

A V Town Planning Ltd

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SUPPORTING STATEMENT

Removal of Condition No. 8 on Planning Consent
3/2023/0775

Bowland Forest Farm
Settle Road
Bolton-by-Bowland
Lancs
BD23 4SN

May 2024

Alan Kinder – Director

Valerie Kinder – Director

Company No.
078520641

1. Introduction

- 1.1 On the 12th March 2024 Ribble Valley Borough Council issued planning permission under reference 3/2023/0775 for the following development
“Proposed development of part of the site to extend the existing café, create farm shop together with a single storey extension to incorporate food prep area, store room and plant room. Creation of car parking area, new access, landscaping and associated works.”
- 1.2 Integral to that consent Condition No. 8 reads as follows: *“Within 3 months of the date of this permission the footway and verge should be reinstated to full kerb height where any vehicle cross overs are redundant, in accordance with the approved plans and the Lancashire County Council Specification for Construction of Estate Roads and shall be retained in that form thereafter for the lifetime of the development.”* The reason for the condition is stated as follows: *“To maintain the proper construction of the highway and in the interests of pedestrian safety.”*

2. The Case

- 2.1 The scheme in its submitted form sought to retain an element of the original access in order to form a layby pull-in for the benefit of the Local Authority refuse wagon to pull clear of the main highway on bin day, being Mondays, so as to collect the refuse from the site as a whole from the purpose built bin compound sited immediately to the rear of the layby without the need for the bin wagon to enter the site causing unnecessary disturbance to visitors and customers alike.
- 2.2 As an integral part of the consultation process in dealing with the initial application then LCC Highways as the appropriate Highway Authority were consulted on the application and formally provided a consultation response on 1st December 2023, a full copy of that response is attached at Appendix A.

- 2.3 The rationale for the Highway Authority seeking to close the proposed layby was raised with the Case Officer, Ben Taylor, and he sought clarification from the Highway Authority and subsequently sent an email at 9.33am on 22nd January suggesting that the LHA had responded stating as follows: *“This is not supported. As my original comments state, the access needs to be fully closed along Settle Road or opened up. The refuse vehicle needs to enter the site, collect, turn and exit onto Settle Road in forward gear so it can access Settle Road in both directions”*

A full copy of the email can be found at Appendix B.

- 2.4 Given the need to secure planning consent at the time the client acquiesced to the Highway Authority’s stance on the matter but have since sought guidance from refuse collection services at Ribbles Valley Borough Council who have confirmed that there is in fact no need to turn in the direction of Bolton-by-Bowland having collected from this site as, whilst close to the County Boundary, there are in fact other collections which need to take place further along Settle Road in the direction of Wigglesworth in North Yorkshire before the route continues by turning around and coming back in the Bolton-by-Bowland direction. Were it the case that Bowland Forest Farm were the last collection point before the County Boundary then the ability of being able to turn around within the body of the site would have been a logical and necessary stipulation for highway safety reasons. However, given the operational route of the refuse wagon then to use this existing layby provision immediately adjacent to the purpose-built refuse compound is a far more time efficient process supported by the refuse service and ensures that it can be undertaken in a safe manner by the vehicle pulling clear of the main highway with operatives working in a safe environment. Given the above it seems an onerous and unnecessary condition imposed on the consent and therefore, on behalf of our clients, we would respectfully request that the condition be removed from planning consent 3/2023/0775 as being inappropriate and unnecessary.

APPENDIX A

Alan Kinder – Director

Valerie Kinder – Director

Company No.
07852064

Development Control
Ribble Valley Borough Council

Phone: 0300 123 6780
Email: developeras@lancashire.gov.uk

Your ref: 23.0775
Our ref: D3.23.0775
Date: 1st December 2023

App no: 23.0775

Address: Bowland Forest Farm Settle Road Bolton By Bowland

Proposal: Proposed redevelopment of part of the site to extend the existing cafe, create farm shop together with a single storey extension to incorporate food prep area, storeroom and plant room. Creation of car parking, new access, landscaping and associated works

The submitted documents and plans have been reviewed and the following comments are made.

History

2023/0692 - Proposed single-storey side extension to existing holiday let property. Approved with conditions.

3/2021/0793 - Proposed redevelopment of site for 5 holiday chalets, conversion of existing holiday house and adjacent barn to a 20 person holiday let. Extension of existing cafe, alteration to existing garden centre to form a farm shop and plant display area. Creation of car parking, landscaping and associated works. Resubmission of 3/2020/1091. (amended layout 28.10.21). Approved.

3/2020/1091 - Proposed redevelopment of site for 30 no. holiday chalets, conversion of existing holiday house and adjacent barn to a 20 person holiday let. Extension of existing cafe, construction of reception building with managers flat, alteration to existing garden centre to form a farm shop and plant display area. Creation of car parking, landscaping and associated works. Refused.

Access

A 7-day automatic traffic survey has been undertaken for the previous application 2021/0793 and visibility splays of 2.4m x 108m to the left and 2.4m x 141m to the right of the access were conditioned. These splays are considered to be required for the accesses proposed for this application.



We would seek clarification upon the northern most access which appears to be obstructed by the bin store. This access needs to either be fully closed and reinstated to verge or fully opened. The current proposal is not acceptable.

The alterations to the accesses should be undertaken with a S278 agreement with Lancashire County Council.

Parking

The floor area is currently 442.5sqm and this is proposed to increase to 552.6sqm with an increase in employees from 4 to 11 full time equivalents.

This equates to 28 spaces based upon a ratio of 1:20 which is considered to be applicable.

There are 30 parking spaces currently and this is proposed to increase to 45. This includes the car parking for the 5 lodges and 11 bed holiday barn which equates to 14 spaces, therefore 31 spaces for the café, farm shop and garden centre.

The total amount of car parking appears acceptable and together with secure, cycle parking being provided the overall provision would be considered acceptable.

Conclusion

Lancashire County Council acting as the Highway Authority does not raise an objection regarding the proposed development and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Should the application be approved the following conditions are requested.

1. No development shall take place, including any works of demolition, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. It shall provide for:
 - i) The parking of vehicles of site operatives and visitors
 - ii) The loading and unloading of plant and materials
 - iii) The storage of plant and materials used in constructing the development
 - iv) The erection and maintenance of security hoarding
 - v) Wheel washing facilities
 - vi) Measures to control the emission of dust and dirt during construction
 - vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
 - viii) Details of working hours
 - ix) Routing of delivery vehicles to/from site

Reason: To mitigate the impact of the construction traffic on the highway network

2. No building or use hereby permitted shall be occupied or use commenced until the footway and verge has been reinstated to full kerb height, where any vehicle



crossovers are redundant, in accordance with the approved plans and the Lancashire County Council Specification for Construction of Estate Roads, to be retained in that form thereafter for the lifetime of the development.

Reason: To maintain the proper construction of the highway and in the interest of pedestrian safety.

3. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4m x 108m to the left and 2.4m x 141m to the right of the access have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 1 metres above the level of the adjacent footway/verge/highway.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework.

4. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 10 metres of the highway boundary, nor shall any be erected within a distance of 10 metres of the highway boundary unless hung to open away from the highway.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2021)

5. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with the approved drawings. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

6. The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 10 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (2021)

7. Prior to commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority for a highway surface water drainage scheme. The development should be undertaken in accordance with the agreed details and the scheme shown on the approved drawing shall be constructed in accordance with the approved details.

Reason: In the interest of highway safety to prevent water from discharging onto the public highway



Kelly Holt
Highway Development Control Engineer
Highways and Transport
Lancashire County Council
www.lancashire.gov.uk



APPENDIX B

Alan Kinder – Director

Valerie Kinder – Director

Company No.
07852064

Alan Kinder

From: Ben Taylor <Ben.Taylor@ribblevalley.gov.uk>
Sent: 22 January 2024 09:33
To: Alan Kinder
Subject: RE: Planning application 3/2023/0775 - Bowland Forest Farm ,Bolton-by-Bowland

Hi Alan,

Thank you for the amended plans and supporting statement – these are fine.

On a separate note – having forwarded your previous comments onto the LHA with respect to the site's Northernmost access now comprising a layby / bin store, the LHA have responded as follows:

'This is not supported. As my original comments state, the access needs to be fully closed and reinstated along Settle Road or opened up. The refuse vehicle needs to enter the site, collect, turn and exit onto Settle Road in forward gear so it can access Settle Road in both directions.'

With this in mind, the application's proposed site plan will need to be amended to show the following:

- layby area on Settle Road (on the opposite side of the bin store) infilled / fully closed up
- swept path analysis to show manoeuvrability for refuse wagon within site and to accommodate the refuse wagon leaving the site in a forward gear

Regards,

Ben.