordance with the approved details. This development shall be completed, maintained and managed 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 Policies DMG1 and DME6 of the Ribble Valley Core Strategy.

19. Surface water draining from areas of hardstanding shall be passed through an oil interceptor or series of oil interceptors, prior to being discharged into any watercourse, soakaway or surface water sewer. The interceptor(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water shall not pass through the interceptor(s). Vehicle washdowns and detergents shall not be passed through the interceptor.

REASON: To reduce the risk of pollution to the water environment and in accordance with Policy DME6 of the Core Strategy.

20. As part of any reserved matters application and prior to the commencement of any site works including delivery of building materials and excavations for foundations or services, a detailed arboricultural assessment/tree constraints plan shall indicate how the existing trees have informed the detailed layout that has been submitted for reserved matters approval.

REASON: In order to ensure that any trees affected by development and considered to be of visual, historic or botanical value are afforded maximum physical protection from the potential adverse effects of development.

21. Applications for the approval of reserved matters shall be accompanied by full details of the landscaping of the site, including wherever possible the retention of existing trees. The scheme shall reflect the landscape character of the area and therefore indicate on a detailed planting schedule appropriate species, types and density as well as their distribution on site.

The approved landscaping scheme shall be implemented in the first planting season following occupation or use of the development, 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 comply with Policy DMG1 of the Ribble Valley Core Strategy.

22. The biodiversity mitigation measures as detailed in the ecological appraisal dated the 20 June 2017 [Sections 7.1 – 7.8.2] shall be implemented in accordance with the recommendations and any specified time table. The development shall subsequently be implemented entirely in accordance with the approved details. Thereafter, unless otherwise agreed in writing by the local planning authority, the mitigation measures shall be permanently maintained and retained in accordance with the approved details.

REASON: To protect the protected species/ species of conservation concern from damaging activities and reduce or remove the impact of development and to ensure that there are no adverse effects on the favourable status of a bat population before and during the proposed development.

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

For the avoidance of doubt the details shall be submitted on a building dependent bird/bat species site plan and include details of the numbers [there shall be at least 1 nest brick/bat tile per unit] across the development as a whole on north or east facing elevations. 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 units during the construction of those individual units identified on the submitted plan and be made available for use before each such building 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.

24. The actions, methods & timing details included in the mitigation notes attached to the protected species survey dated 1 June 2017 shall be adhered to and in the event that any bats are found or disturbed during any part of the development, work shall cease until further advice has been sought from a licensed ecologist.

REASON: To protect the bat population from damaging activities and reduce or remove the impact of development and to ensure that there are no adverse effects on the favourable status of a bat population before and during the proposed development.

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

REASON: Vehicles reversing to and from the highway are a hazard to other road users.

26. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 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 Blackburn Road to points measured 120m in each direction along the nearer edge of the carriageway of Blackburn Road, from the centre line of the access, and shall be maintained at footway/verge level in accordance with a scheme to be agreed by the Local Planning Authority in conjunction with the Highway Authority').

REASON: To ensure adequate visibility at the street junction or site access.

27. 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. For the avoidance of doubt the anticipated highway works shall include:-

- a) Provision of pedestrian refuge and localised carriageway widening
- b) Signing and lining
- c) Junction realignment at the Blackburn Road, Lower Lane, Preston Road junction
- d) Provision of a footway on the south side of Blackburn Road from the proposed pedestrian refuge to Woodville cottages
- e) Advertising and implementation of a 40mph speed limit on Blackburn Road from the current 30mph terminal point in an easterly direction

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.

28. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 27 has been constructed and completed in accordance with the scheme details.

REASON: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

29. 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.

30. The car park shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas shall be marked out in accordance with the approved plan before the use of the premises hereby permitted becomes operative.

REASON: To allow for the effective use of the parking areas.

31. Cycling facilities shall be provided in accordance with a scheme to be approved by the Local Planning Authority and the cycling facilities shall be provided in accordance with the approved plan before the use of the premises hereby permitted becomes operative.

REASON: To allow for the effective use of the parking areas.

32. Motorbike facilities shall be provided in accordance with a scheme to be approved by the Local Planning Authority and the motorbike facilities shall be provided in accordance with the approved plan, before the use of the premises hereby permitted becomes operative.

REASON: To allow for the effective use of the parking areas.

33. The new estate road/access between the site and Blackburn Road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

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

34. 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 for:

- a) The parking of vehicles of site operatives and visitors
- b) The loading and unloading of plant and materials
- c) The storage of plant and materials used in constructing the development
- d) The erection and maintenance of security hoarding
- e) Details of working hours
- f) HGV delivery times and routeing to/from the site
- g) Contact details for the site manager

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

## INFORMATIVES

1. 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 email [lhscustomerservice@lancashire.gov.uk](mailto:lhscustomerservice@lancashire.gov.uk) .

2. For the avoidance of doubt, this permission 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 here: <http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>

## BACKGROUND PAPERS

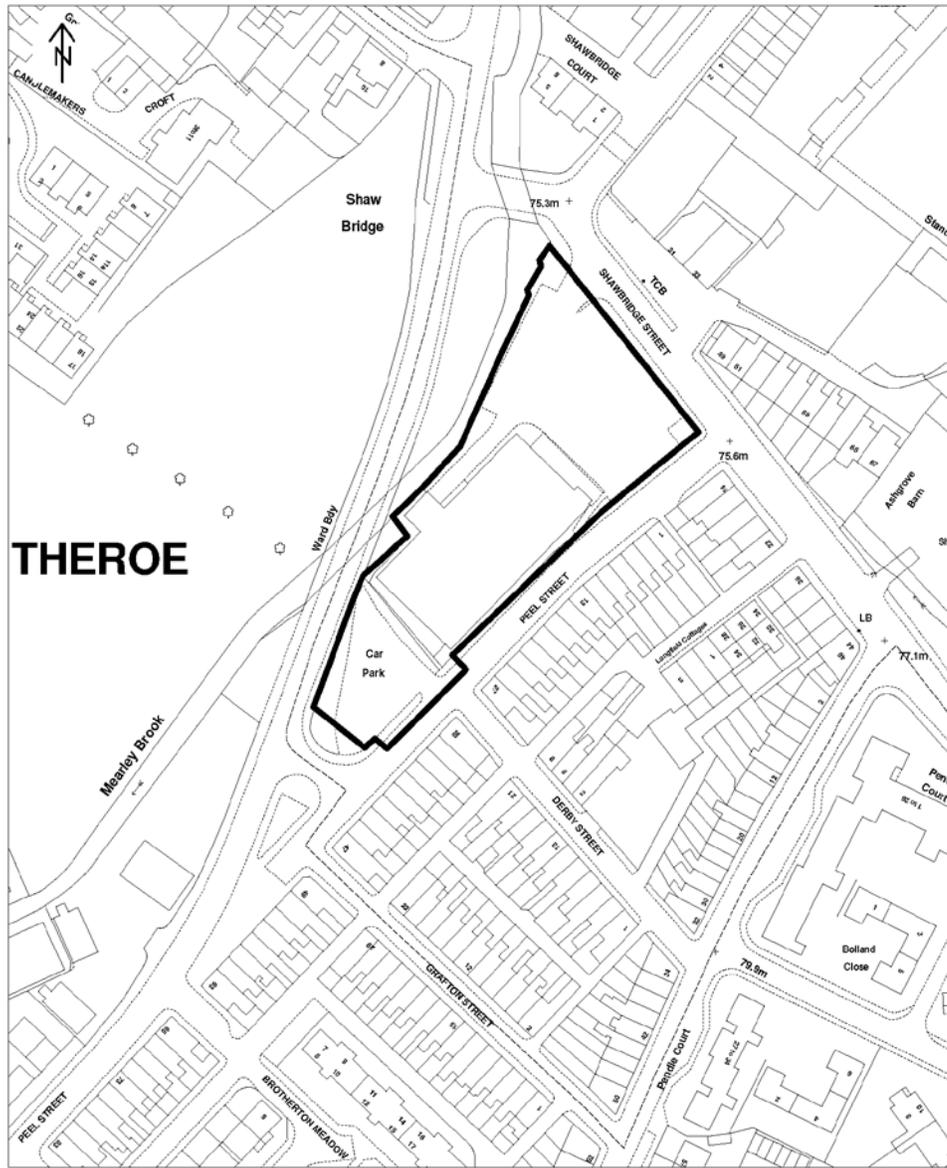
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0602](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0602)

APPLICATION REF: 3/2017/0610

GRID REF: SD 374602 441669

**DEVELOPMENT DESCRIPTION:**

CHANGE OF USE OF EXISTING RVBC CAR PARK TO FORM EXTENSION TO EXISTING LIDL FOOD STORE INCLUDING 9 STAFF CAR PARKING PLACES AT LIDL, SHAWBRIDGE STREET, CLITHEROE



3/2017/0610 Lidl Shawbridge Street Clitheroe BB7 1LZ

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

### **PARISH COUNCIL:**

No comments received.

### **LCC HIGHWAYS:**

Initially raised an objection to the proposal on the grounds of the loss of public amenity parking causing additional parking demand on already congested residential streets to the detriment of highway safety and residential amenity.

In response to the Highway Officer's objection the applicant undertook a parking survey of the Peel Street Car Park and surrounding streets, and submitted this information with an updated Technical Note for consideration.

The Highway Officer has reviewed the additional information, and carried out their own observations of the site, and concludes that the loss of the car park will have little detriment to the local road network with any displaced parking capable of being absorbed within the surrounding area. As such the Highway Officer withdraws the previous objection to the proposal.

The Highway Officer has however suggested that the applicant considers allowing residents to park on the LIDL car parks out of store opening times.

### **ENVIRONMENT AGENCY:**

No objection to the submitted Flood Risk Assessment.

### **UNITED UTILITIES:**

No objection subject to conditions

### **ADDITIONAL REPRESENTATIONS:**

Letters of representation have been received from 30 residential properties, and an additional letter from the Clitheroe Civic Society, objecting to the application on the following grounds:

- Loss of car parking from a well-used car park would be harmful and lead to increased demand for on-street parking;
- There is already a lack of parking provision in this area;
- The site was deemed suitable (large enough) for the LIDL store when it was built;
- Unacceptable to take a public facility for private enterprise gain;
- The applicant should pay for long stay parking passes for their staff;
- The extension would not increase jobs or attract more customers;
- There are already sufficient food retailers (and floor space) in Clitheroe;
- The submitted car parking survey lacks detail and was taken over a short period of time (two days);
- Approval of this application would set a dangerous precedent;
- LIDL's car park is large enough to cope with the demand;
- Impact on highway safety;
- The proposed extension would create an eyesore;
- There are other areas of land nearby LIDL could purchase for staff parking;

- On-street parking in the area should be reserved for residents only;
- Loss of trees – both visual impact and also as the act as a noise screen from the road;
- Devaluation of nearby properties;
- Have the pre-sale discussion between the Council and applicant prejudiced the outcome of the planning application? There is a conflict of interest as the Council are also the Vendor.

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

- 1.1 The application relates to the LIDL retail food unit on Shawbridge Street, and more specifically the Council owned car park directly to the rear which is accessed off Peel Street. Both the retail store and car park are located on the edge of Clitheroe Town Centre, and outside of the Clitheroe Conservation Area.
- 1.2 The food store was granted planning permission in 2010 (3/2009/1071) and consists of the main retail building and a car park to the front (facing Shawbridge Street). This car park currently has 55 car parking spaces (including four disabled access and two parent and toddler bays).
- 1.3 The Peel Street car park contains 15 car parking spaces (including two disabled access bays) and is designated as a Long Stay Pay and Display Car Park. The Council sells Annual Car Parking Passes and within the terms the Pass Holders can use any of the Council's Long Stay Car Parks (including the Peel Street Car Park).
- 1.4 To the north of the application site runs Mearley Brook with the LIDL store being within Floodzone 3 and the Peel Street Car Park within Floodzone 2. Between the rear of the store and the car park is a row of semi-mature trees, however these are somewhat suppressed by their proximity to the building and the existing car parking area. To the south of the site is the highway of Peel Street and on the opposite side of this are the terraced properties facing the application site. This terrace row is primarily made up of residential properties although it does include a Physiotherapist and a Butcher (located at the corner with Shawbridge Street).

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

- 2.1 The application seeks consent to extend the existing food store over a section of the Peel Street Car Park, and then convert the rest of the car park into a LIDL staff parking area, including the removal of all trees situated between the store and car park.
- 2.2 The proposed extension would extend a further 15.5m beyond the rear elevation of the existing store. The first 4.5m of the extension would be a continuation of the existing building and its pitched roof design measuring 4.2m high to the eaves and 9.8m to the ridge. Beyond this initial 4.5m the extension would then have a flat roof measuring 4.2m high. The extension reduces in height because of the angled nature of the northern boundary which requires the extension to be chamfered in line with this boundary, and hence it would not be possible to continue the pitched roof design at this point. The extension would be constructed in matching materials, consisting of artificial stone, white render, cladding and a tiled roof. With regard to use, the extension would provide a mixture of additional retail and "back of house" space.
- 2.3 The remainder of the car parking area would be used to provide nine car parking spaces for sole use by LIDL staff members, however as per the request of LCC Highways the

applicant has agreed that the LIDL car parks can be used by residents outside of store opening hours. Access to the car park would still be off Peel Street, however it would need to be relocated 10m to the south west and the submitted plan show some new soft landscaping along the northern and western boundaries of the car park.

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

3/2009/1071 - Demolition of existing buildings and erection of a neighbourhood food retail unit with associated car parking – granted subject to conditions

3/2017/0163 - Variation of condition 5 (opening hours) of planning permission 3/2009/1071 to permit the store to trade between 07:00 and 22:00 Monday to Saturday and 10:00 to 17:00 on Sundays and for no restriction on delivery hours to be imposed – granted subject to conditions

### 4. **Relevant Policies**

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy

Key Statement DS2 – Sustainable Development

Key Statement EN4 – Biodiversity and Geodiversity

Key Statement DMI2 – Transport Considerations

Key Statement EC1 – Business and Employment Development

Key Statement EC2 – Development of Retail, Shops and Community Facilities and Services

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DME1 – Protecting Trees and Woodlands

Policy DMG3 – Transport & Mobility

Policy DME2 – Landscape & Townscape Protection

Policy DME3 – Site and Species Protection and Conservation

Policy DME6 – Water Management

Policy DMB1 – Supporting Business Growth and Local Economy

Policy DMR1 – Retail Development in Clitheroe

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 seeks consent to extend an existing retail unit which is located within the Settlement Boundary of Clitheroe, but outside of the main shopping area of Clitheroe.

5.1.2 Policy DMR1 of the Core Strategy states that extensions to existing retail units, where the gross floor space is greater than 200m<sup>2</sup>, will be considered on a sequential basis. This sequential test requires the applicant to demonstrate that the proposal cannot be accommodated within the main shopping area, and then

on the edge of the centre, and that the impact of the proposal would not seriously affect the vitality and viability of the town centre.

- 5.1.3 The proposed extension would have a floorspace of 365m<sup>2</sup>, however the majority of this would be “back of house” freezer and bakery areas. As such the increase in additional sales area would be 98m<sup>2</sup> or a 9.8% increase on the existing floorspace.
- 5.1.4 In respect of alternative sites, the extension would be a continuation of the existing use and therefore could not operate from a separate smaller unit within the main shopping area. There are no suitably sized available units in the main shopping area that could accommodate the size of this LIDL store, and its extension, and thus the proposal meets the requirements of a sequential test. Furthermore the application site is located on the edge of the town centre, within the settlement boundary, and is therefore the preferred location for retail development outside of the main shopping area.
- 5.1.5 In respect of vitality and viability, as detailed above the proposed extension represents a modest increase in retail floorspace at an existing unit and it is not considered that such an increase would have a serious impact upon the vitality and viability of the town centre in accordance with Policy DMR1 of the Core Strategy.
- 5.1.6 In view of the above, the broad principle of a relatively modest extension to an already existing retail unit on the edge of the town centre, is considered to be acceptable, subject to compliance with other requirements detailed below.

## 5.2 Impact Upon Residential Amenity

- 5.2.1 The proposal would extend the existing unit by 15.5m at the rear, with the first 4.5m of the extension being a continuation of the existing building with its pitched roof design. The extension would then reduce in height to a flat roof measuring 4.2m high.
- 5.2.2 The proposed extension would not bring the side elevation of the building any closer to the existing properties on Peel Street and a separation distance of 13m from the front elevation of these residential properties to the side elevation of the food store would be retained, and such a distance complies with the Council's recommended separation distances.
- 5.2.3 In view of the above it is considered that the proposed extension would not adversely affect the amenity of nearby residents in terms of loss of outlook or daylight. Furthermore, the extended unit would not contain any windows and thus there would be no issue in respect of overlooking or loss of privacy.
- 5.2.4 The Council's Environmental Health Officer has raised no objection to the application, including the proposed lighting scheme, subject to a condition that requires details of any external plant/extraction equipment to be submitted for the written approval of the LPA prior to its installation on site.
- 5.2.5 Considering all of the above it is considered that the proposed development would share an acceptable relationship with neighbouring uses in accordance with the amenity requirements of Policy DMG1.

### 5.3 Visual Impact and design

5.3.1 The proposed extension has been designed to match the existing unit in terms of its scale, appearance and materials used. The extension would be a continuation of the existing unit and would have no harmful impact upon the visual character of the area.

### 5.4 Landscape and Ecology

5.4.1 The application would result in the complete loss of a row of semi-mature trees situated between the building and the car park. The application is accompanied by an Arboricultural Impact Assessment which states that this row of Ash, Beech and Sycamore trees are category C trees of poor form.

5.4.2 The Council's Countryside Officer has visited the site and commented that whilst the trees are individually of no specific quality, as a group they do offer some amenity value to the area. However given that there are other more attractive trees in the surrounding area, it is not considered that these trees would be worthy of a Tree Preservation Order. The Countryside Officer therefore raises no objection to the loss of these trees, subject to the implementation of the landscaping scheme detailed on the approved plan along the edges of the car park.

### 5.5 Highways

5.5.1 The existing access point to the car park would be blocked by the extension and thus a new entrance point for the car park would be created approximately 10m to the south west.

5.5.2 The proposed application would result in the loss of the existing car park for public use, and nine spaces would be created for LIDL staff. A significant amount of objections have been received from people that use this car park and local residents. The objectors comment that not only is the car park frequently used, but the removal of this car park would result in an increase in demand for on-street parking, in an area that is already heavily congested with on-street parking.

5.5.3 The County Surveyor originally objected to the application on the grounds that the loss of a public car park would cause additional demand on already congested residential streets to the detriment of highway safety and residential amenity. The County Surveyor also commented that the originally submitted information only considered parking demand generated on the application site and adjacent public car park, and did not acknowledge the existing demands on the adjacent residential streets.

5.5.4 In response to the County Surveyor's comments the applicant has undertaken a parking survey which recorded the levels of parking on the Peel Street Car Park, and adjoining streets (Grafton Street, Derby Street and Peel Street), and submitted this report/survey to the LPA, along with an updated Technical Note.

5.5.5 The County Surveyor has reviewed the submitted information, as well as undertaken their own observations of the parking situation at the site, and concluded that the loss of the car park will not be to the detriment of the local

road network, with any displaced parking capable of being absorbed into the available spaces on the street, or other car parks in town. As such the Highway Officer withdraws their original objection to the proposal.

5.5.6 The County Surveyor has however suggested that the applicant considers allowing residents to park on the LIDL car parks out of store opening times, in order to alleviate issues of on-street parking in the vicinity of the site. The applicant has confirmed that they accept this request from the Highway Officer and thus a condition has been attached to the recommendation which requires the car park to be made available for use for local residents.

5.5.7 In view of the above, it is accepted that the loss of the public car park, to be replaced by an extension to the food store and a staff car parking area (with a reduction in overall car parking spaces) would result in an increase in demand for on-street parking on the surrounding highway network. However, the County Surveyor has commented that the applicant has demonstrated that the surrounding streets would be able to absorb this increase in demand and thus there is no highway objection to the proposed development.

5.5.8 The proposal is therefore considered to comply with Policy DMG1 of the Ribble Valley Core Strategy which requires all development to consider the potential traffic and car parking implications, and Policy DMG3 which requires all development to provide adequate car parking. The proposal also complies with the paragraph 32 of the NPPF Development which states that development *"...should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe."*

## 5.6 Economic Benefits

5.6.1 The submitted application has not demonstrated any specific economic benefits of the proposal, such as the increase in number of staff that would be employed as a result of the extension, or evidence that the proposed extension is required to maintain the viability of the existing store. However it is recognised that the extension may offer some economic benefits which would be difficult to quantify.

## 5.7 Other Issues

5.7.1 The application was accompanied by a Flood Risk Assessment and this has been assessed by the Environment Agency and United Utilities who in turn raises no objection to the application, subject to conditions.

5.7.2 An objector has commented that the building was deemed large enough for LIDL when the store was originally approved and therefore the building should not be extended. In response the applicant is within their rights to apply for an extension (as is any property owner in the borough) and it is for the Council to assess the impact of such a proposal and come to a decision.

5.7.3 An objector and the Clitheroe Civic Society have raised concerns in respect of the legitimacy of the Council determining this application as they are also the land owner. In response to this the Council considers a number of planning applications each year for proposed development on its own land, often applications submitted by the Council themselves, and each application is judged

on its own planning merits. The Council being the land owner has had no impact on the Officer's Recommendation for this proposal.

6. **Conclusion**

- 6.1 The proposed development would result in the loss of a public car park, however the County Surveyor is satisfied that the surrounding highway network can absorb the additional vehicles without impacting upon highway safety. The proposed extension has been designed to be in keeping with the existing building and surrounding area, and would not have a detrimental impact upon the amenity of nearby land uses and residents.

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

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

Location Plan – AD 100  
Proposed Site Plan – AD 110  
Proposed Elevations – AD 113 – Rev A  
Proposed Building Plan – AD 111 – Rev A  
Landscape Details – R/1989/1  
Proposed Boundary Treatments – AD 114  
Proposed Lighting Layout – 0400028422 Rev A

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

*Materials*

3. The external materials shall match in colour, form and texture those of the existing building and there shall be no variation without the prior consent in writing of the Local Planning Authority.

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

*Landscaping/Ecology*

4. The landscaping/planting scheme (as shown on drawing R/1989/1 – Landscape Details) shall be carried out in complete accordance with the approved details during the first planting season after the development is substantially completed and the areas which are to be landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously

diseased within three years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted.

REASON: In order to ensure a sympathetic relationship with the surrounding landscape in accordance with the requirements of Ribble Valley core Strategy Policies DME1 and DME2 and the NPPF.

5. 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.

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

For the avoidance of doubt the details shall be submitted on a building dependent bird/bat species site plan and include details of the specifications and numbers of artificial bird nesting boxes and artificial bat roosting boxes to be erected. 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 installed and made available for use before the extension hereby approved is 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 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.

#### *Amenity*

7. Details of any external air conditioning vents, extraction systems or any other external plant equipment shall have been submitted to and approved in writing by the Local Planning Authority prior to installation on site. The submitted information shall include details of the design, positioning, specification, noise levels, fixing and finish of all external plant equipment and the development shall be carried out in complete accordance with the approved details.

REASON: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance in accordance with Policies DMG1 and DMB1 of the Ribble Valley Core Strategy.

8. The retailing use of the premises in accordance with this permission shall be restricted to the hours 07:00 to 22:00 hours Monday to Saturday, 10:00 to 17:00 hours on Sundays.

REASON: The use of the premises outside these hours could prove injurious to the character of the area and in order to safeguard residential amenity in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

### *Highways*

9. The existing access shall be physically and permanently closed and the existing verge/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.

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

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials used in the construction of the development;
- Storage of such plant and materials;
- The erection and maintenance of security hoardings;
- Details of construction working hours;
- HGV delivery times and routeing to/from the site;
- Contact details for the site manager.

REASON: To protect existing road users in the interest of highway safety in accordance with Ribble Valley Core Strategy Policies DMG1 and DMG3.

12. No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to, and approved by the Local Planning Authority in consultation with the Highway Authority. The site access shall be implemented in complete accordance with the duly approved scheme prior to the

extension hereby approved first become open for trading and retained as such thereafter.

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 in accordance with Ribble Valley Core Strategy Policies DMG1 and DMG3.

13. The car parking spaces and manoeuvring areas shall be provided as shown on approved Drawing Number AD 110 prior to the extension hereby approved being first brought into use, and the car parking area shall be permanently maintained thereafter clear of any obstruction to its designated purpose.

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

14. The existing and proposed car parking areas to the front and rear of the store shall be available for public/local residents use outside of the opening hours detailed within condition 8 of this approval.

REASON: To provide adequate levels of parking in the interest of highway safety in accordance with Ribble Valley Core Strategy Policies DMG1 and DMG3

#### *Drainage*

15. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment (Ref No. SR/17247/FRA dated July 2017) which was prepared by SCP. Any variation to the discharge of surface water or 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, and national guidance contained within the NPPF and NPPG.

#### INFORMATIVE:

The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the contact the Environment Directorate for further information by telephoning the Developer Support Section (Area East) on 0300 123 6780, or email [lhscustomerservice@lancashire.gov.uk](mailto:lhscustomerservice@lancashire.gov.uk). For the avoidance of doubt this work shall include the reconstruction of the former access and the formation of the new access.

#### BACKGROUND PAPERS

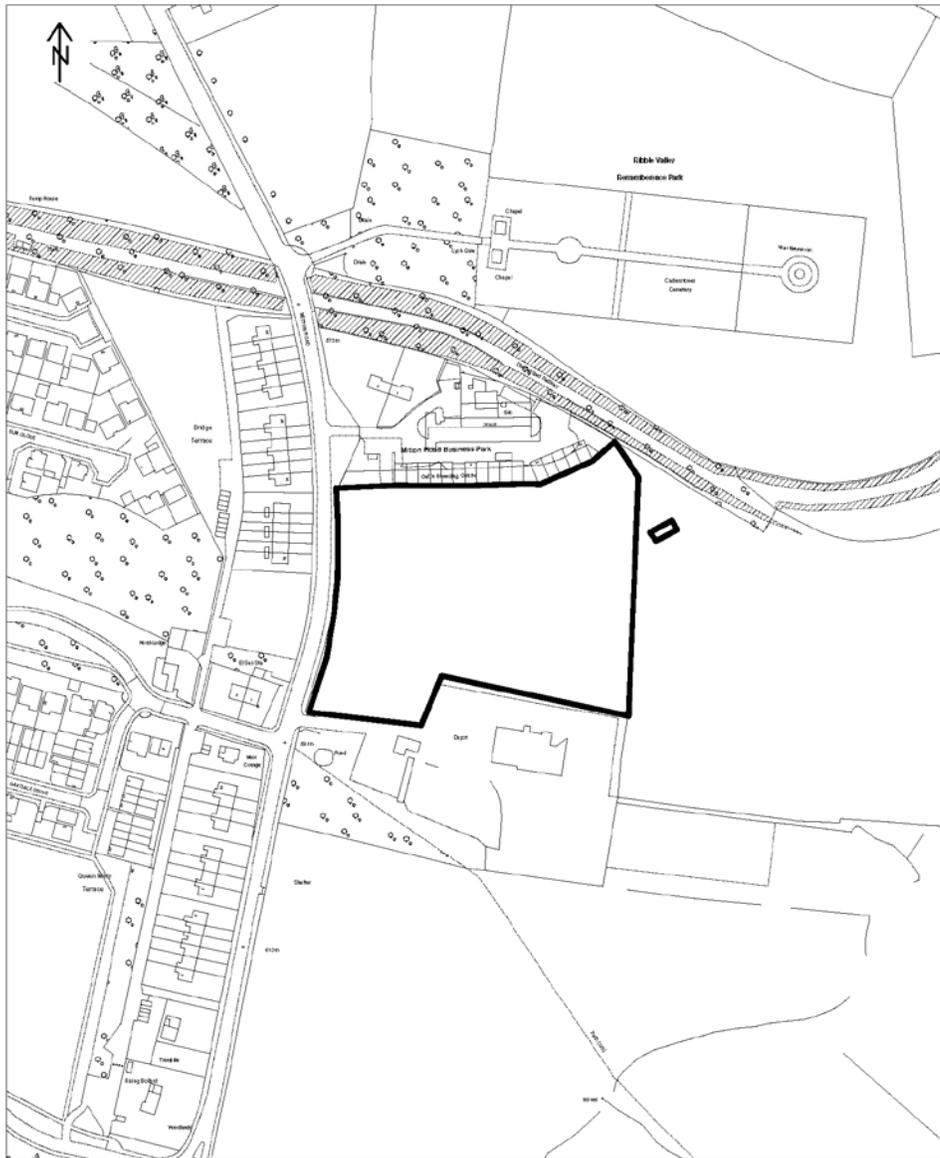
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0610](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0610)

**APPLICATION NO: 3/2017/0714/P**

GRID REF: SD 372722 437376

**DEVELOPMENT DESCRIPTION:**

EXTENSION TO EXISTING INDUSTRIAL ESTATE (CLASS B1, B2 AND B8 USE) TO INCLUDE CAR PARKING, LANDSCAPING AND SERVICE INFRASTRUCTURE AT LAND ADJACENT FORMER GENUS SITE, MITTON ROAD, WHALLEY BB7 9JY



3/2017/0714 Land adj former Genus Site Mitton Road Whalley BB7 9JY

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**PARISH/TOWN COUNCIL:**

None received.

**HIGHWAYS (LCC):**

No objection subject to appropriate conditions.

**UNITED UTILITIES:**

No objection.

**LEAD LOCAL FLOOD AUTHORITY:**

No objection subject to appropriate conditions.

**ENVIRONMENT AGENCY:**

No objection subject to appropriate conditions.

**ADDITIONAL REPRESENTATIONS:**

One letter of objection has been received which raises concerns relating to the increase in traffic which would arise as a result of the proposals and the associated road safety implications. Moreover, extensive tree planting and bat houses that were noted on a previous application have not been implemented.

1. **Proposal**

- 1.1 Full planning consent is sought for the extension of an existing industrial estate at the former Genus Site off Mitton Road, Whalley. Outline planning consent has been granted at the application site for an extension of the existing B1(a) use in two phases by planning applications 3/2016/0715/P and 3/2017/0080/P. Outline planning consent, including access, was granted in November 2016 by application 3/2016/0715/P on 0.92 hectares of land, referred to as 'phase 2', to the immediate south of the existing industrial estate, now referred to as Mitton Road Business Park. In March 2017, outline planning consent (all matters reserved) was granted by application 3/2017/0080/P for 'phase 3' which would extend the development further south towards Barnes and Tipping Ltd haulage yard and depot.
- 1.2 The applicant now wishes to develop phase 2 and 3 together as one site comprising 6,480 square meters of employment floor space with associated access, car parking, landscaping and servicing infrastructure. Floor space would be divided as follows: 2,880sqm of B1(c) (light industrial); 1,800sqm of B2 (general industrial); and 1,800sqm of B8 (storage and distribution). There is a single access proposed from Mitton Road which would serve the application site and the existing development. The units proposed have been designed as starter units suitable for smaller to medium sized businesses. It is proposed to erect 16 buildings to provide a total of 29 separate units ranging in size from 108sqm to 360sqm. The buildings proposed would be to a height of 5.2m to the eaves and 6.3m to the ridge and would have internal mezzanine level. The design of the units would be similar to those in the phase 1 development which are faced with vertical and horizontal timber cladding and powder coated aluminium windows and doors. A total of 186 parking spaces would be provided with a further 8 spaces for motorcycles.

## 2. **Site Location**

- 2.1 Re-development of the former Genus Site for 21 light industrial (B1(a)) starter units was approved in July 2015. This application seeks consent to extend the commercial use onto undeveloped land to the south comprising 1.85ha for B1(c) (Light Industrial), B2 (General Industrial) and B8 (Storage and Distribution) uses. The application site is grassland which is located around 800m from the draft settlement boundary of Whalley and adjacent to Calderstones between two established industrial sites, the former Genus Site to the north and Barnes and Tipping Ltd haulage yard and depot to the south. There is a hedge along the western boundary of the site facing Mitton Road and to the east is open countryside. The surrounding area is characterised by both residential and commercial uses. The nearest residential properties are located on the west side of Mitton Road facing the proposed development site.

## 3. **Relevant History**

3/1991/0776/P - Change of use of redundant buildings from agricultural to B8 Class X Warehouses, Repositories. Approved with Conditions.

3/1991/0775/P – Change of use of redundant buildings from agricultural to B1 (C) class III Light Industry. Approved with Conditions.

3/2014/0978/P - Outline application for residential development of 14 Residential units and 4 no. affordable dwellings with access to the site via the existing drive from Mitton Road, Whalley with all matters reserved. Refused.

3/2015/0235/P - Proposed demolition of existing commercial premises and construction of 4 small industrial buildings to house 21 starter units of approximately 70sq m per unit, site access improvements and extensive new tree planting. Approved with Conditions.

3/2016/0715/P - Application for outline planning consent for extension to industrial estate including access. Approved with Conditions.

3/2017/0080/P - Application for outline planning consent for extension to industrial estate with all matters reserved. Approved with Conditions.

## 4. **Relevant Policies**

### **Ribble Valley Core Strategy**

Key Statement DS1 – Development Strategy

Key Statement EN2 - Landscape

Key Statement EN4 – Biodiversity and Geodiversity

Key Statement EC1 – Business and Employment Development

Key Statement DMI2 – Transport Considerations

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME1 – Protecting Trees and Woodlands

Policy DME2 – Landscape and Townscape Protection

Policy DMB1 – Supporting Business Growth and the Local Economy

National Planning Policy Framework

National Planning Policy Guidance

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

5.1 The main considerations in the determination of this application are the principle of the proposed commercial development; matters of visual amenity; residential amenity; tree/ecological considerations; and highway safety/traffic.

### 5.2 **Principle of Development**

5.2.1 The principal planning policy considerations in this case are based around the Ribble Valley Core Strategy adopted December 2014. The Ribble Valley Core Strategy highlights the limited number of employment opportunities available in the Borough, which results in a high level of daily out commuting to access employment opportunities, and therefore this proposal would support the underlying strategic approach to align jobs with homes in key areas. Key Statement EC1 'Business and Employment Development' directs employment development towards the main settlements of Clitheroe, Whalley and Longridge as preferred locations and also supports development in locations well related to the A59 corridor. The proposed development site is located approximately ½ mile from the settlement of Whalley and is adjacent to the interim settlement boundary of Calderstones within close proximity to the A59.

5.2.2 Core Strategy Key Statement EC1 states that the Council will aim to allocate an additional 8 hectares of land for employment purposes in line with the supporting evidence base during the plan period 2008-2028. It should be noted that the employment land requirement of 8 hectares is not expressed as a maximum – it is the minimum requirement to meet the economic needs of the borough to the end of the plan period. The most recent position is that there remains a residual requirement for employment land across the borough of 2.41ha which the emerging Housing and Economic DPD makes provision for. The Council proposes to allocate 4ha of employment land which results in an overprovision against the identified requirement in the Core Strategy of 1.6ha to provide for a choice of sites and locations to accommodate economic growth.

5.2.3 It is considered appropriate to treat the proposals as an expansion of the Mitton Road Business Park. The expansion of existing businesses will, where appropriate, be considered favourably. Policy DMB1 supports proposals that are intended to support business growth. Policy DMG2 applies to development in Tier 2 settlements and outside the defined settlement areas and supports development in these areas where it is essential to the local economy or social well-being of the area. The proposals for further employment development at the former Genus site will make an important contribution to the provision of local employment opportunities for the area, and further support the economic aims of the Council towards promoting local employment opportunities.

5.2.4 The proposals are supported by the Council's Regeneration and Forward Plans sections and would provide an essential contribution to the local and wider economy and would comply with Key Statement EC1 and Policies DMB1 and DMG2 of the Core Strategy. Furthermore, the extant outline planning consents at the application site are a material consideration in the determination of this application. The principle of employment development in this location has therefore already been established as being acceptable.

### 5.3 Visual Impact

- 5.3.1 Core Strategy Key Statement EC2 and Policy DME2 aim to protect and conserve the landscape and character of the open countryside in the Borough. The application site is not subject to any local or national landscape designation. It is within the Undulating Lowland Landscape Character Area that is defined by farmland. Mitton Road, as it extends north from Whalley, is bordered by development on one or both sides up to and including the stretch of road onto which the application site fronts. The application site currently provides a sense of openness and reinforces the gradual transition from the urban environment of Whalley to the open countryside as you travel north towards Great Mitton. The development of this site for employment use would undeniably have a visual impact when compared with the existing situation, however; it is considered that the impact of the proposal on the character and appearance of the surrounding area would not be so injurious as to warrant refusal of the application when weighed against the benefits of the scheme. The site itself does not contain any notable landscape features and the site abuts developed land on three sides. To the north is the phase 1 of Mitton Road Business Park; to the south is Barnes and Tipping Ltd haulage yard and depot and; to the west the site is bound by Mitton Road and the properties of Bridge Terrace beyond.
- 5.3.2 Subject to appropriate care in relation to the external materials of the various buildings and provision of suitable landscaping, it is considered that the development would represent an appropriate extension to the existing Genus site. In relation to visual amenity, it would, in my opinion, be a development that would not be inappropriate in this location given that it would extend an existing industrial site and is in an area characterised by mixed land use including commercial and residential development.

### 5.4 Layout and Urban Design

- 5.4.1 Core Strategy Policy DMG1 requires development to be sympathetic to existing land uses in relation to its size, intensity and nature as well as scale, massing, style, features and building materials. Consideration must be given to the density, layout and relationships between buildings. The site plan denotes a total of 16 buildings and the proposed building density appears similar to that seen at the existing phase 1 section of the site. The site layout incorporates the provision of a landscaped buffer along the site frontage with new woodland planting proposed at the request of the Council's Countryside Officer. The building line, with the exception of Building S, reflects the layout of the existing units which are set back from the highway by around 30 metres. There is some additional landscaping proposed at the periphery of the site to the south and east and additional soft landscaping is provided within the main body of the site to break up the visual prominence of motor vehicles.
- 5.4.2 Having regard to the design, scale and size of the buildings, they have been designed at a uniform height of 5.2 metres to the eaves and 6.3m to the ridge. The units would be faced with timber boarding to the walls with a low level stone plinth, grey composite sheet roofs and dark grey composite/UPVC windows and doors. The design of the buildings has been amended to incorporate features to break up elevations. The elevational treatment and fenestration of the proposed office blocks (buildings O, P, G and S) has been altered to provide articulation and to secure an acceptable visual appearance.

5.4.3 The layout of the site makes provision for access to the development by pedestrians and cyclists. The proposed new access to the site includes the provision of a pavement into the site and that extends north out of the site to a new bus stop that would be provided as part of the development and to the existing entrance to the north. The existing entrance would be used for emergency access and is earmarked as a designated entrance for cyclists and pedestrians. Storage for bicycles is denoted at two points within the site and one point at land to the north. It would be expected that any cycle storage areas be sheltered to encourage sustainable methods of travel during adverse weather. Designated areas for waste are shown on the submitted site plans.

## 5.5 Highway Safety

5.5.1 With regards to access to the site, it would be provided by a new entrance off Mitton Road which would serve the proposed new units and the 21 existing units approved under application 3/2015/0235. The existing site entrance would be retained for use by 'The Cottages', residential properties which share the access, pedestrian, cyclists and for emergency use by the industrial estate.

5.5.2 The site has been designed to accommodate small and medium sized businesses and the layout of the site caters only for smaller vehicles which would serve the starter units at the site. The Councils engineering section have raised some concerns in relation to access for refuse vehicles however it would be possible for the site to be served by a private commercial waste collection service. Nonetheless, should consent be granted, the Planning Officer is minded to recommend a condition that would limit unit size and would prevent merger of starter units into larger premises that could attract HGVs etc.

5.5.3 Mitton Road has a pavement running continuously on the west side along the frontage of the site. The application proposes the installation of a pavement on the east side of Whalley Road extending north from the site access. A new bus shelter is proposed on the southbound side of the highway towards Whalley which would be provided through a section 278 highway agreement.

## 5.6 Ecology

5.6.1 An ecological appraisal of the application site has been carried out including a full botanical survey and surveys to establish the presence or absence of bats, amphibians, nesting birds, brown hares and badgers at the application site or in close proximity. The plant species recorded are all common in the local area and are considered of low ecological value and none of the hedgerows around the site perimeter were considered important under the Hedgerow Regulations (1997). Low numbers of common bat species were recorded foraging over the site but none were recorded roosting on or near the site. Birds may use the hedgerow on the western boundary of the site for nesting. The application proposes clearance of section of this hedge to enable the formation of the site access and any vegetation clearance should therefore be undertaken outside of the nesting period. There would also be a requirement, where a length of hedgerow is lost, to transplant the hedge or plant new hedges as compensation.

5.6.2 Despite providing a poor foraging habitat for bats, the trees and hedges on site offer the best foraging habitat and their loss should be compensated for in any

landscaping scheme resulting in an improved foraging habitat for bats. The appraisal also recommends new roost provision for bats and birds be incorporated into the new buildings on site. Taking into account the findings and recommendations of the ecological appraisal, the proposed development would not result in any unacceptable harm to the ecology of the site subject to appropriate mitigation and compensatory measures. A detailed landscaping scheme and details of compensatory measures have been provided with the aim of enhancing the biodiversity of the site in accordance with Policy DME3 of the Core Strategy. The Council's Countryside Officer has confirmed that the proposals which would include 3no. bat roosts, 14.no nest boxes and 12no. Kent bat boxes is acceptable.

## 5.7 Impact on Residential Amenity

- 5.7.1 The proposed development site would be opposite the terraced properties on the west side of Mitton Road. There is a distance of 50m between the proposed buildings and the façade of the terraced rows and there are two cottages, known as 'The Cottages', located to the north-west of the former Genus site. The proposed development site would be located to the south of the existing industrial units and would therefore be unlikely to result in any additional harm to the residential amenities of the householders at The Cottages than experienced as a result of the existing arrangement. The Cottages currently share their access with the existing industrial site and, if consent was granted for the proposed extension of the site, a new entrance off Mitton Road would be provided and the existing access closed except for pedestrians, cyclists and emergency use. In the view of the Planning Officer this would result in a positive impact on the residential amenities of the occupiers of The Cottages as the proposed access arrangement would significantly reduce the egress/ingress of vehicles along this shared access in close proximity to these dwellings.
- 5.7.2 It must be acknowledged that the existing site accommodates B1(c) light industrial uses only which by their nature do not impact negatively on the amenities of residential occupants. The proposals include B2 (General Industrial) and B8 (Storage and Distribution) uses which have the potential to cause noise and disturbance. The planning application is not accompanied by a noise assessment however, the Councils Environmental Health section have raised no objection to the application subject to conditions to control noise to an acceptable level. The proposed units would be 50m from the nearest noise sensitive users with this intervening distance bisected by Mitton Road (B6246). It would be expected therefore that the dominant background noise would be generated by road traffic. The proposals also include a scheme of planting along the frontage of the site that would provide some noise reduction. Should consent be granted, conditions would be imposed including hours of use restrictions, soundproofing of the buildings, restriction of externally sited fixed plant, machinery and equipment (including ventilation and extraction equipment), as well as restrictions preventing work to be undertaken outside of any of the buildings in order to prevent a statutory nuisance from occurring.
- 5.7.3 It is considered that due to the separation distance and the intervening highway, and with appropriate planning conditions controlling the construction and post-occupancy stage, it is highly unlikely that the proposed new employment buildings would have a detrimental effect upon the residential amenities of neighbouring occupants.

6. **Conclusion**

- 6.1 In conclusion, it is considered that the redevelopment of the site for employment generating purposes would make an important contribution to the provision of local employment opportunities for the area and would support the aims and objectives of the Council. Accordingly, it is recommended that the application be approved subject to 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:

4487-04-02o Proposed Site Plan [received 11/10/2017]  
4487-04-10B Building Type 1 (E and F) [received 11/10/2017]  
4487-04-11B Buildings Type 2 (O and P) and Type 3 (G and S) [received 11/10/2017]  
4487-04-12B Building Type 4 (H and L) [received 11/10/2017]  
4487-04-13B Building Type 5 (I, M and N) [received 11/10/2017]  
4487-04-14C Building Type 6 (K) [received 11/10/2017]  
4487-04-15B Buildings Type 7 (Q and R) and Type 8 (T) [received 11/10/2017]  
4487-04-16B Building Type 9 (J) [received 11/10/2017]  
4487-04-17 Existing Site Plan  
4487-04-18B Proposed Landscaping Layout [received 11/10/2017]

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

3. The external materials, including surfacing materials and their extents, of the development hereby permitted shall be carried out in complete accordance with those detailed on the approved plans and the 'Additional Planning Information' sheet submitted with the application. The materials shall be implemented within the development in strict accordance with the approved details.

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

4. No single unit of B1(c), B2 or B8 accommodation hereby approved shall have a ground floor area of more than 360m<sup>2</sup> and, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any Order revoking or re-enacting that Order, no internal alterations involving the removal of walls between these individual units shall be carried out which would enlarge them so that any single unit has a ground floor area of more than 360m<sup>2</sup> unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent a proliferation of over large units in this area and to ensure that the access provided to the site can accommodate the traffic generated by the development and in accordance with Policy DMG3 of the Ribble Valley Core Strategy.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting that Order, no extensions or alterations, including the introduction of mezzanine floors, shall be carried out in respect of the buildings to which this permission relates.

REASON: To prevent an intensification in the use of the premises, in the interests of the visual amenities of the area and the amenities of local residents within the Borough in accordance with Key Statements EC1 and EN2 and Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

6. Unless otherwise agreed in writing by the Local Planning Authority, during the construction period 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.

7. No part of the development hereby granted consent shall be commenced until details of all artificial lighting has been submitted, the details of which shall include the location, intensity of lighting, type of application and direction.

The details shall include the light mitigation measures designed to reduce the impact of artificial lighting on protected species and species of conservation concern.

The external lighting shall be installed precisely in accordance with the approved details and thereby retained as such unless otherwise agreed in writing with the Local Planning Authority.

REASON: In order to reduce the harmful impact of artificial lighting on the natural foraging/roosting/nesting behaviour of a protected species and species of conservation concern and to minimise the possibility of inconvenience to nearby residents in compliance with Policies DMG1 and DME3 of the Ribble Valley Core Strategy Adopted Version.

8. The working hours within the premises shall be restricted to the period from 0800 to 1800 hours on Mondays to Fridays and 0900 to 1300 on Saturdays only. No work shall take place in the buildings on Sundays, Bank or Public Holidays.

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

9. Prior to the first use or occupation of each unit of the development as hereby permitted, a competent person shall have ensured that the rating level of noise emitted from the site shall not have an impact on noise-sensitive premises. The assessment shall have been made in accordance with the current version of British Standard 4142 and the Planning Practice Guidance and confirmation of the findings of the assessment shall

have been submitted to, and agreed in writing by, the Local Planning Authority and shall be adhered to thereafter.

If the assessment indicates that noise from the development is likely to affect neighbouring residential or commercial properties then a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the unit.

The noise mitigation measures shall be designed so that nuisance will not be caused to the occupiers of neighbouring noise sensitive premises by noise from the development.

REASON: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

10. No externally sited fixed plant, machinery or equipment (including ventilation and extraction equipment); or internally sited fixed plant, machinery and equipment (including ventilation and extraction equipment) which communicates directly to the exterior of a building used in connection with the development shall be fitted without first obtaining planning permission from the Local Planning Authority.

REASON: In the interests of the amenity of the surrounding area due to noise from such equipment, in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

11. No goods, plant or materials shall be deposited or stored on the site other than in the buildings shown on the approved plans.

REASON: To ensure a satisfactory appearance of the site in the interests of local visual amenity to comply with Policy DMG1 of the Ribble Valley Core Strategy.

12. There shall not at anytime whatsoever be any working outside of the buildings, or any noise generating work inside the buildings with the doors open.

REASON: In the interest of safeguarding residential amenity and to comply with Policy DMG1 of the Ribble Valley Core Strategy Proposed Main Modifications (May 2014).

13. There shall be no deliveries or collections to/from the new units hereby approved other than between 07:00-19:00 Monday to Friday, between 08:00-13:00 Saturday and not at all on Sunday and bank Holidays.

REASON: In order to protect the amenity of the surrounding area and to comply with Policy DMG1 of the Ribble Valley Core Strategy (Adopted Version).

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

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

15. No goods, plant or material shall be displayed for sale in the open on the site.

REASON: To ensure a satisfactory appearance of the site in the interests of local visual amenity and to comply with Policy DMG1 of the Ribble Valley Core Strategy.

16. The biodiversity mitigation measures as detailed in the Ecological Appraisal [ref.3466] submitted with the application [Sections 7.1 – 7.8.2] shall be implemented in accordance with the recommendations and any specified time table. The development shall subsequently be implemented entirely in accordance with the approved details. Thereafter, unless otherwise agreed in writing by the local planning authority, the mitigation measures shall be permanently maintained and retained in accordance with the approved details.

REASON: To protect the protected species/ species of conservation concern from damaging activities and reduce or remove the impact of development and to ensure that there are no adverse effects on the favourable status of a bat population before and during the proposed development.

17. Unless otherwise agreed in writing by the local planning authority, the artificial bird/bat nesting/roosting features as detailed on approved plan 4487-04-18B shall be incorporated into the buildings during the actual construction and before the development is first brought into use and the mitigation measures shall be permanently maintained and retained at all times thereafter.

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.

18. The approved landscaping scheme [ref.4487-04-18B] shall be implemented in the first planting season following occupation or use of the development 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: In the interests of the amenity of the area and to comply with Policy DMG1 of the Core Strategy.

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

REASON: To secure proper drainage and to manage the risk of flooding and pollution.

20. Surface water draining from areas of hardstanding shall be passed through an oil separator or series of oil separators, prior to being discharged into any watercourse, soakaway or surface water sewer. The separator(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water or vehicle washdowns and detergents shall not pass through the separator(s) and should be drained instead to foul sewer or sealed system.

REASON: To reduce the risk of pollution to the water environment in accordance with Core Strategy Policy DME6.

21. The new estate road/access between the site and Mitton Road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

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

22. The existing access shall be physically and permanently closed at its junction with the internal estate road except for emergency situations. Provision shall be retained for the unobstructed passage of pedestrians and cyclists concurrent with the formation of the new access.

REASON: To limit the number of access points to, and to maintain the proper construction of the highway.

23. 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.

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.

24. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 23 has been constructed and completed in accordance with the scheme details.

REASON: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

25. 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 for:

The parking of vehicles of site operatives and visitors  
The loading and unloading of plant and materials  
The storage of plant and materials used in constructing the development  
The erection and maintenance of security hoarding  
Details of working hours  
HGV delivery times and routeing to/from the site  
Contact details for the site manager

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

26. 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.

27. The parking facilities shown on the plans hereby approved shall be surfaced or paved and made available in accordance with the approved plan prior to the occupation of any of the buildings; 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 interest of highway safety and to ensure adequate parking is available within the site and to comply with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

28. Cycling facilities shall be provided in accordance with a scheme to be approved by the Local Planning Authority and the cycling facilities shall be provided in accordance with the approved plan before the use of the premises hereby permitted becomes operative.

REASON: To allow for the effective use of the parking areas.

29. 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 <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;
- b) The drainage scheme should demonstrate that surface water run-off must not exceed the existing pre-development runoff rate for the corresponding rainfall event and must not exceed 11.2 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Any works required on or off-site to ensure the adequate discharge of surface water without causing flooding or pollution (which should include the refurbishment or removal of any existing watercourses, culverts, headwalls or unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing where applicable;
- f) Site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation 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 prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to reduce the risk of flooding to the proposed development, elsewhere and to future users and; to ensure that water quality is not detrimentally impacted by the development proposal.

30. 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 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.

## INFORMATIVES

1. 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 email [lhscustomerservice@lancashire.gov.uk](mailto:lhscustomerservice@lancashire.gov.uk).
2. This consent does not give approval to a connection being made to the County Council's highway drainage system.

3. For the avoidance of doubt, this planning permission does not grant the applicant permission to connect to the ordinary watercourse(s) and 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](http://www.lancashire.gov.uk/flooding).

#### BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0714](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0714)

**APPLICATION REF: 3/2017/0763**

GRID REF: SD 374444 441974

**DEVELOPMENT DESCRIPTION:**

CHANGE OF USE OF PART OF GROUND FLOOR FROM PUBLIC HOUSE TO HOT FOOD TAKEAWAY AND ALTERATIONS INCLUDING THE CREATION OF A NEW DOOR ENTRANCE AT WHITE HORSE INN, YORK STREET, CLITHEROE.



3/2017/0763 White Horse Inn, York Street, Clitheroe BB7 2DH

Scale 1:2500

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

### **PARISH COUNCIL:**

Object due to the loss of a residential apartment from the original application 3/2015/0928. There is a significant need for accommodation in the town. Additionally, there is concern about the effect on the façade of the building by the alterations proposed.

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

There is a Taxi Bay close to the premises and limited waiting directly outside the proposed frontage along with other available parking close. No objections on highway grounds with regard to the change of use. Understand that there is an application for illuminated signs, this issue will be dealt with separately.

### **RVBC ENVIRONMENTAL HEALTH:**

*(21 August 2017)* The applicant should be encouraged to submit detailed plans of the catering facilities at an early stage to this Department.

*(29 August 2017)* The takeaway will require extractors and chillers which are likely to introduce noise nuisance to the nearest residential properties. Therefore Noise assessment and odour reduction will be required.

Conditions should relate to:

Noise levels have been indicated in the plant noise assessment; these are indicative of the levels to be mitigated against to reduce the noise impact levels upon residential premises in the same building.

Reducing odours to prevent complaints from nearby residential properties.

*(20 September 2017 and in respect to an objector comment)* the noise assessment was done to the nearest dwelling which would be the flat above the pizza shop as that is where the most likely noise problems would occur. If the noise suppression was satisfactory there, then other nearby properties are less likely to have trouble from noise from the extractors.

*(13 November 2017)* The two reports returned to the council for the White Horse Application indicate a satisfactory control over the noise levels produced from the ventilation system to be introduced on site.

The air quality report indicates the consultant utilised a DEFRA guidance for odour control, and Carbon filters are to be used to filter odour. The report also indicates if the system is maintained correctly no exhaust odours should be experienced.

Ribble Valley Borough Council now has to wait and see if the proposed recommendations are effective in controlling both odour and noise levels from the takeaway.

### **ADDITIONAL REPRESENTATIONS:**

Letters of representation have been received from 9 individual households/addresses objecting to the application on the following grounds:

Noise in residential area – increased vehicle (bins, deliveries, parking) and pedestrian; staff smoking breaks; generator/cooler/ventilation; late night.

Smells in residential area - staff smoking breaks.

Rubbish – gardens and on street; attraction of vermin.

Traffic – there is no car parking and use of lay-by will impact on The Grand, restaurants and residents; takeaway deliveries; already congested; what restrictions on timing of deliveries?

Existing surfeit of takeaways.

Conservation Area – inappropriate for area and building; the White Horse is a building of quality and history; one of most outstanding facades in Clitheroe; attractive architecturally; a chain pizza takeaway would ruin the aesthetic of the street; neon signs to a recognised building of interest.

Property devaluation.

Suggestion that RVBC has hidden the application and inconsistent in respect to demands on other property owners in Conservation Area.

A letter of support for the objection of the residents of 12 Church Street has been received from the ward Councillor.

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

- 1.1 The White Horse public house is a prominently sited and opulently designed three storey building within Clitheroe town centre and Clitheroe Conservation Area. The curvature of York Street ensures that the White Horse is prominent from the Market Place and contributes to a wide street scene and the setting of a number of listed buildings on York Street (notably Grade II listed Clitheroe Library, The Grand Cinema and Nos. 11-23, 2-6, 8 and 10, 12-16, 18, 34-38 York Street). Furthermore the White Horse backs onto/adjoins and is within the setting of the Grade II listed buildings at 6 and 8, 10 and 12 Church Street.

The 1848 and 1886 OS maps show a building range between Church Street and York Street. On both maps, the building footprint corresponds to the location of the existing shaped-gable (which incorporates the cart entrance) on York Street. The 1886 OS map is annotated with “White Horse Inn” at the Church Street end of the range.

The Heritage Statement submitted with 3/2015/0928 included an annotated photograph from c. 1900 which indicates that the existing ground floor left-side window was once a doorway and that the existing plank-door first floor central opening to the shaped-gable element has been a feature of the building for at least a century. The photograph annotation suggests that building opulence was a result of commercial considerations *“evidence that the White Horse dates back 300 years and was originally next door to St Mary’s Church on Church Street. When York Street was cut around the 1820s ... built here on the present site ... Church Street was the main route out of Clitheroe. So when York Street was cut most of the passing custom would obviously not go up Church Street”*.

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

The White Horse and the non-listed historic buildings facing the site to be 'Buildings of Townscape Merit' making a positive contribution to the character and appearance of the Conservation Area; an 'Important View' from the Market Place towards York Street (Townscape Appraisal Map);

*"A pleasing historic townscape enhanced by the town's changes of level and curves in the old streets"* (Summary of special interest).

*"The construction of the first textile mills and the opening of new turnpike roads led to the first major expansion of the town and the construction of new streets, Moor Lane, York Street and King Street"* (Origins and historic development).

*"The Public Library of 1905, with its conical roof and clock face, has been well designed to take advantage of its corner location and is a notable landmark"* (Key views and vistas).

*"the Chatburn turnpike, to the north of the town, stimulated the construction of a new northern approach road, York Road (c1820), leading directly to the Market Place, cutting through burgage plots on Wellgate"*.

*"The conservation area is most notable for buildings from the late 18th century and 19th century, many of which replaced earlier structures ... In the 18th century Church Street was the main route into and out of the town and No. 21 Church Street is a good example of Clitheroe's Georgian architecture ... As the town's economy expanded in the 19th century, based on the cotton industry, its population grew and many town-centre civic, commercial and religious buildings were built ... Clitheroe's role as a market town resulted in a large number of pubs, inns and hotels but few can be dated to earlier than the 18th century"* (Architectural and historic character).

*"Brick is not common but there are a few brick buildings in King Street reflecting the post-railway development of this area ... Historic windows are generally timber sliding sashes deeply recessed in the stone- or brickwork"* (Building materials and local details).

*"The survival of original materials and details, and the basic, historic form of the building, is important. Where a building has been adversely affected by modern changes and restoration is either impractical or indeed, not possible, they are excluded"* (Buildings of townscape merit).

*"This area contains the commercial core of the town, mainly located on Castle Street and Market Place but also spilling onto Wellgate, York Street and King Lane. The central 'spine' of the conservation area contains an excellent collection of historic buildings built on a strong back-of-pavement line but with occasional buildings breaking forward with a gable ... Church Street contains Clitheroe's best examples of Georgian building and, together with the street's stone paving, trees and well kept historic buildings is the town's best area of townscape"* (Character area 1: Clitheroe's historic core).

*"Traditional 19th century shopfronts"* (Character area 1: Principal positive features).

*"Mix of commercial, religious, administrative and residential uses"* (Strengths).

*“Loss of architectural detail (original windows, doors etc); Insensitive alteration of historic buildings, including some modern shopfronts, spoiling the conservation area’s strong historic character and appearance; Garish commercial signs and advertising; Twentieth century development that fails to preserve the historic character and appearance of the conservation area” (Weaknesses).*

*“Loss of original architectural details: Many of the unlisted, and some of the listed, buildings in the conservation area have been adversely affected by the use of inappropriate modern materials or details. Common faults include: the replacement of original timber sash windows with uPVC or stained hardwood; Poor quality shopfronts: despite the presence of a number of attractive historic shopfronts, many of the commercial properties have modern shopfronts of no special merit” (Threats).*

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

2.1 Planning permission is sought for the change of use of part of the ground floor from public house to hot food takeaway and alterations including the creation of a new door entrance at White Horse Inn York Street Clitheroe.

2.2 The application relates to the bay to the left of the historic front entrance door (for the full depth of the building) and a single storey extension in the rear courtyard. This approximates to the area shown as ‘Retail Unit 1’ and the Ground Floor of ‘Residential Unit 1’ in planning permission 3/2015/0928.

2.3 The proposed alterations to the building façade have been amended following negotiation. The originally proposed fully glazed doorway is to be solid (timber) to door mid-rail level. Officers further advised 6 October 2017: “In order to retain a consistency with the main entrance door, I would suggest that the door be of the nineteenth century 4-panel type (the top panels can be glazed)”. Unfortunately, the ‘proposed’ 2-panel door had already been manufactured.

2.4 On 6 October 2017 officers suggested:

“the proposed painting and advertisement scheme is unsympathetic to the character and appearance of the prominent façade as a whole. I had envisaged the retail units being advertised by little more than hanging /projecting signs and retention of the consistency in timber paintwork treatment across the façade. Therefore, I am considering reporting the matter to the next Planning and Development Committee with recommendation that an Article 4 Direction be placed on the York Street façade. However, I would be grateful for your comments in this regard”.

On 10 October 2017, the agent confirmed:

“Painting scheme: the whole of the ground floor doors and windows together with the ‘loading door’ above the cart door entrance and the existing hanging sign frame are to be painted RAL7043 Traffic grey. This is to denote the commercial element of the building. The woodwork on the upper floors which will be in residential use, with the exception of the ‘loading door’ will be painted white”.

“Signage: A full signage scheme will be submitted by the proposed tenants of the building. I suggest that you impose a condition similar to condition 5 on permission 3/2015/0928 ... As you are aware the proposed tenant of unit one is Domino’s Pizzas. Their house signage uses a dark grey background and a simple projecting sign. It is

likely that there signage will focus on the projecting sign to alert passing trade. The choice of the ground floor colour scheme is to link in with the Domino's 'house colour' to help associate the business with the building and reduce the amount of actual signage required".

- 2.5 On 7 November 2017, revised plans were submitted deleting all reference to proposed signage at the York Street façade.
- 2.6 The applicant has submitted a 'Plant Noise Assessment' and details of an odour control solution/'Proposed Ventilation System'.
- 2.7 The application form (Question 19) states that the proposals will result in 20 (full-time equivalent) employees.
- 2.8 Proposed hours of opening (application form Question 20) are 09:00 to 23:00 Monday to Friday, Saturday and Sunday and Bank Holidays. There is a table identifying the opening times of nearby commercial properties at paragraph 7.8 of the submitted Design, Access, Planning and Heritage Statement.

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

3/2015/0928 - Change of use from public house with living accommodation to two shops and five apartments together with external alterations. PP granted 23 March 2016.

The P&DC Committee report identifies *"Advertisement proposals are schematic and potentially incongruent. In order to retain the finely detailed and balanced façade and the character and appearance of the building as an historic public house, a condition requiring detailed information of any attachments to the York Street façade is suggested"*.

*"Condition 5: Notwithstanding the proposed schematic advertisement proposals shown on the submitted plans, specifications and samples of any proposed attachments (including signage) to the York Street façade shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works.*

*Condition 6: Notwithstanding the proposed fully glazed doorway to Retail Unit 1 shown on the submitted plans, specifications for a partially glazed doorway sympathetic to the late C19/early C20 character of the building shall have been submitted to and approved by the Local Planning Authority before its use in the proposed works.*

*Condition 7: Precise specifications of cart door glazing and framing (including a cross-section drawing showing glazing set back as far as possible in the reveal) shall have been submitted to and approved by the Local Planning Authority before its use in the proposed works.*

*Condition 8: The use of the retail premises in accordance with this permission shall be restricted to the hours between 08:45am to 18:00pm on weekdays and on Saturdays and there shall be no operation on Sundays or bank holidays.*

*Reason: To comply with Policy DMG1 of the Ribble Valley Core Strategy Adopted Version and in order to safeguard residential amenities"*.

3/1992/0121 – Display of externally illuminated pub signs. AC granted 23 March 1992.

3/1991/0700 - Refurbishment of public house including new toilet accommodation. PP granted 13 February 1992.

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

Ribble Valley Core Strategy (Adopted Version):

Key Statement EC1 – Business and Employment Development  
Key Statement DS1 – Development Strategy  
Key Statement EN5 – Heritage Assets  
Key Statement H2 – Housing Balance  
Key Statement EC2 - Development of retail, shops and community facilities and services  
Policy DMB1 – Supporting Business Growth and the Local Economy  
Policy DMG2 – Strategic Considerations  
Policy DMG1 – General Considerations  
Policy DME4 – Protecting Heritage Assets  
Policy DMR1 – Retail Development in Clitheroe

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

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

Clitheroe Conservation Area Appraisal

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

##### 5.1 **Impact upon the character and appearance of Clitheroe Conservation Area and the setting of listed buildings:**

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

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

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

*"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".*

5.1.2 Harm from the loss of historic function was recognised in considerations to 3/2015/0928:

*“The Clitheroe Conservation Area Appraisal identifies that the town-centre’s civic, commercial and religious buildings are an important element of its architectural and historic character and I note from the submitted Heritage statement that the White Horse public house may have been part of this character for 300 years. I also note the loss of the Grade II listed Victoria Hotel, Market Place to retail use in May 2014”.*

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

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

*“Any harm is to be given ‘great weight’ whether it is serious, substantial, moderate, minor or less than substantial. Whatever adjective you choose to describe it and however the harm is caused – directly or through an impact on the setting – every decision should acknowledge the general priority afforded to heritage conservation in comparison to other planning objectives or public benefits”.*

The Clitheroe Conservation Area Appraisal identifies:

*“Garish commercial signs and advertising”* (Weaknesses);

*“Many of the commercial properties have modern shopfronts of no special merit”* (Threats).

‘Making changes to heritage assets’ (Historic England, February 2016)

*“Removal of, and change to, historic shopfronts may damage the significance of both the building and the wider conservation area, as may the introduction of new shopfronts to historic buildings where there are none at present. All elements of new shopfronts (stall-risers, glazing, doors, fascias, etc.) may affect the significance of the building it is located in and the wider street setting”* (paragraph 53).

Therefore, I am mindful of the concerns of the Town Council and local residents in respect to the importance of the White Horse Inn façade to Clitheroe Conservation Area and the streetscene/townscape and of the potential and cumulative impact of harmful works to the designated heritage assets.

The manufacture of the door before application consideration is disappointing. However and whilst not ideal, this door has an acceptable impact (mindful of the ‘existing’ large-pane glazing to this opening and an example of a similar historic door within the building main entrance vestibule).

In my opinion, the revised proposals (following negotiation) represent a holistic and considered approach to the safeguarding of the distinct and imposing façade of the historic inn. Mindful of the potential impact of the exercise of advertisement deemed consent, I would suggest that a condition be attached in this regard.

## 5.2 Land use considerations:

- 5.2.1 The principle of new and numerous uses for the historic White Horse Inn was established by planning permission 3/2015/0928.
- 5.2.2 RVBC Regeneration considered that there was enough information submitted to indicate that there was no future for a pub on this site. On this understanding, the proposed ground floor use (retail) was considered to offset the employment and economic impacts of the loss of the pub use and provide additional variety to the town centre retail offer (Policy DMR1). No additional comments have been received in respect to the current application.
- 5.2.3 The proposed take-away is within Clitheroe Town Centre but outside of its principal shopping frontage. In my opinion, this will not undermine town centre vitality and viability (Key Statement EC2; Policy DMR1).
- 5.2.4 I am mindful of the Town Council's concern at the loss of a previously proposed (3/2015/0928) residential unit. However, the specific Core Strategy housing requirement for Clitheroe has been met (a position which has not altered since consideration to 3/2015/0928). In my opinion, the revised combination of uses for this site will still support town centre vitality and viability (Policy DMR1) and provide housing in proximity to town centre services and facilities.

## 5.3 Impact upon Residential Amenity:

- 5.3.1 I am mindful of the concerns of local residents. However, I am now satisfied that the mitigation proposed and the conditions suggested by RVBC Environmental Health (in respect to the applicant's analysis of potential noise and smells) will ensure that residential amenities are not significantly affected by the re-use of the former town centre public house. Noise assessments (and mitigation) have been made in respect to the upper floors of The White Horse and I am satisfied that the opening times proposed are acceptable.
- 5.3.2 I would remind Members that the impact of development on property values is not a material consideration in the determination of this application.
- 5.3.3 In respect to local resident concern at the existing provision of take-away businesses, I am mindful of NPPF paragraph 23 'Ensuring the vitality of town centres' which states that "local planning authorities should ... promote competitive town centres that provide customer choice".

## 5.4 Highway Safety and Accessibility:

- 5.4.1 I am mindful of both the concerns of local residents in respect to traffic, congestion, parking and deliveries and the comments of LCC Highways. I am satisfied that the development has an acceptable impact on highway safety and accessibility.

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

- 6.1 Therefore, in giving considerable importance and weight to the duties at section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in consideration to Key Statements EN5, EN1 and EN2 and Policies DME4, DMG1, DMB1

and DMR1 of the Ribble Valley Core Strategy I would recommend that planning permission be granted subject to conditions.

**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. This permission shall be implemented in accordance with the proposal as amended by letter received 10 October 2017 (painting scheme and signage) and letter and plan received on the 7 November 2017.

REASON: For the avoidance of doubt since the proposal was the subject of agreed amendments.

3. The permission shall relate to the development as shown on Plan Reference 'Proposed Elevations' (but does not include 'Proposed Elevation A') and 'Proposed GA'.

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

4. Notwithstanding Part 2 Deemed Consent of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, specifications of any proposed advertisements to the York Street facade shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works.

REASON: In order to safeguard the character and appearance of Clitheroe Conservation Area and the setting of listed buildings in the street scene.

5. The development shall be implemented in strict accordance with the proposed levels of noise and odour mitigation shown within the submitted information.

REASON: To ensure that residential amenities are not significantly affected by the re-use of the former town centre public house and in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

#### BACKGROUND PAPERS

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

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

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

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

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

(National Planning Policy Framework)

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

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

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

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

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

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

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

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

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

(Adopted Core Strategy)

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

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

(Clitheroe Conservation Area Appraisal and Management Guidance)

<http://www.legislation.gov.uk/uksi/2007/783/contents/made>

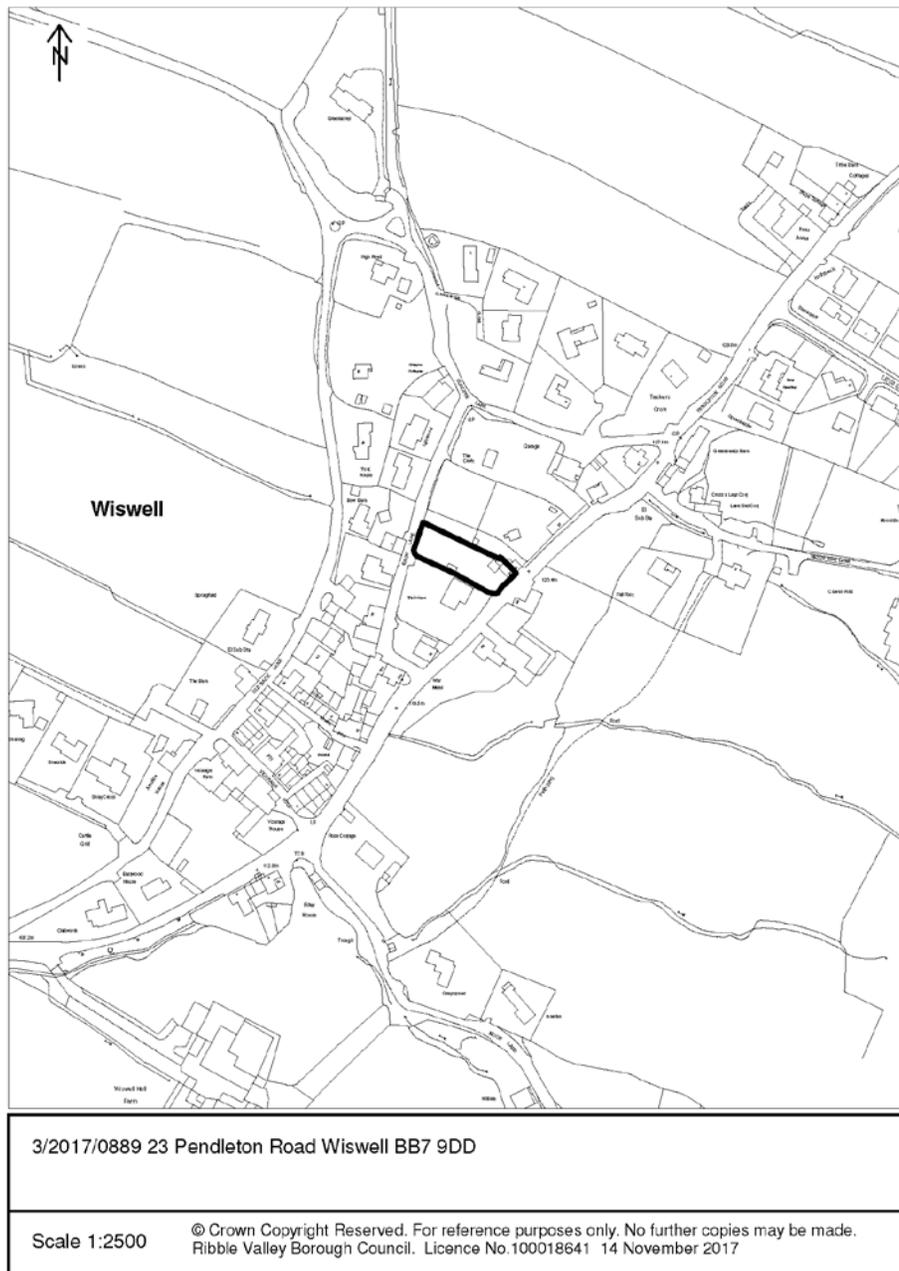
(The Town and Country Planning (Control of Advertisements) (England) Regulations 2007)

**APPLICATION NO: 3/2017/0889/P**

GRID REF: SD 374637 437491

**DEVELOPMENT DESCRIPTION:**

DEMOLITION OF EXISTING SINGLE STOREY EXTENSION TO REAR AND EXISTING GARAGE ERECTION OF NEW TWO STOREY EXTENSION TO SIDE AND SINGLE STOREY EXTENSION TO REAR, PROPOSED NEW DRIVEWAY AND ENTRANCE GATE (RESUBMISSION OF 3/2016/0957 AND 3/2017/0155) AT 23 PENDLETON ROAD, WISWELL, BB7 9DD



## PARISH/TOWN COUNCIL:

**Wiswell Parish Council** make the following comments:-

- It is understood that the original application was withdrawn but non-approval would have been likely due to the size of the extension in relation to the original cottage. A garage and workshop of 67 sqm and an extension of 66.3 sqm were proposed. The current application includes for an extension to the cottage of around half what was previously proposed. However, by taking advantage of Permitted Development rights, the applicant is currently building a Dance Studio which is the same order of magnitude in size as the original combined application. This means that the final total development on the site (currently under construction and proposed in the current application) will be significantly larger than the original application which was rejected. The Dance Studio is shown on the 'proposed' drawing but is neither referenced nor dimensioned.
- Although the statement that 'the proposed development has been reduced in scale from our previous application' is technically correct, it ignores the construction of the Dance Studio under Permitted Development rights and commenced between the dates of the two applications.
- No reason is given for the removal of the two relatively small trees and these should be retained.
- The extent of the partial removal of the thorn hedge (and therefore wildlife) is not specified and the reason given of spoil removal is not valid considering the quantity of material already delivered to and/or removed from the site on both the Pendleton Road side and also the Back Lane side using lorry mounted cranes and grabs 'over the hedge'. In the original application, the applicant intended to plant a hedge on all three sides.
- Should the partial hedge removal be approved, a condition should be applied to reinstate the hedge within twelve months of approval.
- UPVC windows and doors do not follow the recommendations of the Wiswell Conservation Area guidance.
- The use of natural slate on both the original cottage and the extension will mean that the pair of existing pair of cottages will have different style roofs which is not in keeping with other parts of the village and would be detrimental to the street scene in the Conservation Area. The existing roof on both cottages is stone flags.
- Pendleton Road is the widest road in Wiswell village and certainly wider than Back Lane so that an entrance on to Back Lane would be even less appropriate than an entrance on to Pendleton Road. There is no regular resident parking on Back Lane in order to ensure access for larger vehicles such as RVBC refuse collection vehicles. Back Lane is narrow and is not a reasonable place for residents' parking.
- The proposed parking provision of five off-street spaces is very generous for a three bedroomed property and should not lead to any regular need for on-street parking by the occupier's family.
- Should the application be approved, there should be a condition that there should be no pedestrian or vehicle access to the existing cottage or the curtilage including the building under construction from Back Lane. This is to protect the street scene of Back Lane within the Conservation Area.
- If the application is approved, a condition should be applied to remove any further Permitted Development rights for the balance of the curtilage of 23 Pendleton Road.

## **HIGHWAYS (LCC):**

The Country Highways Surveyor made a number of recommendations which have been taken into account by the applicant. The alterations would be seen to be an improvement to the present site access.

With regard to the parking provision the site plan does indicate that there is sufficient space on site to accommodate parking for the requisite two vehicles as dictated by the parking standards for a three bedroom property.

The Country Highways Surveyor raises no objections to the development subject to conditions.

## **CAMPAIGN TO PROTECT RURAL ENGLAND:**

CPRE Lancashire **object** to the proposal as follows:-

CPRE Lancashire believes that the proposed 2-storey extension to the side and single storey extension to the rear and proposed new driveway and entrance gate, will not enhance or make a positive contribution to the Wiswell Conservation Area. In assessing whether to refuse or approve the application, Ribble Valley Borough Council must assess the in combination effects of the 2-story extension, new driveway and entrance gate and come to a view as to whether the proposal will cause substantial harm or less than substantial harm. CPRE Lancashire considers the cumulative effect to be a substantial harm.

As with national planning policy, the Core Strategy sets out a priority to conserve and enhance the historic environment; accordingly, this planning application must demonstrate that the proposed development will form a positive contribution to the character and appearance of the Wiswell Conservation Area. CPRE Lancashire is unable to detect in the proposal any feature which would satisfy this requirement and therefore urges that the application ought to be refused. The removal of trees and hedgerows all have an impact on the overall character and appearance of the Conservation Area.

Under letter D, point 4 of Paragraph 10.15, the Core Strategy states the Council will keep the conservation area management guidance under review and maintaining up to date conservation appraisals should be effectively monitored by the Council. CPRE Lancashire believes that as the evidence base for the protection of Conservation Areas and Management Guidance is a decade old there is an urgent need for Ribble Valley Borough Council to undertake such a review.

CPRE Lancashire urges Ribble Valley Borough Council to take due account of the historic fabric of Wiswell Village as it has special status due to the Conservation Area designation. The original order by Lancashire County for the Conservation Area stated: "*Wiswell is largely unspoilt by new development at present, but it is essential that any future additions be strictly controlled and in character with the village. Careful control will also be necessary in any building conversions. Alterations or modifications should have regard to the style, proportion, colour and texture of existing buildings*"

The Ribble Borough Council Conservation Area Appraisal Map identifies the property 23 Pendleton Road as a Building of Townscape Merit. CPRE Lancashire concedes that the existing single storey extension is in a neglected condition. But, the elevations of the new two storey extension are not in keeping with the Conservation Area Management Guidance. We are concerned about the impacts of the design and proposed materials, such as the roof windows, and window details of the extension to the integrity of the Wiswell Conservation Area. The

application should not be permitted if the masonry, roof tiles, window details, etc. are not in compliance to the Conservation Area Management Guidance.

CPRE Lancashire is unable to understand why 23 Pendleton Road as a Building of Townscape Merit is not included. We think there needs to be an updating of Ribble Valley Borough Councils application of Article 4 Direction to include this property. Arguably, the wider Conservation Area should also be included. By doing so, the Council would be honouring its statutory responsibility to adequately protect the Wiswell Conservation Area.

We therefore strongly recommend the Council does apply an Article 4 Direction as the current piecemeal development of various extensions, substantial outbuilding (see below) and driveway are materially harming the integrity of the Conservation Area.

Wiswell village has won the prestigious 'Best kept Hamlet' award four times in the last six years. So it is not surprising that there is considerable local opposition to proposals that are considered harmful to the physical fabric.

The Parish Council is opposed to this proposal due to the harm to the Conservation Area. Our office has received a number of calls from concerned local residents.

The Localism Act 2011 gave an increase emphasis to local community's voice being heard when decisions are taken that impact upon them. It is very important in taking this decision that the community wishes of Wiswell are fully considered.

In summary, CPRE Lancashire has considered the application and supporting information and strongly recommends that Ribble Valley Borough Council refuses permission as the proposal is contrary to national planning policy and the policies set out in relation to the Wiswell Conservation Area designation.

Furthermore, we recommend that a review of the Conservation Area and Management Guidance is undertaken without delay. We believe it is imperative, and entirely justified, that an Article 4 Direction be applied to the whole of the Wiswell Conservation Area to stop the piecemeal harm that is evidenced at present.

#### **ADDITIONAL REPRESENTATIONS:**

6 letters of objection have been received in relation to this application. The objection letters raise the following concerns:-

- A large building has already been constructed under permitted development in the rear garden and further enlargement of the cottage itself would result in a conglomerate well out of character with the Conservation Area.
- Size of the outbuilding erected under permitted development is too large.
- Applicant intends to use the detached building for commercial use.
- Use of the detached building in the rear garden as a dance studio would lead to noise.
- No justification for removal of part of the hedge adjacent Back Lane. Spoil can be removed with a grab wagon.
- Cottage is a building of townscape merit and has significant architectural value.
- Any extensions should be sensitive to the cottages existing form and materials.
- Installation of UPVC windows and doors are not acceptable in a Conservation Area.

## 1. **Proposal**

- 1.1 The proposal is for the erection of a two storey side extension and single storey rear extension and the provision of a new driveway and entrance at 23 Pendleton Drive, Wiswell. The works would include the removal of the existing single storey rear extension and single garage. A two storey extension is proposed on the south-east side on the existing property to provide additional living accommodation comprising a kitchen/dining room, study and two bedrooms. The proposed extension would project 3 metres from the side wall of the existing building and would be set back from the front elevation of the main dwellinghouse by 2 metres. The roof of the proposed extension would be set down from the main roof of the dwelling. To the rear it is proposed to erect a single storey extension which would extend the full width of the building. This would extend from the rear wall of the main dwelling by 2.8 metres and would have a height of 3.1m.
- 1.2 The application also proposes the creation of a new driveway and access from Pendleton Road. This would require the removal of an existing conifer hedge and stone wall along the frontage of the site to facilitate the new access. A new patio area would be created to the side and rear of the dwelling which would be bound by a retaining wall with steps up to the drive and the rest of the garden.
- 1.3 Whilst the application originally sought permission to remove two trees to the rear of the site to enable the removal of spoil this has now been removed from the application and the applicant has been advised that this should be the subject of a separate application for tree works.

## 2. **Site Location**

- 2.1 The application property is located within the settlement of Wiswell and within Wiswell Conservation Area. The dwelling is one of a pair of semi-detached stone built cottages that front Pendleton Road and are identified in the Wiswell Conservation Area Appraisal as 'Buildings of Townscape Merit' which indicates that they have been judged as making a positive contribution to the character and appearance of the conservation area. The application dwelling benefits from a large curtilage area to the side and rear which backs onto Back Lane.

## 3. **Relevant History**

3/2016/0957 - Proposed two storey extension to side, relocation of driveway and detached double garage and workshop to rear. Withdrawn.

## 4. **Relevant Policies**

### **Ribble Valley Core Strategy**

Key Statement EN5 – Heritage Assets

Policy DMG1 - General Considerations

Policy DME1 – Protecting Trees and Woodlands

Policy DME2 - Landscape and Townscape Protection

Policy DME4 – Protecting Heritage Assets

Policy DMH5 – Residential and Curtilage Extensions

### **Other Material Considerations:**

National Planning Policy Framework (NPPF)

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

- 5.1 In determining this application it is important to consider the impact of the development on the significance of the Conservation Area, the design of the proposals, the effect on the residential amenity of neighbouring occupants and the impact on highway safety and trees.
- 5.2 Members should be aware in this case that the applicant is in the process of erecting a detached outbuilding in the rear garden of no.23 Pendleton Road under householder permitted development rights which he intends to use as a dance studio and garaging in association with the existing residence. Although the building is denoted on the submitted plans, the applicant is not seeking express planning consent from the Council for the erection of this building and it does not form part of the planning application. Whilst a number of representations make reference to the building and its potential future use, the building is currently under construction and use of the building has not commenced. As such, there is considered to be no breach of planning control at the time of writing and no enforcement action could be taken until such a breach has occurred.
- 5.3 The application dwelling is located within the Wiswell Conservation Area. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that 'in the exercise of planning functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area'. NPPF paragraph 132 states "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification".
- 5.4 Core Strategy Policy DME4 states that 'proposals within, or affecting views into and out of, or affecting the setting of a conservation area will be required to conserve and where appropriate enhance its character and appearance and those elements which contribute towards its significance. This should include considerations as to whether it conserves and enhances the special architectural and historic character of the area as set out in the relevant conservation area appraisal. Development which makes a positive contribution and conserves and enhances the character, appearance and significance of the area in terms of its location, scale, size, design and materials and existing buildings, structures, trees and open spaces will be supported'.
- 5.5 As a general rule any extension should reflect the character of the original house and the wider locality and should not dominate the original house. The proposed two storey side extension would extend 3m from the side of the existing property. This would be more than half of the width of the parent property but would be set back from the principal elevation by 2m and set down from the ridge of the existing dwelling by approximately 600mm. This would reduce the visual prominence of the extension and would ensure that a subservient relationship is achieved between original and extension when viewed from Pendleton Road. The proposed window and door openings would respect the size and proportions of the existing property. It was proposed to replace the existing stone flag roof with natural slate and to replace the existing timber windows with UPVC sash style windows. Following discussions with the applicant it has been agreed that roof materials would remain as existing and would be continued across the roofs of the extensions. Whilst it is recognised that the adjoining cottage is adorned with UPVC window frames, the installation of modern units is not generally supported. The Wiswell

Conservation Area Appraisal raises the installation of modern UPVC windows as a particular concern. The applicant has therefore agreed to the installation of timber sash windows which would be more sympathetic than the UPVC windows originally proposed.

- 5.6 The proposed alterations to the site frontage would result in the removal of a short section of the stone wall that bounds Pendleton Road on the east. The sunken lanes that thread the village, passing between stone walls, or banks and field hedges are recognised as contributing to the special interest that justifies the designation of the Wiswell Conservation Area. Nonetheless, the section of wall to be removed would be minimal and where possible the sections of wall that would be newly built should incorporate the stone that is available from the demolished sections of wall.
- 5.7 The proposals would not result in any adverse harm to the residential amenity of neighbouring occupants through loss of light, outlook or privacy. The proposed single storey rear extension would be located close to the shared boundary with no.25 Pendleton Road but it would not have any greater impact than the existing single storey structure that is present to the rear of the application property.
- 5.8 A protected species survey has been submitted which found no evidence of bats using the property and concludes that the proposed works are unlikely to cause disturbance to bats, result in the loss of a bat roost or cause injury or death to bats.
- 5.9 On the issue of highway safety the Country Highways Surveyor raised a number of points. The applicant has altered the proposed access accordingly and the Highways Officer does not consider there would be any additional harm to highway safety when compared with the existing site layout.
- 5.10 The points of objections raised in representations from the Parish Council, residents and CPRE Lancashire are noted. Thus the proposals have been amended to overcome concerns relating to roof materials, window construction and tree/hedge removal. The proposed extensions are to be built using materials that would re-inforce the use of traditional materials that contribute to the character of the Wiswell Conservation Area and it is thought that the proposals would, as a minimum, preserve the appearance of the locality in accordance with Core Strategy Policy DME4 and Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.11 In relation to the single storey building that is under construction in the rear garden of the application dwelling, it is understood that this has raised significant concern locally. This building has been erected under permitted development rights (Schedule 2, Part 1, Class E of the General Permitted Development (Order) 2015). When assessing the development that is proposed by this application, the Planning Officer has been mindful of the existing site layout including the structure in the rear garden. It is considered that, taking into account the layout of the existing site, the development that is proposed by this application would not result in any harm to the significance of the Conservation Area when compared against the fallback position i.e. that the applicant can proceed to complete the single storey outbuilding without the consent of the Local Planning Authority.
- 5.12 CPRE Lancashire's representations outline options available to the Council to exert more control over development in Conservation Areas. Whilst these options could be considered, they are not relevant to the determination of this application.

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 'Proposed Site Plan' Amendment A (received 25 October 2017) and Proposed Plans and Elevations Amendment A (received 25 October 2017).

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 and the alignment, height and appearance of all fences and walls and gates, 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 materials shall be implemented within the development in strict accordance with the approved details.

REASON: In the interests of the character and appearance of the building and to ensure that the materials to be used are appropriate to the locality in accordance with Key Statement EN5 and Policies DMG1, DMH5, DME4 and DME2 of the Ribble Valley Core Strategy.

4. All doors and windows shall be framed in timber and retained as such in perpetuity.

REASON: In the interests of the character and appearance of the building and to ensure that the materials to be used are appropriate to the locality in accordance with Key Statement EN5 and Policies DMG1, DMH5, DME4 and DME2 of the Ribble Valley Core Strategy.

5. Notwithstanding the details shown on the approved plans, the proposed Velux roof lights shall be of Conservation Type, recessed with a flush fitting and retained as such in perpetuity.

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 EN5 and Policies DMG1, DMH5, DME4 and DME2 of the Ribble Valley Core Strategy.

6. All new and replacement door and window surrounds shall be stone to match existing.

REASON: In the interests of the character and appearance of the building and to ensure that the materials to be used are appropriate to the locality in accordance with Key

Statement EN5 and Policies DMG1, DMH5, DME4 and DME2 of the Ribble Valley Core Strategy.

7. Notwithstanding the specification indicated on the submitted drawings, all new and replacement rainwater goods, including the eaves detail, shall match those of the existing building.

REASON: In the interests of the character and appearance of the building and to ensure that the materials to be used are appropriate to the locality in accordance with Key Statement EN5 and Policies DMG1, DMH5, DME4 and DME2 of the Ribble Valley Core Strategy.

8. Prior to the commencement of the development, section details at a scale of not less than 1:20 of the proposed door framing and glazing shall have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of the character and appearance of the building and to ensure that the materials to be used are appropriate to the locality in accordance with Key Statement EN5 and Policies DMG1, DMH5, DME4 and DME2 of the Ribble Valley Core Strategy.

9. Before the development hereby permitted becomes occupied, the existing hedge, fence and vegetation on the highway frontage of the site to Pendleton Road shall be reduced to and be permanently maintained henceforth at a height not greater than 1m above the crown level of the carriageway of Pendleton Road

REASON: To ensure adequate visibility for the drivers of vehicles entering and leaving the site.

10. Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.

REASON: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.

11. 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 be available for use before occupation of the extensions hereby approved.

REASON: Vehicles reversing to and from the highway are a hazard to other road users.

12. Unless otherwise agreed in writing with the Local Planning Authority the development shall be carried out in strict accordance with the recommendations of the Bat Scoping Survey Report by Batworker Consultancy that was submitted with the application.

REASON: To safeguard the favourable conservation status of the bat population in accordance with Policy DME3 of the Ribble Valley Core Strategy.

## INFORMATIVE NOTES

1. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the contact the Environment Directorate for further information by telephoning the Developer Support Section (Area South) on 0300 123 6780, or writing to Developer Support Section, Lancashire County Council, Environment Directorate, Cuerden Mill Depot, Cuerden Way, Cuerden, PR5 6BJ or email [lhscustomerservice@lancashire.gov.uk](mailto:lhscustomerservice@lancashire.gov.uk).
2. Prior to the commencement of any works on site, the developer should contact Lancashire County Council's Highways Regulation Team to obtain the relevant permits to work in the adopted highway; they can be contacted on [lhsstreetworks@lancashire.gov.uk](mailto:lhsstreetworks@lancashire.gov.uk) or on 01772 533433.
3. This consent does not give approval to a connection being made to the County Council's highway drainage system.

## BACKGROUND PAPERS

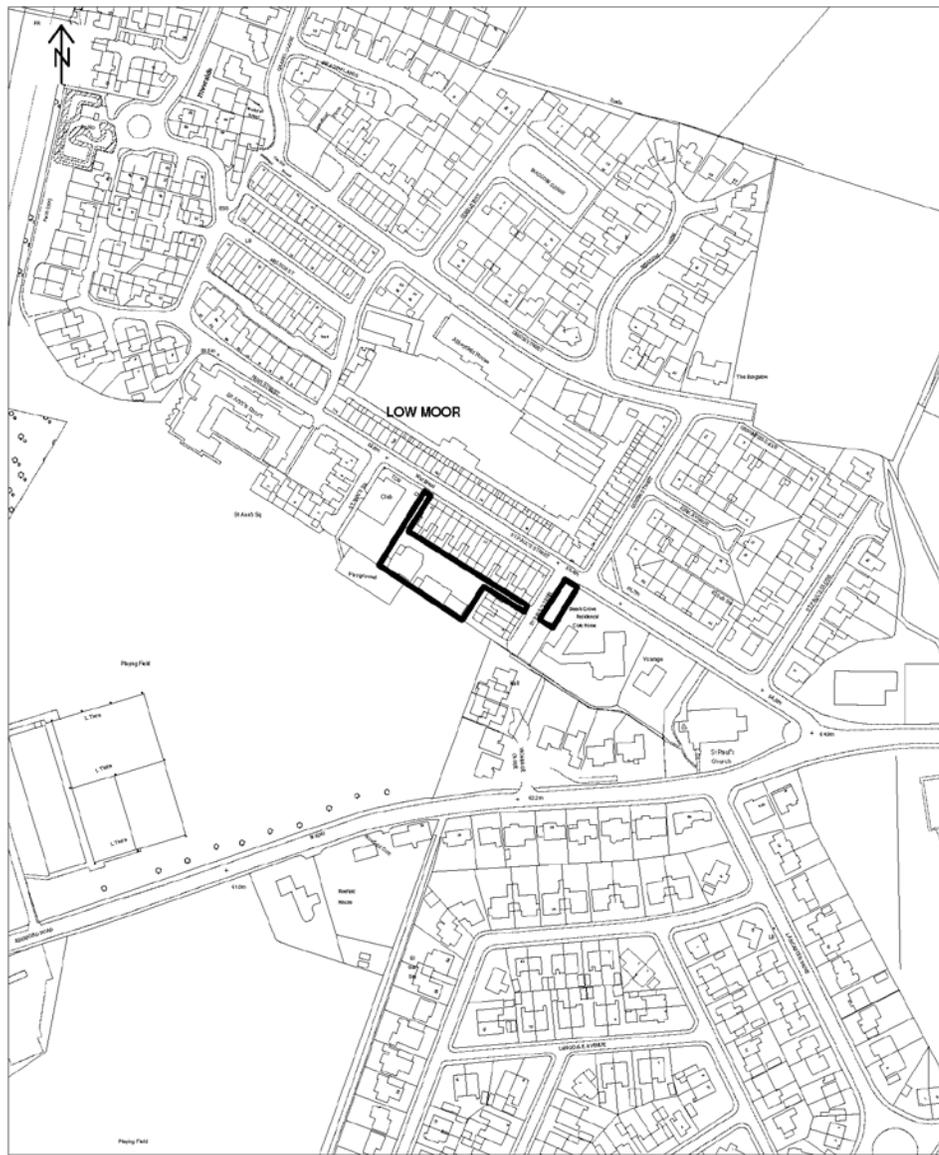
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0889](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0889)

**APPLICATION REF: 3/2017/0920**

GRID REF: SD 373069 441623

**DEVELOPMENT DESCRIPTION:**

REVISED APPLICATION FOR FIVE TOWN-HOUSES FOLLOWING OUTLINE APPROVAL 3/2015/0312 INCLUDING GARAGE BLOCK ON ST PAULS TERRACE AT BACK ST PAULS STREET, LOW MOOR, CLITHEROE BB7 2LS



3/2017/0920 Back St Pauls Street Low Moor Clitheroe BB7 2LS

Scale 1:2500

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

### **PARISH COUNCIL:**

No objections received in respect of the application.

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

The Highways Development Control Section have raised no objection to the proposal following the receipt of revised information and subject to the imposition of relevant conditions.

### **LOCAL LEAD FLOOD AUTHORITY (LLFA)**

It is not listed in the 'When to Consult the LLFA' document or in the Development Management Procedure Order 2010

### **UNITED UTILITIES:**

No objection subject to the imposition of conditions relating to foul and surface water drainage.

### **ADDITIONAL REPRESENTATIONS:**

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

- Loss of light
- Inadequate manoeuvring for servicing and emergency vehicles
- No dedicated pedestrian access
- Additional traffic in the area
- Garages will not be used for the parking of cars
- Land ownership concerns
- Inadequate access for existing residents
- Proximity of dwellings

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

- 1.1 The application sites relate to a plot of land located to the rear of a row of terrace properties located on the southern side of St. Pauls Street, Low Moor, Clitheroe and another area of land, located on St. Pauls Terrace, which currently accommodates vehicular parking. The application proposes that the area of land to the rear of St Pauls Street will accommodate five dwellings (and associated parking) with the remaining area of land on St Pauls Terrace proposed to accommodate five lock-up garages and two visitor parking bays.
- 1.2 The plot of land that is proposed to accommodate the five dwellings is bounded to the south by playing fields with the Low Moor Social Club being located to the west. The site is also bounded to the north and east by two-storey terrace properties that front St Pauls Street and St Pauls Terrace respectively.
- 1.3 The site currently accommodates a number of buildings associated with the previous Haulage/distribution business that operated from the site, some of which are in a state of dilapidation.

- 1.4 The primary vehicular and pedestrian access to the land which will accommodate the proposed dwellings is provided at the eastern extents of the site adjacent number 2 St Pauls Terrace. The secondary access is located to the west of the site directly adjacent number 31 St Pauls Street.
- 1.5 The area of land to accommodate the proposed garaging is located on the southern side of St Pauls Street on the eastern side of St Pauls Terrace. This area is currently used as informal parking for a number of residents in the area.
- 1.6 The area is predominantly residential in character, being typified by two-storey terraced dwellings, the majority of which are constructed in red brick with a number of dwellings on the northern side of St Pauls Terrace benefitting from being faced in render or stone.

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

- 2.1 Full consent is sought for the erection of five two-storey terraced dwellings on land to the rear of dwellings fronting St Pauls Street and the erection of five lock-up garages and provision of 2 visitor parking bays on land to east of St Pauls Terrace.
- 2.2 It is proposed that the dwellings will measure approximately 5m at eaves and 7.5m at ridge with the terrace block in its entirety measuring 9.45m in depth and approximately 33.8m in width.
- 2.3 The dwellings will be three-bedroom with lounge, kitchen and dining area being accommodated at ground floor. The dwellings benefit from a small private residential curtilage area to the south adjacent Low Moor Playing Fields with additional small front yard areas to the north which also accommodate a chevron parking arrangement for one vehicle per dwelling. Refuse storage provision will be accommodated within a communal bin store located to the western extents of the site adjacent Plot 05, following consultations with Waste Services it has been suggested that it may be more pragmatic to relocate this bin store to the eastern extents of the site adjacent Plot 01.
- 2.4 Parking provision for one car per dwelling is provided to the front of each of the residential units in a chevron parking configuration. Provision for the parking of one additional vehicle per dwelling will be provided via dedicated garaging off St Pauls Terrace, with provision of two parking bays for visitors also being provided.
- 2.5 It is proposed that the aforementioned garage will measure 2.3m at eaves and 4.5m at ridge. The garaging will be faced in brickwork the garages will benefit from timber effect garage doors and be of a hipped roof construction. A small margin of landscaping is also proposed to the north of the garaging directly fronting St Pauls Street.

## 3. **Relevant Planning History**

### **3/2015/0312**

Outline consent (Access, Layout and Scale) for the proposed demolition of existing commercial property and the creation of 5 new dwellings with associated car parking. (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 DMI2 – Transport Considerations

Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport and Mobility  
Policy DME3 – Site and Species Protection and Conservation  
Policy DME6 – Water Management

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

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

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

5.1.1 The principle of the site being developed for residential purpose has been previously established as acceptable through the granting of outline consent (3/2015/0312) for the erection of five dwellings where matters of access, layout and scale were granted approval. At the time of writing this report the aforementioned consent remains extant and as such the proposal, notwithstanding other development management considerations, raises no issues in respect of potential conflicts with the Development Strategy for the Borough.

##### 5.2 **Impact upon Residential Amenity:**

5.2.1 The proposal site is situated directly to the rear of residential properties that front St Pauls Street and St Pauls Terrace. The site is bounded to the north by the rear curtilages of dwellings that front St Pauls Street, with properties that front St Pauls Terrace being located directly to the east of the site. Directly to the south of the site lies the Low Moor playing fields with Low Moor Social Club being located to the west.

5.2.2 At their closest point the proposed dwellings will benefit from a rear to rear offset distance of 14.9m from the existing residential properties to the north, with an offset distance of 13.7m being proposed from the residential properties to the east. Due to the close proximity of existing dwellings it is proposed that the windows to the north elevations of the proposed dwellings will be obscure glazed, with the east facing elevation accommodating two windows at first floor (serving a bathroom and landing) which will also be obscure glazed.

5.2.3 It is recognised that the aforementioned offset distances fall significantly short of that which would normally be secured by the authority in a back-to-back situation. However given the windows on the north and east facing elevations are to be obscure glazed, the relationship to be created is more akin to that of a rear

elevation to flank (side gable) facing relationship. In this respect the distances of 14.9m and 13.7m would be considered acceptable.

- 5.2.4 Furthermore, the 13.7m offset distance from the properties to the east has been measured from the side elevation of the proposed dwellings to the rear elevation of the single storey extensions of the existing dwellings that front St Pauls Terrace, the actual distance from the primary rear facing elevations of the aforementioned existing dwellings and the side elevation of the proposed terrace block would be approximately 17.8m, which is in excess of the side elevation to rear facing offset distance of 13.5m which would normally be secured in such scenarios.
- 5.2.5 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, nor is it considered that the proposal will be of detriment to neighbouring residential amenity by virtue of a direct loss of light or overbearing impact.

### 5.3 Matters of Design

- 5.3.1 The submitted details propose that the five dwellings will be of a typical terraced configuration primarily faced in brickwork to match or compliment that which is found within the vicinity. Following officer negotiation a number of amendments have been secured which ensure the proposal will respond positively to the immediate context. The dwellings now adopt a more legible semi-traditional language, employing stone jambs, heads, sills and central mullions including the introduction of projecting corbel eaves detailing and porch elements to ensure a more domestic appearance.
- 5.3.2 The north facing elevations, by virtue of the proximity of adjacent dwellings, has had to adopt a somewhat utilitarian and 'secondary' elevational language. This has resulted in the north elevation for each dwelling being defined by a front door, high-level window at ground floor and 3 narrow windows of a vertical emphasis at first floor. Each of the windows on this elevation is proposed to be obscure glazed to protect residential amenity whilst allowing for access to natural light and air circulation.
- 5.3.3 Contrary to the approach taken on the north elevation, the south elevations adopt a more recognisable domestic language with tri and bi-pane windows with dividing mullions, with the window proportions clearly conveying the notion of a primary elevation when viewed from the playing fields to the south.
- 5.3.4 The north and south elevations also benefit from projecting brick piers which will accommodate rainwater pipes within a recess. These projecting elements aid in providing vertical delineation with the terrace block. The introduction of chimney elements allows further vertical delineation and ensures that the roofscape remains sufficiently animated.
- 5.3.5 It is further proposed that the wall that bounds Low Moor Playing fields, to the south of the proposed dwellings, will be reduced from its current height to a height of 1200mm to allow for occupiers of the dwellings to benefit from an open

outward aspect. No elevational details have been provided in respect of this and as such these will be secured through the imposition of condition.

- 5.3.6 Taking into account the above matters it is considered the proposal is of an overall scale that is commensurate with the existing buildings found within the vicinity, it is further considered that the overall architectural language and external appearance of the proposal will respond positively to the character of the immediate context and will not be of detriment to the character of visual amenities of the area.

#### 5.4 Highway Safety and Accessibility:

- 5.4.1 The primary vehicular and pedestrian access point of the development is located at the eastern extents of the site off St Pauls Terrace. The proposed layout of the development maintains a 3.67m access between the rear curtilages of properties fronting St Pauls Street and a clear access width of 3.9m between the rear curtilages of the properties to the east (Fronting St Pauls Terrace). A turning circle for servicing and emergency vehicles has been provided to the eastern extents of the site which will ensure adequate vehicular manoeuvrability is maintained for a range of vehicles.
- 5.4.2 The internal arrangement of the proposal adopts a chevron parking arrangement with vehicular parking provision for one vehicle per dwelling being accommodated within individual residential curtilages to the north of each dwelling. Additional vehicular parking provision for one vehicle per dwelling is to be provided within the proposed dedicated garaging off St Pauls Terrace.
- 5.4.3 To ensure that the parking provision provided by the garage remains available for use, conditions will be attached to ensure they are not used for any other purpose that would preclude the parking of motor vehicles and that the garaging shall not be separated from the dwellings they intend to serve by way of sale or sub-letting.
- 5.4.4 A secondary vehicular/access point is also present to the western extents of the site adjacent number 31 St Pauls Street. Due to the constrained nature of this access point concerns have been raised in respect of its suitability to accommodate vehicles. In respect of this matter the Highways Development Control Section have concluded that it would be impractical to place a one way working order on the aforementioned length of back street adjacent number 31. It is also considered that short lengths of one way working of this type are difficult to police and therefore are likely to be contravened. The Highways officer is therefore of the opinion that the failure of highway users to observe such a traffic regulation order would likely give rise to more issues than the absence of any such order.
- 5.4.5 The Highway Development Control Section originally raised an objection to the proposal in respect of the parking bay size and proposed reversing distances, members will note that this objection has now been removed following the receipt of the revisions to the internal parking and manoeuvring arrangements.

#### 5.5 Landscape/Ecology:

- 5.5.1 The application is accompanied by Bat Survey which has failed to find any evidence of roosting bats within the existing buildings. However, the report

concludes that due to the high level of foraging habitat in the area it is recommended that the proposed proposal incorporates, as a minimum, two bat slate access points on the south westerly facing roof slope.

5.5.2 A small landscaped area is proposed to the western extents of the site in addition to a small margin of landscaping directly adjacent St Pauls Street, no details have been provided in respect of the proposed planting mix, as such these details will be secured via the imposition of condition.

5.7 Flood Risk and Drainage:

5.7.1 The proposal includes the provision of an offset distance of 3m from an adjacent existing main sewer to the southern extents of the site to respect an existing easement. United utilities have raised no objection to the proposal subject to the imposition of condition.

6. Observations/Consideration of Matters Raised/Conclusion

6.1 Members will note that the Borough Councils Waste Collection service have made observations in relation to the application, they have stated that as a result of the proposed garage block there may be the need to revise the domestic refuse collection arrangements in place. This is largely due to the refuse collection vehicle currently relying on existing parking bays being vacant to reverse and manoeuvre. The Head of Engineering Services has stated that he does not consider the problem to be insurmountable and that it may result in existing residents having to change their refuse collection point. As a result a condition will be imposed that requires details of a revised refuse storage location to be submitted prior to the commencement of development.

6.2 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 five new dwellings within the defined settlement of Clitheroe in a location which benefits from walkable access to services and facilities.

6.3 It is further considered that the proposal that is of a scale, design and external appearance that responds positively to the inherent character of the area and that the proposal would not be of detriment to the character and visual amenities area.

6.4 For the reasons outlined above the proposed development is considered to be in accordance with the aims and objectives of the adopted development plan and do not consider that there are any significant 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:

DWG 01: Housing Development Revision B (7th November 2017)

DWG 02: Garages for Housing Development

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 in accordance with Key Statement EN5 and PolicyDMG1 of the Ribble Valley Core Strategy.

4. Notwithstanding the submitted details, prior to their installation, elevational details at a scale of not less than 1:20 of the proposed boundary treatments/fencing, walling and any retaining walls, including their location, shall have been submitted to and approved by the Local Planning Authority. For the avoidance of doubt the submitted details shall also include elevational details and a methodology for all works to existing boundary walls affected by the development. The development shall be carried out in strict accordance with the approved details.

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

5. Notwithstanding the submitted details, 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 in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

6. The windows in the north (front) and side (east) elevations of the development hereby approved (As indicated on DWG 01: Revision B 7<sup>th</sup> November 2017) shall be fitted with obscure glazing (which shall have an obscurity rating of not less than 4 on the Pilkington

glass obscurity rating or equivalent scale) and shall be non-opening, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The windows shall remain in that manner in perpetuity at all times unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect nearby residential amenity and to negate the potential impacts of the development in accordance with Policy DMG1 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 agreed in writing, 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 Policy DMG1 of the Ribble Valley Core Strategy.

8. No development shall commence until details of the dedicated garaging and to which dwelling they will be assigned has been submitted to and agreed in writing by the Local Planning Authority.

The agreed garaging (including allocation to an individual dwelling) shall be implemented and made available for use prior to first occupation of any of the dwellings hereby approved and retained as such in perpetuity thereafter unless otherwise agreed in writing by the Local Planning Authority.

For the avoidance of doubt, the garaging for each individual dwelling shall be kept available for the parking of vehicles ancillary to the enjoyment of the household to which they are allocated and shall not be separated from their respective dwelling by way of sale or sub-letting

REASON: In order that the Local Planning Authority may ensure that adequate dedicated parking provision is provided on site to serve the dwellings hereby approved in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

9. 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 dedicated parking provision is provided on site to serve the dwellings hereby approved in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

10. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until details of the revised siting for the refuse storage area, including precise details of the nature of the storage have been submitted to and agreed in writing by the Local Planning Authority. The agreed refuse storage area/provision shall be constructed and made available for use prior to first occupation of any of the dwellings hereby approved. The refuse storage provision shall be retained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order that the Local Planning Authority may ensure that adequate dedicated refuse storage provision is provided on site to serve the dwellings hereby approved in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

11. The doors serving the garaging hereby approved shall be of a roller shutter or similar construction that allows the door to remain within the confines of the envelope of the garage building when open or opening, the details of which shall have first been submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out in strict accordance with the approved details.

REASON: To ensure the safe operation of the immediate highway is maintained during the operation and use of the garaging in accordance with Policies DMG1 and DMG3 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 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 take account of the recommendations contained with the submitted Bat Survey (Dated 21<sup>st</sup> may 2015) and identify the nature and type of the nesting boxes/artificial roosting sites and the locations(s) or wall and roof elevations into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into the dwellings hereby approved during the construction stage of the development and made available for use prior to first occupation and thereafter retained. The development shall be carried out in strict accordance with the approved details.

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

13. No development shall take place within a phase (pursuant to condition 3 of this consent) until a Construction Method Statement for the relevant phase has been submitted to and approved in writing by the local planning authority. For the avoidance of doubt the submitted statement shall provide details of:

- A. The location and precise siting of parking of vehicles of site operatives and visitors
- B. The location and precise siting for the loading and unloading of plant and materials

- C. The location precise siting of storage of plant and materials used in construction of the development
- D. The locations and precise siting of security hoarding(s)
- E. The location and method of wheel washing facilities to prevent mud and stones/debris being carried onto the Highway and the timings/frequencies of mechanical sweeping of the adjacent roads/highway. For the avoidance of doubt such wheel washing facilities/mechanical sweeping shall remain in place/be undertaken for the full duration of the construction phase of the development
- F. Time period schedules when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- G. The precise details of the highway routes of plant and material deliveries to and from the site.
- H. Details of measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.
- I. The precise days and hours of operation for all construction, site preparation and demolition works.

The methodologies and timings contained within the approved Construction Method Statement shall be strictly adhered to throughout the construction period of the development.

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

14. Prior to the commencement of development, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:
  - (a) A Desk Study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on and off-site contamination and ground gases.
  - (b) If the Desk Study identifies potential contamination and ground gases, a detailed Site Investigation shall be carried out to address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of the risk to receptors as defined under Part IIA of the Environmental Protection Act 1990, focusing primarily on risks to human health and controlled waters. The investigation shall address implications of the health and safety of site workers, of nearby occupied building structures, on services and landscaping schemes and on wider environmental receptors including ecological systems and property. The sampling and analytical strategy shall be submitted to and approved in writing by the LPA prior to the site investigation survey.
  - (c) If the site investigation indicates remediation is necessary, a Remediation Statement detailing the recommendations and remedial measures to be implemented within the site shall be submitted to and approved in writing by the LPA. The remediation shall be carried out in accordance with the agreed statement and on completion of the development/remedial works, the developer shall submit a Verification Report to the LPA for approval in writing that certifies that all works were completed in accordance with the agreed Remediation Statement prior to the first occupation of the development.

REASON: To prevent pollution of ground and surface waters both on and off site and to ensure the site is suitable for its end use in accordance with Policies DMG1, DME3 and DME6 of the Ribble Valley Core Strategy.

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

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

16. 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.

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

REASON: To ensure to ensure that adequate parking provision is retained on site that limits the visual impact of the parked motor-vehicle upon the street scene/area in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

18. 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/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0920](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0920)

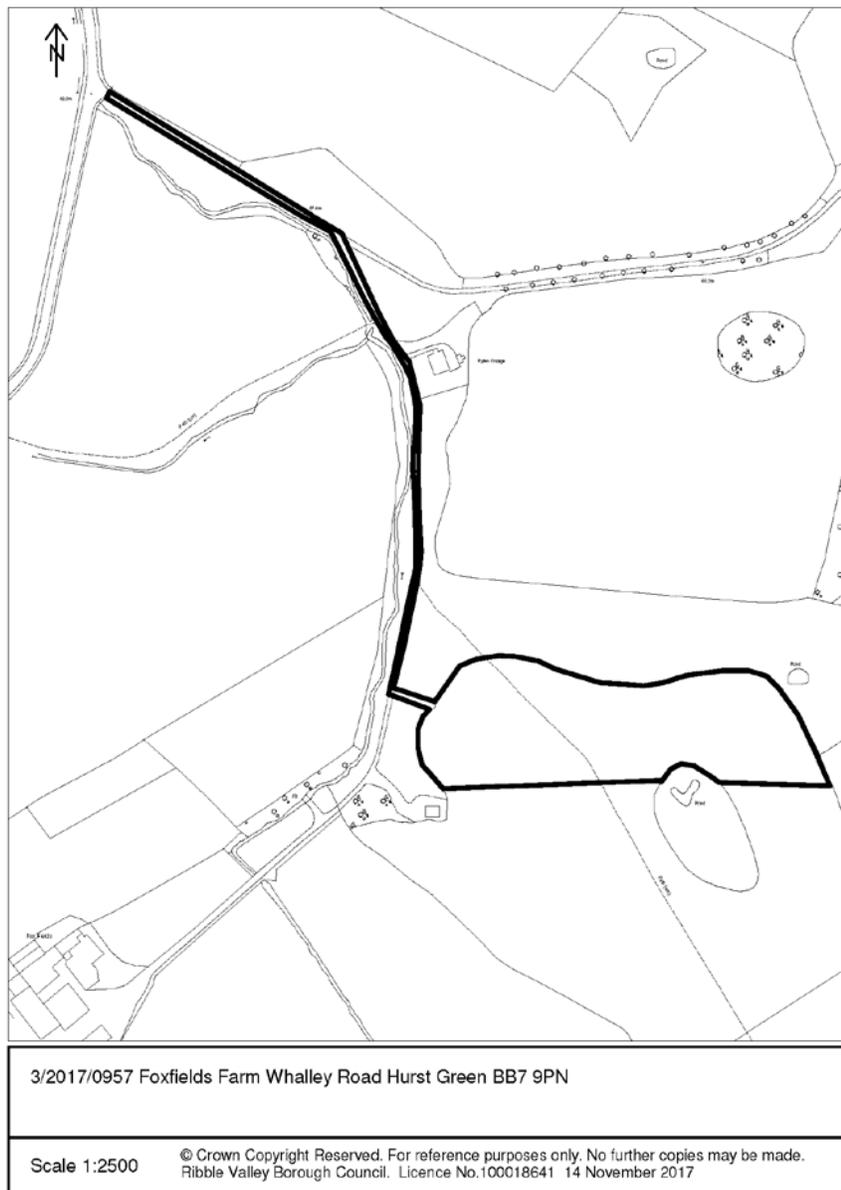
**C APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL**

**APPLICATION REF: 3/2017/0957**

GRID REF: SD 370337 438256

**DEVELOPMENT DESCRIPTION:**

CHANGE OF USE OF AGRICULTURAL LAND TO A CAMPING FACILITY INCLUDING AN AREA FOR TENTS AND THE SITING OF FIVE CAMPING PODS AND A FACILITIES BUILDING WITH ASSOCIATED VEHICULAR ACCESS TRACKS AND PEDESTRIAN TRACKS AT FOXFIELDS FARM, WHALLEY ROAD, HURST GREEN BB7 9PN



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

### **PARISH COUNCIL:**

No objections provided neighbours have been consulted and have no objections.

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

No objection to the proposals in principle. The sight lines at the point where the private drive meets B6243 Whalley road are very good and there is a sufficient passing place on the road at this point. However, the Highways Officer would like confirmation that the standard of the road is continued to the proposed camp site and to that point there is sufficient provision of passing places which should be at intervals of between 70m and 100m along the road with additional passing places where there are bends in the road reducing forward visibility. This provision would be required as the amenity is likely to significantly increase traffic on the access road and such facilities will reduce the need for vehicles to reverse.

### **LEAD LOCAL FLOOD AUTHORITY:**

No objection – development is minor and not high risk.

### **ADDITIONAL REPRESENTATIONS:**

One letter has been received and raises an objection of highway safety grounds. There are also concerns regarding noise and disturbance that would be created by the proposals.

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

- 1.1 Foxfields Farm is located approximately 1.4km north of Brockhall Village, around 2km north-west-west of Calderstones and 1.5km east of Hurst Green. The farm is situated approximately 700m along an access road which joins Whalley Road (B6243) on its eastern side. The access road also serves as a public footpath which continues in a southerly direction past Foxfields Farm and eventually joins a separate footpath that takes an east-west route along the northern bank of the River Ribble. Foxfield Farm extends to about 135 acres and, according to the Planning Statement submitted with the application, is still actively farm by the applicant. The application site is located around 230m to the north-east of the complex of buildings at Foxfields Farm and has a gated access off the access road which serves main complex of buildings.
- 1.2 The site is a sloping field which rises from the south west to the north east and has an area of around 1.38 hectares. The field is bound to the north, east and west by woodland. Beyond the site to the south the land slopes down to the valley of the River Ribble. The site lies within the open countryside.

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

- 2.1 This application seeks retrospective planning consent for the change of use of agricultural land to a camping facility including an area for tents, siting of five camping pods and facilities building including associated vehicular and pedestrian tracks. The camping pods and facilities building would be located close to the northern boundary of the site and would face in a southerly direction. The pods are of timber construction and there are two different sizes of camping pods proposed. There would be two larger pods measuring 4 metres in height and which would have a footprint of 3.8m x 5.4m

approximately. The 3.no smaller pods would have a height of 3.2m and a marginally smaller footprint. All pods would comprise a single room and would be supplied with electricity, but no gas or water. The 2no larger pods would contain a double bed for occupation by two people, whilst the other three would contain two bunk beds for occupation by a family of four. The facilities building would be similar in size and appearance to the smaller pods and would contain male and female toilets and a shower with changing area. Despite the fact that they would not be physically fixed to the ground the structures would remain in situ all year.

- 2.2 The vehicular tracks comprise two wheel tracks with a central grass verge and the pedestrian paths have been shale surfaced. The vehicular track currently enters the site and leads to its centre where it forms a large loop. The pedestrian track branches off from this circular track in an easterly direction to provide access to the pods on foot.
- 2.3 Whilst the application seeks consent for an area to be used for tents, there is no area specifically designed for this use although the Planning Statement notes that they are likely to be situated on higher ground at the eastern end of the site.
- 2.4 Whilst the submitted plans fail to identify a designated area for the parking of cars, the Planning Statement confirms that a parking area would be provided on the lower ground at the western end of the site and would be retained with a grass surface with no formal surfacing or marking out of spaces. The number of car parked at any one time would be dependent on how many pods are occupied and how many tents are pitched.

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

3/2017/0359 - Temporary planning permission (from 24 May 2017 until 24 August 2017) for a canvas marquee structure for three summer events. Withdrawn.

### 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 DME3 -- Site and Species Protection and Conservation

Policy DMB1 – Supporting Business Growth and the Local Economy

Policy DMB3 – Recreation and Tourism Development

#### **Other Material Considerations:**

National Planning Policy Framework (NPPF)

Technical Guidance to the National Planning Policy Framework

Planning Practice Guidance (PPG)

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

- 5.1 The main considerations in determining this application are the principle of the development, the impact of the development on the character and visual appearance of the surrounding area, its effect on the residential amenities of neighbouring occupiers

and its impact on highway safety and ecology. It is noted that no pre-application advice has been sought prior to the submission of this application.

## 5.2 Principle of Development

5.2.1 The Ribble Valley Core Strategy supports developments that contribute to farm diversification, strengthening of the wider rural area and village economies in principle. Core Strategy Key Statement EC3 relates specifically to the visitor economy stating that proposals that contribute to and strengthen the visitor economy of Ribble Valley will be encouraged and that significant new attractions will be supported in circumstances where they will deliver overall improvements to the environment and benefits to local communities and employment opportunities. The planning application does not contain any detail in relation to the commercial viability or benefits of the scheme and whilst this information is not explicitly required by the economic or tourism related policies of the Ribble Valley Core Strategy it would help to establish the level of contribution to the local economy that would arise from the proposals. Notwithstanding this lack of detail, the proposed development would contribute to some degree to the tourism economy and would generally accord with the objectives of Key Statement EC3.

5.2.2 The application site is located in the Open Countryside. Core Strategy Policy DMG2 requires development outside of defined settlement areas to meet at least one of six considerations. It is considered that the proposal is for a small scale tourism development of a type that is appropriate to a rural area and therefore meets criteria 4) of Policy DMG2.

5.2.3 Policy DMB3 relates specifically to recreation and tourism development and generally supports tourism and visitor attractions in the open countryside subject to the meeting six criteria as detailed below. It is clear that whilst the Policy is supportive of tourism development it also seeks to protect the countryside.

1. *The proposal must not conflict with other policies of this plan;*
2. *The proposal must be physically well related to an existing main settlement or village or to an existing group of buildings, except where the proposed facilities are required in conjunction with a particular countryside attraction and there are no suitable existing buildings or developed sites available;*
3. *The development should not undermine the character, quality or visual amenities of the plan area by virtue of its scale, siting, materials or design;*
4. *The proposals should be well related to the existing highway network. It should not generate additional traffic movements of a scale and type likely to cause undue problems or disturbance. Where possible the proposals should be well related to the public transport network;*
5. *The site should be large enough to accommodate the necessary car parking, service areas and appropriate landscaped areas; and*
6. *The proposal must take into account any nature conservation impacts using suitable survey information and where possible seek to incorporate any important existing associations within the development. Failing this then adequate mitigation will be sought.*

5.2.4 These are therefore the detailed considerations that are relevant to this application and that will be discussed under appropriate headings below.

5.2.5 In terms of the sustainability of its location, the application site is a significant distance from a main settlement. The nearest bus stop to the site is located around 700m away and there is a two-hourly bus service between Clitheroe and Longridge. Whilst the sites location is not considered to be highly accessible, the proposals would offer some economic benefits by creating new accommodation in the area and promoting tourism in the Borough which would benefit other local businesses.

### 5.3 Effects Upon the Landscape/Visual Amenity

5.3.1 Core Strategy Policy DMG2 is clear that in considering development proposals “within the open countryside development will be required to be in-keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, the landscaping and siting”. Key Statement EN2 ‘Landscape’ and the supporting text acknowledges that the Borough comprises extensive areas of open countryside much of which has an intrinsic value that contributes to the quality of the landscape in the Borough. Development proposals should not serve to undermine the inherent quality of the landscape and open countryside areas should be protected from inappropriate development which fails to recognise and enhance local distinctiveness, landscape character, the quality of the built fabric, historic patterns and landscape tranquillity.

5.3.2 The development site is located approximately 300m south-east of the Forest of Bowland AONB. The site is contained to the north, east and north-west by dense coniferous woodland. Policy DMB3 ‘Recreation and Tourism Development’ requires development of the sort proposed 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 and there are no suitable existing buildings or developed sites available”. The proposal is not required in conjunction with a particular countryside attraction and therefore this locational requirement applies in this case.

5.3.3 The proposed development is not physically well-related to an existing main settlement or village. The application site is detached from the buildings at Foxfields Farm by a distance of 230m and the pods themselves would be over 300m away. There is an isolated timber building in close proximity to the site which was granted consent to be used as a meeting place for shoots. Whilst the surrounding area is not devoid of buildings and is characterised by scattered clusters of buildings and isolated residential dwellings, the application site is visually detached from any existing group. The wording of Policy DMB3 is explicit with its aim to be to prevent visually isolated development in countryside locations which would undoubtedly result in additional visual harm and the proposals are contrary to criterion 2) of this Policy.

5.3.4 There would be no views of the camping pods afforded to the north, east or north-west aside from glimpses into the site that would be afforded when passing along the access track and public footpath. From the southern and south-western boundary of the site the land falls towards the River Ribble. When viewed from the south and south-west from points along footpaths 3-3-FP 43 and 3-3-FP 41 (which forms part of the Ribble Way along the northern bank of the River Ribble) the pods timber construction fails to diminish the pods prominence in the

landscape when seen against the backdrop of the dense woodland to the north. Whilst it is considered that the timber materials would be expected to weather over time, the Planning Officer does not consider this would substantially reduce the prominence of the camping pods when seen from mid to long-range views from south where the site is elevated above the surrounding land and exposed. The camping pods, with their front gable elevations facing south in an orderly arrangement, are a noticeable and unfamiliar feature.

- 5.3.5 Concerns are exacerbated further by the visual impact of the proposed tent area and parking for the site. Many modern tents can be much larger than the proposed pods and may be more intrusive because of their bright colours and siting in more open parts of the site. The agent has not considered it necessary to identify specific areas for tent pitches or associated parking areas and the information provided with the application in relation to these aspects of the scheme is limited. Tents can be conspicuous features due their visual prominence and there is nothing within the application to indicate the area of land to be designated for tent pitches or the maximum number of tents that could be accommodated. It is also important to note that the proposed development would require a camping and caravan site license to operate. Conditions on the license may require the provision of formal parking areas, the illumination of pedestrian and vehicular tracks and the requirement to provide communal refuse bins which would all contribute to the visual prominence of the development.
- 5.3.6 In relation to the vehicular and pedestrian access tracks that have already been formed, the existing site plan submitted with the application does not appear to accurately reflect the situation at the site. The tracks and hard standing areas that have been made appear untidy and there is a lack of justification for some of the hard standing areas that have been laid. The applicant does not propose to provide a hard surfaced and marked out parking area, however; it was noted on a visit to the site that the ground was soft and there was standing water on parts of the site that would make the site difficult or dangerous to negotiate without a hard surface.
- 5.3.7 The application does not state how many parking spaces would need to be provided. The agent does however estimate that there could be a maximum of 30 cars parked at the site at any one time, with 10-12 cars being an estimated average. With the lack of a designated parking area it is plausible that campers/visitors could park their vehicles next to their tent or close to their pod on parts of the site that are most visible.
- 5.3.8 When considered cumulatively the proposals would result in an adverse visual impact that would erode the character and aesthetics of this rural area. The combined visual prominence of the camping pods, tents, vehicles and associated paraphernalia would be severely detrimental to the appearance and character of the landscape contrary to Core Strategy Key Statement EN2 and Policies DMG1, DMG2 and DMB3.

#### 5.4 Impact on Residential Amenity

- 5.4.1 In terms of its impact on the residential amenity of nearby residents, the nearest residential property would be located at a distance of around 200m from the development site. This distance, which is intersected by dense woodland, would be sufficient to ensure there would be no disturbance of residents. It is noted that

the access track which serves Foxfields Farm, and which would also serve the proposed development, passes a residence to the north. However, it is not considered that the character and volume of traffic created by the proposed development would have any undue impact on residential amenity.

## 5.5 Effects Upon Wildlife/Ecology

5.5.1 In terms of its impact on local wildlife and ecology, the plant species recorded at the site are all common in the local area and are considered of low ecological value. A low number of common bat species were recorded foraging over the site and it is likely that birds would utilise the adjacent woodland for nesting between March and September. It is not considered there would be significant degradation of foraging habitat as a result of the proposal so long as the woodland is retained and lighting onto the site boundaries is restricted. Appropriate mitigation measures are proposed as recommended by the Ecological Appraisal submitted with the application to ensure that there would be an enhancement of biodiversity in accordance with Core Strategy Policy DME3. This would include new roost provision for bats which could be incorporated into buildings or bat boxes could be erected on trees.

## 5.6 Highways Safety

5.6.1 Policy DMB3 requires recreation and leisure developments to be well related to the existing highway network. The application site would be predominantly served by classified roads. The scale and type of development would not result in a significant increase in traffic movement to produce any undue problems or disturbance. The County Highways Surveyor has raised no objections on highway safety grounds aside from assurances that the access track leading to the site is finished to an appropriate standard and that there are regular passing places along the track.

## 5.7 Other Considerations

5.7.1 The planning agent is of the opinion that there is no requirement for additional landscaping/screen planting at the site but has requested that the Council provides an opportunity to address any concerns if a need for further natural screening is deemed necessary.

5.7.2 The introduction of substantial landscape planting to screen proposals that are deemed inappropriate in the open countryside should not be used as a reason to approve inappropriate development. The fact that a development would not be readily seen is not a reason to allow a harmful development because it could be repeated too often. This is a proposition that if accepted and repeated would seriously devalue the Council's rural protection policies. Nonetheless, it is considered that the development proposed in this case would be incapable of being completely screened due to the nature and intensity of the use and landscaping would not sufficiently reduce the visual and landscape harm.

## 6. Conclusion

6.1 Key Statement DS2 requires the Council to reflect the presumption in favour of development contained in the National Planning Policy Framework (NPPF). There are three dimensions to sustainable development: economic, social and environmental.

- 6.2 In terms of its economic benefit to the rural area, the proposals are likely to generate some additional business for the nearest public houses, restaurants and shops as visitors would spend some time in the local area. In terms of its impact on the social dimension of sustainability, the proposals would expand the range of visitor accommodation in the Borough, supporting the intentions of Core Strategy Key Statement EC1 and EC3.
- 6.3 As discussed above, the proposals would result in an unacceptable level of harm to the appearance and character of the surrounding landscape. The siting, form and design of the camping pods and the provision of camping and parking areas would result in a development that would be incompatible with this rural area giving rise to an incongruous and unsympathetic landscape feature and the proposals would be seen from surrounding public footpaths and public viewpoints. In this case, significant weight is apportioned to the harm to the surrounding landscape that would arise from the development proposal which would outweigh any benefit to the rural economy.
- 6.4 The proposed development would have a harmful impact upon the existing visual qualities of the open countryside. The proposal is therefore contrary to Core Strategy Key Statement EN2 and Policies DMG1, DMG2 and DMB3.

**RECOMMENDATION:** That the application be REFUSED for the followings reasons:

1. The proposed development, by virtue of its siting, layout, form and design, would form a prominent and incongruous feature that would appear isolated in the landscape and would be detrimental to the appearance and character of the Open Countryside. As such, the proposed development would be contrary to Core Strategy Key Statement EN2 and Policies DMG1, DMG2 and DMB3.

#### BACKGROUND PAPERS

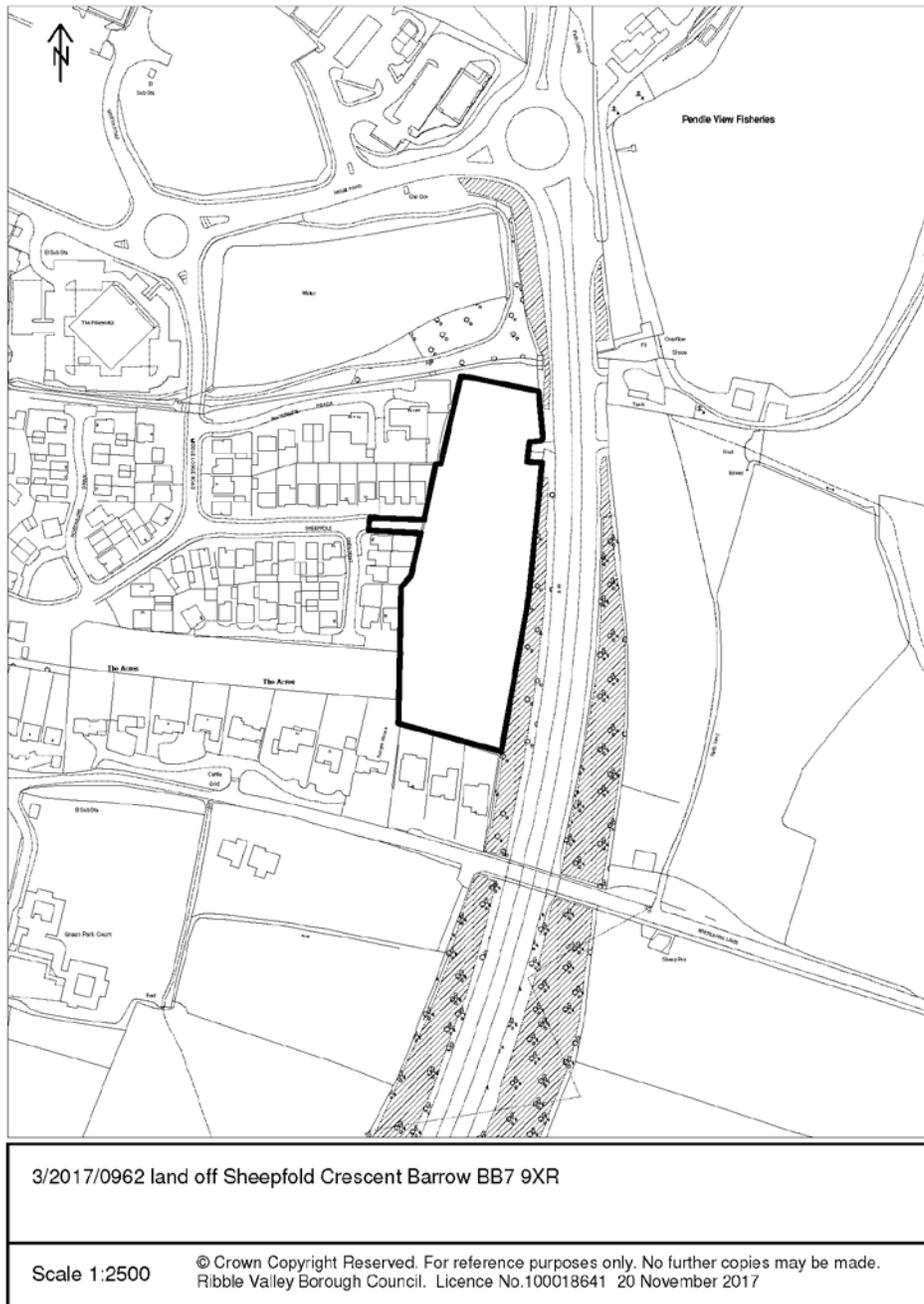
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0957](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0957)

**APPLICATION REF: 3/2017/0962**

GRID REF: SD 374154 438021

**DEVELOPMENT DESCRIPTION:**

APPLICATION FOR OUTLINE CONSENT FOR 20 BUNGALOWS FOR THE ELDERLY (6 DETACHED TWO-BED AND 14 SEMI-DETACHED ONE-BED) AND 9 AFFORDABLE, TWO-BED APARTMENTS WITH ASSOCIATED ROADS, ANCILLARY WORKS LANDSCAPING AND ACCESS. LAND OFF SHEEPFOLD CRESCENT, BARROW BB7 9XR



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

### **PARISH COUNCIL:**

Barrow Parish Council wishes to object to the application on the following grounds:

- The Ribble Valley Core Strategy has stated that there is zero residual need for additional housing in Barrow. There is already a five-year housing supply in relation to NPPF para 49 and allowing an additional 29 dwellings in Barrow is not sustainable and is contrary to the terms of the approved Core Strategy Key Statement DS1.
- The proposed site lies in open countryside, outside the settlement boundary of Barrow, as stated in the 1998 District Wide Local Plan (DWLP) boundary and the new Development Plan Document which forms part of the Core Strategy's Housing and Economic Development Plan. The Parish Council understands that the latter document has passed the consultation stages and is currently under inspection and therefore carries a lot of weight. This planning application is contrary to Core Strategy Policy DMH3 and Ribble Valley Borough Council should reject this application as it has for other planning applications outside the settlement boundary in Barrow.
- Granting consent to the proposed development would create a harmful precedent for the acceptance of other similar unjustified proposals and would damage the implementation of Ribble Valley Borough Council's planning policies under the Core Strategy and NPPF.
- Any limited social and economic benefits arising from the development would fail to outweigh the harm to the Core Strategy. There are very few facilities and services in Barrow and public transport links to the proposed site are some distance away, particularly for the elderly with mobility problems. Adding more houses in Barrow would put a strain on the village's infrastructure that is already struggling to cope with the increased population and housing growth in recent years.
- Traffic leaving the proposed site through the Barrow Brook Enterprise Park would increase the amount of congestion that exists at the McDonald's roundabout on the A59. There are already significant waiting times at this junction but we have been advised that Lancashire County Council will not take any action to improve safety and traffic flow until there has been a serious accident.
- Whilst the Parish Council understands that there is a need for elderly housing in the borough, it believes that the proposed site is not suitable. The Core Strategy does not define the type of housing required for the elderly so this application cannot be viewed as satisfying a requirement. Also, Ribble Valley Borough Council recently gave consent to amendments on the adjacent Bloor Homes development to reduce the number of bungalows and reduce the percentage of social housing so fulfilling a requirement on this adjacent site cannot be given priority.
- The application form states that foul water sewage and surface water disposal are 'unknown'. Barrow experienced incidents of flooding in 2015 and the Parish Council objects to the loss of yet more green fields and the impact this will have on the whole village. The development's impact on the flood risk must be carefully considered and the Lead Flood Team at LCC must be consulted.

- The application form states that the development is not within 20m of a watercourse. This is incorrect as Barrow Brook and Barrow Lodge are nearby.
- The application form states that the site cannot be seen from a public road. This is incorrect as the proposed development would be visible from the A59, the bridge over the A59 on Whiteacre Lane and by residents of the Bloor Homes Estate.
- Pendle Fisheries is mentioned in the Ecological Survey but there is no mention of Barrow Lodge which is adjacent to the proposed site and feeds Barrow Brook.

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

No response received in respect of the application.

#### **LOCAL LEAD FLOOD AUTHORITY (LLFA)**

No response received in respect of the application.

#### **UNITED UTILITIES:**

United Utilities have no objection to the proposal subject to the imposition of conditions relating to foul and surface water drainage.

#### **LCC CONTRIBUTIONS:**

No response received in respect of the application

#### **ADDITIONAL REPRESENTATIONS:**

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

- Increase in traffic in the area
- Noise from the A59 will be of detriment to residents of the development
- Lack of parking
- Barrow is at capacity
- Insufficient infrastructure in the area
- The proposal is contrary to the adopted Core Strategy
- There is no residual housing need in Barrow
- Incorrect information submitted as part of the application
- Impacts upon wildlife
- Increased pollution
- Detriment to residential amenity
- Entrance to the site adjacent existing habitable room windows

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

- 1.1 The application relates to a greenfield area of land 1.075 Hectares in size. The site is located to the eastern extents of an existing housing development (Pendle Hill View). The site is located within the defined open countryside, outside but directly adjacent the settlement boundary of Barrow as defined within the Regulation 22 Draft Proposals Map.

- 1.2 The site is bounded to the north by an area of open land associated with the Barrow Brook attenuation pond with the site being bounded to the east by a graded highways verge which fronts the A59. Located to the south of the site is numbers 15-19 Whitacre Lane.
- 1.3 The site is bounded to the west for the most part by Pendle Hill View with an area of woodland and usable open space for the adjacent development bounding the south western extents of the site.

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

- 2.1 Outline consent (Matters of access) is sought for the erection of 20 open market bungalows for the 'elderly' and 9 affordable two-bedroom apartments with associated roads, ancillary works and landscaping.
- 2.2 The submitted indicative layout proposes that primary the vehicular and pedestrian access to the site will adjoin and be provided off of Sheepfold Crescent to the west. The proposed layout branches both north and south off the primary access with the southern extent of the site accommodating two cul-de-sac arrangements and the northern extents of the site accommodating a proposed apartment block and associated parking court.
- 2.3 The submitted details propose that 30% of the housing to be provided on site will be affordable in accordance with Policy H3 of the adopted Core Strategy and that this will be brought forward in the form of 9 x 2 bedroom apartments.
- 2.4 The open market element will be brought forward in the form of bungalows with a housing mix of 14 x 1 bedroom and 6 x 2 bedroom units. The applicant has indicated that whilst these bungalows are to be for open market sale, it is proposed that the occupancy of the bungalow units will be controlled through an age restriction limiting occupation to those over 55 years of age.

## 3. **Relevant Planning History**

The site to which the application relates has no notable planning history that is relevant to the determination of the application. However the adjacent land to the west benefits from a number of planning consents related to the Pendle Hill View housing development.

## 4. **Relevant Policies**

### **Ribble Valley Core Strategy**

Key Statement DS1 – Development Strategy  
Key Statement DS2 – Presumption in Favour of Sustainable Development  
Key Statement EN3 – Sustainable Development and Climate Change  
Key Statement EN4 – Biodiversity and Geodiversity  
Key Statement DMI2 – Transport Considerations

Policy DMB4 – Open Space Provision  
Policy DMB5 – Footpaths and Bridleways  
Policy DME1 – Protecting Trees and Woodland  
Policy DME2 – landscape and Townscape Protection  
Policy DME3 – Site and Species Protection and Conservation

Policy DME6 – Water Management  
Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport and Mobility  
Policy DMH1 – Affordable Housing Criteria  
Policy DMH3 – Dwellings in the Open Countryside

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

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

### 5.1 Principle of Development:

5.1.1 The application site is located outside but directly adjacent the Defined Settlement Boundary for Barrow. A fundamental component of Key Statement DS1 is to guide the majority of new housing development towards the principal settlements within the Borough and in addition to these locations development will be focused towards the Tier 1 settlements, one of which being Barrow.

5.1.2 The latest formal published housing monitoring position (April 2017) concludes that the Local Authority currently benefits from a 5.73 year supply of housing. In relation to residual housing need for the settlement of Barrow, the adopted Core Strategy determines that there is currently no outstanding residual housing need for the settlement. Taking account of consents granted within and adjacent the settlement boundary of Barrow it is clear that the housing need, in terms of numbers, has been both met and significantly exceeded.

5.1.3 Turning to other locational matters, the proposal site lies outside the settlement boundary in an area currently defined as open countryside. Policy DMG2 (Strategic Considerations) states that 'outside of the defined settlement areas development must meet at least one of the following considerations:

1. The development should be essential to the local economy or social well-being of the area
2. The development is needed for the purposes of forestry or agriculture
3. The development is for local needs housing which meets and identified needs and is secured as such
4. The development is for small scale tourism or recreational developments appropriate to a rural area
5. The development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated
6. The development is compatible with the enterprise zone designation.

Therefore in terms of this proposal, residential development in this location would only be acceptable in principle if it sought to meet an 'identified local need'.

5.1.4 Whilst it is accepted that an element of the proposal seeks to meet identified affordable need within the Borough, the remainder of the proposal is for open market sale. The applicant has proposed that out of the 29 units proposed, 20 will be for open market sale, albeit with an occupancy restriction relating to age.

- 5.1.5 Whilst the applicant seeks to justify the proposal through the provision of open market housing for a specific demographic group (over 55's), the Local Authority can also demonstrate an equatable if not greater need for housing for those under 55, particularly younger demographic groups. The proposed demographic restriction of the occupancy of these open market dwellings does not and would not allow for such a proposal to be held in a higher regard than other open market housing in this location solely by virtue of occupancy restriction, nor should it be considered as an exception to the criterion of Policy DMG2. The fundamental matter remains that the majority of the housing will be for open market sale and is therefore in direct conflict with the requirements of DMG2.
- 5.1.6 The applicant themselves recognise that the application site *'if developed for market housing, would be considered to be contrary to the provision of the development plan'*. The applicant further considers that as the proposal seeks to meet an identified priority need of elderly bungalow provision, that it should be treated as an exception to Policy DMG2, adding that the benefits of the development being brought forward would outweigh any harm and as such would outweigh the clear conflicts with the housing policies of the adopted Development Plan.
- 5.1.7 In respect of the above matters the Councils planning Policy Section have offered the following additional observations:

*The proposed development is situated adjacent to the Settlement Boundary for Barrow (a Tier 1 Settlement as designated within the adopted Core Strategy). Policy DS1 (Development Strategy) states that in addition to the strategic site at Standen and the borough's principal settlements, development will be focused towards the Tier 1 villages, which are the more sustainable of the 32 defined settlements. However, this site lies outside the settlement boundary and Policy DMG2 (Strategic Considerations) requires that outside of the defined settlement areas development must meet at least one of the policies embodied criteria and in terms of this proposal, residential development in this location would only be acceptable in principle if it meets an 'identified local need'.*

*The issue of Identified Local Need*

*The Planning Policy Statement submitted by the application states that the development proposed is for elderly person bungalows, with the reason being stated that there is an unmet demand and need for such accommodation type in the area that is not being met by the Council's development strategy. They state that the elderly person bungalows will be marketed first for local people and only after that be offered for general sale if they do not sell locally.*

*The Council do not currently hold any information which suggests or identifies a 'need' for housing solely for those aged 55 and over. It is my understanding that the information that is held by the Council is taken from the affordable housing waiting lists for the area, which provides an up to date picture of need in this location. The households registered have identified a need for affordable older persons housing only.*

*Whilst an Elderly Housing Needs Assessment (EHNA) produced by Pinders has been submitted by the applicant with the planning application, an analysis of the information contained within this needs to be undertaken. The assessment*

*provides information on the number of elderly persons likely to require care (whether minimal through to high needs). It seeks to assess the current and future demand for care services for the elderly, both within the specified catchment area surrounding the subject area and in the wider administrative area. I would suggest contacting the Housing Strategy Officer for further clarification on whether the level of 'need' set out in the EHNA is accepted by the Council. In addition I would also seek clarification on the catchment areas used in the report in terms of the suitability of using data from these areas to assess 'local' need, as it appears that some data is taken from locations outside the borough boundary. Following consultation with the Housing Strategy Officer if it is considered that the proposals do not meet an identified local need then the proposals will not comply with policy DS1 and DMG2 of the Core Strategy.*

*Policy H2: Housing Balance of the Core Strategy states that "planning permissions will only be granted for residential development providing it can be demonstrated that it delivers a suitable mix of housing that accords with the projected future household requirements and local needs across the Ribble Valley as a whole, as evidenced by the Strategic Housing Market Assessment (SHMA)". It states that the "determination of planning applications for residential development will be informed by the most recent Housing Needs Surveys, Addressing Housing Needs Statement and the most recently adopted SHMA, to identify the type, tenure and size of residential dwellings, required at different locations throughout the borough as well as reference to relevant housing market information as appropriate". The Housing Strategy team undertakes and holds information on the Housing Needs Surveys. As previously discussed this section would need to confirm if the proposals comply with the identified need to determine if they are in accordance with Policy H2 of the adopted Core Strategy.*

#### Affordable provision

*Policy H3: Affordable Housing of the Core Strategy states that in this location "on developments of 5 or more dwellings (or sites of 0.2ha or more irrespective of the number of dwellings) the council will require 30% affordable units on the site. The Council will only consider a reduction in this level of provision, to a minimum of 20% only where supporting evidence, including viability appraisal fully justifies a lower level of provision to the Council's satisfaction".*

*"Providing housing for older people is a priority for the Council within the Housing Strategy. Within the negotiations for housing developments, 15% of the units will be sought to provide for older people on sites of 10 units or more. Within this 15% figure a minimum of 50% would be affordable and be included within the overall affordable housing threshold of 30%. The remaining 50% (i.e. the remaining 50% of the 15% older people's element) will be for market housing for older people".*

*As the proposals are for 9 of the units to be for affordable housing, policy H3 of the Core Strategy has been satisfied.*

#### Conclusion

*In conclusion therefore it will be necessary to seek clarification from the Strategic Housing team on the issues raised above. To re-cap, if Officers from this team consider that the elderly provision proposed in the application does meet a*

*recognised local identified need by the Council then the type of development being proposed will be acceptable in terms of policy DS1 and DMG2. However, moving beyond this, consideration will still need to be given to the proposed location of the development in so much that it is located outside of a settlement boundary of a Tier 1 settlement where the housing need (in numbers terms) has been met and significantly exceeded. Whilst it cannot be argued that the settlement of Barrow is a sustainable location for development (in terms of access to services and facilities etc.), the quantum proposed is of such a level that, in addition to the existing and permitted housing development in this settlement, it is considered over intensive, and contrary to the adopted Development Plan. Also, to reiterate, the site is also located outside of the Barrow Settlement Boundary, within the Open Countryside.*

- 5.1.8 Clarification has been sought from the Strategic Housing Team in respect of the issue of identified need. Whilst it has been identified that accommodation for the over 55's, particularly in the form of bungalows, is a priority within the Borough, other such parallel and equal housing priorities similarly exist. Meeting such priorities or perceived 'need' does not automatically ensure that such a proposal will be treated as an exception to the overall aims and objectives of the Development Plan in relation to housing, particularly the overarching Development Strategy and its embodied aims and objectives in relation to the location of housing.
- 5.1.9 Further to this, the Local Authority's Strategic Housing Officer has raised fundamental concerns in relation to the location of the site and its inability to provide walkable access to a full range of services and facilities, particularly given the proposed demographic of the majority of the occupiers of the development.
- 5.1.10 It is therefore considered that the proposal is in direct conflict with Key Statements DS1, DS2 and Policies DMG2 and DMH3 of the Ribble Valley Core Strategy in that it would lead to the creation of a new open market residential dwellings in the defined open countryside, located outside of a defined settlement boundary, without sufficient or adequate justification.

## 5.2 Impact upon Residential Amenity:

- 5.2.1 As the application is made in outline with matters of layout and appearance being reserved for consideration at a later date no definitive assessment can be made in respect of the potential impacts upon residential amenity resultant from the proposal. Notwithstanding this matter the Local Planning Authority consider it is appropriate to give due consideration to potential conflicts or issues that may arise as a result of the indicative layout proposed.
- 5.2.2 The proposal site is bounded to the west by a recently constructed housing development with the proposal having a direct interface with an existing cul-de-sac, Sheepfold Crescent. The location of the proposed vehicular access is off a small portion of road that currently accommodates a terrace of three bungalows which will directly front the access, with another bungalow to the south being orientated 90 degrees to the access point.
- 5.2.3 In relation to the orientation and layout of the proposed dwellings, those that are located adjacent the site to the west for the most part adopt a layout that acts as

a continuation of existing building lines, with the proposed bungalows being orientated parallel to their neighbouring counterparts. As such it is unlikely that such an arrangement is likely to be of detriment to existing or future residential amenity.

5.2.4 The indicative orientation and siting of Plot 06 results in a side to rear elevation relationship with numbers 23 and 25 Sheepfold Crescent resulting in an indicative offset distance of 17m measured from the principal rear elevation of the existing dwelling (at its closest point) to a garage located on the west elevation of Plot 06. This distance is in excess of what the authority would normally seek to achieve in such situations and consider the distance proposed to be adequate to protect the residential amenities of both existing and future occupiers.

5.2.5 It is proposed that the northern extents of the site will accommodate a block of 9 x 2 bedroom apartments, no details have been provided in respect of the anticipated scale or height of the aforementioned apartments other than reference to it being potentially three-storey in height within the submitted Planning Policy Statement. Notwithstanding this matter the indicative layout proposes an offset distance of approximately 25 from existing apartments located to the west. Provided the scale of the proposed apartment block is commensurate with the scale of its neighbouring counterpart and primary habitable windows were orientated to take account of potential direct overlooking, it is not considered that the proposal would be of significant detriment to existing or future residential amenity.

### 5.3 Highway Safety and Accessibility:

5.3.1 At the time of writing this report no observations have been received from the Highways development Control Section. Should observations be received prior to the Planning and Development Committee meeting such matters will be reported verbally to members.

### 5.4 Landscape/Ecology:

5.4.1 The applicant has submitted a Phase 1 Habitat Survey in support of the application. The report finds that the site is largely composed of single semi-improved poor grassland that shows signs of having been poorly managed, this is evidenced through a build-up of thatch and some developing rankness.

5.4.2 The report concludes that the development will only directly affect semi-improved grassland, tall ruderal herb, a single hedgerow and a small number of self-seeded sapling trees. It is considered that the proposal contains sufficient landscape margins to accommodate adequate mitigation and enhancement which could be secured are the relevant detailed reserved matters stage.

5.4.3 The report further notes that any hedgerow removal must be undertaken outside of the breeding season do avoid any direct impact upon nesting birds and that any loss of habitat could be compensated for by the provision of new tree/shrub planting of an appropriate species. The report has further identified that an Ash tree on site (T3) may have bat roosting potential and that further surveys may be required should any works proposed at the detailed reserved matters stages directly affect the tree.

## 5.5 Affordable Housing Provision:

5.5.1 The applicant has submitted a commitment to meet the Core Strategy requirements in relation to overall housing mix and affordable housing provision on site. It is proposed 30% of the proposed dwellings will be for affordable housing provision. Key Statement H3 requires that 15% of the overall number of dwellings on site will be for occupation by those over 55 years of age with half of this provision being provided within the affordable provision and the remaining being provided on an open market basis.

5.5.2 The proposal significantly exceeds the 7.5% open market requirement for over 55 accommodation however no details have been provided in respect of the remaining 7.5% which should be provided on an affordable basis.

## 5.6 Flood Risk and Drainage:

5.6.1 At the time of writing this report no observations have been received from the Lead Local Flood Authority. United Utilities have raised no objection to the proposal subject to the imposition of conditions relating to foul and surface water drainage.

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

6.1 For the reasons outlined above the proposed development is considered to be in direct conflict with the adopted Development Plan insofar that approval would lead to the creation of open market dwellings, in the defined open countryside, in a location that does not benefit from walkable access to a full range of services and facilities perpetuating an already unsustainable pattern of development.

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

1. The proposal is considered contrary to Key Statements DS1, DS2 and Policies DMG2 and DMH3 of the Ribble Valley Core Strategy in that the approval would lead to the creation of a new residential dwellings in the defined open countryside, located outside of a defined settlement boundary, without sufficient or adequate justification which would cause harm to the development strategy for the borough.
2. The proposal is consider to be contrary to Key Statement DS1 and DS2 and Policy DMG2 of the Ribble Valley Core Strategy in that the proposal would contribute to a level of development that already significantly exceeds the anticipated level of housing development embodied within the Ribble Valley Core Strategy in terms of the planned residual need for the settlement of Barrow. It is further considered that the level of over-supply of housing, as a result of the proposed development would undermine the Development Strategy for the Borough which seeks to critically establish both the pattern and intended scale of development in relation to housing numbers in order to achieve a sustainable pattern of development across the Borough for the duration of the plan period.

## BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0962](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0962)

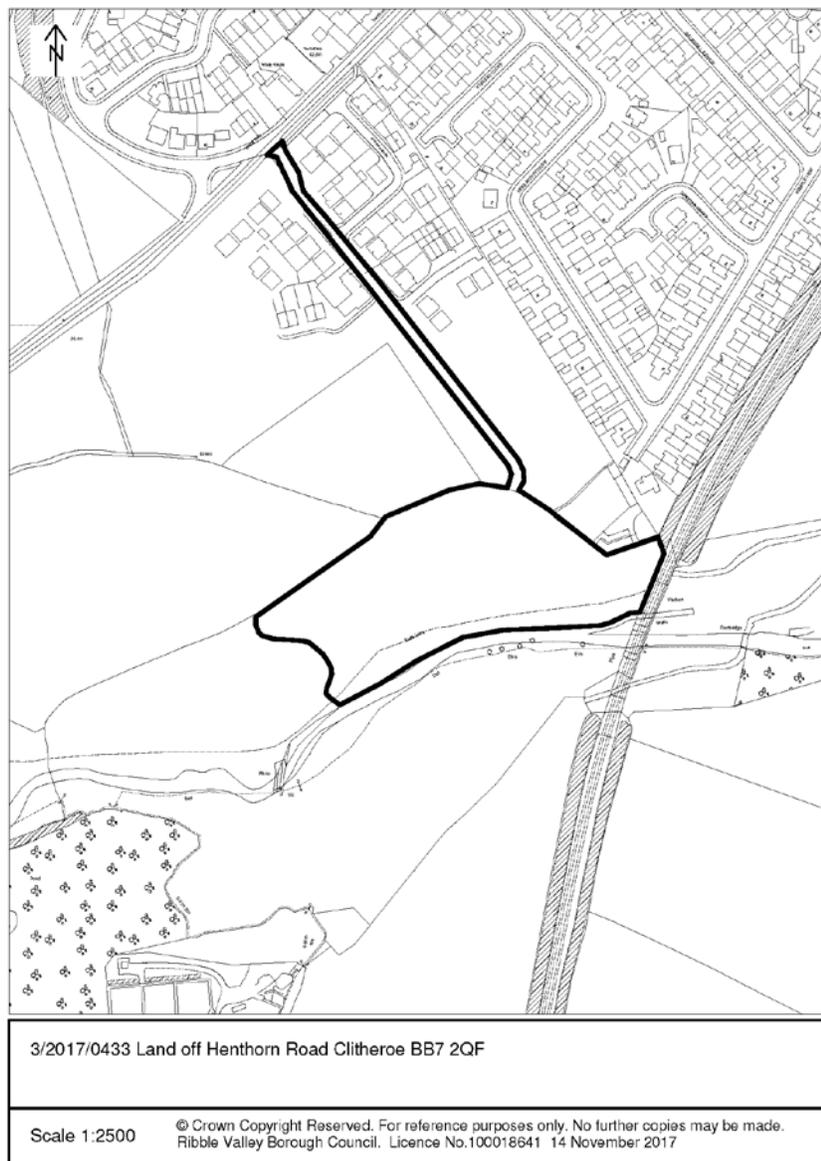
**D APPLICATIONS ON WHICH COMMITTEE 'DEFER' THEIR APPROVAL SUBJECT TO WORK 'DELEGATED' TO THE DIRECTOR OF COMMUNITY SERVICES BEING SATISFACTORILY COMPLETED**

**APPLICATION REF: 3/2017/0433**

GRID REF: SD 373290 440609

**DEVELOPMENT DESCRIPTION:**

APPLICATION FOR OUTLINE PLANNING PERMISSION FOR UP TO 24 NEW DWELLINGS AND ASSOCIATED INFRASTRUCTURE ON LAND BEHIND 115 KEMPLE VIEW, CLITHEROE INCLUDING ACCESS VIA HENTHORN ROAD. LAND OFF HENTHORN ROAD, CLITHEROE BB7 2QF.



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

### **PARISH COUNCIL:**

Clitheroe Town Council wishes to object to the application on the following grounds:

There are queries regarding the traffic assessment undertaken as it is believed that the applicant's traffic assessment is flawed in assuming that the site is sustainable. Para 2.1.1 claims that the site is approximately 1 km to the town centre; it is 1.5 km from the site entrance to the junction of Parson Lane and Station Road, which could reasonably be described as the outer edge of the town centre, a 50% difference.

The transport assessment for planning application 3/2012/1092 by the same applicant to the adjoining half developed site admitted in its traffic assessment in para 6.10.12 that, in the peak pm hour, that the Henthorn Road/Thorn St/Eshton Terrace junction will operate in excess of its capacity. The Town Council believes the application should be refused on these grounds alone.

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

The Highways Development Control Section has raised no objection to the proposal subject to the imposition of conditions but have offered a number of observations which are best summarised as follows:

- The additional 24 dwellings will result in the junction with the existing development and Henthorn Road experiencing 18.5% more traffic than originally anticipated.
- The additional 24 dwellings will not have a significant impact upon the adjacent or immediate highway network, however should further development come forward it may be considered that Henthorn Road may reach capacity in its ability to handle further vehicular movements.
- The Highways section will require a footway around all estate roads, this will be discussed at the relevant detailed reserved matters stage.
- A financial contribution (to be agreed) will be required to cover contributions towards supplementary road safety measures and factors to increase the sustainability of the site.

### **ENVIRONMENT AGENCY**

The Environment Agency has no objection in principle to the proposed development subject to the inclusion of a condition which requires that the development to be carried out in accordance with the submitted Flood Risk Assessment (FRA) 3886/FRA/Final/v1.0/2017-07-27 and the following mitigation measures detailed within the FRA:

- All development to be located in Flood Zone 1.
- Finished floor levels are set no lower than 0.15 m above existing ground level.
- An 8 m undeveloped buffer strip will be provided from the top of bank of Pendleton Brook. No development, such as new dwellings, private gardens and fences, will be located within this 8 m easement.

### **LOCAL LEAD FLOOD AUTHORITY (LLFA)**

Following the submission of revised information the Local Lead Flood Authority have withdrawn their objection to the proposal subject to the imposition of conditions relating to surface water

drainage and the requirement to submit a Surface Water Lifetime Management and Maintenance Plan.

### **UNITED UTILITIES:**

United Utilities have no objection to the proposal subject to the imposition of conditions relating to foul and surface water drainage.

### **LCC CONTRIBUTIONS:**

Based upon the latest assessment, taking into account all approved applications, LCC will be seeking a contribution for 4 secondary school places. However, LCC will not be seeking a contribution for primary school places.

Calculated at the current rates, this would result in a claim of:  
Secondary places:

$(£18,469 \times 0.97) \times \text{BCIS All-in Tender Price } (287 / 240) \text{ (Q1-2017/Q4-2008)}$   
= £21,423.27 per place  
£21,423.27 x 4 places = £85,693.08

Members will note that given the application is made in outline, LCC have assessed the viability of this development by assuming the dwellings are all 4 bedroom houses. Should this not be the case a reassessment will be required once accurate bedroom information becomes available. This could result in a reduced pupil yield dependant on dwelling size. The methodology for calculation will be enshrined within the S106 Agreement for the site with a recalculation made following the approval of Reserved Matters when accurate bedroom information becomes available.

### **NETWORK RAIL**

No representations received in respect of the application.

### **ADDITIONAL REPRESENTATIONS:**

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

- Impacts upon wildlife
- Increase in traffic on Henthorn Road
- Impact upon trees
- Change in character of the Public Right of Way
- Flooding and drainage of existing land
- Ewer outlet in close proximity to the site
- The highways network in the area is at capacity

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

- 1.1 The application relates to a greenfield area of land 1.37 Hectares in size. The site is located adjacent the south western extents of Kemple View. The site is located within the defined open countryside, outside but directly adjacent the settlement boundary of Clitheroe as defined within the Regulation 22 Draft Proposals Map.

- 1.2 The site is bounded to the north by an existing development that is currently under construction with the site being bounded to the north east by land that currently accommodates stables and a paddock area. Members will note that the aforementioned land also benefits from an extant consent for the erection of 3 dwellings. Located to the south of the site is Pendleton Brook, with the Clitheroe Railway Viaduct being located to the southeast.
- 1.3 The southern portion of the application site includes the Public Right of Way Footpath 17. The topographic characteristics of the site are typified by a slight decrease in levels towards the western and southern extents. A Number of trees line the northern boundary of the site with the remainder of the land being classed as semi-improved grassland.

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

- 2.1 Outline consent (Matters of access) is sought for the erection of 24 (reduced from 25) dwellings and associated infrastructure on land to rear of 115 Kemple View, Clitheroe. The submitted details propose that the primary vehicular and pedestrian access to the site will be via the adjacent housing development to the north which is currently under construction (Application Ref: 3/2015/0446).
- 2.2 The submitted indicative layout proposes that the vehicular and pedestrian access to the site will adjoin the southern extents of the highway associated with the development to the north forming an extension to it. The proposed layout branches both east and west off the primary access forming two cul-de-sac arrangements that accommodate private drive areas and a residents parking court.
- 2.3 Two points of pedestrian connection to the adjacent Public Right of Way are also provided, one being within the main body of the development to the east and the other at the western extents adjacent a proposed attenuation pond and area of informal public open space.
- 2.4 The submitted details propose that 30% of the housing to be provided on site will be affordable in accordance with Policy H3 of the adopted Core Strategy.

## 3. **Relevant Planning History**

### **3/2013/0711 (Adjacent Site)**

Outline application for residential development of up to 140 units with primary access off Henthorn Road with all other matters reserved. (Approved)

### **3/2014/0461 (Adjacent Site)**

Outline application for three dwellings, access and parking. (Approved)

### **3/2015/0097 (Adjacent Site)**

Discharge of condition 4 (Phasing Plan) and 8 (Design Code) of planning consent 3/2013/0711. (Approved)

### **3/2015/0446 (Adjacent Site)**

Reserved matters for residential development of 130 dwellings, including associated infrastructure, open space provision and landscaping. (Approved)

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

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

Key Statement DS1 – Development Strategy  
Key Statement DS2 – Presumption in Favour of Sustainable Development  
Key Statement EN3 – Sustainable Development and Climate Change  
Key Statement EN4 – Biodiversity and Geodiversity  
Key Statement DMI2 – Transport Considerations

Policy DMB4 – Open Space Provision  
Policy DMB5 – Footpaths and Bridleways  
Policy DME1 – Protecting Trees and Woodland  
Policy DME2 – landscape and Townscape Protection  
Policy DME3 – Site and Species Protection and Conservation  
Policy DME6 – Water Management  
Policy DMG1 – General Considerations  
Policy DMG2 – Strategic Considerations  
Policy DMG3 – Transport and Mobility  
Policy DMH1 – Affordable Housing Criteria  
Policy DMH3 – Dwellings in the Open Countryside

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

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

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

5.1.1 The application site is located outside but directly adjacent the 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 locational requirements 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 settlement of Clitheroe, at the time of writing this report, having been exceeded by 60 dwellings. Furthermore, applications totalling a further 96 units within Clitheroe were deferred and delegated for approval (subject to the signing of appropriate legal agreements) at the Planning and Development Committee meeting of the 26th of October.

- 5.1.4 Notwithstanding this matter, 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.
- 5.1.5 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, 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.
- 5.1.6 However, it is imperative to note that this document is currently at consultation stage and as such 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 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.'
- 5.1.7 It is therefore accepted that the proposal would result in a level of additional oversupply when measured against the objectively assessed outstanding residual housing need for Clitheroe. However it is not considered that the degree of additional oversupply, as a result of the proposal, would result in any significant or measurable harm to the Development Strategy for the Borough.
- 5.1.8 Turning to other locational matters, the proposal site is located within what is currently considered to be designated open countryside. As such Policy DMH3 is therefore evoked, the criterion of Policy DMH3 seeks to resist new housing within the open countryside unless they are to meet an identified local need or other specific criteria, in this respect the Councils Planning Policy team have offered the following observations.

*The site is outside but adjacent to the settlement boundary, shown on the draft Proposals Map which accompanies the HED DPD in an area of open countryside. Development in such a location should comply with the provisions of DS1 and DMG2 of the adopted Core Strategy. This would limit development those specified at DMG2.*

*In addition, DMH3 sets out the limitations on residential development in the open countryside. The submitted application relates to market housing, with an element of affordable. DMG2 and DMH3 make no provision for this type of development in the open countryside.*

*The starting point is that in principle, the proposed residential development is contrary to DS1, DMG2 and DMH3 of the adopted Core Strategy.*

### Housing land supply

*In considering the Housing Supply issue it is clear that there is no objection from a strategic point of view. The Council's latest published position is that there was a 5.73 year supply as at 31st March 2017. It also shows that out of a requirement of 1280 dwellings which the Core Strategy directs to Clitheroe (excluding Standen) in the plan period (table 4.12 and Appendix 2 of the Core Strategy) 593 had been constructed and 743 had extant permission so the total of 1280 is exceeded by 56n (at the time of writing). Thus there is no imperative on housing land supply alone for the development to be permitted. The development of a further 25 dwellings would increase the total to 81 (at the time of writing) i.e. the Core Strategy requirement is exceeded by about 6.3%.*

*The council's latest position postdates that referred to in the planning support statement which accompanies the application. Furthermore, the Council does not concur with the applicant's view that there is not a five year supply.*

### Considerations

*There are a number of related planning policy considerations which are considered relevant:*

- 1. Whilst the HED DPD has reached an advanced stage and the weight that can be afforded to it in that respect is considerable, a representation in relation to this particular site was made at the Reg 19 Publication stage which sought to include it in settlement boundary. This will be considered as part of the examination and the outcome cannot be pre-empted at this point although in general the Council is not seeking to make further allocations in Clitheroe to meet outstanding housing requirements.*
- 2. The site is adjacent to the settlement boundary of Clitheroe, a principle settlement within the adopted development strategy of the Core Strategy. It is the largest settlement in the borough offering a wide range of goods and services. Although planning permission on the adjoining site (Pendleton Grange) was granted under a different policy context (i.e. prior to the adoption of the Core Strategy and when a lack of five year supply prevailed, the site was considered to be in a sustainable location on the edge of Clitheroe.*
- 3. The application site is physically adjacent to the residential site under construction (Pendleton Grange) and would form an extension to it (note for info: it is not within the definition of rounding off as per the glossary to the Core Strategy). It is also adjacent to a stable block and paddock (which has extant outline pp for 3 dwellings) on its northern side and the railway line on the eastern side. Open countryside lies to the south and south west. I am of the view the proposed development would form a limited expansion of the settlement, is well related to it (and the adjoining development site) and appropriate in scale to it. In advance of the settlement boundaries in the vicinity being finalised as part of the HED DPD process, the proposed development is in accordance with the spatial principles of DMG2.*

4. *The development is of a scale that would deliver an element of affordable housing in accordance with Key Statement H3 of the adopted Core Strategy.*
5. *I do not consider that up to 25 additional houses, amounting to an excess of 6.3% above the Core Strategy requirement for Clitheroe would in itself be harmful to the adopted development plan strategy.*

*Notwithstanding that in general, the site can be considered a sustainable location (subject to detailed consideration of the three strands of sustainable development), it is adjacent to the draft settlement boundary and current development site, and that the housing requirements are considered a minimum, these do not provide a basis to grant permission for an unlimited number of dwellings; each proposal must be considered on its own merits. Nor is the existence of a five year supply a reason in itself in this instance to refuse permission. Taking into account the specific considerations of this site at this point in time, I consider that on balance the proposal is acceptable in principle, subject to the consideration of detailed Development Management criteria.*

- 5.1.9 Taking into account the above matters and all material considerations, in particular the locational aspect of the proposal, its proximity to adjacent development, the sustainable location of the site and the five year housing land supply position it is considered that the principle of the development of the land for residential purposes, notwithstanding the identified conflicts with DMH3 of the Adopted Core Strategy, is considered acceptable.

## 5.2 Impact upon Residential Amenity:

- 5.2.1 As the application is made in outline with matters of layout and appearance being reserved for consideration at a later date no definitive assessment can be made in respect of the potential impacts upon residential amenity resultant from the proposal. Notwithstanding this matter the Local Planning Authority consider it is appropriate to give due consideration to potential conflicts or issues that may arise as a result of the indicative layout proposed.
- 5.2.2 The proposal site is bounded to the north and north east by two recently consented proposals for housing, one of which is currently under construction. The approved reserved matters layout of the site directly to the north (3/2015/0446) will result in a number of dwellings backing on to the application site. In these locations the submitted illustrative layout proposes a relationship between existing and proposed dwellings with a minimum offset distance of approximately 30m measured back to back and a minimum offset distance of 21m measured from rear to side elevation. Further to this a number of well-established trees line the northern shared boundary which will afford an additional level of privacy and screening for existing and future occupiers.
- 5.2.3 The site to the north east benefits from an outline consent for matters of access and layout (3/2014/0461) for the erection of three dwellings, at the time of writing this report this consent remains extant (Granted 22<sup>nd</sup> January 2015) and therefore remains a material consideration.
- 5.2.4 In respect of the current proposals relationship with the adjacent extant consent the proposed dwellings in some case appear to be sited less than 10.5m from the

rear shared boundary and 15m from the approved location of plot 02. It is likely as a result, should windows be located on the north east elevation of plots 8-10 that the private amenity space of plot 2 will be excessively overlooked.

- 5.2.5 It is also considered, should windows be sited on the south west elevation of approved plot 02, that plots 09 and 10 (of the current proposal) may suffer from a direct overlooking relationship at a distance of less than 21m, resulting in an unacceptable detrimental impact upon residential amenity.
- 5.2.6 Whilst it is appreciated detailed matters relating to the window locations of the adjacent consent and the precise location/siting and windows locations of proposed plots 09 and 10 of the current application have yet to be clarified, the relationship at this stage does cause concern. As a result, should such a layout be proposed at the relevant reserved matters stage, it is considered necessary that officers should seek to negate these potential conflicts either through the implementation of a revised layout and/or a bespoke window arrangement that takes account of these constraints.

### 5.3 Matters of Layout and Design

- 5.3.1 Despite the application having been in outline, with consent being sought solely for matters of access, the application has been subject to extensive negotiation in respect of the illustrative layout to establish principles that will inform any subsequent reserved matters applications. Whilst detailed matters of the layout cannot be assessed at this stage, the submitted details (notwithstanding potential conflicts covered in points 5.2.4 – 5.2.6 above) are considered to be acceptable in terms of overall layout, density and spatial arrangements.
- 5.3.2 The negotiations undertaken as part of the application have extended beyond the layout of the development to that of the detailed design of the dwellings. As a result the applicant has revised the illustrative house types to incorporate features and elements that are more reflect of a semi-rural vernacular. This commitment is further reflected in revisions within the design & access statement that convey that the materials palette will be limited to that of render and facing reconstituted stone with artstone window and door surrounds.

### 5.4 Highway Safety and Accessibility:

- 5.4.1 The Highways Development Control Officer has concluded that the junction between the existing development (to which the application will adjoin) and Henthorn Road will be subject to 18.5% more traffic as a result of the proposal. Whilst this will put additional pressure on the immediate highway network it is not considered that this will be to such a degree that will compromise its safe operation. The Officer also recognises the pressures currently placed on Henthorn Road and considers at present the additional 18.5% traffic can be absorbed into the local network without significant detrimental impact. However, should further development come forward that has a direct impact upon or utilises Henthorn Road as a primary access route then issues relating to capacity of the local network may arise.
- 5.4.2 Highways have further concluded that the applicant will have to provide a financial contribution relating to supplementary road safety measures and measures to encourage sustainable transport options. It is considered that the

contributions sought will be commensurate and proportionate to the contributions sought on the adjacent site. At the time of writing this report no exact figure has been provided by LCC Highways and negotiations on this matter are currently underway.

## 5.5 Landscape/Ecology:

- 5.5.1 Given the application is made in outline (access only), members will note that detailed matters of landscaping cannot be considered at this stage. However, the Local Planning Authority considers it pragmatic to ensure the overall Landscape Framework approach to the site be clearly established at this stage. This will ensure that acceptable principles are established early in the process that will fully inform any subsequent reserved matters application(s). Adopting such an approach also ensures that officers are afforded a broad overview of any potential visual impact of any such development and how such visual impacts can be potentially mitigated. As such the application has been subject to extensive negotiation in relation to the overall Landscape Strategy and package of ecological/biodiversity enhancements to be brought forward as part of the development.
- 5.5.2 Particular attention has been paid to the southern edge of the development and its interface with the adjacent Public Right of Way (FP-17) to ensure the user-experience of the route remains positive and that the semi-rural experience of the portion of the route that bounds the development retained. As a result of direct engagement with the applicant it is proposed that the southern edge of the development that adjoins the PROW will benefit from significant landscaping margins consisting of ornamental planting, native shrub planting, wildflower beds and native species tree planting. The visual impact of the southern edge of the built form has been further lessened through the use of living green-screen boundary treatments in-lieu of standard 1.8m high fencing where boundary treatments would directly front or be afforded a high level of visibility from the public realm.
- 5.5.3 Early concerns were raised in respect of the developments visual interface with the areas of open countryside to the west with the development originally considered to terminate in an overtly linear manner delineated by a road and footpath. To mitigate this concern the authority suggested that the proposal incorporate additional land to solely accommodate landscape mitigation and an area of usable open space for use by residents, the wider community and users of the adjacent PROW.
- 5.5.4 As a result the western extents of the development now accommodates an area of land to accommodate wildflower planting (approximately 30m x 58m), a high proportion of native tree planting and hedgerow which delineates and lessens the visual impact of the western extents of the road and footway arrangement. It is further proposed that this area will accommodate a proposed attenuation pond to be planted with native marginal and aquatic plants and an area of informal usable open space with integral informal footpath. Both features will further benefit from the inclusion of seating areas. A footpath link from the main body of the development to the PROW to the south is also provided in this area to ensure adequate movement, permeability and connectivity.

- 5.5.5 Within the main body of the site it is proposed that green screens will be utilised in-lieu of standard boundary treatments to rear/side curtilages where they directly front or are visible from the public realm. Further hedgerow planting will also delineate front/side gardens with complimentary native tree planting and 'garden specimen' tree planting also being proposed.
- 5.5.6 Additional ecological and biodiversity mitigation measures are to be incorporated into the development as follows:
- 4 x Open front bird nesting boxes (Building mounted)
  - 4 x Woodcrete 32mm-hole bird nesting boxes (Building mounted)
  - 4 x Woodcrete 26mm-hole bird nesting boxes (Building mounted)
  - 3 x Woodcrete 32mm-hole bird nesting boxes (Pole mounted to western extents of site)
  - 2 x Large colony bat boxes (Pole mounted to western extents of site)
  - Barn Owl box to be erected on a mature retained tree located to the northern extents of the site (location to be agreed)
- 5.5.7 An arboricultural survey has been submitted in support of the application which identifies a number of trees and groupings within the site, particularly to the northern extents. The survey proposes the removal of two ash trees, one being to the north of the site to enable the access point to connect to the adjacent development, with the remaining tree to be removed being located at the eastern extents of the site to facilitate the development of the area for housing.
- 5.5.8 Adequate tree protection measures for the remainder of the trees to be retained will be secured through the imposition of condition.
- 5.5.9 Taking into account the above matters it is considered that the package of compensatory measure proposed are significant and will not only offset and mitigate the impacts of the development but will also lead to an overall net enhancement in biodiversity across the site as required by Key Statement EN4 of the Adopted Core Strategy.

## 5.6 Affordable Housing Provision:

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

Affordable:

- 3 x 3 Bedroom Dwellings
- 4 x 2 Bedroom Dwellings

#### Open Market

- 14 x 3 Bedroom Dwellings
- 3 x 4 bedroom Dwellings

- 5.6.3 In respect of the above the Local Authority's Strategic Housing Officer has stated that 'the affordable housing offer from the site at a mix of 2 bed bungalows and 3 bed houses is a suitable house type mix. The tenure mix will need to include both affordable rent and affordable home ownership preferably a 3:4 provision, with a mix of both tenures for both house types'.
- 5.6.4 In respect of the over 55's accommodation the S.106 agreement will further require that the accommodation meets the following definitions:

#### **Bungalows accommodation solely for occupation by those over 55 years of age:**

*A unit of accommodation/dwelling that shall not be occupied by a person under the age of 55 years except that in circumstances of a married couple or civil partnership at least one person in the married couple or civil partnership is not less than 55 years of age.*

*The unit of accommodation/dwelling shall provide a principle bedroom and bathroom at ground floor, in addition to and without compromising kitchen/dining and living room provision, all of which shall be designed to meet national space standards. The internal and external arrangements of the unit of accommodation shall accord with the specifications and requirements of category 2 housing as defined in M4(2) of Approved Document M (volume 1 2015) of The Building regulations 201 (or any subsequent revisions).*

*For the avoidance of doubt the ground floor accommodation shall possess the ability to be habitable without necessitating the need for access to upper floor accommodation by the user.*

#### **Non-bungalow accommodation for occupation by those aged over 55:**

*A unit of accommodation/dwelling that shall not be occupied by a person under the age of 55 years except that in circumstances of a married couple or civil partnership at least one person in the married couple or civil partnership is not less than 55 years of age. The internal arrangements of the unit of accommodation/dwelling shall accord with the specifications and requirements of category 2 housing as defined in M4(2) of Approved Document M (volume 1 2015) of The Building regulations 201 (or any subsequent revisions).*

#### **5.7 Infrastructure, Services and Developer Contributions:**

- 5.7.1 The applicant will be required to pay a contribution towards off-site leisure facilities in Clitheroe which will be subject to further negotiation. Given the application only seeks to establish the upper quantum of development to be provided on site, based on current practice by the Local Planning Authority, this will require a method for calculation to be applied at the reserved matters stage as follows:

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

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

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

5.7.2 LCC Education have requested that a contribution be made towards 4 secondary school places totalling £85,693.08. Members will note that this figure is based on the assumption that all units are 4 bedroom dwellings. A reassessment based on a £21,423.27 per secondary place cost will be applied when an accurate bedroom mix is available. Such a method for calculation will be contained within the S.106 agreement for the proposal.

#### 5.8 Flood Risk and Drainage:

5.8.1 The Environment Agency and the Local Lead Flood Authority have removed their objections to the proposal following the submission of revised information relating to flood risk. Both parties have requested that the Local Planning Authority impose conditions relating to the submitted Flood Risk Assessment, the need for a surface water drainage scheme to be submitted and the requirement to submit a Surface Water Lifetime Management and Maintenance Plan.

### 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 is in broad accordance with the requirements of the adopted development plan and that the means of access to the site are considered acceptable.

6.2 It is further considered that the submitted details demonstrate that adequate landscape mitigation can be provided on site that will largely mitigate the visual encroachment into the defined open countryside and result in an overall enhancement in biodiversity for the site.

6.3 For the reasons outlined above the proposed development is considered to be in accordance with the main aims and objectives of the adopted development plan and do not consider that there are any significant material reasons that would warrant the refusal to grant outline consent for matters of access.

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

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

In relation to landscaping, the details for each phase (where relevant) shall include: the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, turfed, paved or hard landscaped, including details of any changes of level or landform, full specifications of all boundary treatments and a scheme of maintenance, including long term design objectives.

The submitted landscape details shall take full account of the Landscape Strategy Plan (Job 2741 Dwg No: 201 Rev: F) and the mitigation and enhancement measures as contained within the submitted Phase 1 Habitat Survey (March 2017) and subsequent Ecological Addendum (Dated 12<sup>th</sup> November 2017).

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

2. No more than 24 dwellings shall be developed within the application site edged red on the submitted Location Plan (Drawing 17/08/L01 Revision B)

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

3. Application(s) for approval of all of the outstanding reserved matters related to the consent hereby approved must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates.

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

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

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

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

- Landscape Strategy Plan: Drawing 201 Revision F
- Indicative Proposed Site Plan: Drawing 17/018/P01 Revision A
- Indicative Proposed Street Scene: Drawing 17/018/P02 Revision A
- Design & Access Statement (Revised October 2017)

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

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

REASON: In the interests of the visual amenities and character of the area and to ensure that the proposed development remains compatible with the landscape character of the area and responds appropriately to the topography of the site so as to minimise undue visual impact in accordance with Policies DMG1 and DMG2 of the Ribble Valley Core Strategy.

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

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

REASON: To ensure a satisfactory form of development, its visual compatibility with the defined open countryside, in the interests of visual and residential amenities and to ensure the Local planning Authority can make an accurate assessment of the potential impacts upon existing nearby residential amenity in accordance with Policies DMG1 and DMG2 of the Ribble Valley Core Strategy.

7. As part of any subsequent reserved matters application relating to layout and prior to the commencement of any development, precise specifications and details of the proposed pedestrian routes/footways interface with the adjacent Public Right of Way (Footpath 17), including a scheme for the improvement of the portion of the aforementioned existing Right of Way that is within the red edge of the application site (where applicable), shall have been submitted to and approved in writing by the Local Planning Authority in partnership with Lancashire County Council. The development shall be carried out in strict accordance with the approved details.

REASON: In the interests of the visual amenities and character of the area and to ensure that the proposed development interfaces with the adjacent Public Right of Way in a manner that will not compromise its safe operation and to secure enhancement of the existing footpath route in accordance with Policies DMG1, DMG2 and DMB5 of the Ribble Valley Core Strategy)

8. Applications for the approval of reserved matters shall be accompanied by full details of the proposed surface water attenuation pond(s) on site.

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

REASON: To ensure a satisfactory form of development in the interests of visual and residential amenities and to ensure the Local planning Authority can make an accurate assessment of the details relating to matters of flood risk and sustainable drainage in accordance with Policies DMG1 and DME6 of the Ribble Valley Core Strategy.

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

REASON: To secure proper drainage and to manage the risk of flooding and pollution in accordance with Policies DMG1 and Dme6 of the Ribble Valley Core Strategy.

10. 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 strict 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 Policies DMG1 and DME6 of the Ribble Valley Core Strategy.

11. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) 3886/FRA/Final/v1.0/2017-07-27 and the following mitigation measures detailed within the FRA:

- All development to be located in Flood Zone 1.
- Finished floor levels are set no lower than 0.15 m above existing ground level.
- An 8 m undeveloped buffer strip will be provided from the top of bank of Pendleton Brook. No development, such as new dwellings, private gardens and fences, will be located within this 8 m easement.

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 Policies DMG1 and DME6 of the Ribble Valley Core Strategy.

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

Surface water drainage scheme which as a minimum shall include:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change – see EA advice <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and

the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;

- b) The drainage scheme should demonstrate that surface water run-off must not exceed the existing pre-development greenfield runoff rate for the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Any works required on or off-site to ensure the adequate discharge of surface water without causing flooding or pollution (which should include the refurbishment or removal of any existing watercourses, culverts, headwalls or unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing where applicable;
- f) Site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

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

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to reduce the risk of flooding to the proposed development, elsewhere and to future users and to ensure that water quality is not detrimentally impacted by the development proposal in accordance with Policies DMG1 and DME6 of the Ribble Valley Core Strategy.

13. 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.

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 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. The development shall be carried out in strict accordance with the approved details.

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 Key Statement EN4 and Policies DMG1 and DME1 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 proposed enhancement and/or mitigation measures contained within the submitted Phase 1 Habitat Survey (March 2017) and subsequent Ecological Addendum (Dated 12th November 2017) has been submitted to and approved in writing by the Local Planning Authority.

For the avoidance of doubt the mitigation shall include, but not be limited to the provision for bat and bird boxes (building and pole-mounted), Barn Owl Boxes (Tree Mounted), wildflower grassland and scrub-planting.

The submitted details shall include the timing and phasing for the creation/installation of enhancement/mitigation measures and a scheme for their future management and maintenance. The submitted details shall further indicate the precise location, siting and nature of all bat/bird/owl box provision.

The agreed artificial bird/bat boxes to be building mounted shall be incorporated into their respective individual dwellings during the construction of those dwellings 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 including the timings and methodology for all installation.

REASON: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and to reduce the impact of development in

accordance with Policies DMG1, DME3 and Key Statement EN4 of the Ribble Valley Core Strategy.

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

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

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

17. Applications for the approval of reserved matters, where relevant, shall be accompanied by full details of all proposed usable public open space and associated street furnishings/play equipment.

For the avoidance of doubt the submitted details shall include the specification and nature of all proposed surfacing, street furniture, informal/formal play equipment and details of existing and proposed land levels and all associated landscaping and boundary treatments (where applicable). The development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality and allows for the provision of an acceptable and adequate form of usable public open space in accordance with Policies DMG1 and DMB4 of the Ribble Valley Core Strategy.

18. Notwithstanding the submitted details, no development, including any site preparation or demolition shall commence or be undertaken on site until the new estate road/access point between the proposal site and the adjacent land to the north shall have been constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level.

REASON: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative and to ensure the safe operation of the highway during the construction phase of the development in accordance with Key Statement DMI2 and Policy DMG3 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 until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption by the Highway Authority have been submitted to and approved in writing by the Local Planning Authority. The development

shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

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

20. The submission of reserved matters in respect of layout shall include details of the phasing and timings for the delivery/installation/construction of the proposed footpaths/pedestrian routes (formal and informal), public open space provision, landscaping and attenuation pond shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

REASON: To ensure that adequate usable public open space/recreational areas are delivered on an appropriately phased basis to ensure that adequate provision is provided to serve the occupants of the development in accordance with Policies DMG1, DMB4 and DMB5 of the Ribble Valley Core Strategy.

21. No development shall take place until a Construction Method Statement for the relevant phase has been submitted to and approved in writing by the local planning authority. For the avoidance of doubt the submitted statement shall provide details of:

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

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

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

## BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0433](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0433)

## 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 Legal, Housing & Planning
3/2017/0573	Land off Union Street Clitheroe	26/10/17	36	With Legal & LCC
3/2017/0616	Former Clitheroe Hospital Chatburn Road Clitheroe	26/10/17	60	With Legal & LCC

## APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2017/0742	Demolish existing farmhouse and rebuild. Change of use of agricultural barn to two dwellings. Change of use of mono-pitch farm building to a garage for the barn conversion. Demolish four farm buildings. Dismantle and rebuild one timber framed agricultural building in new location on the site. Reorientation of one steel framed agricultural building	Startifants Farm Longridge Road Chipping
3/2017/0772	Erection of one new dwelling in garden of 20 Abbey Fields including new vehicular access	20 Abbey Fields Whalley
3/2017/0901	Four dingle storey (two bedroom) holiday units with associated access and car parking	Sunnyside, Longridge Road Clayton le Dale
3/2017/0987	Provision of additional hand-railing to a section of footpath leading from the church grounds down towards Church Close	St Mary's Churchyard Church Street Clitheroe
3/2017/0939	Two new semi detached two storey dwellings	Land adjacent to 5 Beech Close, Clitheroe

## 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		Appeal Withdrawn 2/11/17
3/2017/0088 R	03/07/17	1 and 2 Abbeycroft The Sands Whalley	WR		Appeal Dismissed 3/11/17
3/2017/0039 R	07/08/17	18 Netherwood Gardens Brockhall Langho	HH		Appeal Dismissed 25/10/17

<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		Appeal Dismissed 25/10/17
3/2017/0029 R	24/07/17	Field at Hellifield Road, Gisburn	WR to be changed to Hearing by PINS – no date set yet		Awaiting Decision
3/2017/0045 R LDC	30/10/17	Newton Hall Newton in Bowland	WR		Appeal Withdrawn 13/11/17
3/2016/1202 R	17/08/17	Barn within the grounds of Greengore Farm	WR		Appeal Dismissed 9/11/17
3/2017/0192 R	19/07/17	Countess Hey Elmridge Lane Chipping	WR		Awaiting Decision
3/2017/0308 R	10/08/17	Fields Farm Barn Back Lane Chipping	HH		Appeal Allowed 02/11/17
3/2017/0220 R Enforcement	07/08/17 Awaiting start date from PINS	2a Whittingham Road, Longridge Demesne Farm Newsholme Gisburn	WR Hearing (to be confirmed)		Awaiting Decision
3/2017/0441 R	Awaiting start date from PINS	19 Woodfield View Whalley	WR (to be confirmed)		
3/2016/0999 R	24/10/17	Land at Dale View, Billington	WR		Statement due 28/11/17
3/2016/0980 R	24/10/17	Land off Dale View, Billington	WR		Statement due 28/11/17
3/2016/1192 R	Awaiting start date from PINS	Hammond Ground Whalley Road Read	Inquiry (to be confirmed)		
3/3016/1082 R	Awaiting start date from PINS	74 Higher Road Longridge and land to the rear	WR (to be confirmed)		