

	<u>INDEX OF APPLICATIONS BEING CONSIDERED</u> <u>MEETING DATE: 1 AUGUST 2019</u>					
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A	APPLICATIONS REFERRED BACK TO COMMITTEE FOR APPROPRIATE CONDITIONS:					
					NONE	
B	APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR APPROVAL:					
	<u>3/2019/0398</u>	1		RM	AC	Myerscough Smithy Road Mellor
	<u>3/2019/0463</u>	19		RM	AC	Land at Sawley Road Chatburn
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C	APPLICATIONS WHICH THE DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING RECOMMENDS FOR REFUSAL:					
					NONE	
D	APPLICATIONS UPON WHICH COMMITTEE DEFER THEIR APPROVAL SUBJECT TO WORK DELEGATED TO DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING BEING SATISFACTORILY COMPLETED					
					NONE	
E	APPLICATIONS IN 'OTHER' CATEGORIES:					
					NONE	

LEGEND

AC	Approved Conditionally	AB	Adam Birkett	RB	Rebecca Bowers
R	Refused	AD	Adrian Dowd	RM	Robert Major
M/A	Minded to Approve	HM	Harriet McCartney	SK	Stephen Kilmartin
		JM	John Macholc		

RIBBLE VALLEY BOROUGH COUNCIL

REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: THURSDAY, 1 AUGUST 2019

title: PLANNING APPLICATIONS

submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING

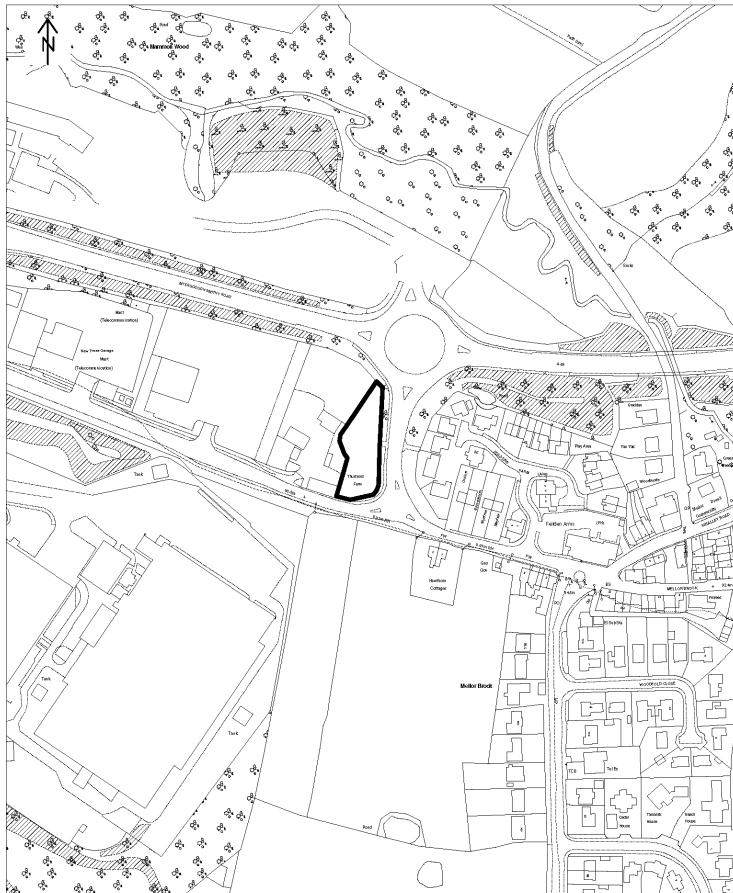
PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION REF: 3/2019/0398

GRID REF: SD 363878 431275

DEVELOPMENT DESCRIPTION:

ERECTION OF ONE RETAIL UNIT (USE CLASS A1/A3/A5 – RETAIL/RESTAURANT/HOT FOOD TAKEAWAY) WITH ASSOCIATED CAR PARKING AREA. RESUBMISSION OF PLANNING APPLICATION 3/2018/0451) AT MYERSCOUGH SMITH ROAD, MELLOR



3/2019/0398 Myerscough Smithy Road Mellor Brook BB2 7LB

Scale 1:2500

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Object to this application raising the following concerns:

- Does the area need this business?
- Has speed of vehicles passing access been monitored?
- Concern over off-site parking of HGVs on pavement;
- Poor pedestrian access to village – request a formal crossing be provided;
- The distance to the site access from the 50mph limit is less than recommended stopping distance for a vehicle traveling at 50mph;
- Possibility of vehicles backing/reversing up onto the A59 roundabout;
- Access road is heavily used by HGV traffic;
- 7.5t weight restriction on Branch Road;
- Out of keeping with the buildings and nature of surrounding area;
- Increase in noise and light pollution;
- Littering and site cleanliness;
- Hours of operation and impact upon neighbouring residents;

SOUTH RIBBLE BC:

No comments received

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

No objection subject to the imposition of conditions.

LEAD LOCAL FLOOD AUTHORITY:

No comments to make on this proposal

UNITED UTILITIES:

No objection subject to conditions

CAIDENT GAS:

An Intermediate Pressure Pipeline (IP) is located within the vicinity of the site and the Building Proximity Distance for this pipeline is 3m.

From the information provided it does not appear that the proposed works will directly affect the pipeline however it is the responsibility of the applicant to contact Cadent Gas prior to works commencing on site.

ADDITIONAL REPRESENTATIONS:

In addition to the comments made by the Parish Council, 88 objections have been received and the points raised in these objections are summarised below:

- No planning policy support for this development;
- Highway issues, including increase in traffic, safety concerns on local network and lack of parking;
- Previously approved retail development (2014) required a Traffic Regulation Order,
- Light pollution;
- This application conflicts with conditions imposed on 2014 approval;
- A number of conditions attached to the 2014 application have not been recommended by the Highway Officer or the Environmental Health Officer;
- Concern over the comments from the Environmental Health Officer and the conditions recommended;
- Have enough food units in area – no need for this development;
- Amenity issues such as smells, odours, noise vermin and litter;
- No public benefits arising from this proposal;
- Could result in anti-social behaviour;
- Do not require food units but no objection to small retail units;
- Impact on existing businesses;
- Loss of privacy from overlooking;
- Loss of light to neighbouring property;
- Drainage from site impacting upon neighbouring property;
- Site boundary dispute;
- Air pollution from traffic;
- No footways to village;
- Roots of proposed new trees to be planted may affect foundations of neighbouring property;
- Totem sign not acceptable;
- Poor design of proposed unit;
- Loss of trees;
- Devaluation of properties;
- Health issues associated with fast food units.

1. Site Description and Surrounding Area

- 1.1 The application relates to a vacant plot of land measuring approximately 0.15 hectares at the corner of Myerscough Smithy Road and the link road to the A59 roundabout from Mellor Brook. The site is located outside of the settlement boundary of Mellor Brook, but is designated as an employment site (Policy DMB1) on the Core Strategy Proposals Map.
- 1.2 The site is currently undeveloped and covered in overgrown grass/vegetation, although there is a section of hardsurfacing adjacent to the field gate which provides access off the highway. There are a number of trees and hedges along the boundaries of the site, which is enclosed by a 1.3m high (approx.) stone wall along the southern and eastern boundaries.
- 1.3 The site is situated to the east of a site known as Thurstons Farm which stores and repairs vehicles and farming machinery. Beyond Thurstons Farm is the Monks

Contractors site which provides a number of services, including, haulage, drain services civil contracting, mobile welding, mobile commercial tyre fitting and plant hire & repair.

- 1.4 To the west is the highway and on the opposite side of this are the residential properties on Feildens Farm Lane. It is the rear elevations and rear gardens of these properties which face towards the application site, although there are some mature hedges/trees which provide some screening at the rear of these properties. To the north is the A59 and to the south are open fields.
- 1.5 In 2012 planning permission (3/2012/0269) was granted on the application site for an office development with an open storage/servicing area, and in 2014 permission (3/2014/0546) was granted for a single storey A1 retail unit. Neither of these permissions were implemented and thus have both now lapsed.
- 1.6 An application to erect three retail units (within two buildings) at this site was submitted in 2018 (3/2018/0451) however this application was withdrawn.

2. Proposed Development for which consent is sought

- 2.1 The application seeks full planning permission for the erection of one retail unit on the land. The application proposes a flexible use for the unit (A1/A3/A5 – retail/restaurant/hot food takeaway) to allow the development to respond to the demands of the market when it is occupied. In the interest of clarity, the proposed “flexible use” would allow for the single unit to be occupied as either an A1, A3 or A5 unit, or as a combination of all three.
- 2.2 The unit would be located at the southern end of the site, which is the widest part of the site, close to Myerscough Smithy Road and the adjacent property known as Thurstons Farm. The proposed single storey unit would measure 18.4m long by 13.9m wide (255sqm) and have a hipped roof design at the western end and a pitched roof (gable fronted) design at the eastern end, measuring 4.9m high to the ridge. The unit would contain three customer entrance points, one in the east elevation facing the highway and two in the north facing elevation facing into the car park. These entrances would consist of the main double door with glazing either side, and full length windows would be provided in the south facing elevation of the building. A pedestrian service door would also be provided in the north facing elevation along with an emergency door in the west facing elevation. As the use of the building is not yet known an internal layout of the unit has not been provided.
- 2.3 In terms of materials, the building would be finished using a mixture of random reconstituted stone, vertical cedar cladding and horizontal Kingspan cladding to the walls, with dark grey metal roof panels.
- 2.4 Access to the site would be provided by improving and widening the existing access point directly off the link road, located almost equidistant between Myerscough Smithy Road and the A59 roundabout. A car park would be provided, containing a total of 26 spaces and a cycle stand for five bikes. A detached bin store would also be provided.
- 2.5 The application would involve the removal of the overgrown grassland and vegetation from the site, as well as six self-seeded trees. The two largest trees on the site would be retained, as would the majority shrubs and planting on the grass verge to the front of the site (except for a section to be cleared to allow for the widening of the access) and the

stone boundary wall. An attenuation pond would be installed at the northern end of the site (close to the A59) as part of the surface water drainage scheme.

- 2.6 The submitted application form states that the proposal seeks opening hours of 8am to 11pm, seven days a week.

3. **Relevant Planning History**

3/2018/0451 - Erection of two A1 retail units and one A3/A5 unit, within two buildings - withdrawn

3/2017/0973 – Application for the variation of condition 3, 4, 5, 6, 7, 8, 9, 10, 11 and 13 (to allow amendment of the trigger points) from planning permission 3/2014/0546 - refused as permission had lapsed

3/2014/0546 – Erection of single retail unit including parking and improvement to existing access – granted subject to conditions

3/2012/0269 – Erection of office development on open storage site, including parking and servicing area and improvement of existing access – granted subject to conditions

4. **Relevant Policies**

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy

Key Statement DS2 – Sustainable Development

Key Statement EN2 – Landscape

Key Statement EN4 – Biodiversity and Geodiversity

Key Statement EC1 – Business and Employment Development

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

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME1 – Protecting Trees and Woodlands

Policy DME2 – Landscape and Townscape Protection

Policy DME3 – Site and Species Protection and Conservation

Policy DME6 – Water Management

Policy DMB1 - Supporting Business Growth and the Local Economy

Policy DMR3 – Retail Outside the Main Settlements

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

Employment

5.1.1 The application site lies immediately to the west of the Mellor Brook settlement boundary and is therefore defined as open countryside. However the site is allocated on the Core Strategy proposals map for employment/industrial use (Policy DMB1). At the time the Core Strategy was adopted the site had an extant planning permission for the erection of a two storey office (B1 use) building measuring 716 sqm. This permission however was never implemented.

5.1.2 Whilst the proposed development does not propose a traditional employment use, (Use Classes B1, B2 or B8) which was envisaged when the site was allocated for employment use within the Core Strategy, the following considerations are material to this development:

- In 2014 consent was granted for a retail unit (A1) (with a floorspace of 340 sqm) which established the principle of retail development on this site;
- The site is relatively small (0.15 hectares) which reduces the potential to secure a traditional employment use - as is evidenced by the lack of development on the site since the site was allocated;
- The site is part of a larger employment site allocation, with the remainder of the allocation already in employment use. As such the loss of this site from employment use would not set a precedent for the loss of other land within the allocation;
- With regard to employment levels, it is considered that the proposed retail use will generate similar (if not greater) employment levels than would be expected of similar sized B1 – B8 uses/units on a site of this size;
- A small convenience/ food facility on this site would serve the existing adjacent employment land and the nearby enterprise zone.

5.1.3 Policy DMB1 (Supporting Business Growth and the Local Economy) of the Adopted Core Strategy states that "*Proposals that are intended to support business growth and the local economy will be supported in principle*" and this is consistent with national policy contained within the National Planning Policy Framework (Framework).

5.1.4 The Framework confirms that planning policies and decisions need to reflect changes in the demand for land. The adopted Core Strategy is under review this year and part of this review will involve assessing existing land allocations to establish the likelihood of an application coming forward for the use allocated. This site will be assessed as part of the requirement at a national policy level given that no employment use has been forthcoming on this site since its allocation.

Retail

5.1.5 In respect of retail policies, Key Statement DS1 of the Ribble Valley Core Strategy sets out that new retail and leisure development will be directed towards the centres of Clitheroe, Longridge and Whalley. Key Statement EC2 takes a similar approach by promoting the national policy principle of town centre first for retail. The application site is located a significant distance from the centres of Clitheroe, Longridge and Whalley (approx. 6.5km to nearest settlement of Longridge as the crow flies) and as such the development falls to be considered at out of centre retail development. Annex 2 of the Framework confirms that both

(food) retail development and restaurants are main town centre uses and Paragraph 86 states:

"Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered."

- 5.1.6 With regard to the above, the submitted planning statement does include a section titled '*Sequential Assessment*' which concludes that this proposal represents a small scale development in the open countryside. As the Framework excludes small scale rural development from development which requires a sequential test, the assessment concludes that a sequential assessment is not required in this case.
- 5.1.7 With regard to the above, the LPA agree that the proposal represents a small scale development which is in a rural/open countryside location. Whether this is the type of development which was envisaged as small scale rural development at a national level is questioned however in this case the site is located a significant distance from any centres within both Ribble Valley and neighbouring authorities, and consequently the development of this site would not "threaten" the vitality and viability of existing town centres which is the purpose of undertaking a sequential assessment, provided that any A1 use of the unit is limited to the sale of food/convenience goods only. This ensures that the unit will truly provide a facility for workers at the nearby employment sites, passers-by on the A59 and local residents within the adjacent settlement of Mellor Brook which is within a short walking distance of the site.
- 5.1.8 A number of objectors have raised the question of whether there is a "need" for the development in this location. In response to this, the applicant is not required to demonstrate a need for this development and any need would be influenced by the demand of the consumers/market. Furthermore the issue of competition that would be created with existing businesses in the area is not a justifiable reason for refusal of this application.

Conclusion

- 5.19 Whilst the development would not create a 'traditional employment use' it would result in the development of a vacant piece of allocated land and would provide employment on the site which is material to the consideration of the application. The development would support the economy of the area in accordance with the thrust of the Core Strategy policies and would serve as an ancillary use to the nearby employment businesses, as well as serving passers-by and local residents. It is not considered that the development of this site for food related uses would impact upon any main town centres, given the distance, and it is therefore considered that the principle of the development is acceptable in this location.
- 5.20 As suggested earlier a condition has been attached to the recommendation which restricts any A1 element of the unit for the sale of food/convenience goods only, in order to prevent the unit from being used for other uses within use class

A1 which could have a greater impact upon the vitality and viability of any town centres.

5.2 Visual Impact and external appearance:

- 5.2.1 Key Statement EN2 of the Core Strategy states "As a principle the Council will expect development to be in keeping with the character of the landscape, reflecting local distinctiveness, vernacular style, scale, features and building materials" and Policy DMG1 requires development to be of a high standard of design and be sympathetic to existing and proposed land uses in terms of size, intensity and nature.
- 5.2.2 The application site lies within the open countryside, but just outside of Mellor Brook and is allocated for employment use. As such there are a variety of uses and building designs within the vicinity. To the west of the site is the stone built farmhouse at Thurstons Farm, which has a residential use and is in active commercial use as a vehicle repair and storage yard, consisting of a number of small industrial style buildings. Beyond Thurstons is the Monks Contractors Ltd site which contains a large industrial style building, and has consent for the erection of two further industrial style units on this site. Beyond this are more large industrial units and the BAE enterprise zone.
- 5.2.3 Directly to the south is an open field, however to the south west is a section of the BAE site and to the south east is a pair of semi-detached dwellings (Hawthorn Cottages). To the north is the A59 and to the east, on the opposite side of A59 link road is the settlement of Mellor Brook, with the residential properties at Feildens Farm Lane closest to the application site. In view of the above the surrounding character is mixed in terms of uses and design/appearance of buildings.
- 5.2.4 The application proposes to erect one modest sized single storey building, measuring 4.9m tall to the ridge and with the surrounding buildings generally being two storey in height the proposed unit would not be out of keeping or dominate the surrounding landscape by virtue of its size and scale.
- 5.2.5 With regard to design, the building would have a hipped roof at one end and a pitched roof at the other, with the pitched roof section being the most visually prominent fronting the link road. The surrounding properties generally have a pitched roof design, although some of the nearby industrial units have a hipped roof, and therefore the proposal has sought to reflect this character of the area by having the pitched roof on the most visually prominent elevation and the hipped roof closest to the neighbouring residential property at Thurstons (potentially also to reduce any impact upon residential amenity which is discussed later in this report).
- 5.2.6 In respect of appearance and finish the units would again have both traditional and more contemporary elements, being constructed using a mixture of random reconstituted stone, vertical cedar cladding and horizontal kingspan cladding to the walls, with dark grey metal roof panels.
- 5.2.7 Externally the application would include the provision of a car parking area with a landscaping buffer provided along the north, south and western boundaries (the removal of vegetation is discussed later in this report). Upon the request of the

Council's Environmental Health Officer a 2m high acoustic fence is to be installed along a section of the western boundary shared with Thurstons. The existing stone wall along the southern and eastern boundaries would be retained, as would existing shrubs and planting on the grass verge between the application site and the highway, although some of this vegetation will need to be removed to provide for the wider access as well as sufficient visibility at the access point.

5.3 Impact upon Residential Amenity:

Visual Amenity

- 5.3.1 As mentioned above, the proposed unit is modest in size measuring 4.9m to the highest point and would be considerably lower than a standard two storey dwelling. The nearest residential dwelling to the application site is the adjacent property at Thurstons Farm and this property has windows in the side and rear elevation, close to the application site.
- 5.3.2 The unit would be sited approximately 3m from the gable elevation of the dwelling at Thurstons Farm and this neighbouring property has a single ground floor window in the gable elevation facing the towards the proposed unit. This window serves a kitchen, which also appears to be served by a door and a separate window in the rear elevation, thus the window in the gable elevation is not considered to be a habitable/principal opening. At first floor level Thurstons has two windows in the gable elevation, the closest of which to the proposed unit is obscurely glazed and the other is not directly in line with the unit. Furthermore with its hipped roof design measuring 4.9m to the ridge it is not considered that the unit would impact upon these first floor windows.
- 5.3.3 With regard to the openings in the rear, these would also potentially be impacted by the proposal, however these openings will benefit from some daylight received from the rear garden/yard area at Thurstons Farm, and being north facing will not presently receive high levels of daylight. Furthermore, as mentioned above the unit will have a hipped roof design measuring 3.1m high to the eaves (4.9m to ridge) and thus it is considered that this building would not have an undue impact upon the residential amenity of the occupiers of Thurstons Farm, both within the property and external areas. Additionally, both the previous approvals at this site for the office block and retail unit proposed buildings a similar distance from the dwelling at Thurstons Farm, with the office building being two storey in height.
- 5.3.4 In respect of the dwellings at Feildens Farm Lane, on the opposite side of the link road, the rear elevations of these properties face towards the application site with a separation distance of approximately 30m (at the nearest point) between the proposed buildings and the rear elevation of the nearest property on Feildens Farm Lane. Such a separation distance is considered to be acceptable to ensure there is no undue impact by way of overshadowing, loss of daylight or outlook.
- 5.3.5 The application is accompanied by a Lighting Design and Assessment which shows the locations of 5 x 7m high lighting masts to be erected on the site, in order to illuminate the external areas/car park. This report details how the lighting scheme has been designed to illuminate the site only and not result in any significant levels of light spillage that would affect the amenity of neighbouring lands uses. This report has been considered by the Environmental Health Officer and no objection has been raised. Nevertheless a condition has been attached

which limits the levels of lighting from the site in relation to nearby residential properties.

- 5.3.6 A concern has been raised with regard to lights from cars that are leaving the car park, or parked in bays 19-24, shining into the rears of the dwellings on Feildens Farm Lane. With regard to this the rears of the properties on Feildens Farm Lane are reasonable well screened from the development site by existing trees/hedging which would reduce this impact. In addition, there are numerous street lights on this link road, and the site is adjacent to the A59, and therefore the area is already well lit into the night and the hours of operation conditions will ensure that all customers have left the site by 11pm. It is therefore considered that lighting associated with this development, either from the site itself or cars, would not negatively impact upon neighbouring amenity.

Noise and Disturbance

- 5.3.7 The submitted application requests 08:00 – 23:00 hours of opening (seven days a week) and a number of objectors have raised concerns in respect this. The application is accompanied by a noise assessment, however this generally focuses on noise from deliveries and states that “...*between deliveries there is unlikely to be any significant noise emanating from the proposed store*”. The noise assessment states that if deliveries took place between 07:00 – 23:00 there would be a ‘low’ impact upon neighbouring residential amenity, however if deliveries took place outside these hours the impact would be adverse.
- 5.3.8 Notwithstanding the submitted noise report and the impact of deliveries, the LPA must also consider nuisance and disturbance associated with the comings and goings of vehicles, as well as noise associated with customers in the car park, especially in the evening when surrounding commercial uses have generally ceased and background noise from the A59 is lower as the number of vehicles using it has reduced. Potential incidents/behaviours that would create a noise nuisance for nearby residents include the revving of car engines, loud music playing from car radios and customers shouting in the car park. It is accepted however that such incidents are difficult to predict and accommodate for within a noise assessment as they very much depend on the individual(s) that will causing the disturbance.
- 5.3.9 The submitted noise report, and the application as a whole (including the issues mentioned above) has been carefully considered by the Council’s Environmental Health Officer, who raises no objection to this application, subject to the imposition of conditions and the erection of a 2m high acoustic fence along a section of the western boundary. The acoustic fence will reduce the noise impact from the car parking area in relation to the nearest neighbouring residential property at Thurstons, and will also reduce potential overlooking from the car parking area into the rear of this neighbouring property.
- 5.3.10 With regard to hours of operation and opening the Environmental Health Officer has raised concerns in respect of the proposed unit opening until 23:00 as there will inevitably be a “lag-time” up to as much as an hour for customers and staff leaving the site after the unit has closed. As such the Environmental Health Officer recommends that a condition be attached which allows the unit to be open to the public between the hours of 08:00 – 22:00, and an additional condition which allows the unit to operate (with staff) between the hours of 07:00

– 23:00. This condition will allow staff to clean, tidy up, carry out preparation works, stack shelves etc... for an hour before and after the unit is open to the public and allows time for people to exit the site before 23:00 in an evening. In addition to this, to prevent unauthorised vehicular access onto the car park, and to ensure that all people are off site by 23:00 a condition has been attached which requires the car park to be locked by a barrier at the entrance point outside the hours of 07:00 – 23:00. Deliveries and collections would be limited to 07:00 – 20:00 Monday to Saturday and 09:00 – 17:00 on Sunday.

- 5.3.11 Other conditions attached include a limitation of illumination levels from the site in relation to the windows of the nearest sensitive premises during and outside of the opening hours, the provision of the 2m high barrier before the unit is brought into use, limitations and details of any extraction/plant equipment to be submitted to the LPA prior to installation and limits to noise levels site.
- 5.3.12 With regard to odours and smells, whilst an odour assessment has been submitted by the applicant and reviewed by the Environmental Health Officer, the end use(r) is not yet known and therefore the impact will depend on the future tenant and their "fit out". Nevertheless the odour assessment has made an assessment on what they consider to be the "worst case" commercial kitchen and recommends that a condition be attached requiring an odour assessment to be undertaken and submitted for the written approval of the LPA prior to the unit first becoming operative and also when there are any subsequent changes of use or tenant. The Environmental Health Officer is satisfied with this approach.

5.4 Highway Safety and Accessibility

- 5.4.1 The Highway Officer has raised no objection to the application, subject to conditions in respect of a construction management plan being submitted and approved by the LPA, the provision of wheel washing facilities on site during the construction process and that the car park be laid out as approved prior to unit being first brought into use.
- 5.4.2 Objections have been raised on various highway grounds including increase in traffic, car parking provision, lack of pedestrian access, speed limits and the vehicle weight restriction on Branch Road. In respect of traffic generation, the site is located adjacent to, and will be accessed via a link road directly off, a roundabout on the A59 and the highway network is considered to be capable of accommodating the level and type of vehicles that would result from a single retail unit. Similarly the provision of 26 car parking spaces for one unit is considered to be sufficient and the highway officer has confirmed that a Traffic Regulation Order (TRO) is not required.
- 5.4.3 In terms of pedestrian access, the Parish Council and a number of objectors have requested that a pedestrian crossing be provided. The Highway Officer is of the opinion that such a crossing is not required as there is already traffic island in the centre of Myerscough Smith Road which provides safe pedestrian access to the village. Furthermore the Highway Officer has not requested that any Traffic Regulation Orders (weighting restrictions) be imposed. The Parish Council have commented that the distance from the 50mph speed limit to the site access is less than the recommended stopping distance for a vehicle traveling at 50mph. In response to this, the speed limit of the link road is 30mph and therefore the stopping distance for vehicles traveling at 50 mph is not particularly relevant as

vehicles should have already reduced their speed to 30mph before they reach the link road.

- 5.4.4 Concerns have also been raised that service vehicles will use Branch Road, which has a 7.5 tonne weight restriction, however service vehicles for this site will have to adhere to the same highway rules as all the other businesses and deliveries vehicles in the area. It cannot be assumed that service vehicles for this particular site will breach highway rules and the site can still be serviced by vehicles weighing more than 7.5 tonnes, provided they do not use Branch Road, in the same way various other businesses in the area are accessed.

5.5 Landscape/Ecology:

- 5.5.1 The application site is covered in a mixture of hard surfacing and self-seeded vegetation which is generally overgrown. The application is accompanied by an arboricultural survey which details all existing trees on site (nine in total). As detailed earlier the application would involve the removal of the overgrown grassland and vegetation from the site, as well as six self-seeded trees. These trees to be removed are C category trees, with the exception of a young tree which has a B category rating, and there is no objection to the removal of these trees which are not considered to be quality specimens or of any particular visual merit. The two largest trees (T1 and T4) would be retained along the western boundary and one new tree would be planted along the southern boundary and the application specifies that a "Lancashire Mix" hedgerow would be planted along the western boundary shared with the neighbouring property at Thurstons. The original submission did seek to plant two trees along the southern boundary but due to an objection from the adjacent property on the grounds of damage to roots the LPA requested that only one tree would be planted.
- 5.5.2 In its present unused and overgrown state the application site offers little visual/landscape benefit to the location and consequently there is no objection to the proposed works, subject to a condition which requires the proposed new landscaped area to be implemented within the first planting season after the unit is brought into use.

5.6 Other issues:

- 5.6.1 An objector has raised a concern in respect of drainage, however both United Utilities (UU) and the Local Lead Flood Agency (LLFA) have been consulted on the application. The LLFA have not provided any comments on this proposal, and generally only comment on major developments, and UU have raised no objection subject to the imposition of a drainage condition in relation to the submitted drainage scheme which includes the provision of a pond at the northern end of the site.
- 5.6.2 Objections have been raised on the grounds of public health in relation to the potential fast food element unit, that there are already enough food units in the area and such a use could result in potential grooming. These are not valid reasons to refuse the application.
- 5.6.3 In respect of litter, whilst this is generally a societal problem with the individuals that choose to drop litter, rather the fault of the tenant, a condition has been

attached requiring details of the size, number and type of litter bins to be submitted for the written approval of the LPA.

- 5.6.4 An objector has referred to the previously approved 2014, commenting that some of the conditions attached to part of this previous approval have not been recommended by the EH Officer and Highways. In response to this, the current application has been considered and assessed on the basis of the information provided and just because conditions were attached to the 2014 application does not mean they should be attached to the current application.

6. **Conclusion**

- 6.1 For the reasons outlined above the principle of the proposed development is considered to be acceptable in this location and provided that the recommended conditions are adhered to the proposal would share an acceptable relationship with surrounding land uses. It is therefore recommended that this application is approved accordingly.

RECOMMENDATION: That the application be APPROVED 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 by Section 51 of the Planning and Compulsory Purchase Act 2004.

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:

1775-GTA-Z0-00DR-A-0104 – Location Plan
1775-GTA-Z0-00-DR-A-0101 Rev H (amended plan received 11/07/19) – Proposed Site Plan
1775-GTA-Z0-00-DR-A-0102 Rev D – Floor Plans and Elevations
18020 – D01 Rev B – Drainage Strategy Proposals (for drainage purposes only)

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

Materials

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

REASON: In order to ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and area in the interests of visual amenity.

Use

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), or any Order revoking or re-enacting that Order, any Class A1 (retail) use of the development hereby approved shall only be used for the sale of food and convenience goods, and for no other purpose within use Class A1.

REASON: To ensure that any A1 use of the building is used solely for food and convenience goods, as any other retail use may not be considered acceptable and have a negative impact upon the vitality and viability of town centres.

5. Notwithstanding the submitted details, details of all proposed boundary walling, gates and fencing shall have been submitted to and approved by the Local Planning Authority prior their installation on site. The boundary treatments shall be installed on site prior to the unit hereby approved being brought into use in strict accordance with the approved details and retained as such thereafter.

REASON: In order that the Local Planning Authority may ensure that the detailed design of the proposal is appropriate to the locality.

Amenity

6. The development hereby approved shall adhere to the following hours restrictions;
 - i) For trade and business (open to the public) between the hours of 08:00 – 22:00; and
 - ii) Open to staff employed on the premises between the hours of 07:00 – 23:00.

REASON: In order to protect the amenity of nearby residential properties and to prevent nuisance arising.

- 7. Access to the car park area of the development hereby permitted shall be prevented by means of a locked barrier outside the hours of 07:00 – 23:00.

REASON: In order to protect the amenity of nearby residential properties and to prevent nuisance arising.

- 8. There shall be no deliveries or collections of goods (including waste and recycling) to or from the development hereby permitted outside the hours of 07:00 – 20:00 Monday to Saturday and outside the hours of 09:00 – 17:00 on Sundays and Bank Holidays

REASON: In order to protect the amenity of nearby residential properties and to prevent nuisance arising.

- 9. Prior to the commencement of the construction of the building hereby permitted full details of the measures incorporated into the construction of the building to ensure that the noise emitted from the site does not adversely impact on the nearest noise-sensitive premises shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be constructed in accordance with the approved design measures.

REASON: In order to protect the amenity of nearby residential properties and to prevent nuisance arising.

10. Prior to the first use or occupation of the unit hereby permitted, full details/specifications of any plant machinery, including the extraction system, refrigeration units, air conditioning units (including details of their position, appearance, noise levels and model numbers used) shall have been submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed in complete accordance with the approved details prior to the units being brought into use and used whenever odours are being produced, and all filters/equipment should be retained as agreed thereafter and maintained to ensure optimum operation.

REASON: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance.

11. Prior to the commencement of the construction of the building hereby permitted full details of the measures incorporated into the construction of the building/ plant to ensure that Rating Levels for cumulative noise from all plant and machinery associated with the development shall not exceed the existing background noise level (LA90) at the external façade of the nearest noise sensitive premises shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be constructed in accordance with the approved design measures.

REASON: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance.

12. Prior to the unit hereby approved being first brought into use, the 2m high acoustic fence shall be erected as shown on approved drawing 1775-GTA-Z0-00-DR-A-0101 Rev H (amended plan received 11/07/19) and retained as such in perpetuity.

REASON: In order to protect the amenity of nearby residential properties and to prevent nuisance arising.

13. Prior to the erection of any external lighting full details of the measures incorporated into the design of the lighting to ensure that light intrusion into the windows of the nearest sensitive premises will not exceed 5 Lux between the hours of 07:00 - 23:00, and 1 lux between the hours of 23:00 – 07:00 (as assessed in accordance with the Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 or any subsequent replacement guidance) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be constructed in accordance with the approved design measures.

REASON: In order to protect the amenity of nearby residential properties and to prevent nuisance arising.

14. Prior to first use of the unit hereby permitted, or any subsequent change of use or tenant thereafter, a written scheme for the control of cooking odours (Odour Management Plan) shall be submitted to and approved in writing by the Local Planning Authority. The Odour Management Plan shall include full details of the cleaning, maintenance and filter replacement policies and incorporate a written recording system when such work is carried out. The scheme shall thereafter be maintained and retained in accordance with the approved details.

REASON: In order to protect the amenity of nearby residential properties and to prevent nuisance arising.

15. Within three months of commencement of development, details of the design, siting and number of litter bins to be erected on the site shall have been submitted to and approved in writing by the Local Planning Authority. The litter bins shall be installed in complete accordance with the approved details prior to the unit hereby approved being brought into use, retained as approved thereafter and emptied as frequently as necessary.

REASON: To ensure the provision of satisfactory facilities for the collection of litter are provided and in the interest of visual amenity.

16. For the duration of the construction works, no building or engineering operations within the site or deliveries to and from the site shall take place other than between 07:30 hours and 18:00 hours Monday to Friday and between 08:30 hours and 14:00 hours on Saturdays, and not at all on Sundays or Bank Holidays.

REASON: In order to protect the amenities of existing residents.

17. The pedestrian access door situated in the west facing elevation of the unit hereby approved shall only function as an emergency exit door.

REASON: In order to protect the amenities of adjacent residents.

Landscape and ecology

18. Any removal of vegetation, including trees and hedges, should be undertaken outside the nesting bird season (March to August) unless an up-dated pre-clearance check has been carried out by a licensed ecologist within the 24 hours prior to any removal and no nesting birds are found to be present. The up-dated pre-clearance check shall be submitted to the Local Planning Authority prior to the removal of any trees and/or hedges.

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.

19. During the construction period, including delivery of building materials and excavations for foundations or services, all the existing/retained trees and hedging shown on drawing 1775-GTA-Z0-00-DR-A-0101 Rev H (amended plan received 11/07/19) shall have been enclosed with temporary protective fencing in accordance with BS5837:2012 [Trees in Relation to Demolition, Design & Construction]. 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/retained trees are adequately protected during construction in the interests of the visual amenity of the area.

20. All new landscaped areas, trees and hedges, as shown on approved drawing 1775-GTA-Z0-00-DR-A-0101 Rev H (amended plan received 11/07/19) shall be planted within the first planting season after the unit hereby approved is brought into use and retained as landscaping areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five 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 the interest of visual amenity.

Highways

21. The areas for access and the car park, along with all other hardstanding areas, shown on the approved plans (1775-GTA-Z0-00-DR-A-0101 Rev H (amended plan received 11/07/19) shall be constructed and marked out in full accordance with the details shown concurrently with the construction of the unit hereby permitted and shall be made available for use before the unit is first brought into use and retained as such thereafter.

REASON: In the interests of highway safety.

22. 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.

23. 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 and shall provide for:-

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials used in the construction of the development;
- Storage of such plant and materials;
- The erection and maintenance of security hoarding;
- Measures to control the emission of dust and dirt from construction;
- A scheme for recycling/disposing of waste resulting from demolition and construction works
- Routing of delivery vehicles to/from site.

REASON: To protect existing road users and neighbouring residential amenity.

Drainage

24. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 18020-D01, Rev B - Dated 10.04.19 which was prepared by Rutter Johnson. Surface water must drain at the restricted rate of 5 l/s. No surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

REASON: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

INFORMATIVES:

- An Intermediate Pressure Pipeline (IP) is located within the vicinity of the site and the Building Proximity Distance for this pipeline is 3m. The applicant is therefore advised to contact Cadent Gas prior to works commencing on site.
- The buildings should have an intruder alarm fitted that is linked to an Alarm Receiving Centre. This facility is necessary for a police deployment on two confirmed alarm activations.
- This development should incorporate the principles of Secured by Design, with particular regard to the physical security measures. External doors should be certified to PAS 24:2012 (minimum) security standard to reduce the risk of intruder access and glazing in windows and doors should be 6.8mm laminated with any opening lights being fitted with restrictors.
- Internal doors leading to staff only areas should have access control measures installed to reduce the risk of sneak in burglaries and also to delay movement around the building should intruder access be gained.
- Fast food restaurants often attract groups of youths and frequent incidents of problematic behaviour are reported to the police. Comprehensive CCTV coverage of internal and external areas including the car park, will help to deter these problems and also provide evidence of behaviour and identity should an incident arise. This data should be stored for a 30 day period before being destroyed if not required. Further advice is available if required.
- The noise omitted from the site shall as assessed in accordance with British Standard 8233 (2014) and WHO guidelines (or any subsequent replacement national standards / guidance) and the following limits apply to the nearest noise sensitive premises:
 - LAeq 50 dB 16 hours – gardens and outside living areas, daytime (07.00-23.00)
 - LAeq 35 dB 16 hours – indoors, daytime (07.00-23.00)
 - LAeq 30 dB 8 hours – indoors, night-time (23.00-07.00)
 - LAFmax 45 dB 8 hours – indoors night-time (23.00-07.00)
 - LAFmax 45 dB 4 hours – indoors evening (19.00-23.00)*
 - LAFmax 60 dB 8 hours - façade level night time (23.00-07.00)
 - LAFmax 60 dB 4 hours - façade level evening (19.00-23.00)

(*The evening standard LAFmax will only apply were the evening LAFmax significantly exceeds the LAeq and the maximum levels reached are regular in occurrence, for example several times per hour.)

BACKGROUND PAPERS

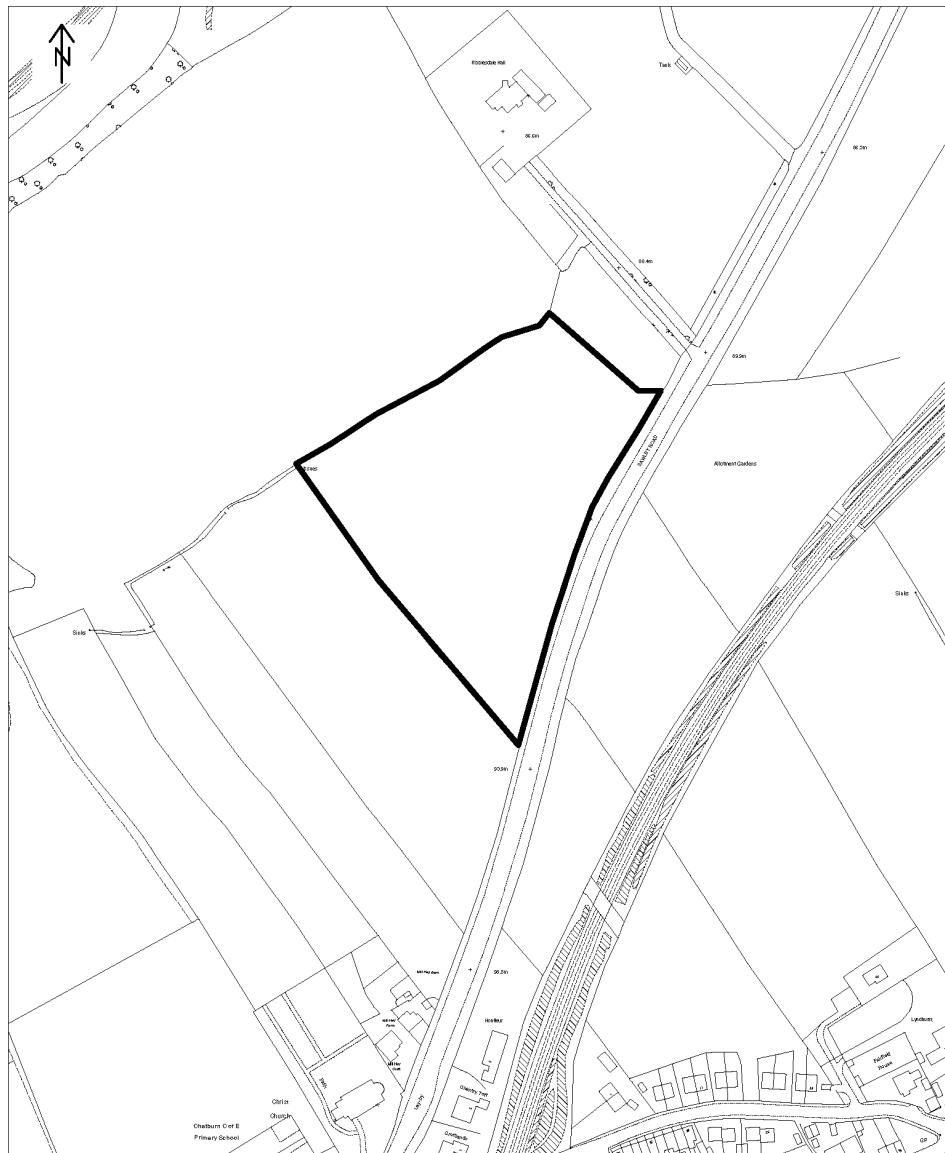
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2019%2F0398

APPLICATION REF: 3/2019/0463

GRID REF: SD 377057 444597

DEVELOPMENT DESCRIPTION:

ERCTION OF SIX POLY TUNNELS AND FORMATION OF CAR PARKING AREA IN ASSOCIATION WITH FORMATION OF A MARKET GARDEN ON LAND AT SAWLEY ROAD, CHATBURN, BB7 4LD



3/2019/0463 Land at Sawley Road Chatburn BB7 4LD

Scale 1:2500

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CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Chatburn Parish Council have provided the following comments:

- Concerned that this is a ribbon development that will extend the village to an unacceptable level;
- Chatburn already has a similar business and approval of this application will set a precedent for future development of the site;
- The site is outside of the 30mph speed limit restriction and speeding vehicles is a problem on this stretch of road;
- School buses and allotment holders park on this section of road;
- No water or electricity facilities on site;
- No provision for storing equipment necessary to run the business;
- Detrimental impact on visual aspect of the village;
- If approved there must be a condition that the site will be returned to open countryside.

LCC HIGHWAYS:

No objection subject to a condition that the access is appropriately surfaced prior to it being brought into use

UNITED UTILITIES:

No comments received

ADDITIONAL REPRESENTATIONS:

Three letters, representing two households, have been received. The points raised in these representations are listed below:

- Already traffic and car parking problems in this area;
- Inadequate car parking provision will result in on street car parking;
- Future development/expansion on site – resulting in another garden centre;
- Impact upon neighbouring residential amenity;
- Development of this site could lead to ribbon development outside of the village settlement boundary, which in turn could lead to infill of adjacent sites;
- Need for another similar use to the existing “garden centre”;
- Proposal offers little benefit to the village;
- This is a speculative application and further clarification is required in respect of the applicant’s intentions;
- Set an undesirable precedent for open field throughout the borough to be developed for “market gardens”;
- What proportion of sales will be for retail or for wholesale – impact on town centre;
- Contrary to national guidance of town-centre-first approach to retail;
- A retail sequential test should have been undertaken to identify why this site has been chosen over others;
- The applicant has planted 1,000 Christmas trees and the sale of these will generate 100 vehicles a day visiting the site over a two week period;
- How will sale of goods be controlled by the Council?;

- If business fails would the site be considered brownfield and then suitable for residential development or other retail?;
- Visual impact on open countryside and nearby AONB;
- Significant engineering works required to level the land;
- Unsustainable location that will be reliant on visitors using motor vehicle;
- Suitability of the access – width and visibility;
- Surface water drainage issues in the area;
- Where will staff facilities be provided?;
- Where will equipment be stored?;
- No details in respect of opening hours.

1. Site Description and Surrounding Area

- 1.1 The application relates to a field measuring approximately 5 acres on Sawley Road, Chatburn. The site is situated approximately 140m north of the settlement boundary of Chatburn and is therefore within the open countryside.
- 1.2 The land slopes downwards away from Sawley Road and is reasonably well screened by a mature hedgerow along its frontage. The remaining boundaries are defined by a mixture of vegetation, although the application states that the boundary fencing has recently been replaced and new native hedgerows planted. An existing field gate and dropped kerb provides access into this field.
- 1.3 The application site is adjoined by agricultural fields, however some 100m to the north is the residential property known as Ribblesdale Hall which is accessed via a lengthy track off Sawley Road. On the opposite side of the A59 are open fields and an allotment site.
- 1.4 The submission details how the applicants purchased the site 2016 and have recently planted 1000 Christmas trees in the south eastern corner of the site.

2. Proposed Development for which consent is sought

- 2.1 The application seeks consent to erect six polytunnels on this site and operate as a market garden. The polytunnels would be situated on the lower ground at the northern end of the land, each measuring 24m x 8m with a maximum height of 4.3m. As a result in the change in the sloping nature of the site an element of cut and fill will need to be undertaken to provide level land for the siting of the polytunnels. In terms of appearance each polytunnel would have a curved roof and be of a diffused polythene construction with the sides coloured green. Rainwater from the roofs of the polytunnels will be harvested and used for the watering of plants.
- 2.2 In addition to the polytunnels the application also includes the provision of a vehicle parking and manoeuvring area. This would be created in the north east corner of the site, close to Sawley Road. The car parking area would be finished in a loose surface with no markings and accommodate up to 30 cars.
- 2.3 In respect of the use the application states that this will be an agricultural/horticultural business and that only fruit, vegetables and plants grown on the site (either within the polytunnels or on the land itself) will be sold. As such the proposed retail element of the site is considered to be ancillary and incidental to the main use of the site for growing plants, fruit and vegetables (agricultural/horticultural). The site will be open to both the public and for trade.

3. **Relevant Planning History**

3.1 N/A

4. **Relevant Policies**

Ribble Valley Core Strategy:

Key Statement DS1 – Development Strategy

Key Statement DS2 – Sustainable Development

Key Statement DMI2 – Transport Considerations

Key Statement EN2 – Landscape

Key Statement EC1 – Business and Employment Development

Key Statement EC3 – Visitor Economy

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DME3 – Site and Species Protection and Conservation

Policy DME6 – Water Management

Policy DMG3 – Transport & Mobility

Policy DME2 – Landscape & Townscape Protection

Policy DMB1 – Supporting Business Growth and Local Economy

Policy DMB3 – Recreation and Tourism

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

5. **Assessment of Proposed Development**

5.1 **Principle of development**

5.1.1 The Ribble Valley Core strategy seeks to support business growth and the local economy. Key Statement EC1 states that “*Employment development will be directed 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 Site at Samlesbury and locations well related to the A59 corridor*”. The application site is located approximately 450m to the south of the A59, and will be accessed off Sawley Road which connects directly to the A59. Given the short distance from the application site to the A59 it is considered that the application site is “well-related” to the A59 corridor in accordance with Key Statement EC1.

5.1.2 In addition, Key Statement EC1 also offers support for proposals that result in farm diversification and the strengthening of the wider rural economy, and this is considered to be applicable to this application as the proposal seeks to grow and produce all goods that would be sold on site. As such the main use of the site would be agricultural and horticultural with an element of retail which is considered to be ancillary and incidental to the main use of the site.

5.1.3 Policy DMB1 also supports proposals that are intended to support business growth and the local economy. This includes “*The expansion of established firms on land outside settlements will be allowed provided it is essential to maintain the existing source of employment and can be assimilated within the local*

landscape". It is accepted that this proposal relates to a new site, however the submission details how the proposal relates to an expansion and diversification of the applicants existing landscaping and maintenance business and will generate an additional six jobs (2 x full time, 2 x part time and 2 x seasonal). The visual impacts of the proposal are discussed later in this report.

- 5.1.4 Policy DMB3 relates to recreation and tourism development, and given that the proposed development would likely result in people visiting the site, particularly as a result of its location in relation to the A59, this policy is also considered to be of some relevance. Policy DMB3 seeks to support proposals that would attract visitors to the Ribble Valley, provided that the site is physically well related to an existing main settlement, village or existing group of buildings. In this case the application site is located 140m from the settlement boundary of Chatburn (Tier one village) and therefore is considered to be well related to a main settlement.
- 5.1.5 With regard to Policy DMG2, this policy states that developments outside of the defined settlement boundaries must meet one of six considerations.
1. *The development should be essential to the local economy or social wellbeing of the area.*
 2. *The development should be needed for purposes of forestry or agriculture.*
 3. *The development should be for local needs housing meeting an identified need and would be secured as such.*
 4. *The development is for small-scale tourism or recreation purposes that are appropriate to a rural area.*
 5. *The development is for small-scale uses appropriate to a rural area where a local need or benefit can be demonstrated.*
 6. *The development is compatible with the enterprise zone designation.*
- 5.1.6 In respect of the above, as mentioned earlier the proposal would create new job opportunities, as well as providing a facility for local products to be grown and bought. The proposal therefore represents some economic and social benefits to the area.
- 5.1.7 With regard to use, the proposed market garden would sell fruit, vegetables and plants that are produced from the site and therefore the retail element is considered to be ancillary to the main horticultural and agricultural use of the site. It is therefore considered that the development represents a small scale use that is appropriate to a rural area in accordance with Policy DMG2.
- 5.1.8 Concerns have been raised in respect of this being the correct location for this type of use, however a market garden which grows its own produce would be expected to be located within the open countryside (not within a settlement) purely on the basis of the amount/area of land that would be required to grow the produce. Furthermore, as detailed elsewhere in this report the site is situated very close to the settlement boundary of Chatburn (140m) and the A59 (450m), and therefore benefits from good transport links in comparison to other sites in the open countryside. As such it is considered that this is an acceptable location for the proposed use.
- 5.1.9 An objector has referred to the need to carry out a sequential test for the retail element of the proposal. In response to this para 88 of the NPPF states the

“...sequential approach should not be applied to applications for small scale rural offices or other small scale rural development”. As detailed above the LPA consider this to be a “small scale rural development” and therefore a sequential test is not required. Furthermore and as detailed earlier, the retail element is considered to be ancillary and incidental to the main use of the site as agricultural and horticultural, and consequently the main use of the site would not be suited to a town-centre or edge-of-centre location.

- 5.1.10 To clarify the above a condition has been attached to the recommendation which ensures that the retail element of the use remains incidental and ancillary to the horticultural and agricultural use of the site, and that 90% of the goods sold are produced on site. The other 10% of goods that can be sold from site include related items such as trays, pots, fertiliser etc... A concern has been raised that the approval of this development would result in brownfield site that could be developed in the future, however the aforementioned condition ensures that the main use of the site is agricultural/horticultural and that the retail use is ancillary only, thus retaining its greenfield definition.
- 5.1.11 In view of the above, the principle of the development on this site, close to the settlement boundary of Chatburn and the A59, is considered to be acceptable, subject to other considerations and compliance with Council Policies detailed below.

5.2 Impact Upon Residential Amenity

- 5.2.1 The nearest residential property is Ribblesdale Hall, situated approximately 100m north of the application site with intervening land in-between. At such a distance it is considered that the proposed polytunnels, measuring 4.3m tall to the highest point, would not have any undue impact residential amenity by way of overshadowing, loss of daylight and outlook. Furthermore the existing boundary treatment on the application site, and on land associated with the dwelling at Ribblesdale Hall, would provide sufficient screening.
- 5.2.2 To the south the nearest residential property is the property at Mill Hey Barn which is located at the edge of the settlement boundary. This property is located approx. 140m from the southern boundary of the site and approximately 250m from the proposed polytunnels and car parking area. At such a distance, and for similar reasons to those detailed above, it is not considered that the development would have a negative visual impact upon the residential amenity of the properties to the south.
- 5.2.3 In respect of use of the land, it is accepted that the proposal would result in an intensification of activities in comparison to its existing use as an agricultural field. Nevertheless the planting of fruit, vegetables and plants on the site does not require consent, and therefore the main consideration in respect of neighbouring amenity is the impact the proposed ancillary retail element would have.
- 5.2.4 The submission details how the site would only sell fruit, vegetables and plants that are produced on site, and the application does not include any specific retail building on site. The proposal does not include any proposed hours of operation however a condition has been attached restricted the hours of opening to 08:00 - 18:00 Monday to Saturday and 09:00 – 17:00 on Sunday, and the applicant has

confirmed their agreement to these hours. In addition the application as submitted includes no external lighting, ensuring that the use will be restricted to "daytime" hours, and a condition has been attached which requires details of any lighting to be installed on the site must first be submitted for the writing approval of the LPA.

- 5.2.5 In view of the above it is considered that the proposed development will share an acceptable relationship with neighbouring uses in accordance with the amenity requirements of Policy DMG1.

5.3 Visual Impact and design

- 5.3.1 The application includes two elements - the proposed polytunnels and the car parking area - which have the potential to have a visual impact on the open countryside and the character of the area.
- 5.3.2 With regard to the polytunnels, these would be sited at the northern end of the site, on the lower section of the land and away from the highway of Sawley Road. Due to the sloping nature of the land an element of cut and fill will need to take place to provide a level section for the polytunnels however the proposed level changes are considered to be acceptable (approx. 1m at maximum point).
- 5.3.3 It is acknowledged that the polytunnels would cover a large footprint, however being 4.3m tall to the highest point would not particularly prominent, and whilst they would be visible from sections of Sawley Road, and longer distances, they would be reasonably well screened by boundary vegetation, vegetation within neighbouring fields and in the future by additional vegetation to be planted within the development site in conjunction with the horticultural/agricultural use. In addition, the side elevations of the polytunnels would be coloured green to reduce the visual impact and seek to blend in with the surroundings.
- 5.3.4 In view of the above, due to the siting, finish and height of the proposed polytunnels, as well as surrounding vegetation, it is not considered that the polytunnels would be a visually prominent or detrimental to the character of the area, and polytunnels are not an uncommon structure/feature within the open countryside. Furthermore there is an allotment garden on the opposite side of the road which has a similar visual impact to the proposal.
- 5.3.5 With respect of the car parking area, this would be positioned towards the front of the site and would be finished in a loose porous material so as to ensure that drainage is not impacted but also to retain a more rural appearance as opposed to a tarmac/concrete surface with markings. Given the surrounding boundary hedgerows it is considered that the car parking area, and vehicles parked within this area, would be well screened.
- 5.3.6 It is acknowledged that the AONB is situated approximately 500m to the east, and that the Christ Church some 200m to the south of the site is a Grade II Listed Building. In terms of the AONB, whilst sections of the site may be visible from some elevated positions at a long distance within the AONB, these would be limited due to the surrounding vegetation and it is not considered that the proposed development would have a harmful impact upon the AONB. With regard to the Listed Church, this is located a significant distance from the application site, with intervening buildings/dwellings at Mill Hey Farm situated in-

between and thus the proposal would not impact upon the setting of this Listed Building.

- 5.3.7 In summary of the above, it is considered that the visual impact of the proposal is limited and would not be detrimental to the visual amenity of the area.

5.4 Landscape and Ecology

- 5.4.1 The proposal would result in the loss of some of an existing agricultural field for the siting of the polytunnels and the creation of the car park, however as detailed earlier the applicant has planted new boundary hedging and the proposed horticultural use of the site would result in a net gain in biodiversity in comparison to an agricultural field.

5.5 Highways

- 5.5.1 The Highway Officer has raised no objection to the application, subject to a condition requiring that the first 5m of the access, from the highway boundary, is appropriately surfaced so as to prevent loose surface material entering the highway from the site. Further conditions have also been attached requiring the car parking area to be provided before any trade/retail sales take place from this site and that the access gates are set back 5m from the back of the highway, so as to allow a vehicle to park free of the highway and open the gates at the beginning and end of the day.

- 5.5.2 Objections have been raised in respect of the number of vehicle movements that would be created by the proposal, the quality of the access and potential for vehicles to park on the highway. In terms of additional traffic, Sawley Road is a classified road which connects to the A59 some 450m to the north and as such the surrounding highway network is considered to be adequate to cater for the additional vehicle movements associated with this development. The Highway Officer has raised no objection to the suitability of the access and similarly the level of parking provision, up to 30 spaces, is considered to be adequate for the proposed use.

5.6 Drainage

- 5.6.1 As mentioned earlier the car park would be finished in a porous material so as to allow for water to drain and rainwater will be harvested from the polytunnels and re-used on site.

6. Other issues

- 6.1 A concern has been raised in respect of the development of this site acting as a ribbon development, allowing for future development of land between this site and the settlement boundary. Similarly concerns have been raised in respect of future applications at the development site for expansion of the business. In respect of these issues, each application is judged on its individual merits and this application has been considered on the basis of the information provided. There is no justifiable reason to refuse this application on the grounds of what may happen in the future at this site, or adjacent sites.

- 6.2 The Parish Council have commented that there is no mains electricity or water to the site. In response to this the applicant has confirmed that rainwater will be harvested from the site for watering of plants, nevertheless additional water may be needed and therefore the applicant is seeking to connect to the mains water. With regard to electricity the applicant's agent has confirmed that electricity will likely be needed for irrigation purposes and this will be provided by a generator. The application does not include any details of this and subsequently a condition has been added requiring details of any plant/generators to be submitted to the LPA prior to installation on site.
- 6.3 It is noted that the proposal does not include any storage or staff facilities, however the applicant's agent has confirmed that the business will operate on a "basic set up" with plants potted by hand and as such there is no need for any machinery or staff/storage buildings.

7. **Conclusion**

- 7.1 The principal of the development is considered to be acceptable in this location and would share an acceptable relationship with surrounding land uses. The proposal would have a limited impact on the visual character of the area, and would bring economic benefits to the local economy by way employment and visitors.

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

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 by Section 51 of the Planning and Compulsory Purchase Act 2004

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:

Bri/910/2635/01
Bri/910/2635/02
Bri/910/2635/03
Bri/910/2635/04

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

Materials

3. The development hereby approved shall be carried out in complete accordance with the materials detailed within the approved drawings and section 7 of the application forms.

REASON: In order to ensure that the materials to be used are appropriate to the locality.

Use

4. Any retail sales from the site edged red on the submitted plans shall be incidental and ancillary to the horticultural/agricultural use of the site (i.e. used for the sale of plants, shrubs, trees, fruit, vegetables and items grown/grown on the site), other than for the sale of up to 10% (of the total volume of stock over any year) of other related items that may be imported from outside the site (e.g. seeds, compost, fertiliser, pots, trays, stakes) and for the sale of no other goods whatsoever.

REASON: To ensure that the retail use of the site remains ancillary and incidental to the main agricultural and horticultural use of the site, and as detailed within the submitted application.

Amenity

6. The site shall only be open for ancillary retail sales between the hours of 08:00-18:00 Monday to Saturday and 09:00 – 17:00 on Sunday.

REASON: In order to protect the amenity of nearby residential properties and to prevent nuisance arising.

7. No external lighting shall be installed on the polytunnels hereby approved, or elsewhere within the site including the car parking area.

REASON: In the interests of visual amenity of this rural location.

8. Full details/specifications of any plant machinery or equipment, including electricity generators, air conditioning units (including details of their position, appearance, noise levels and model numbers used) to be installed on site shall have first been submitted to and approved in writing by the Local Planning Authority prior to its installation on site. The equipment shall be installed in complete accordance with the approved details and all filters/equipment should be retained as agreed thereafter and maintained to ensure optimum operation.

REASON: To ensure that the development hereby permitted is not detrimental to the amenity of the surrounding area by reason of undue noise emission and/or unacceptable disturbance.

Highways

9. The car parking area as shown on approved drawing Bri/910/2635/02 shall be provided and made available for use before any ancillary retail element of the site becomes operative and retained as such thereafter.

REASON: In the interests of highway safety.

10. Prior to the access being used for vehicular purposes, the part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete or block paviours, and retained as such thereafter.

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

11. Any access gates located at the access point shall be positioned 5m behind the nearside edge of the carriageway, and shall only open into the site.

REASON: To permit vehicles to pull clear of the carriageway when entering the site.

Drainage

12. The car parking area as shown on approved drawing Bri/910/2635/02 shall be constructed in a porous material which allows water to drain. Thereafter porous materials shall be retained for the car park area.

REASON: To prevent an undue increase in surface water run-off and to reduce the risk of flooding.

BACKGROUND PAPERS

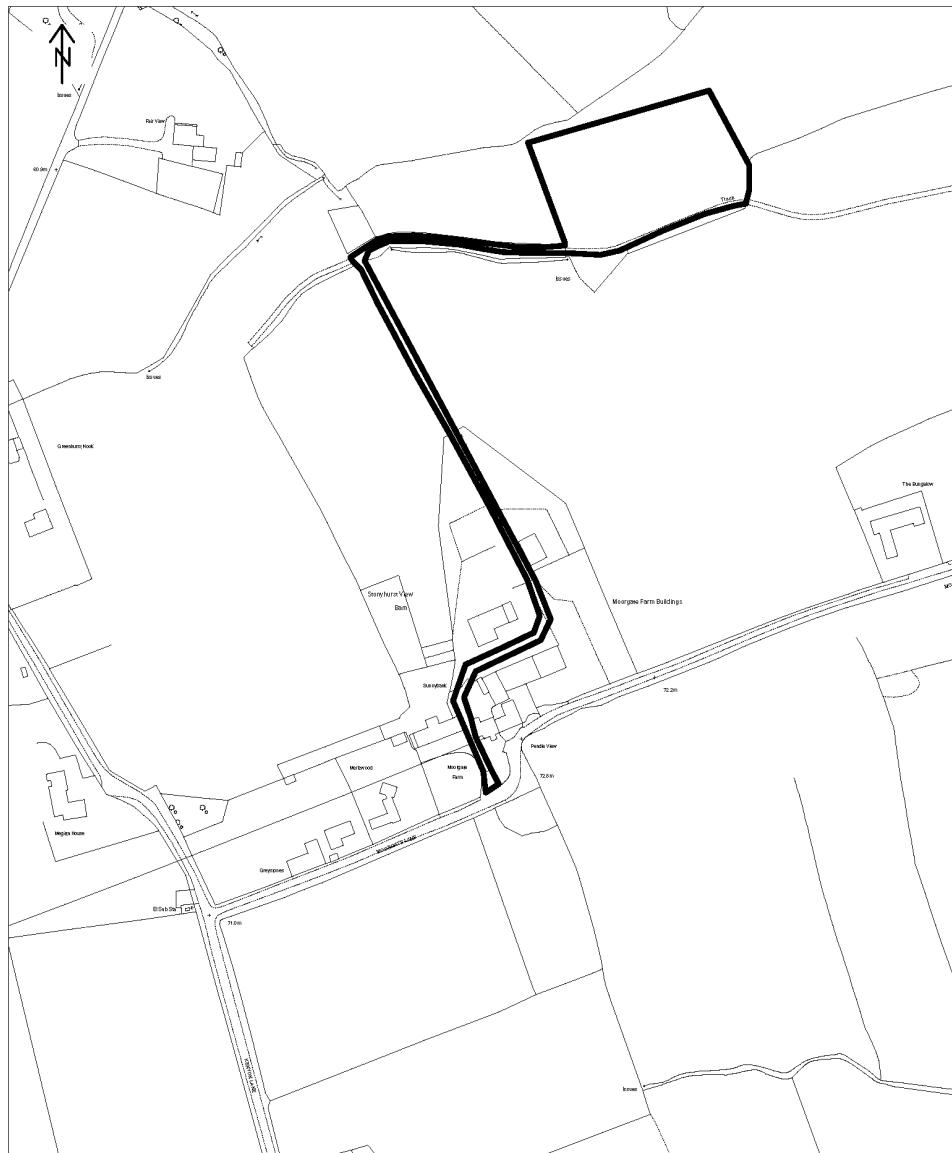
https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2019%2F0463

APPLICATION REF: 3/2019/0477

GRID REF: SD 368909 436238

DEVELOPMENT DESCRIPTION:

CHANGE OF USE OF AGRICULTURAL LAND FOR THE SITING OF SIX CAMPING PODS AS AN EXTENSION TO THE EXISTING CAMPING DEVELOPMENT AT MOORGATE FARM KENYON LANE LANGHO BB6 8AN



3/2019/0477 Moorgate Farm Kenyon Lane Langho BB6 8AN

CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

Dinckley Parish Meeting objects and raises the following concerns:

- The direction of the external seating for the 8 existing pods has changed direction and the pods have not been sited correctly in accordance with the approved plans. The car parking location for the 8 pods has also changed location and is located halfway down the track from the applicant's residence. This is setting a precedent for future developments to be changed and the developments should be inspected after installation in such a sensitive area.
- The existing design, noise and light pollution is having a detrimental effect on residents wellbeing and on wildlife and the surrounding landscape
- Challenge the use of Key Statement EC1 (Developments that contribute to farm diversification) as the applicant has not run Moorgate Farm as a farm for many years.
- Some residents directly affected by the development did not receive any notification by RVBC.
- The pods are at low capacity during the week and are not at full capacity at the weekend. There is no greater need for an additional 6 pods.
- Highways issues will increase at the weekends. Kenyon Lane is already in a bad state of repair.
- The access to this new development has planning permission for agricultural use only.
- Observed by residents that deer population has decreased since the pods were erected and nocturnal animals are likely to disturbed by night time noise and light. More litter has also been found since the pods have been erected.
- It has been reported that the landowner has already put infrastructure in place for the further development.
- Ownership boundaries shown with the new application are misleading.
- Majority objection agreed for the erection of the zip wire and football pitch. Their addition will increase sound levels and would not be in keeping with the tranquil environment.
- The original public footpath has been diverted around the pods without legal authority and needs appropriate action by the Council.
- Human waste has been reported around the new diverted public footpath close to the pods and should be investigated by environmental health.
- Challenge the Site Management Plan which is not strictly adhered to.
- Residents have expressed concerns about being subject to intimidation and prevented from providing personal objections.
- This represents part of a larger plan.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR):

No objections.

ADDITIONAL REPRESENTATIONS:

Fourteen (14) representations have been received including twelve objections that raise the following concerns:

- When the pods are occupied the cars are being parked adjacent to the pods instead of the designated area.
- The consent for 8 pods was granted on the basis it was small scale development.

- The 6 additional units would certainly not have been approved at the outset and this incremental approach to development is not acceptable.
- Unwarranted intrusion into the open countryside.
- Zip wire and football posts will inevitably lead to excessive additional noise.
- Landowners have carried out extensive works, moving footpaths and taking out hedges and trees. The damage caused to the ecology of the area is significant.
- The furthest of the proposed camping pods is some 500 metres from the adopted highway and there is no provision shown on the plans for vehicles to turn.
- Due to lack of co-operation and inadequate management ability of the applicant it would be irresponsible of RVBC to consider approving the development.
- More suitable sites for such development – the site has an open aspect, criss-crossed with footpaths and visible from higher ground.
- The existing pods are not operating at full capacity.
- The applicant has mislead the Council by claiming he has access over third party land.
- The applicant has failed to observe the last planning permission for this site including:
 - Pods face the opposite direction
 - Pods are located incorrectly
 - Numerous additions to the site without planning permission including removal of hedging, extension of hard landscaping, construction of fencing, relocation of footpaths
 - Failure to enforce management plan or control guests
 - Website advertises facilities such as hot tubs that have not been authorised.
- Dincley has no amenities i.e. no shop, pub or café.
- No provisions for recycling.
- Pods are clearly visible from the footpath to the river and the footpath that leads to Craven Fold Farm.
- The application is without merit and benefits no-one but the applicant and his family.
- Added light pollution detracts from dark skies.

Two representations have been received in support of the proposals and state that the development would bring more visitors to the area and that the site is well managed.

1. Site Description and Surrounding Area

- 1.1 This application seeks consent for the change of use of land for the siting of six camping pods as an extension to the existing development at Moorgate Farm, Dincley. The application site is situated in an open field location north of the complex of buildings at Moorgate Farm.
- 1.2 Planning consent was granted for eight camping pods on land at Moorgate Farm in June 2017. The development has since been completed and is fully operational. The existing site is accessed by a field track that travels north from Moorgate Farm. The site is within the open countryside and around 1.5km south of the Forest of Bowland AONB.
- 1.3 The six additional pods proposed by this application would be sited on a parcel of land adjacent to the existing camping pods. The field is open and rural in character, comprising largely grazing land. Some 150m to the west of the site is Kenyon Lane which also serves as a public footpath and the River Ribble is 400m northwards. The wider area is characterised by its openness with individual farmsteads and dwellings and small clusters of built development.

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

- 2.1 Consent is sought for the change of use of an approximately 0.8 hectare parcel of agricultural pastureland adjacent to the existing tourism accommodation at Moorgate Farm and the siting of six camping pods, zip-wire and football goals. Taking into account the existing pods the proposed development would result in a total of 14 camping pods at the site.
- 2.2 The camping pods proposed would be of a similar size, scale and design to the existing pods. Two of the six additional pods proposed would be accessible units for use by disabled persons. The pods would be north-facing and would look onto the remainder of the application site on which is proposed zip-wire play equipment and football goals for the enjoyment of visitors to the site. The application proposes to provide vehicular parking for visitors next to each of the six pods.
- 2.3 The pods would be of timber construction built on a base of compacted gravel and paving slabs.

3. **Relevant Planning History**

3/2018/0208 - Proposed childrens' playground with two items of fixed equipment at existing camping pod development. Approved with Conditions.

3/2017/0103 - Change of use of agricultural land to camping facility for eight camping pods and associated car park and landscaping (resubmission of application 3/2016/0833). Approved with Conditions.

3/2016/0833 - Change of use of agricultural land to camping facility for eight camping pods and associated car park and landscaping – Refused. Appeal withdrawn.

3/2015/0004 - Part retrospective application for the construction of a farm track. Approved.

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement DS2 – Sustainable Development

Key Statement EN2 – Landscape

Key Statement EC1 – Business and Employment Development

Key Statement EC3 – Visitor Economy

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME2 – Landscape and Townscape Protection

Policy DME3 -- Site and Species Protection and Conservation

Policy DMB1 – Supporting Business Growth and the Local Economy

Policy DMB3 – Recreation and Tourism Development

Other Material Considerations:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

5. Assessment of Proposed Development

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

5.2 Principle of Development

5.2.1 Tourism plays an important role in the economy of the Ribble Valley. Core Strategy Key Statement EC3 relates specifically to the visitor economy stating that proposals that contribute to and strengthen the visitor economy of Ribble Valley will be encouraged.

5.2.2 The application site is located in the Open Countryside. Core Strategy Policy DMG2 requires development outside of defined settlement areas to meet at least one of six considerations one of which is that the development is for "*small scale tourism or recreational developments appropriate to a rural area*". The proposals would increase the scale of the existing tourism enterprise from eight to fourteen units. Whilst 'small scale' is not defined in the Core Strategy it is considered, by virtue of the scale of built form, the potential number of occupants that the proposals could accommodate and the land area required for the development, the proposals are small scale for the purposes of Policy DMG2 and this view is supported by the Council's Planning Policy Officers. Therefore the proposal is for a small scale tourism development of a type that is appropriate to a rural area and therefore meets the requirements of Policy DMG2.

5.2.3 Policy DMB3 relates specifically to recreation and tourism development. Tourism and visitor attractions are generally supported subject to meeting a number of criteria which require that consideration be given to the visual and landscape impacts of development, impact on the highway network and nature conservation. These issues are considered in detail below.

5.3 Effects Upon the Landscape/Visual Amenity

5.3.1 Core Strategy Policy DMG2 is clear that in considering development proposals the most important consideration will be the protection, conservation and enhancement of the landscape and character of the area avoiding where possible habitat fragmentation. Policy DMG2 states that "within the open countryside development will be required to be in-keeping with the character of the landscape and acknowledge the special qualities of the area by virtue of its size, design, use of materials, the landscaping and siting". This objective is repeated in Key Statement EN2 and the supporting text acknowledges that the Borough comprises extensive areas of open countryside much of which has an intrinsic value that contributes to the quality of the landscape in the Borough. It is therefore important to ensure development proposals do not serve to undermine the inherent quality of the landscape whether it is afforded AONB status or not.

5.3.2 Concerns relating to the visual impact of the development were raised during consideration of the planning application for the erection of the eight camping pods that are now present and operational at the site. Whilst there is a degree of separation between the existing tourism site and the complex of buildings at Moorgate Farm, it was noted that the local area is not devoid of other built form

and there are a number of residential properties and farmstead groups in the vicinity. According to the Landscape Visual Impact Assessment (LVIA) submitted with the previous planning application, once the landscape mitigation proposals have fully established after a period of 15 years the visual effects would be reduced to 'moderate/substantial neutral' and would help the development assimilate into the landscape to produce a neutral visual effect.

- 5.3.3 Having visited the site the applicant has undertaken a scheme of landscape planting in accordance with the details approved by the Local Planning Authority in relation to the earlier planning consent. The proposed expansion of the existing tourism site to fourteen camping pods includes an area of additional planting comprising five native trees along the eastern boundary of the application site. Taking into account the visual appearance of the existing development it is considered that the expansion of the tourism site to accommodate six additional timber camping pods would not result in any undue visual or landscape harm to warrant refusal of the application.
- 5.3.4 The proposals include the installation of a zip line and football goals. Whilst there is no objection to the provision of the proposed play equipment, it is important to ensure that any equipment installed at the site is in keeping with the rural nature of the area. The applicant has stated that the zip line would be of timber construction but there remains a requirement for further details and specifications of the zip line to be submitted to and agreed by the Local Planning Authority. Similarly, notwithstanding the details submitted, precise specifications of the football goals should be submitted to and agreed by the Local Planning Authority prior to installation to ensure they are of a suitable scale and appearance for the area.
- 5.3.5 During the consideration of the previous planning application it was agreed that rather than the occupants of the camping pods parking their vehicles in an open field location it would be favourable to provide a drop-off space and locate the main parking area adjacent to the group of buildings at Moorgate Farm. The applicant has considered this arrangement beneficial from a health and safety viewpoint and it also removes the negative visual impact that would arise from parked motor vehicles within the open field and associated journeys across the field.
- 5.3.6 It is noted that the parking area approved under planning application 3/2017/0103P has not been completed in full accordance with the consent granted. The parking area has been provided in a different location however it can accommodate the required number of motor vehicles and does not result in any undue visual harm. This application proposes to locate a single parking space adjacent to each of the six new pods. It is estimated that the application site would be around 400 metres from the existing parking area. On visiting the site it was noted that the applicant has undertaken a comprehensive scheme of planting along the access track to the existing pods and once established this would provide adequate screening of the track from the majority of public viewpoints in the immediate area. Taking into account the existing situation, it is not considered that the provision of a single parking space adjacent to each of the six pods for which consent is sought, would have such adverse visual or landscape harm to justify refusal of the planning application.

5.3.7 Concerns have been raised in relation to external lighting at the site. It is understood that this arises from light fittings installed on the underside of the projecting roof arch for each existing pod which is designed to provide some light to the associated external seating areas. Whilst low level lighting is unlikely to raise any significant issues it is considered reasonable, should consent be granted, to require the submission of the details of any external lighting. This would allow the LPA to consider whether the proposed intensity and direction of any illumination are appropriate for the area and whether additional measures such as motion sensor or timer controlled lighting would be preferable.

5.4 Impact on Residential Amenity

- 5.4.1 In terms of its impact on the amenity of nearby residents, the nearest residential property is Fair View. The proposed site extension would be located further from this dwellinghouse than the existing camping pods. The proposed development would result in the tourism use being closer to Cravens Farm to the east although there would remain a separation distance of circa 200 metres and the application proposes tree planting along the eastern site boundary.
- 5.4.2 A number of objections refer to unacceptable levels of noise and disturbance emanating from the site as existing. However no complaints have been received by the Council's Environmental Health section in relation to this tourism site. The existing and proposed pods will be operated in accordance with the Management Plan submitted with the application which includes a code of conduct for guests. This states that guests will be required to adhere to a noise curfew between the hours of 10.30pm and 7am. A low noise policy is also published on the Wigwam Holidays website and states that all music should be turned off, children are not allowed on the play area and conversation level noise after 9pm. Taking account of the above, it is thought that the proposals would not result in any unacceptable increase in noise and/or disturbance subject to the sites continued operation in accordance with the Management Plan.

5.5 Effects Upon Wildlife/Ecology

- 5.5.1 In terms of its impact on local wildlife and ecology, the site comprises part of an agricultural field. An ecology appraisal by Envirotech submitted in support of the previous application at the site identified the application site as semi-improved grassland with a very low ecological value. Any landscape features of biodiversity value, which in this case comprise boundary hedges at the site perimeter, would be unaffected by the development. In addition, the proposals include an element of tree planting which would increase the foraging habitat for bats and increase the ecological value of the site in accordance with Core Strategy Policy DME3.

5.6 Highways Safety

- 5.6.1 Policy DMB3 requires recreation and leisure developments to be well related to the existing highway network. The application site is within a reasonable distance of the A59, the primary strategic route, and would be predominantly served by classified roads. The scale and type of development would not generate additional traffic so as to result in any undue problems or disturbance. The County Highways Surveyor has raised no objections on highway safety grounds.

5.7 Other Considerations

- 5.7.1 Neighbour objection letters make reference to the fact that the siting of the existing pods is not in strict accordance with the plans approved under permission 3/2017/0103P and letters contain details of other alleged breaches of planning control at Moorgate Farm. The Council can use their discretionary powers of enforcement against breaches of planning control where it is considered expedient to do so. However any breaches of planning control at Moorgate Farm beyond the application site boundary are not material to the consideration of this application and, should the application be approved, the Council's power to enforce would not be unduly compromised.
- 5.7.2 Public consultation with neighbouring residents has been undertaken in accordance with the Council's Statement of Community Involvement. The owner of Fairview has stated that the location plan originally submitted with the planning application included an area of land in his ownership within the blue edge. This plan has subsequently been amended to exclude the area of land in question.
- 5.7.3 There are claims by residents that the existing pods are not operating at full capacity. There is no requirement within the relevant Core Strategy policies for applicants to provide evidence of need for tourism accommodation in the borough. Whilst information relating to the existing pods occupancy rates could have provided additional justification for the proposed expansion of the site, it is unlikely that the applicant would seek consent for additional pods if the existing business was not proving successful. Refusal of the application on grounds that there is no demand for the additional pods would not be supported by the Council's development plan policies.

6. Conclusion

- 6.1 In terms of its economic benefits to the rural area, the proposals would generate some additional revenue for local businesses and in justifying the proposals the applicant has stated that the existing facility has been popular with holidaymakers as recognised by the receipt of the Ribble Valley Tourism Association Award for New Business 2019.
- 6.2 The proposals would expand the range of visitor accommodation in the Borough, supporting the intentions of Core Strategy Key Statement EC1 and EC3. 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 and that the economic and social benefits of the proposal would outweigh any minor harm to the surrounding landscape. The proposal therefore accords with Core Strategy Policies DMG1, DMG2, and DMB3 and Key Statement EN2 and it is recommended that the application be approved subject to conditions.

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

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

REASON: Required to be imposed 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 drawing ref.

Location Plan (Bre/096/2673/02 Rev.B) received 18/07/2019

Proposed Detail Site Plan (Bre/096/2673/01 A)

Floor Plan (drawing no.201)

Foundation Plan (drawing no.205)

Elevations 01, 02, 03 & 04 (drawing no.401)

Plan & Elevations (Standard Accessible Wigwam), Rev A dated 17/07/2019

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

3. The proposed camping pods shall be restricted to short-term holiday purposes only and shall not be let to or occupied by any one person or group of persons for a combined total period exceeding 90 days in any one calendar year.

REASON: To define the scope of the permission hereby approved.

4. The camping pods hereby approved shall be faced with timber as detailed on the approved plans and shall be retained as such in perpetuity.

REASON: To ensure that the materials to be used are appropriate to the locality.

5. Within the first planting season (October to March inclusive) following commencement of development, five trees shall be planted in accordance with the details indicated on the plans hereby approved and shall be maintained for a period of five years during which time any plants that are found to be dead or dying shall be replaced.

REASON: In the interests of the amenity of the area.

6. Precise details of all ground surfacing materials (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed development. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.

REASON: To ensure a satisfactory form of development in the interest of the visual amenity of the area.

7. No external lighting (including external building or ground mounted lighting) shall be installed on site unless details of such lighting have been first submitted to, and approved in writing by, the Local Planning Authority prior to first occupation/use of the site. Any external lighting that is installed shall accord with the details so approved.

REASON: In the interests of the visual amenities of the area.

8. The site shall be operated in strict accordance with sections 3-7 of the Site Management Plan (ref Bre/096/2239/CS) dated June 2017 that was submitted with the application.

REASON: To ensure the satisfactory management of the site in the interests of general amenity of the area.

9. No play equipment shall be installed at the site as shown on drawing no. Bre/096/2673/01A, or elsewhere on the site, unless precise details of its type, height, design, colour and precise location have first been submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in accordance with the approved details and maintained as such thereafter.

REASON: To ensure a satisfactory form of development in the interest of the visual amenity of the area.

Note: Under the Environmental Permitting (England & Wales) 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 an environmental permit issued by the Environment Agency. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2019%2F0477

APPLICATIONS WITHDRAWN

<u>Plan No</u>	<u>Proposal</u>	<u>Location</u>
3/2017/0167	Request for an increase in quantity of E1 environmental hazardous substances from 77ST to 82ST in the raw material warehouse. This means an overall increase to the site inventory for E1 substances from 246ST to 252DT	Pimlico Industrial Area West Bradford Road Clitheroe
3/2019/0036	Fell and remove T1 Oak	Orchard House Lower Lane, Longridge
3/2019/0215	Replacement rooflights	The Orangery Woodfold Park, Mellor
3/2019/0268	Single storey extension to the rear of the property with a pitched roof. The party wall shared with 2 Greenfield Avenue will be extended.	4 Greenfield Avenue Clitheroe
3/2019/0288	Change of use from private dwelling (C3) to mixed use of function venue (D2) with ancillary accommodation (C1) including single storey rear extension, a change of use of detached garage to nursery school (C2)	Thorneyholme Hall Newton Road Dunsop Bridge
3/2019/0308	Construction of a temporary access trail for use by walkers and cyclists to create an alternative bypass route during legal felling and dispatch of circa 9,000 tonnes of timber from Gisburn Bottoms. Tree harvesting operations will take around 6 months after which the temporary trails will be removed.	Forestry plantation to the east of the metalled forest road and linking the following features: Geldard Laithe (barn) and Hindley Head Clough (watercourse)
3/2019/0322	Single storey extension to front of restaurant to create new dining area	244 Preston Road Longridge
3/2019/0386	Proposed erection of one detached 2 storey, 2 bedroom dwelling on land adjacent to 17 Hesketh Road	17 Hesketh Road Longridge
3/2019/0399	Application for a proposed extension of residential curtilage to 20 Abbeyfields and erection of detached garage within the extended curtilage	20 Abbeyfields Whalley
3/2019/0422	Retention of unauthorised residential caravan and use of land as residential curtilage	Land off Longridge Road (adjacent to Grindlestone House Farm) Dutton
3/2019/0468	Extension to dwelling to form workshop and office	New Elmridge Farm Gib Hey Lane, Chipping
3/2019/0592	Application for the discharge of condition 5 (Engine Maintenance Strategy) from permission 3/2017/0268	Holmes Mill Greenacre Street, Clitheroe

APPEALS UPDATE

<u>Application No and reason for appeal</u>	<u>Date Received/Appeal Start Date</u>	<u>Site Address</u>	<u>Type of Appeal Procedure</u>	<u>Costs app received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2018/0474 R of pp	09/07/2019	Great Mitton Hall Mitton Road Mitton	WR			Statement due 13/08/2019
3/2018/0468 R of LBC	09/07/2019	Great Mitton Hall Mitton Road Mitton	WR			Statement due 13/08/2019
3/2018/1020 R of pp	Awaiting start date from PINS	Calding Bank Cottage Whalley Old Rd Billington	WR (to be confirmed)			
3/2018/0688 R of outline pp	04/02/2019	Land off Henthorn Road Clitheroe	Inquiry		08/05/2019 09/05/2019 10/05/2019	Appeal Allowed 19/06/2019 Partial award of costs to Appellant
3/2018/1025 R of prior notification	05/02/2019	Low Laithe Barn Gisburn Road Newsholme	WR			Appeal Dismissed 02/07/2019
3/2018/0582 R of permission in principle	21/05/2019	Land to the south of Chatburn Old Road Chatburn	WR			Awaiting Decision
3/2018/0768 R of pp	27/03/2019	Land at Osbaldeston Lane Osbaldeston	WR			Appeal Dismissed 27/06/2019
3/2018/0479 R of pp	03/06/2019	74 Church Street Ribchester	HH			Awaiting Decision
3/2018/1076 R of pp	16/07/2019	Sabden House Wesley Street Sabden	WR			Statement due 20/08/2019
3/2018/1006 R of LBC	16/07/2019	Sabden House Wesley Street Sabden	WR			Statement due 20/08/2019
3/2018/1148 R of pp	10/06/2019	Wolfen Lodge Fish House Lane Chipping	HH			Awaiting Decision
3/2019/0057 R of pp	21/05/2019	Seven Acre Bungalow Forty Acre Lane Longridge	WR			Awaiting Decision
3/2019/0117 R to discharge condition	Awaiting start date from PINS	Susie Cottage Rimington Lane Rimington	WR (to be confirmed by PINS)			

<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>Costs app received</u>	<u>Date of Inquiry or Hearing if applicable</u>	<u>Progress</u>
3/2019/0241 R of pp	16/07/2019	23 Church Street Clitheroe	WR			Statement due 20/08/2019
3/2019/0242 R of LBC	16/07/2019	23 Church Street Clitheroe	WR			Statement due 20/08/2019