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					NONE	
<b>B</b>	<b>APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR APPROVAL:</b>					
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					NONE	
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	<a href="#">3/2017/0653/P</a>	20		SK	DEFER	Land at Chatburn Road Clitheroe
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<b>E</b>	<b>APPLICATIONS IN 'OTHER' CATEGORIES:</b>					
					NONE	

**LEGEND**

AC Approved Conditionally

R Refused

M/A Minded to Approve

AB Adam Birkett

AD Adrian Dowd

HM Harriet McCartney

JM John Macholc

RB Rebecca Bowers

RM Robert Major

SK Stephen Kilmartin

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 28 JUNE 2018  
title: PLANNING APPLICATIONS  
submitted by: DIRECTOR OF COMMUNITY SERVICES

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

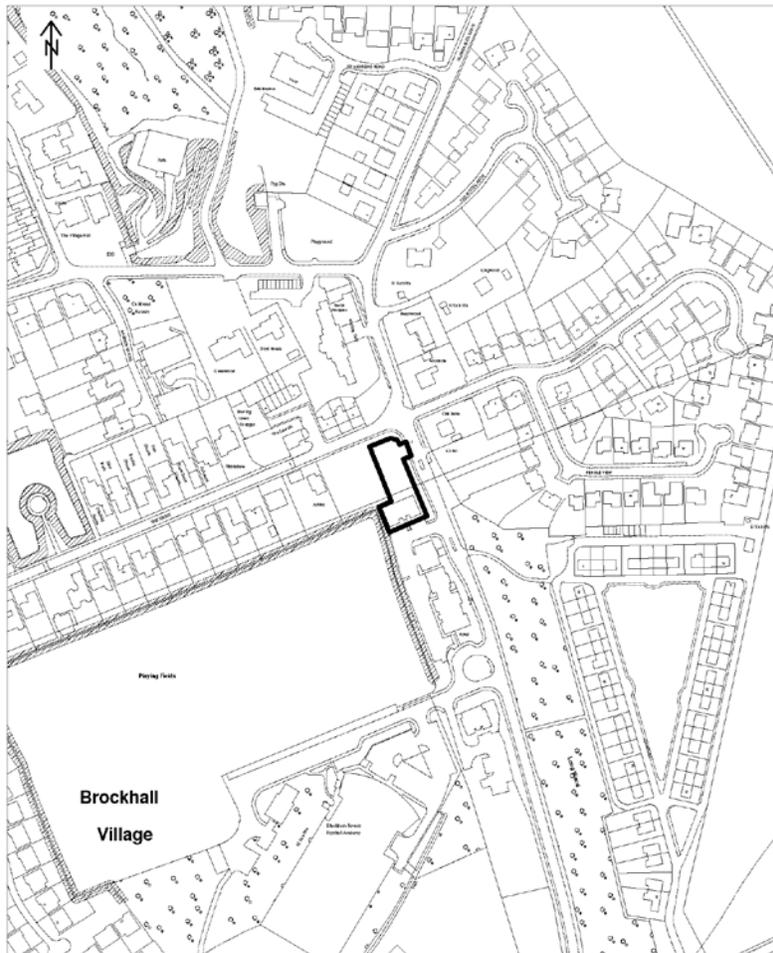
RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

**APPLICATION NO: 3/2018/0300/P**

GRID REF: SD 370274 436468

### DEVELOPMENT DESCRIPTION:

TWO-STOREY EXTENSION OF EXISTING OFFICE BUILDING AT THE CONFERENCE CENTRE OFFICES GLENEAGLES DRIVE BROCKHALL VILLAGE BB6 8AY



3/2018/0300 The Conference Centre Offices Gleneagles Drive  
Brockhall Village Old Langho BB6 8AY

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## **PARISH/TOWN COUNCIL:**

Billington and Langho Parish Council: Following the meeting of the Billington and Langho Parish Council, we wish to raise the following objections to the planning application 3/2018/0300.

- The increase of traffic at the site
- The loss of green space
- The overdevelopment of this site

## **HIGHWAYS (LCC):**

The County Highways Surveyor has stated that there are no existing highway concerns in the vicinity of the proposed development and that there is sufficient off street parking provided to accommodate the anticipated demand. Consequently there are no grounds on which to raise a highway objection.

## **LEAD LOCAL FLOOD AUTHORITY:**

Raise no objection to the development.

## **ADDITIONAL REPRESENTATIONS:**

21 letters of objection representing 24 individuals have been received and raise the following concerns:-

- Highway Issues – the impact of increased traffic on the access gate and roundabout as well as a possible increase in noise and pollution. Also mentioned was both a lack of existing parking and that there is already enough parking on site.
- Loss of the Open Green Space – references to the original section 106 agreement, the loss of this space resulting in a loss of trees and a footpath. The proposal may impact badgers, bats and frogs.
- Visual Amenity- The proposal is out of character of the area, and the layout and density are too large and overbearing. This proposal could be considered encroaching development in a residential area.
- Residential amenity such as loss of light, loss of privacy and possible overlooking.
- No economic justification or job creation, other sites are available in the area, the location could be considered isolated development.
- Once consent is given the LPA won't know what it's being used for, possible variation of condition to become a shop.
- Negative impact on heritage assets- the road (Gleneagles Drive) is the original from the hospital
- Doesn't meet any of the 6 criteria for strategic development in the Ribble Valley Core Strategy and will set an unsustainable precedent.
- Impact on the value of property in the area

### **1. Proposal**

- 1.1 Consent is sought for the extension of existing employment space by 336 square metres of employment floor space falling with the 'B' Use Class Order categories and associated access, car parking, landscaping and services infrastructure. The proposal would comprise an employment development of office use (B1a). As submitted the application site extends to an area of 0.11 hectares of land. The proposed access to the site would be via a new vehicular entrance from Gleneagles Drive. The proposed

extension will measure approximately 16.8m by 11.7m with an eaves and ridge height of approximately 5.8m and 8.6m respectively.

- 1.2 The proposal will provide additional parking for 10 Cars, including 1 Accessible space, a bike storage area and a refuse and recycling storage area.

## 2. **Site Location**

- 2.1 The application site is located within Brockhall Village, a small settlement approximately 2 miles to the north of the village, Langho. Brockhall Village itself is a predominantly a residential settlement developed on the site of the former Brockhall Hospital. The settlement also includes the existing conference centre office building, Blackburn Rovers training ground and a hotel.
- 2.2 The land associate with the development is located in the centre of Brockhall Village, to the north of the application property, the Conference Centre Offices. This land is currently a grassed open area that leads from the rear of the offices to the junction of Gleneagles Drive and The Drive.
- 2.3 The existing site consists of an open grassed area with a group of trees in the centre of the block of land, located to the west of the proposed office extension.

## 3. **Relevant History**

**3/2015/0128** - Proposed construction of one four bedroom detached house and formation of vehicular access drive. (REFUSED)

**3/2014/0623** - Outline application for proposed construction of three detached houses and formation of 2 no. vehicular access points. Consent sought for access, layout and scale - all other matters reserved for subsequent approval. (REFUSED)

**3/1999/0203** - Resubmission of application 3/1998/0614 for 2 self-contained office buildings. (APPROVED WITH CONDITIONS)

**3/1999/0198** - Outline application for development of remainder of village (with the exception of sewage treatment plant) to provide 261 new homes and 10'500m<sup>2</sup> of employment space. (Resubmission of 3/1998/0426) (APPROVED WITH CONDITIONS)

**3/1998/0614** - Erection of two office buildings. (REFUSED)

## 4. **Relevant Policies**

### **Ribble Valley Core Strategy**

Key Statement DS1 - Development Strategy

Key Statement DS2 - Sustainable Development

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 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)

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

5.1 This is a full planning application for a proposed two storey extension to an existing business centre to provide additional B1 (a) office space to serve the existing and established business currently occupying the Conference Centre Offices. Matters of visual amenity, residential amenity, tree/ecological considerations, highway safety/traffic issues do have to be given some consideration. Each of these matters are discussed below.

#### **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 towards the main settlements of Clitheroe, Whalley and Longridge as the preferred locations to accommodate employment growth together with land at Barrow Enterprise Site, the Lancashire Enterprise Zone at Samlesbury and locations well related to the A59 corridor.

5.2.2 The proposal is located inside the settlement boundary for Brockhall which is defined as a Tier 2 Settlement within the Ribble Valley Core Strategy. Key Statement DS1 states that development within Tier 2 Village Settlements will have to meet proven local needs or deliver regeneration benefits with one of the main aims of DS1 being the creation of development opportunities for economic, social and environmental well-being.

5.2.3 Policy DMB1 'Supporting Business Growth' states that the expansion of existing firms within settlements will be permitted on land within or adjacent to their existing sites. Core Strategy Policy DMB1 supports business growth and the local economy in principle. The proposed extension is located on land directly to the rear of the existing premises within the settlement of Brockhall Village and will provide increased job opportunities within the rural area.

5.2.4 The National Planning Policy Framework paragraph 28 advises that planning policies should support economic growth within rural areas in order to create jobs and prosperity by taking a positive approach to sustainable development, including supporting the sustainable growth and expansion of all types of business enterprises particularly in rural areas.

5.2.5 Taking into account the above, it is considered that the expansion of an existing business on land adjacent to existing premises accords with the general intentions of the Core Strategy policies when read as a whole.

### 5.3 Design and Visual Impact

- 5.3.1 The site lies within the settlement of Brockhall Village with a designated open space to the south west. The existing employment area lies to the south of the Conference centre, comprising of the application property, the Hotel and Restaurant.
- 5.3.2 The proposed extension will be constructed of corresponding materials and in a similar design to the existing office building and other buildings within close proximity to the proposed site. The proposal has ensured that the ridge of the proposed extension is below the ridge of the existing office building, the proposed ridge height being 8.6m from ground level and the existing ridge height being 9.8m from ground level. The eaves height proposed for the extension (5.8m) will match the eaves of the existing building. Despite being a significant addition, this reduction in ridge height allows for the proposed development to remain subservient to the existing building.
- 5.3.3 To the north of the proposed extension will sit the proposed car park. The car park will measure approximately 20m by 19m including the secure bicycle storage area and the refuse and recycling storage area. The proposal intends to maintain the existing tree cover on-site and include amenity landscaping around the car park to soften the hard appearance and reduce any impact on the surrounding area.
- 5.3.4 The proposed building will be constructed in a similar fashion to the existing conference centre; the proposed materials include facing brick, and slate tiles to match the existing building as required by Policy DMG1 of the Core Strategy. The built form will remain subservient from the existing building being marked by a section being set back from either side elevation where the extension meets the existing conference centre. The windows and surrounds will match those on the existing building and be corresponding with other buildings within the area. On basis of design and materials and although I note the objections raised I consider the scheme acceptable and in accordance with policies DMG1 and DMG2 of the Ribble Valley Core Strategy.
- 5.3.5 Many objections raised the fact that a building to the south of the conference centre, which used to be an Italian restaurant, now lies empty and that it would be more acceptable to convert that building to office use than construct the proposed extension. Notwithstanding the existence of a vacant unit in the locality, this planning application must be determined as submitted. The proposed extension is to allow the expansion of the existing business on site at the Conference Centre and the application site sits directly adjacent to it, as such the proposal accords with Policy DMB1 of the Ribble Valley Core Strategy which states that the expansion of existing firms within settlements will be permitted on land within or adjacent to their existing sites.

### 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. This includes residential properties, the closest being Oakdene located approximately 37m to the North West of the proposed building and Ashlea approximately 45m to the North East. While representations have been received with concerns over the loss of light and privacy, these distances and the orientation between the proposed extension and the residential properties result in a development which is unlikely to have any

significant impact on the residential amenity of the neighbouring properties, such as a loss of light or privacy or result in an overbearing impact.

5.4.2 In terms of its impact on the nearest residential dwelling, the distance from the nearest neighbouring property, Oakdene, to the edge of the development area is approximately 37m. It is considered that the site has created a layout that would ensure the development would not have a significant adverse impact on the residential amenity of the occupants of this property. Noise and disturbance from the proposed development must also be considered in the determination of the application. It is considered 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.

5.4.3 Concerns were raised that the applicant intended to use some of the office space to provide a small scale retail unit. After discussing this with the agent it is apparent that while this may still be under consideration the applicant is aware that this would require further planning permission; at this stage the proposal only seeks consent for the increase in office floor space to accommodate the growth of the existing businesses. Any future application would be determined on its own merits.

## 5.5 Highway Safety

5.5.1 In respect of the proposed development, County Highways raised no objections to the development on highways grounds. There are no existing highway concerns in the vicinity of the proposed development, the proposal will be extending an existing commercial facility and providing sufficient off-street parking to accommodate for any increase in demand, due to the extension of the business.

## 5.6 Trees and Ecology

5.6.1 While there are 4 trees which have been recommended to be removed within the tree survey, these trees are considered to be of a low amenity value. The remaining trees onsite will be correctly protected during the construction phase as required by condition. It is also the intention of the applicant to introduce a landscaping scheme around the car park, to improve on both the visual amenity and the site biodiversity and ecology of the site.

5.6.2 The applicant also intends to install a bat box on the extension to better improve the biodiversity and ecology of the area. These details will be confirmed via a pre-commencement condition.

## 5.7 Original Section 106 Agreement

5.7.1 Many of the representations make reference to the original section 106 agreement for Brockhall Village, claiming that the land associated with the proposed development is designated as open space. After having looked at the section 106 agreements master plan, it has become apparent that the land in question was designated as proposed housing. In a letter sent via the agent for planning application 3/1999/0198 which included the S106 this particular area of land was discussed "*The areas to the north (of the main employment area) will be flexible in order to encourage the greatest prospect of employment generation.*" It is possible that at one time the land was put forward as Greenspace however the final masterplan supersedes this. As such it is not

considered that the proposed development will be contrary to the Section 106 Agreement.

6. **Conclusion**

6.1 In conclusion, the proposed development would result in the creation of additional local employment opportunities in accordance with the Core Strategy Key Statements DS1 and EC1 and Policies DMG2 and DMB1.

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. The proposed development is not considered to result in an unacceptable level of harm on the residential amenity of any neighbouring properties. 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 imposition of the following conditions:

*Time*

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

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

*Plans*

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

- Proposed Site Plan/ Roof Plan Drawing No P007
- Proposed Ground Floor Plan Drawing No P008
- Proposed First Floor Plan Drawing No P009
- Proposed Elevations Drawing No P010
- Proposed Elevations Drawing No P011

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

*Materials*

3. Notwithstanding the submitted details, details or specifications of all materials to be used on the external surfaces 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 materials to be used are appropriate to the locality in accordance with Policy DMG1 of the Ribble Valley Core Strategy.

4. No external lighting shall be installed on the external façade of the new extension, or elsewhere on the site, without the prior written approval of the Local Planning Authority.

Details of any such lighting shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The approved details shall thereafter be fully implemented.

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

#### Highways

5. No deliveries during the construction period shall be made before 9.00 am and after 3.00pm to avoid conflict with traffic (vehicular or pedestrian) entering/leaving the estate.

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

6. No Development shall take place 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:

1. The parking of vehicles of site operatives and visitors
2. The loading and unloading of plant and materials
3. The storage of plant and materials used in constructing the development
4. The erection and maintenance of security hoarding
5. The location of wheel washing facilities
6. Measure to ensure that construction and delivery vehicles do not impede access to the surrounding neighbouring properties.
7. The hours of operation for all construction works.

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

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

6. Notwithstanding the submitted details, precise details of proposed refuse storage and 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. For the avoidance of doubt the approved details shall be made available for use prior to the use hereby approved first becoming operative. The agreed details/provision shall be retained for use at all times thereafter.

REASON: In order that the Local Planning Authority may ensure that the development provides adequate provision for the storage of domestic/commercial waste and 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.

## Use Classes

7. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended or re-enacted) and the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016 (as amended or re-enacted) the area indicated as 'office space' on drawings P008 and P009 shall only be used for the purposes of office use (B1a) and for no other purpose, including any other purpose within Use Class B1.

REASON: For the avoidance of doubt and to ensure that the development remains compatible with the character of the area in accordance with Policies DMB1 and DMG1 of the Ribble Valley Core Strategy.

## Landscape and Ecology

8. Notwithstanding the submitted details, no development, including any site preparation, 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 use of the development unless otherwise required by the reports above, whether in whole or part and shall be maintained thereafter for a period of not less than 10 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

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

REASON: To ensure the proposal is satisfactorily landscaped and appropriate to the locality in accordance with Policy DMG1 and DME2 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 a detailed construction specification and arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented wholly in accordance with the approved details unless otherwise and firstly approved in writing by the Local Planning Authority.

A tree protection monitoring schedule shall be agreed and tree protection measures inspected by the local planning authority before any site works are begun. The root protection/exclusion zone shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble. During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection/exclusion zone, in addition no impermeable surfacing shall be constructed within the protection zone.

REASON: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policies DMG1 and DME2 of the Ribble Valley Core Strategy.

10. Within two months of the development commencing on site, details of the provision of two bat boxes shall have been submitted to, and approved in writing by the Local Planning Authority. The details of the exact siting of the bat boxes shall be submitted on a site plan and the duly approved boxes shall be installed in accordance with the agreed details within two months of the offices hereby approved being first brought into use, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of biodiversity and to enhance roosting opportunities for species of conservation concern and protected species in accordance with Section 9 of the NPPF, and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

#### BACKGROUND PAPERS

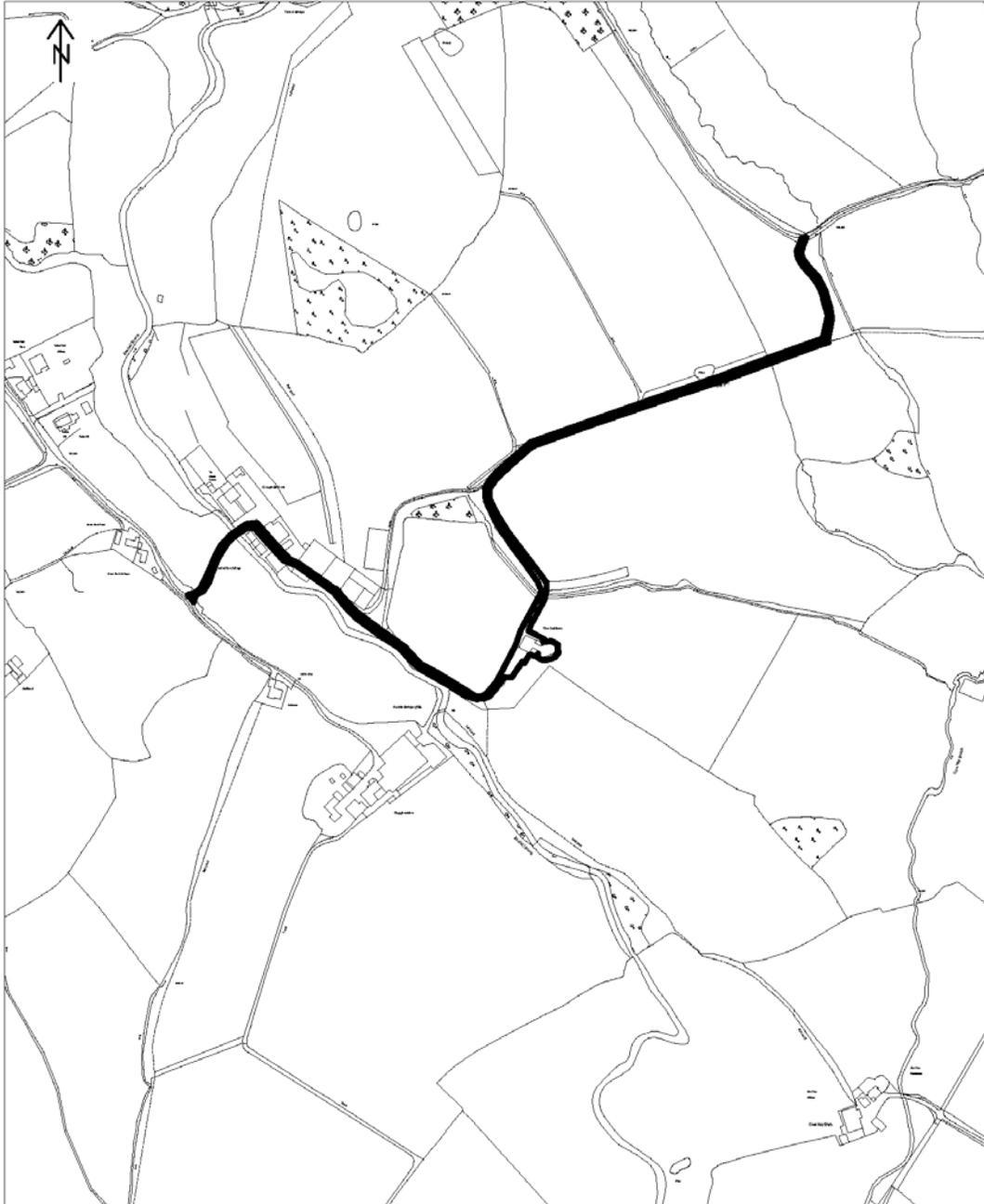
[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0300](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0300)

**APPLICATION REF: 3/2018/0368**

GRID REF: SD 370369 443568

**DEVELOPMENT DESCRIPTION:**

APPLICATION FOR THE VARIATION OF CONDITIONS 3 AND 4 FROM PLANNING PERMISSION 3/2016/0243 TO VARY THE HOURS OF OPERATION AND TO ALLOW 40 WEDDINGS PER YEAR AT THE OUT BARN, CLOUGH BOTTOMS.



3/2018/0368 The Outbarn Clough Bottom Rabbit Lane Bashall Eaves BB7 3NA

Scale 1:5000

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

### **PARISH COUNCIL:**

*Bashall Eaves and Mitton Parish Council:*

Unable to support this application as the reasons for imposing the conditions remain valid and an increase in events cannot take place without having an impact on residents and highway safety.

There is considerable resistance to the plans from local residents who have commented that music and conversation can be clearly heard coming from events to the extent that the individual songs being played can be identified – not just from outside but from within their houses. This negatively impacts residents' quality of life and the proposed increase in operational hours will only further impact on residents.

The increase in events will result in an increase in traffic on the surrounding country roads. Larger vehicles travelling along these narrow roads have damaged verges, impact upon wildlife, causes wear and tear to the roads, and this in turn is impacting on the drainage system.

As much as the Parish Council welcomes and is keen to encourage new opportunities for increasing revenue and the profile of Ribble Valley, this should not be at the expense of the quality of life for residents and road safety.

*Waddington Parish Council:*

Councillors objected to the original application in 2016 and the concerns raised in respect of increase in traffic and noise from the venue remain the same.

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

No highway objection to this application.

### **ADDITIONAL REPRESENTATIONS:**

In addition to the comments made by the Parish Councils, a further 9 objections have been received and the points raised in these objections are summarised below:

- Noise from the venue and this impact will only be exacerbated if the number of events increases and extended hours are allowed;
- Additional traffic on roads that are not suitable and do not have required passing points or lighting;
- LCC Highways objected to the original application but have now raised no objection to this application;
- Damage to personal property from vehicles;
- The wedding events often take two days and therefore an increase in the number of events to 40 per year will mean the business operates 80 days a year;
- Guests leaving the site at 1am will impact upon residential amenity;
- The claim that the conditions are “inconvenient to the site owners” is irrelevant and not a valid reason to allow a variation of condition. The existing business is “inconvenient” to residents;
- Evidence from nearby St Helens Church demonstrates that the majority of weddings take place at the weekend and therefore the applicant's claim that “potential clients are

put off by the early closing hours for weekdays in the condition as currently worded” is flawed;

- The “40 day” limitation as set out in the current condition is clear, whereas to alter this to “40 events” is ambiguous and problematical as events can take place for more than one day.
- The current condition allows enough days (weekends) in the summer months for weddings to take place;
- The applicant is already exceeding the 40 day allowance as there are more than 20 weddings a year and these are going beyond midnight (therefore taking up two days);
- The current conditions are there for a reason, to protect local residents, and should not be amended;
- If this application is passed how long before another application to vary conditions?;

## 1. Site Description and Surrounding Area

1.1 The application relates to a building known as The Out Barn at Clough Bottom, located to the east of Bashall Eaves, approximately 1.5 miles west of the village boundary of Waddington. The application building is located in a somewhat elevated and isolated position but is associated with a larger complex of former agricultural buildings at Clough Bottom. The application site is located within the Forest of Bowland Area of Outstanding Natural Beauty.

1.2 Access to the application building can be obtained from either Rabbit Lane via Bashall Eaves, or from Cross Lane when travelling from Waddington.

1.3 The application building was originally an agricultural barn and in 1996 planning permission was granted to convert building into an office and management training centre. In 2012 a further application was approved to extend and alter the barn to its current appearance. In 2016 planning permission (3/2016/0243) was granted by Members of Planning and Development Committee to change the use of the Out Barn from a training centre (D1), to a mixed use that allowed the building to continue to operate as a training centre, but also allowed the venue to host weddings for up to 40 days per calendar year. Whilst the approved application specifically stated weddings functions, the D2 use class element of the proposal does also allow other similar functions to take place at this venue. These include Christenings, Birthday/Anniversary Parties, Bar Mitzvahs etc...

## 2. Proposed Development for which consent is sought

2.1 This is Section 73 application and seeks to vary conditions 3 and 4 from planning approval 3/2016/0243:

### Condition 3

2.2 This condition limits the number of days that the D2 use can take place at the venue to 40 days per calendar year. The condition currently reads as follows:

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

2.3 The application seeks to alter this condition to allow 40 weddings/events (D2 use) to take place per year as opposed to 40 days. As such the applicant seeks to vary the condition so it reads as follows:

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

- 2.4 The application states that it was always the applicant’s intention to provide up to 40 weddings per year from this venue, however the use of the word “days” in this condition restricts this as wedding/events can take place over two days and thus uses up two days of the allowance. The applicant therefore seeks to alter the condition to allow 40 weddings/events to take place per calendar year.

Condition 4

- 2.5 This condition limits the operational times of the venue as follows:

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

- 2.6 This application seeks to increase the hours of operation as follows:

*“The mixed use venue hereby approved shall only operate between the hours of 08:00 – 22:00 Monday and Tuesday, and between 08:00 – 01:00 (the following morning) on Wednesday to Sunday inclusive.”*

- 2.7 The application states that the applicant seeks to compete with other Ribble Valley wedding functions, and at present potential clients are put off by the early closing hours during weekdays (22:00). As such the application seeks to extend the hours of operation on Sundays, Wednesdays and Thursdays. The application also seeks to increase the existing operational hours on Friday and Saturday but has not provided a specific reason for this, other than stating that the existing hours are unduly restricting the business operation.

### 3. Relevant Planning History

3/1995/0193/P – *Conversion of part barn to office and obstacle course* – approved.

3/1996/0304/P – *Conversion of barn into office reception and group activities for management training centre* – approved.

3/2010/0353/P – *Proposed changes use of barn to two residential dwellings* – approved.

3/2012/0490/P – *Alteration extensions to existing training barn* – approved with conditions.

3/2015/0302/P - *Variation of condition 6 of planning permission 3/2012/0490/P to allow use as a wedding venue for up to 40 days per annum* – withdrawn

3/2015/1001/P – *Variation of condition 6 of planning permission 3/2012/0490/P to allow use as a wedding venue for up to 40 days per annum (resubmission 3/2015/0302)* – withdrawn

3/2016/0243 - *Change of use from Class D1 to a mixed use within Class D1 and D2 to allow D2 use as a wedding venue for up to 40 days per year* – approved

4. Relevant Policies

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy  
Key Statement DS2 – Sustainable Development  
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 DMB3 – Recreation and Tourism Development.  
Policy DMB1 – Supporting business growth and local economy

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

5. Assessment of Proposed Development

5.1 This is a Section 73 Application and seeks to vary two conditions (3 and 4) from approved planning permission 3/2016/0243.

5.2 Sub-Paragraph (2) of Section 73 in the Town and Country Planning Act 1990 states:

2. *On such an application the local planning authority **shall consider only [emphasis added]** the question of the conditions subject to which planning permission should be granted, and –*

*(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and*

*(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.*

5.3 In view of the above, the Council can only consider the conditions for which the application seeks to vary/remove, and the Council cannot therefore reconsider issues other than those sought to be varied by this condition and cannot reconsider any other elements of the application. Therefore the issues that the Council must consider, as part of this application, are detailed below:

Condition 3

5.4 As detailed earlier in this report this condition limits the number of days that events associated with the D2 element (weddings, birthday parties etc...) of the venue can take place to 40 per calendar year. The application states that it was always the intention of the applicant to carry out up to 40 weddings per year and implies that this condition prevents that as wedding events can take place over two days, thus two of the 40 day allowance could be used up by one event.

5.5 Whilst it may always have been the applicant's intention to carry out 40 weddings per year, this condition was imposed by the LPA solely to limit the number of days that such

events could take place and below is an extract from the previous Committee Report (3/2016/0243) which clarified this matter:

“For clarity, if permission was granted the consent would allow the D2 element to take place 40 days a year and it would not control the number of events. Therefore, for example, if the applicant staged a two day wedding, (Friday and Saturday) then this would equate to two of the 40 day allowance. If (again an example) the applicant hosted a Christening or Confirmation celebration in the daytime and then a separate anniversary/party in the evening of the same day, this would equate to one of the 40 day allowance. To reiterate, the use would be controlled by the number of days and not the number of individual events.”

- 5.6 Nevertheless, regardless of the above, the current application seeks to increase the number of events /weddings to 40 per year and this is what the Council must consider in the determination of this application. This condition was imposed on the previous consent mainly due to highway concerns over the proposal. LCC Highways objected to the previous application (3/2016/0243) for a wedding venue (D2 use) on the grounds that the existing highway network was considered to be insufficient to cater for the additional traffic created by the proposal, and thus the application was recommended for refusal by Officers. Members of Planning and Development Committee approved the planning application against the Planning and Highway Officers recommendation, but with a condition that restricted the number of days that D2 events could take place.
- 5.7 LCC Highways have again been consulted on this application to allow up to 40 wedding events to take place and have raised no objection to the application. A number of objectors have raised concerns over this change in stance from LCC Highways and thus the Planning Officer contacted LCC Highways to discuss their “no objection” to the current proposal. The Highway Officer confirmed that whilst their original concerns in respect of the suitability of the highway network to support the wedding venue remained, the permission was granted by the Council and it is the Highway Officer’s opinion allowing up to 40 weddings a year would have no significantly greater highway impact than the current approval which allows the D2 use to take place 40 days per year, hence the reason no highway objection has been raised to the application to vary these conditions (3 and 4).
- 5.8 The existing consent allows D2 events to take place up to 40 days a year and if all events were one day only the existing condition would also allow up to 40 events to take place per year. However, the application explains that some of the events last for more than one day and therefore the current condition limits/reduces the number of events that can take place.
- 5.9 If permission is granted to alter this condition as requested by the applicant, it would allow the venue to be used for D2 events for more the 40 days per year. For example, if the applicant held 40 weddings that were all two day events that would equate to the venue being in use for 80 day of the year. It is considered unlikely that all events will be two days long and therefore in reality it is reasonable to assume that the amount of days that the venue will be used for D2 events would fall somewhere between 40 and 80 per calendar year if this application was approved. The Council’s Environmental Health department have raised no objection to the increased number of days the venue can be used for events.
- 5.10 In summary of the above, it is considered that the variation of this condition would increase the number of days that the venue can be used for the D2 event use, however it must be noted that the facility can be used for unlimited training events per year and other wedding venues in the vicinity are not restricted to the number of events that can

take place per year. Furthermore, there is no objection to the variation of this condition from LCC Highways or Environmental Health and consequently it is recommended that condition 3 be varied to read as follows:

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

#### *Condition 4*

- 5.11 This condition restricts the hours of operation and the applicant is of the opinion that these are too restrictive and seeks to have them altered to allow the venue to operate until 01:00 (following morning) on Wednesday, Thursday, Friday, Saturday and Sunday, as well as allowing 08:00 start on Friday and Saturday. The hours of operation for Monday and Tuesday would not be altered.
- 5.12 Objections have been raised on the grounds that noise (mainly music) can be heard from the nearest residential properties and the extended hours of operation until later into the night (as well as relaxation of condition 3) would only make this situation worse. With regard to this, the 2016 application for the change of use was accompanied by an Acoustic Report which detailed that the five nearest residential dwellings (not owned by the applicant) are located between 136m – 461m from the building to which this application relates.
- 5.13 The Acoustic Report confirmed that the layout of the building projects sound towards the east, in the general direction of the dwellings at Sandy Ford and Cow Hey, situated 461m and 340m from the site respectively. The Acoustic Report took “control” readings from the boundaries of the five nearest residential dwellings when the venue was not in use, and compared these to the noise levels from the same five locations when a wedding was taking place. As a result of these findings the report concludes that subject to the implementation of mitigation measures, the proposed use of the venue for weddings would not be “*perceptible on the boundary positions*” of the five nearest properties. The mitigation measures recommended within the report involve the shutting of all doors and windows when amplified music is being played (as much as practically possible), and the installation of noise limiting devices at the venue. A condition was placed on the previous approval requiring this mitigation measures to carried out and this condition would remain on the new permission should it be granted by Members.
- 5.14 The Council’s Environmental Health Officer has reviewed the current application and raises no objection to the extended hours of opening, commenting that no complaints have been received from Environmental Health in respect of noise from any such events and should any objectors have complaints about noise from the application site these should be reported to Environmental Health and the complaints will be investigated.
- 5.15 In summary, it is considered that the application site is located a significant distance away from any neighbouring residential properties so as to ensure there is no detrimental impact upon residential amenity and no complaints have been received by the Council with regard to noise from the site. As such the Environmental Health Officer has no objection to the revised hours of operation proposed by the applicant and condition 4 can be varied as follows:

*“The mixed use venue hereby approved shall only operate between the hours of 08:00 – 22:00 Monday and Tuesday, and between 08:00 – 01:00 (the following morning) on Wednesday to Sunday inclusive.”*

6. Conclusion

6.1 For the reasons outlined above it is considered that the proposed conditions (3 & 4) can be varied as requested by the applicant without having any significantly greater impact upon neighbouring residential amenity, or highway safety, than the existing conditions attached to the previous approval. It should also be noted that as the approval of this application results in a new permission and the issuing of a new decision, all conditions previously attached to the original decision must again be included on the decision notice.

6.2 In summary, if it is considered by Members that these two conditions can be varied as requested by the applicant, then permission should be granted. However, if Members consider that these conditions should remain as originally imposed on application 3/2016/0243 then the application should be refused.

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

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

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

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

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

4. The mixed use venue hereby approved shall only operate between the hours of 08:00 – 22:00 Monday and Tuesday inclusive, and between 08:00 – 01:00 (the following morning) on Wednesday to Sunday inclusive.

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

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

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

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

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

7. The internal one-way system approved under discharge of condition 3/2017/0367 shall be retained as approved and adhered to hereafter unless otherwise agreed in writing with the Local Planning Authority.

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

#### BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0368](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0368)

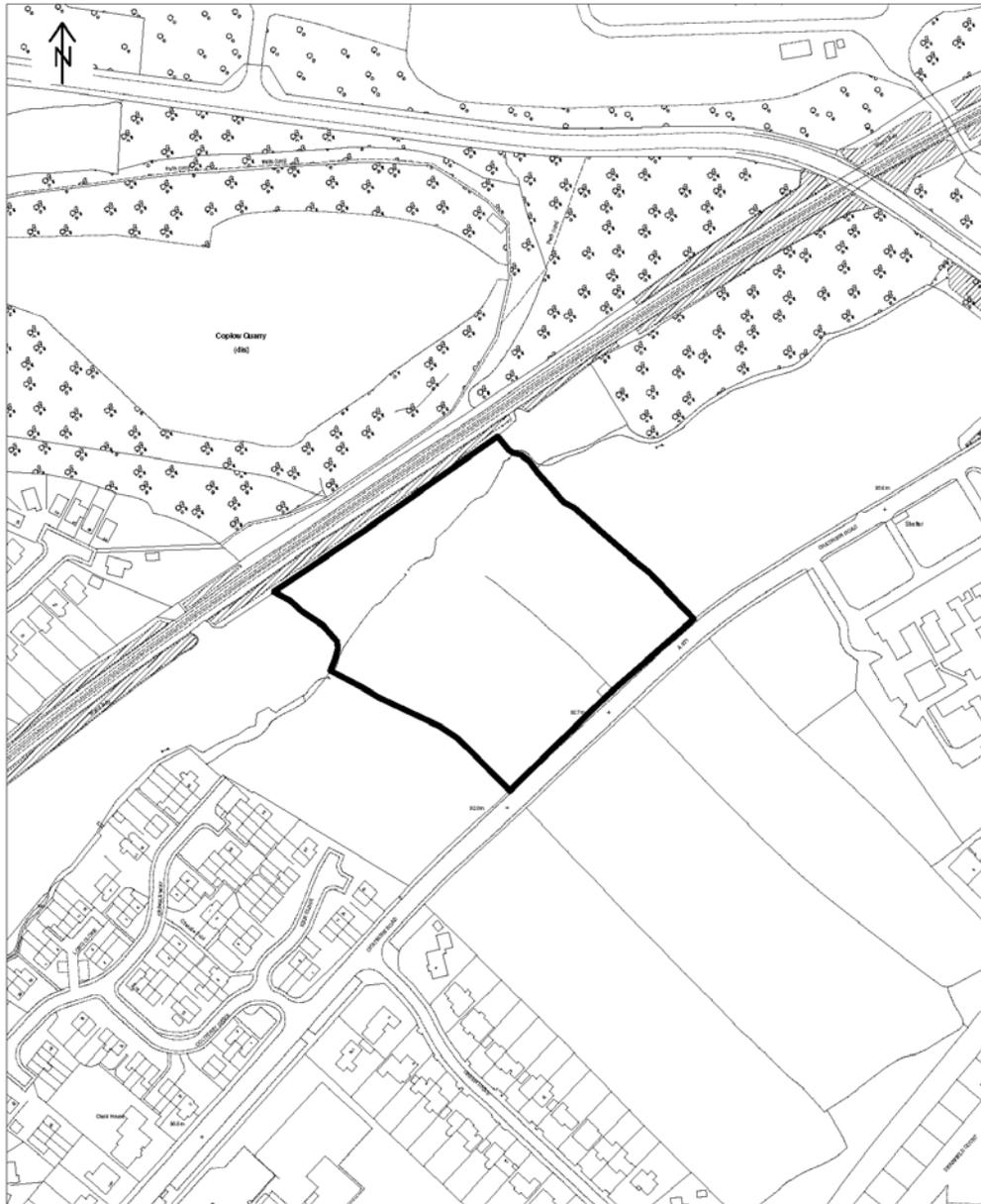
**APPLICATIONS UPON WHICH COMMITTEE DEFER THEIR APPROVAL SUBJECT TO WORK DELEGATED TO DIRECTOR OF COMMUNITY SERVICES BEING SATISFACTORILY COMPLETED**

**APPLICATION REF: 3/2017/0653**

GRID REF: SD 375227 443018

**DEVELOPMENT DESCRIPTION:**

ERECTION OF 30 DWELLINGS WITH ASSOCIATED ACCESS, LANDSCAPING AND OPEN SPACE. LAND AT CHATBURN ROAD, CLITHEROE BB7 2EQ



Land at Chatburn Road Clitheroe BB7 2EQ

Scale 1:2500

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

### **PARISH COUNCIL:**

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

- Although this is a committed housing site for development, the Town Council objects on the grounds that there would be an additional eight houses on the site and the loss of the care home from the original application (3/2013/0981).

### **CLITHEROE CIVIC SOCIETY:**

Objection withdrawn

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

The Highways development Control section have raised a number of observations in relation to the proposal that have been addressed through the receipt of amended details. As a result LCC Highways have no objection to the proposal subject to the imposition of conditions.

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

No objection subject to the imposition of conditions.

### **ENVIRONMENT AGENCY:**

The Environment Agency has no objection to the proposal subject to the imposition of conditions to ensure that the development shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Thomas Consulting (reference P4558 Rev 2, 20/05/15) and the approved supplementary FRA by CTC Consulting (reference G:\cTc Infrastructure\Projects\2016\2016-C-116\Reports\Issue) and the mitigation measures detailed within them.

### **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 3 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 x 0.97) x BCIS All-in Tender Price (287 / 240) (Q1-2017/Q4-2008)

= £21,423.27 per place

£21,423.27 x 3 places = £64,269.81

Members will note that this assessment represents the current position. LCC reserve the right to reassess the education requirements taking into account the latest information available.

## **ADDITIONAL REPRESENTATIONS:**

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

- Cumulative impact upon the highways network
- Cars already parked along Chatburn Road associated with the Hospital
- Impacts upon highway safety
- Flood risk as a result of additional building on greenfield land

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

- 1.1 The application relates to a greenfield area of land 1.85 Hectares in size. The site is located within the defined settlement boundary of Clitheroe. The site also currently benefits from being designated as a Committed Housing Site.
- 1.2 The site is bounded to the southeast by Chatburn Road, with the Clitheroe rail-line being located directly adjacent the site to the north-west. The site is also bounded to the north-east and south-west by greenfield land currently in agricultural use.
- 1.3 The site benefits from a prevailing topography whereby the land-level decreases towards the north-west where it meets an existing small watercourse, to the north of which is a small area of grassland. The north-eastern and south-western extents of the site are currently delineated by existing hedgerow/tree planting with a small number of trees/hedgerow also being located within the main body of the site.
- 1.4 Two of the trees within the main body of the site are currently protected by Tree Preservation Orders (TPO's 10 and 11), members will note that T11 has since been felled.

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

- 2.1 Full consent is sought for the erection of 30 dwellings including formation of a new vehicular access and associated landscaping/POS on land off Chatburn Road, Clitheroe.
- 2.2 The submitted layout proposes that vehicular and pedestrian access will be provided off Chatburn Road with a primary spine road serving 3 cul-de-sacs. A small area of public open space will be centrally located within the site with an additional larger usable area of open space being located on the northern side of the watercourse on site.
- 2.3 The maximum height of the dwellings on-site will be two-storeys with a number of bungalows also being proposed. The house-types are predominantly detached in nature with a small number adopting a semi-detached configuration and one terrace block consisting of three dwellings.
- 2.4 The proposed housing mix is as follows:
- 21 x 4 bedroom dwellings
  - 7 x 2 bedroom dwellings (4 of which are to be bungalows)
  - 2 x 3 bedroom dwellings

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

**3/2013/0981** - Outline application for residential development comprising 20 dwellings (including 6 units of social housing), 3 close care apartments and a 60 bed care home (all matters reserved for subsequent approval). (Approved 10<sup>th</sup> July 2015)

### 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

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 with the site also being an identified Committed Housing Site by virtue of an extant consent for housing and care home (3/2013/0981) which currently exists on site.

5.1.2 In this respect, notwithstanding other development management considerations, the principle of the development of the land for residential purposes is considered acceptable and there are no direct conflicts with the Development Strategy for the Borough (Key Statement DS1) as a result.

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

5.2.1 The application site is relatively physically isolated only being within close proximity to residential dwellings properties fronting Kiln Close and Cringle Way located to the south-west.

5.2.2 An adjacent agricultural field affords a significant degree of separation (approximately 70m) between the south-western extents of the proposal site and the north-eastern boundaries of the aforementioned existing properties. In this respect and taking account of the significant degree of physical separation

proposed, it is not considered that the proposal will result in any measurable significant detrimental impact upon the residential amenities of the occupiers of dwellings located on Kiln Close or Cringle Way.

5.2.3 Given there are no other residential properties within close proximity to the proposal site it is not considered that the development, as submitted, would result in any significant detrimental impact upon residential amenity.

### 5.3 Highway Safety and Accessibility:

5.3.1 The Highways Development Control Section have offered a number of observations in relation to the internal highway/footway arrangement of the proposal. A number of these observations have been addressed through the receipt of amended details, as a result no objection has been raised on Highways grounds subject to the imposition of conditions.

### 5.4 Matters of Layout/Design

5.4.1 The layout and house-types have been subject to negotiation to ensure that the orientation and appearance of the proposed dwellings respond appropriately to the character and context of the site.

5.4.2 The proposed dwellings employ a mixture of render and reconstituted stone as their primary facing materials with chimney detailing being utilised on a number of key plots to ensure adequate roof animation/articulation.

5.4.3 The layout has been amended to allow for the majority of the proposed dwellings to positively address the primary spine road with a number of dwellings also having been re-orientated to provide an active outlook over the POS to the north-east.

### 5.5 Landscape/Ecology:

5.5.1 The applicant has submitted an Ecological Habitat and Protected Species Risk Assessment in support of the application. The report concludes that the proposal is unlikely to directly affect protected species however mitigation is suggested in the form of the provision for building dependent species to be integrated into the proposed dwellings. The report further identifies that there is the likelihood of foraging bats in the area, particularly adjacent the watercourse and linear landscape features.

5.5.2 Appended to the report are the suggested locations of integral bat/bird boxes however the provision proposed is below that which would normally be secured as part of a housing development within the Borough as a result revised and additional provision will be secured through the imposition of condition.

5.5.3 The proposal has also been accompanied by a Tree Removal and Protection Plan. The details propose the removal of some existing trees/hedgerow along the southwestern boundary of the site with a number of trees being retained and hedgerow to the north-eastern extents of the site being retained and reinforced.

5.5.4 Two trees within the site are protected by Tree Preservations Orders (T10 and T11), T11 has since been felled but the submitted details propose that T10 (Tree Preservation Order 1970) will be retained as a central feature in the site within a

small area of open space and be complimented by additional amenity landscaping.

5.5.5 Following officer negotiation the grassland area to the north of the watercourse on site will be utilised as an area of usable open space. The area will compromise of seating areas, a 1.8m wide path that follows a radial route and pockets of Hazel Copse planting along with additional tree planting to ensure the area contributes to the overall ecological and biodiversity uplift of the site. Access to the area will be provided by way of a small footbridge link that will cross the watercourse ensuring the area remains an attractive and accessible area for residents of the development.

5.5.6 Additional tree planting and landscape screening is proposed within the main body of the site with a planting margin also being proposed to the south eastern extents of the site adjacent Chatburn Road. Negotiation has secured extensive use of 'Green Screen' boundary treatments in-lieu of standard fencing/boundary treatments. These will be located where boundary treatments are afforded a high-level of visibility within the public realm or on peripheral locations that will be afforded high visibility such as adjacent Chatburn Road and the P.O.S to the north.

#### 5.6 Affordable Housing Provision:

5.6.1 The proposed affordable housing provision (9 units) meets 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, this requirement will be met through obligations within the S.106 agreement.

#### 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. 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 3 secondary school places totalling £64,269.81. 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 finalised within the agreed S.106 Agreement.

5.8 Flood Risk and Drainage:

5.8.1 At the time of writing this report no objections have been received from the Environment Agent or United Utilities subject to the imposition of conditions relating to foul/ surface water drainage and the imposition of conditions that ensure the development be carried out in accordance with the submitted Flood Risk Assessment.

5.8.2 The LLFA have withdrawn their original objection to the proposed development subject to the imposition of conditions.

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 development of a greenfield site that will bring forward 30 new dwellings within the defined settlement of Clitheroe in a location which benefits from walkable access to services and facilities.

6.2 It is further considered that the proposal 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 of the area.

6.3 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 DEFERRED and DELEGATED to the Director of Community Services for approval following the satisfactory completion of a Legal Agreement and further work to be undertaken in respect of drainage matters , 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:

*Timings and Commencement*

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:

Drawing numbers to be confirmed

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

### *Matters of Design*

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 Policy DMG1 of the Ribble Valley Core Strategy.

### *Landscape and Ecology*

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

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

The artificial bird/bat boxes shall be incorporated into the 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.

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

REASON: To ensure the proposal is satisfactorily landscaped and appropriate to the locality in accordance with 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 of phasing and delivery for the proposed public open space has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved timings and phasing's.

REASON: To ensure the proposed landscaping/public open space is provided on a phased basis to ensure that adequate usable public open space is provided for residents of the development in accordance 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 unless and until a scheme for protective fencing for trees within and adjacent to the site, has been submitted to and approved in writing by the Local Planning Authority.

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

REASON: To protect trees/hedging of landscape and visual amenity value on and adjacent to the site or those likely to be affected by the proposed development in accordance with Policies DMG1 and DME2 of the Ribble Valley Core Strategy.

### *Drainage and Flooding*

8. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Thomas Consulting (reference P4558 Rev 2, 20/05/15) and the approved supplementary FRA by CTC Consulting (reference G:\cTc Infrastructure\Projects\2016\2016-C-116\Reports\Issue) and the mitigation measures detailed within them. No development should take place in Flood Zone 3 or Flood Zone 2. All development should be restricted to Flood Zone 1. 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 ensure the proposed development and future occupants are not at an unacceptable risk of flooding in accordance with Policy 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 Policy 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 accordance with the approved details.

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the

NPPF and NPPG and to ensure the development is in accordance with Policy DME6 of the Ribble Valley Core Strategy.

11. 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. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
  - C. Flood water exceedance routes, both on and off site;
  - D. A timetable for implementation, including phasing where applicable;
  - E. 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 a surface water body will only be considered where infiltration is proved to be unsuitable.
  - 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, to ensure that there is no flood risk on or off the site resulting from the proposed development and to ensure that water quality is not detrimentally impacted by the development proposal in accordance with Policy DME6 of the Ribble Valley Core Strategy.

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 shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.

REASON: To ensure that the construction phase(s) of development does not pose an undue flood risk on site or elsewhere and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies in accordance with Policy DME6 of the Ribble Valley Core Strategy.

*Highways*

14. 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. The development shall be carried out in strict accordance with the approved details

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

15. Prior to the commencement of any development an order shall be placed for staff costs, the advertising and implementation of traffic regulation orders for a 30mph speed limit on Chatburn Road from its current terminal point up to and including Pimlico Roundabout, to the satisfaction of the Local Planning Authority in consultation with the Highway Authority.

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

16. No part of the development hereby approved shall be first occupied until the approved scheme referred to in Condition 14 has been constructed and completed in accordance with the agreed 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 in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

### *Further Control over Development*

17. 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.

### BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2017%2F0653](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2017%2F0653)

**APPLICATION REF: 3/2018/0019**

GRID REF: SD 374856 434434

**DEVELOPMENT DESCRIPTION:**

CHANGE OF USE OF AGRICULTURAL LAND TO D2 (ASSEMBLY AND LEISURE); CONSTRUCTION OF A NEW SPORTS CHANGING ROOM FACILITY INCLUDING SHOWERS, CHANGING ROOMS AND ASSOCIATED CAR PARKING WITH NEW INCLUSIVE ACCESS ROAD AND DEVELOPMENT OF THE SURROUNDING FIELDS TO FORM THREE FULL SIZE FOOTBALL PITCHES AND TWO UNDERSIZED TRAINING PITCHES AT LAND OFF WHALLEY ROAD, READ



3/2018/0019 land off Whalley Road, Read BB12 7RS

Scale 1:5000

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

### **PARISH COUNCIL:**

#### ***Read Parish Council:***

Supportive of the application in principal but would suggest that a covenant is applied to ensure that if the proposed facilities are no longer being used for football training, they should be offered to other local clubs and not developed for other uses ie housing development.

#### ***Simonstone Parish Council:***

Concerned that the proposed development is on a line where a future relief road between Portfield Bar and Shuttleworth Meade junction with the A6068 is proposed. Currently this is a major route for traffic and with the expansion of housing in Whalley, Barrow and Clitheroe this development could compromise the future development of this major route and have a major impact on the economic viability of the A59 corridor.

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

No objection subject to the new site access being designed and approved by the highway authority and these works being subject to a S278 agreement. The existing access should be closed and a fence extended across the opening and kerbing re-instated to prevent this from being used as a lay-by. The exact positioning of any gates to be installed on the new access must be agreed with Highways to ensure that vehicles do not impede traffic flow on Whalley Road.

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

Object to the application as no Flood Risk Assessment has been provided. The applicant has now provided an FRA and the LPA await further comments from the LLFA.

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

Consider that the development site occupies former parkland associated with Read Hall and the impacts of the proposal on the significance of the site as former historic parkland is limited, but not negligible, however the proposed use would be generally related to the historic "ornamental and recreational" use of the land. No mitigation is considered necessary for this impact, however the applicant is advised to use appropriately designed tree-guards and railings to reference the historic use of the site.

LAAS consider that the assessment of the archaeological remains on the site is brief in comparison with the assessment of the impact on designated heritage assets. Nevertheless it is accepted that there is no strong evidence to suggest nationally-important remains are likely to lie within the proposed development site.

In summary, it is concluded that the proposal would have no significant impact on designated heritage assets of national importance, but the site retains non-designated heritage assets and there is significant potential for buried remains of prehistoric date to exist. These assets and potential remains will be impacted by the proposal but do not appear to be so important as to merit preservation at the expense of the development. Nevertheless they do merit further investigation and recording as part of the development. As such it is not considered that a simple "watching brief" is an adequate response and LAAS therefore recommend a phased scheme of investigation, starting with archaeological desk-based assessment, walk-over and geophysical survey, and targeted trial trenching resulting in the production of a formal report.

The requirement for further phases of work would depend upon the result of this initial investigation.

The above works recommended by LAAS do not have to be undertaken before planning approval could be granted and therefore can be secured by condition, however these works would need to be undertaken before any development commences.

**SPORT ENGLAND:**

Supports this application

**UNITED UTILITIES:**

No objection subject to conditions.

An aqueduct runs through the development site, and there is also an easement affected by the proposed development site. Access to these will be required and the applicant is therefore advised to contact United Utilities to comply with any such easements.

**ENVIRONMENT AGENCY:**

No objection, although a number of informatives have been recommended to be added to any potential approval.

**NATURAL ENGLAND:**

No objection as it is considered that the proposal will not have a significant adverse impact on designated sites or protected landscapes.

**ELECTRICITY NORTH WEST:**

The proposal could have an impact on Electricity North West infrastructure and therefore the applicant is advised to contact Electricity North West prior to commencement of development if planning permission is granted.

**ADDITIONAL REPRESENTATIONS:**

Representations have been received from five different households/addresses, objecting to the application on the following grounds:

- The land is designated as green belt;
- Increased traffic on busy highway;
- Noise disturbance from players, coaches and supporters;
- Lighting;
- Air pollution;
- Concern over football fans visiting Whalley and Read;
- Out of character with the character of the area;
- Offers no benefit to the local community;
- Loss of views;
- Impact on ecology;
- Impact on three listed buildings at Park Head,
- Visual impact of proposal on landscape;
- Further development likely if the applicant/club are successful;
- Devaluing of properties;

- Surface water run-off from the site;
- Set a precedent for further development;
- Waste and rubbish will be generated from the proposal;
- Overlooking into nearby houses and loss of privacy;
- High fencing will be required;

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

- 1.1 The application relates to a field located on the south western side of Whalley Road (A671) in Read. Specifically the land is located between a wooded area known as Cock Wood and the A671, with the access point to Read Hall situated on the opposite side of this highway.
- 1.2 The general topography of the land slopes down towards the north and west and beyond the northern boundary is a complex of residential dwellings on Park Head, which consists of two grade II listed buildings. To the south is a track which connects the A671 (Whalley Road) to the A680 (Accrington Road) and to the west is Cock Wood.
- 1.3 At present there is an existing access point into the field off the A671 however this only provides access to the field for farm vehicles/machinery and there is no hardsurfacing beyond the field gate.
- 1.4 As detailed above the application site is presently a field and consists of a number of trees, however the boundaries of the site are well vegetated by trees and hedgerows. There is a line of overhead electricity cables running through the site, as well as an underground aqueduct, both of which run from north to south through the site.
- 1.5 The application site is situated very close to the boundary shared with Hyndburn Council and being outside of any settlement boundary is defined as open countryside. Furthermore the site is located on the edge of, but within, the green belt. Cock Wood to the west is designated as a biological heritage site and part of the woodland is also a Site of Special Scientific Interest (SSSI).

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

- 2.1 The application seeks to change the use of this agricultural land to a training facility for Accrington Stanley Football Club (use class D2 – assembly and leisure).
- 2.2 The proposal would include the provision of two full size, and one half size, training pitches (grass), two of the pitches would be situated centrally within the site and the third at the southern end of the site. A changing room building would be erected relatively close to the boundary with Cock Wood and a new car parking area capable of accommodating 68 vehicles would be created adjacent to the proposed changing room building.
- 2.3 A new access point would be created onto the A671 and a new hardsurfaced track created through the site to connect this new access point to the changing room and car parking area. The existing access point would be closed off with kerbing reinstated to prevent access at the request of LCC Highways. A recessed access gate and 2m high stone wall would be constructed at the new entrance point.
- 2.4 Due to the sloping topography of the land, in order to create a level surface for the pitches an element of some cut and fill would need to take place to the existing land levels, however the surrounding land (around the proposed pitches) would be unaltered.

At the greatest level the land would be excavated by as much as 3m in order to create a level surface for the pitches.

- 2.5 With regards to the changing room building, this would be relatively modest in size, being single storey and measuring 27.7m long by 14.2m wide with an overhanging roof measuring 2.5m high to the eaves and 5m high to the ridge. The building would consist of four changing room areas (with showers/toilet), two referee changing rooms (with showers/toilet) and a communal area for meetings/briefings etc... Attached to the end of the changing room building would be separate storage and plant rooms.
- 2.6 With regard to design the changing room building would be constructed in a mixture of natural stone and horizontal timber boarding with anthracite aluminium framed windows. The roof would comprise of vertical zinc profile cladding.
- 2.7 The application is accompanied by both an ecology report and an arboricultural impact assessment. The application would result in the removal of a section of the existing boundary hedge fronting onto the A671 for the new access point and visibility splays. The application also proposes new tree planting around the site to compensate for any loss of trees/vegetation and provide screening.
- 2.8 As detail earlier the application has been submitted by Accrington Stanley Football Club and the applicant's agent has confirmed that the facilities would be used solely by the club for training purposes and all competitive fixtures will continue to be played at their ground in Accrington. The original submission proposed the creation of five training pitches, however following discussions with the LPA the application has been revised and the two training pitches originally proposed at the northern end of the site have been removed from the proposal.

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

3/1976/0235 – Proposed 36 hole golf course on Read Hall Estate – granted subject to conditions

### 4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement DS2 – Sustainable Development

Key Statement EN1 – Green Belt

Key Statement EN2 – Landscape

Key Statement EN4 – Biodiversity and Geodiversity

Key Statement EN5 – Heritage Assets

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 DME4 – Protecting Heritage Assets

Policy DME6 – Water Management

Policy DMB3 – Recreation and Tourism Development

National Planning Policy Framework (NPPF)

Planning (Listed Building and Conservation Area) Act 1990

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

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

- 5.1.1 The application seeks consent to change the use of an agricultural field to a training facility for Accrington Stanley Football Club. The site is located outside of any settlement boundary and is therefore defined as open countryside.
- 5.1.2 Policy DMG2 of the Core Strategy supports new development that is located within the principal and tier one settlements, however in this particular case, due to the amount of land required to provide three training pitches there are not considered to be any suitably sized and available sites within the defined settlement boundaries for this proposed development.
- 5.1.3 In any case, Policy DMG3 does allow development outside of the settlement boundaries provided it meets at least one of a number of considerations and one of these is:
- *The development is for small-scale tourism or recreational developments appropriate to a rural area.*
- 5.1.4 Whilst the proposal would seek to provide three practise pitches, a changing room building and parking area, it is considered that the proposal represents small-scale recreational development as the built form (changing room building and parking area) is relatively modest in size. It is accepted that the application site is relatively large in size however the majority of this is made up of the practice pitches which have a minimal visual impact (discussed later in this report).
- 5.1.5 With regard to Policy DMB3 (Recreation and Tourism Development), this policy relates to recreation and tourism uses that have a community use, whereas this proposal would not be open to the public and would be used solely by the applicant (Accrington Stanley FC). It is therefore considered that this policy is not relevant in the determination of the application.
- 5.1.6 In addition to being in the open countryside, the application site is also located within the green belt and a number of objectors have raised concerns that the proposed development would be in conflict with the green belt designation of the land.
- 5.1.7 Key Statement EN1 (Green Belt) seeks to ensure that the green belt is safeguarded from inappropriate development and that new buildings will be limited to the purposes of essential outdoor sport and recreation (amongst other uses). The proposal would provide outdoor sport and recreational uses and thus is considered to be broadly compliant with Key Statement EN1.
- 5.1.8 As the green belt is a national designation of land, the National Planning Policy Framework (NPPF) is also a material consideration in the determination of this application. Section 9 of the NPPF relates specifically to green belt and para 89 states that LPAs should regard the construction of new buildings as inappropriate in green belt, however it does list a number of exceptions which include a building to be used for the *“provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it”*.

- 5.1.9 As detailed earlier in this report, the amount of built development (building and parking area) associated with this proposal is considered to be relatively modest in size and would therefore preserve the openness of the green belt – the visual impact of the proposal on the wider area is discussed in more detail later in this report.
- 5.1.10 In respect of the change of use of the land to provide football pitches within the green belt, there are various examples of sport and recreational uses (including football pitches) located within the green belt in the borough (hence why the NPPF allows new sport and recreational buildings to be erected in the green belt), and it is therefore considered that the proposed sport and recreational use of the site within the open countryside and green belt is compliant with both national and local policies.

## 5.2 Impact upon heritage assets

- 5.2.1 As mentioned earlier in this report there are two grade II listed buildings within the cluster of dwellings to the north at Park Head. These two listed buildings are Park Head Farmhouse itself and an associated barn, and on the opposite side of Accrington Road (A680) to the cluster of dwellings at Park Head is a third grade II listed building known as Moreton Lodge. To the east of the application site, on the opposite side of Whalley Road (A671), is the entrance to Read Hall and the gate posts/piers and lodge house at this entrance point are both grade II listed. In addition to this, Read Hall itself is a Grade II\* listed building. To the south of the site is Martholme Railway Viaduct which is also a grade II listed building and the visual impact of the proposed development on the setting of these listed buildings is a consideration in the determination of this application.
- 5.2.2 Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 places a duty on the local planning authority in considering whether to grant planning permission for development that affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
- 5.2.3 One of the 12 core planning principles of the NPPF is to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Similarly, Policy DME4 of the Ribble Valley Core Strategy does not support development that would cause harm to the setting of Listed Buildings and Key Statement EN5 states that there is a presumption in favour of the conservation and enhancement of the significance of heritage assets and their setting. Paragraph 131 of the NPPF requires LPAs to take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraph 132 requires great weight to be given to the conservation of heritage assets and paragraph 133 states that where a proposal will lead to substantial harm to the significance of a designated heritage asset, consent should be refused unless it can be demonstrated that there are public benefits that outweigh that harm.
- 5.2.4 Paragraph 58 of the NPPF encourages good design by stipulating that planning policies and decisions should aim to ensure that developments:
- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

- *establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
  - *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
- 5.2.5 Furthermore, Policy DMG1 of the Core Strategy requires development to be of a high standard of design and be sympathetic to existing and proposed land uses in terms of size, intensity and nature.
- 5.2.6 With regard to the impact the proposed development would have upon the setting of these nearby listed buildings, the application is accompanied by a Heritage Statement which considers the impact of the proposal on all these listed buildings.
- 5.2.7 With regard to Read Hall (grade II\*), owing to this building being concealed by trees and sited more than 750 metres from the application site, it is considered that the impact of the proposal on Read Hall is negligible. The listed lodge and gate piers at the entrance to Read Hall are situated much closer to the application site, however when viewing these listed structures from the public realm of Whalley Road the observer is looking away from the application site. Furthermore the application site is screened from these structures by trees and the built development (changing room building) is located at the south western corner of the site almost 300m from these structures. As such it is considered that the proposed development would not have any negative impact upon the setting of the listed buildings associated with Read Hall.
- 5.2.8 Some 500m to the south of the application site is the listed Martholme Viaduct and at such a distance, with intervening trees/vegetation, any impact of the proposed development would be negligible.
- 5.2.9 To the north of the site are the three listed buildings at Park Head (x2) and Moreton Hall Lodge. At the nearest point these listed buildings would be almost 500m from the proposed changing rooms and car parking spaces and therefore the impact is considered to be low. It is accepted that the training pitches would be sited closer to these listed buildings (approx. 300m at nearest point), however it is not considered that three grass football pitches would have any greater visual impact than the existing grass field. Furthermore, it must also be considered that the immediate setting of Park Head as an isolated farmstead has previously been devalued by recent developments within this cluster of residential properties and what is proposed by this application would have far less of an impact upon the setting of these listed buildings than previous developments at Park Head.
- 5.2.10 In addition to the above mentioned impact on nearby listed buildings, it is considered that the application site itself was within the former grounds of Read Hall and the site is defined as Post Medieval Enclosure in the Lancashire Historic Landscape Type Map. The submitted heritage statement recognises that the site itself has heritage significance, however concludes that the significance would be unaffected by the proposal.
- 5.2.11 With regard to archaeology on the site, the submitted statements considered that there is limited archaeological interest in the site and that previous disturbance

from the water pipeline and telegraph poles will have impacted on archaeological remains.

- 5.2.12 As part of the consideration of this application the LPA has consulted with Lancashire Archaeological Advisory Service (LAAS) who have raised no concerns in respect of the submitted Heritage Statement's assessment of the proposal on the nearby listed buildings. However, LAAS do consider that there is potential for archaeological remains to be present on this site. LAAS do however accept that any remains are not so important as to merit preservation at the expense of the development.
- 5.2.13 Nevertheless LAAS consider that the potential remains do merit further investigation and recording as part of the development. As such it is not considered that a simple "watching brief" is an adequate response and therefore LAAS have recommended a phased scheme of investigation, starting with archaeological desk-based assessment, walk-over and geophysical survey, and targeted trial trenching resulting in the production of a formal report. The requirement for further phases of work would depend upon the result of this initial investigation.
- 5.2.14 The above works recommended by LAAS do not have to be undertaken before planning approval could be granted and therefore can be secured by condition, however these works would need to be undertaken before any development commences.
- 5.2.15 In summary of the above, it is considered that the proposed development would not result in substantial harm to any nearby heritage assets and thus the proposed development would comply with the requirements of Key Statement EN5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy, as well as national guidance contained within the NPPF and the Planning (Listed Building and Conservation Area) Act 1990.

### 5.3 Impact upon Residential Amenity:

- 5.3.1 The nearest residential dwellings to the proposed development are Read Hall Lodge, located on the opposite side of Whalley Road, the dwellings at Old Coal Slaithe to the south and the cluster of properties on Park Head to the north.
- 5.3.2 At the nearest point the proposed changing room building would be 200m from the dwellings at Old Coal Slaithe, however there is a wooded area in-between (Wheatcroft Wood) and thus the proposed building would not be visible from these properties. The changing room building would be sited more than 300m from Read Hall Lodge and approx. 500m from the dwellings to the north at Park Head, and at such distances the proposed building would not have any undue impact upon residential amenity.
- 5.3.3 In respect of the use of the site for training purposes, a number of objectors have commented on noise disturbance from players and coaches during training sessions. The proposed training pitches would be more than 170m from the nearest residential dwelling and such a distance is considered to be sufficient to ensure noise from players and coaches would not have a detrimental impact on residential amenity. In addition, the training pitches would be used during daytime hours only (08:00 – 17:00) and a condition has been attached to ensure this is the case. Furthermore the site adjoins a busy main road (Whalley Road) and it is considered that background noise from this highway would not be

dissimilar to noise from the proposed pitches. It should also be noted that it is unlikely that the proposed pitches will be used from 08:00 – 17:00 every day, as training sessions generally last only a few hours.

- 5.3.4 In summary, whilst it is accepted that the nearest residents may occasionally hear some shouting or whistling from training sessions, the levels of noise generated would not be sufficient to refuse a planning application, particular given the significant distance the proposed pitches would be from the nearest residential properties (170m).
- 5.3.5 A number of residents on Park Head have objected on the grounds that they would be able to see the proposed pitches and players. In response to this, just because the objectors may be able to see practice the pitches, or people training on them, is not a valid reason for refusal of this application, as there has to be some visual harm or detriment. As detailed above, given the separation distances between the proposal and these properties there is considered to be no visual harm to residential amenity. Notwithstanding the above, due to the topography of the land and the vegetation/screening to be planted, it is considered unlikely that the proposal would be visible from the properties on Park Head.
- 5.3.6 The objectors have also raised concern with regard to potential external lighting and fencing. The applicant has commented that because the pitches will only be used during daytime hours no external lighting is required. Nevertheless, should the applicant decide in the future that external lighting is required then consent would be required and the LPA would determine any such application accordingly. In respect of fencing, the application does not propose any fencing (with the exception of the wall and gates at the entrance off Whalley Road), however fencing up to 2m high could be erected under permitted development in this field without requiring any consent from the Council. Should the applicant wish to erect fencing more than 2m high then a planning application would be required.
- 5.3.7 Given the distance the proposed development would be from any neighbouring residential properties, it is considered that the relationship the proposed development would share with neighbouring land uses is acceptable in accordance with paragraph 17 of the NPPF which seeks to ensure that all new development provides “a good standard of amenity for all existing and future occupants of land and buildings” and Core Strategy Policy DMG1 which states that new development must:
- *not adversely affect the amenities of the surrounding area;*
  - *provide adequate day lighting and privacy distances.*

#### 5.4 Visual Amenity/External Appearance:

- 5.4.1 The proposed changing room building is single storey only and modest in size/scale, furthermore being set back more than 150m from the highway of Whalley Road and against the backdrop of the wooded area behind the visual impact of this building, and the surrounding car parking area, is considered to be minimal.
- 5.4.2 The proposed access road to serve the building and car parking area would run through the site, however to reduce the visual impact this access track would be

screened by new hedgerow and tree planting. A new access point would be created onto Whalley Road, however the existing access point would be blocked up and thus there would be no net increase in the number of access points serving the site. The access would include the erection of a wall and gates however these would be set back from the highway and again the visual impact is limited.

- 5.4.3 With regard to the pitches themselves, these would remain grass and therefore from long distances would have no significantly greater impact on the landscape than the existing field. Closer to the site the goalposts at either end of the pitches and the pitch markings would be more visible, however the application includes new vegetation planting which would substantially screen the pitches and in any case the pitch markings and goal posts are not particularly large or intrusive features that would be visually detrimental, particularly in comparison to the much taller electricity poles and cables which currently run through the site.
- 5.4.4 In respect of the alterations to the ground levels to create a flat surface for the proposed pitches, these works would involve both elements of cut and fill, with earth that is removed being reused elsewhere in the site to raise the land where needed. It is not considered that earthworks required are sufficient to materially alter the landscape character of the area and as mentioned above the site will be well screened by existing and new tree planting.
- 5.4.5 In terms of the actual design of the proposed changing room building, it would be constructed using a mixture of stone and timber boarding to reflect the surrounding woodland landscape and would have a lightweight roof design (zinc cladding).
- 5.4.6 It is considered that the design of proposed building, and the development as a whole, would share an acceptable visual relationship with the surrounding landscape character of the area.

## 5.5 Highway Safety and Accessibility:

- 5.5.1 The application proposes a new access point off Whalley Road to serve the proposed training facility and car parking area, and this access point would provide better sight lines than the existing access point. The application includes space for 68 vehicles which is considered to be more than the proposed use would require, however as there are no other facilities for parking within the vicinity it is felt necessary to provide additional parking within the site. For this proposal to not provide additional parking would potentially lead to vehicles parking on Whalley Road (A671) and this would be detrimental to highway safety.
- 5.5.2 As a result of the new access to be created the Highway Officer has requested that the existing access be closed and blocked up with the footway reinstated. The applicant has agreed to this and updated plans have been submitted to show these alterations to the existing access. A condition has been attached to ensure the existing access is blocked up before the proposed development is first brought into use.
- 5.5.3 The applicant has also provided a plan of the proposed gates, and their position within the site, and the Highway Officer is satisfied with this information.

- 5.5.4 Objections have been received on the basis that the proposal would result in additional traffic, however it is not considered that the modest levels of traffic generated by this proposal would have an impact on the capability of the surrounding highway network, particularly given that the site is located on a busy classified road (A671).
- 5.5.5 In summary, the Highway Officer has raised no objection to the proposal on highway grounds, subject to the imposition of conditions.

## 5.6 Trees/Ecology:

- 5.6.1 The application is accompanied by an arboricultural impact assessment and an ecology appraisal.
- 5.6.2 In respect of trees, the application proposes to retain as many trees as possible on the site, with the positioning of the proposed building, access road, parking area and pitches all being influenced by the location of existing trees on site.
- 5.6.3 The only trees/vegetation to be removed as part of the application would be a section of the hedgerow, and potentially some small trees within this hedgerow, fronting onto Whalley Road to accommodate the new access point and visibility splays. The submitted report states that the section to be removed is of low quality and various new tree and hedge planting would take place throughout the site both as mitigation for the loss of this section but also to provide screening. The Council's Countryside Officer has raised no objection to the removal of vegetation for the access and is supportive of the new planting throughout the site.
- 5.6.4 With regard to ecology, the submitted report has been reviewed by the Council's Countryside Officer and no objection is raised, subject to the imposition of a number of conditions. Furthermore Natural England have reviewed the submission and raised no objection, commenting that they consider the proposal will not have a significant adverse impact on designated sites or protected landscapes (adjacent BHS & SSSI within Cock Wood).
- 5.6.5 In addition to the submitted ecology report, the Countryside Officer had also requested that the applicant undertake a bat survey of the existing trees on site in order to ensure there are no roosting bats within. This survey/report has been undertaken and submitted to the LPA and confirms that no roosting nests were found in the existing trees.

## 5.7 Other issues

- 5.7.1 At the request of the LLFA the applicant has submitted a Flood Risk Assessment however at the time of writing this report the LPA has yet to receive any comments from the LLFA in respect of the FRA. It is hoped that the comments will be received prior to the Committee so that they can be verbally reported to Members but if not it is requested that should Members be minded to approve the application the decision be deferred back to the Head of Planning for issuing upon confirmation from the LLFA that they have no objection on drainage grounds.
- 5.7.2 Objectors have commented that the proposal would generate waste and rubbish, however it is not considered that the proposed use as a training facility for Accrington Stanley FC would produce abnormal levels of waste and rubbish.

5.7.3 A concern has also been raised in respect of this application setting a precedent for future development both at this site or on adjacent land, and Read Parish Council have raised a concern in respect of the future use of the site should the proposed use cease. In response to these concerns, any future applications to expand the proposal or for alternative uses on both the application site or neighbouring land would be considered in line with Council's policies without prejudice at any such time.

5.7.4 Simonstone Parish Council have made reference to the site being on the line of a potential relief road between Portfield Bar and Shuttleworth Meade. It is assumed that the Parish Council are referring to the Policy T5 of the Districtwide Local Plan (DLP) which proposed a bypass road along the dismantled railway line in the vicinity of the application site. However the Districtwide Local Plan has been replaced by the Core Strategy and this former policy (T5) contained within the DLP is now obsolete and therefore not a consideration in the determination of this application.

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

6.1 Considering all of the above and having regard to all material considerations and matters raised, the change of use of the site to a training facility for Accrington Stanley Football Club considered to be acceptable, and subsequently the application is recommended for approval, subject to conditions.

RECOMMENDATION: That the application be DEFERRED and DELEGATED to the Director of Community Services for approval subject to no objection being received from the LLFA, 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:

### *Time Limit*

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

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

### *Plans*

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

16.136 001

16.136 002 Rev M (amended plan received 14/05/18)

16.136 005 Rev D

16.136 006 Rev D (amended plan received 25/04/18)

16.136 008 Rev A (amended plan received 25/04/18)

16.136 009 Rev A (amended plan received 16/05/18)

16.136 010 Rev A (amended plan received 16/05/18)

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

### *Materials*

3. Notwithstanding the submitted details and the requirements of condition 2 of this approval, precise specifications or samples of all materials to be used on the external surfaces of the building hereby approved, including details of their colour and texture, shall have been submitted to and approved by the Local Planning Authority before their use in the proposed development.

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

### *Use*

4. The training facilities and associated building hereby approved shall only be used between the hours of 08:00-17:00 on any day.

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

5. The training facilities and associated building hereby approved shall solely be for the use of Accrington Stanley Football Club and shall not be used as a community facility or for public use.

REASON: For the avoidance of doubt and to safeguard residential amenity and highway amenity and to comply with policy DMG1 of the Ribble Valley Core Strategy.

6. No external lighting shall be installed on the changing room building hereby approved, or elsewhere on the site, without the prior written approval of the Local Planning Authority. Details of any such lighting shall be first submitted to and approved in writing by the Local Planning Authority prior to its installation and shall include details of how any external lighting shall be effectively screened from the view of drivers on the adjoining public highway. The approved details shall thereafter be fully implemented.

REASON: In order to ensure a satisfactory appearance in the interests of visual amenity, to prevent nuisance arising and to avoid glare, dazzle or distraction to passing motorists in accordance with Policy DMG1 and DMG3 of the Ribble Valley Core Strategy.

7. No new fencing, other than the stone wall and gates detailed on approved drawing 16.136 010 Rev A (amended plan received 16/05/18), shall be installed on the site without the prior written approval of the Local Planning Authority. Details of any new fencing shall be first submitted to and approved in writing by the Local Planning Authority prior to its installation. The approved details shall thereafter be fully implemented.

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

### *Landscape, Ecology and Trees*

8. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services, all the existing/retained trees and hedging shown on drawing 16.136 002 Rev M (amended plan received 14/05/18) shall have

been enclosed with temporary protective fencing in accordance with BS5837:2012 [Trees in Relation to Demolition, Design & Construction] which is to be inspected on site by the Local Planning Authority. The fencing shall be retained during the period of construction and no work, excavation, tipping, or stacking/storage of materials shall take place within such protective fencing during the construction period.

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

9. Prior to the use hereby permitted becoming operative, a landscape management plan including long term design objectives, timing of the works, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority.

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

10. 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.

11. Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site place until a detailed method statement for the removal or long-term management/eradication of Himalayan Balsam on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Himalayan Balsam during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/ root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall thereafter proceed in strict accordance with the duly approved method statement.

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

12. The landscaping scheme shown on approved drawing 16.136 002 Rev M (amended plan received 14/05/18) and as detailed within the document titled "Landscape Context and Landscape Planting proposals" shall be implemented within the first planting season of the development being brought into use. The areas which are landscaped shall be retained as landscaped areas thereafter. Any trees or shrubs removed, dying, being

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

REASON: To ensure the proposed landscaped areas are provided in accordance with Policy DME1 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 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 the numbers of artificial bird nesting boxes and artificial bat roosting to be positioned on the building and within retained trees. The details shall also identify the actual wall, roof elevations and trees into which the above provisions shall be incorporated.

The artificial bird/bat boxes shall be incorporated into the building and trees and be made available for use before the use hereby permitted becomes operative 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.

14. The development hereby approved shall be carried out in complete accordance with the recommendations and mitigation measures detailed within sections 5.1 – 5.15 of the submitted Ecological Appraisal prepared by Bowland Ecology (June 2018).

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.

15. Prior to the commencement of any development, including site clearance or preparation works associated with this permission, a Method Statement detailing pollution prevention measures to be adopted throughout the construction process to ensure watercourses and waterbodies on and adjacent to the site are adequately protected shall have been submitted to and approved in writing by the Local Planning Authority. The duly approved Method Statement shall be adhered to throughout the construction period.

REASON: In the interests of biodiversity and to prevent pollution in accordance with Key Statement EN4 and Policies DMG1 and DME3 of the Ribble Valley Core Strategy.

### *Highways*

16. 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 details of the proposed surface treatment of all hard surfaced areas shall have been submitted for the written approval of the Local Planning Authority. The approved access and car parking areas shall be provided prior to the use hereby permitted becoming

operative in accordance with the approved details and shall be permanently maintained thereafter clear of any obstruction to their designated purpose.

REASON: In order to achieve a satisfactory level of landscaping and provision of adequate off-road parking facilities for the dwellinghouse in the interests of visual amenity and highway safety in accordance with the requirements of Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

17. Ten percent (10%) of the proposed parking spaces shall have facility of an electrical supply suitable for charging an electric motor vehicle.

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

18. Prior to work commencing on site a construction management plan shall be submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period and shall detail how deliveries during construction will be managed and where workers on the site will park during construction.

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

19. 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/access from the continuation of the nearer edge of the carriageway of Whalley Road to points measured 120m in each direction along the nearer edge of the carriageway of Whalley Road, from the centre line of the access.

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

20. 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 to, and to maintain the proper construction of the highway and remove the likelihood of its use as an informal lay-by in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

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

REASON: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on

site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

22. No part of the development hereby approved shall be brought into use occupied until the approved scheme referred to in Conditions 19 and 20 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 in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

23. Prior to the first use of the development hereby permitted, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority. The Business Travel Plan shall be implemented within the timescale set out in the approved plan and will be audited and updated at intervals not greater than 18 months to ensure that the approved Plan is carried out.

REASON: To promote and provide access to sustainable transport options in accordance with Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

24. 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 Policies DMG1 and DMG3 of the Ribble Valley Core Strategy.

### *Drainage*

25. 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.

26. 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.

## Archaeology

27. No development, site clearance/preparation or demolition shall commence until the applicant or their agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which shall be submitted to, and approved in writing by the Local Planning Authority. This scheme shall comprise an initial phase of site investigation, to include a desk-based and walk-over assessment, geophysical survey and trial trenching, followed by the production of a formal report. If significant remains are detected then a subsequent phase of mitigation works should be designed and agreed with the Local Planning Authority. These works shall be undertaken by an appropriately qualified and experienced professional archaeological contractor and comply with the standards and guidance set out by the Chartered Institute for Archaeologists (CIFA). The development shall be carried out in accordance with these agreed details.

REASON: To ensure and safeguard the investigation of matters of archaeological or historical importance associated with the development in accordance with Policy DME4 of the Ribble Valley Core Strategy.

## INFORMATIVES

- The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer.
- 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 (Area East) 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)
- This consent does not give approval to a connection being made to the County Council's highway drainage system.
- An aqueduct runs through the proposed development site. UU need access for operating and maintaining this aqueduct and will not permit development over or in close proximity to the main. The applicant will need an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines'.
- There is a 33kV wood pole overhead line crossing the site, below which the site access road will pass. Adequate clearance will need to be maintained to this overhead line.
- There are also 33kV, 11kV cables running along the verge/footpath on Whalley Road, across which it is proposed to form the site entrance. Depending on the works required to form the entrance, these cables may need to be placed at increased depth.
- The applicant should also be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant. The applicant should be aware of our requirements for access to

inspect, maintain, adjust, repair, or alter any of our distribution equipment. This includes carrying out works incidental to any of these purposes and this could require works at any time of day or night. Our Electricity Services Desk (Tel No. 0800 195 4141) will advise on any issues regarding diversions or modifications.

- Government guidance contained within the National Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:
  1. Connection to the public sewer
  2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
  3. Septic tank
- Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, additional to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.
- Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.
- Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.
- A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.
- Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly desludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.
- Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide to vary a permit.

## BACKGROUND PAPERS

[https://www.ribblevalley.gov.uk/site/scripts/planx\\_details.php?appNumber=3%2F2018%2F0019](https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2018%2F0019)

## SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Time from First Going to Committee to Decision</u>	<u>Number of Dwellings</u>	<u>Progress</u>
3/2017/0433	Land at Henthorn Road, Clitheroe	30/11/17	27 weeks	24	Decision 6/6/18

## APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2018/0084	Variation of condition 2 from 3/2010/1014 to allow amendments including change in floor levels and heights of buildings, amendment to fenestration and unified roof pitch (units 1-3 to march units 406)	Stubbins Lane Sabden
3/2018/0138	Erection of an agricultural building for free range egg production together with associated feed bins and hardstanding areas and access	Standridge Wigglesworth road Slaidburn
3/2018/0223	Proposed first floor extension, ground floor glazed link, redevelopment of existing garage into a garden rom and a replacement garage within the curtilage	The Tythe Barn Station road Rimington

## 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>
Enforcement	17/11/17	Demesne Farm Newsholme Gisburn	Hearing	10/04/18	Appeal Allowed 02/06/18 Costs Application Dismissed
3/2017/0441 R	19/01/18	19 Woodfield Vw Whalley	WR		Appeal Dismissed 21/05/18
3/2016/1192 R	16/11/17	Hammond Ground Whalley Road Read	Inquiry adjourned	09/10/18	Bespoke timetable Updated proofs of inquiry to be submitted by 11/09/2018
3/3016/1082 R	30/11/2017	74 Higher Road Longridge and land to the rear	WR	17/04/18	Appeal Allowed 22/05/18
3/2017/0675 R	28/02/18	46 Higher Road Longridge	WR		Awaiting Decision
3/2017/0593 R	23/04/18	Ivy Cottage Chapel Lane West Bradford	HH		Awaiting Decision
3/2017/1139 Conditions disputed	Awaiting start date from PINS	Sands Cottage The Sands Whalley	WR (to be confirmed)		

<u>Application No and reason for appeal</u>	<u>Date Received/ Appeal Start Date</u>	<u>Site Address</u>		<u>Type of Appeal Procedure</u>	<u>Date of Inquiry/ Hearing if applicable</u>	<u>Progress</u>
3/2018/0009 R	24/04/18	Stables Stockbridge Knowles Brow Hurst Green	at	WR (to be confirmed)		Awaiting Decision
3/2017/1092 R	27/03/18	Greenhouse Barn Commons Lane Balderstone		HH		Appeal Dismissed 18/05/18
3/2017/0857 R	Awaiting start date from PINS	Lowood Whins Lane Read		WR (to be confirmed)		
3/2018/0113 Conditions not discharged	Awaiting start date from PINS	102 Lowergate Clitheroe		WR (to be confirmed)		
3/2018/0153 R	11/06/18	1 Highcliffe Greaves Grindleton		HH		Awaiting Decision
3/2018/0217 and 3/2018/0218 R	Linked appeals awaiting start date from PINS	Eastham House Farm Clitheroe Road Mitton		WR (to be confirmed)		
3/2018/0079 R	Awaiting start date from PINS	New Ings Farm Hellifield Road Bolton by Bowland		WR (to be confirmed)		
3/2017/0961 R (Variation of S106 Ag)	Awaiting start date from PINS	Land at Chapel Hill Longridge		Hearing (to be confirmed)		
3/2017/0962 R	Awaiting start date from PINS	Land off Sheepfold Cres Barrow		Hearing (to be confirmed)		