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| **Report to be read in conjunction with the Decision Notice.** |
| **Signed:** | **Officer:** | **SK** | **Date:** | **29.8.24** | **Manager:** | **LH** | **Date:** | **29/8/24** |
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| **Application Ref:** | 2024/0601 |  |
| **Date Inspected:** | N/A | **Site Notice:** | N/A |
| **Officer:** | Stephen Kilmartin |
| **DELEGATED ITEM FILE REPORT:**  | **APPROVAL** |
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| **Development Description:** | Proposal to demolish and convert a number of agricultural buildings at Brockhall Farm into 8 residential properties, construct a number of garages for the use of the residents and re-develop the surrounding landscaping to incorporate parking, landscaping and amenity spaces for each property (pursuant to variation of condition 20 (protected species licence) of planning permission 3/2021/0311. |
| **Site Address/Location:** | Brockhall Farm Gleneagles Drive Brockhall Village Old Langho BB6 8BB |
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| **CONSULTATIONS:**  | **Parish/Town Council** |
| No representations received in respect of the proposal. |
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| **CONSULTATIONS:**  | **Highways/Water Authority/Other Bodies** |
| **N/A:** |  |
| N/A |
| **CONSULTATIONS:**  | **Additional Representations.** |
| Five letters of representation have been received objecting to the proposal on the following grounds:* Increase in traffic
* Unsuitable vehicular access point
* Pedestrian/vehicle conflict
* Highways safety
* Cattle Grid causes noise and no assessment has been undertaken
* Noise and traffic pollution
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** |
| **Ribble Valley Core Strategy:**Key Statement DS1 – Development StrategyKey Statement DS2 – Sustainable DevelopmentKey Statement DMI2 – Transport ConsiderationsPolicy DMG1 – General ConsiderationsPolicy DMG2 – Strategic ConsiderationsPolicy DMG3 – Transport & MobilityPolicy DME1 – Protecting Trees and WoodlandPolicy DME2 – Landscape and Townscape Protection Policy DME3 – Site and Species Protection and Conservation |
| **Relevant Planning History:****2024/0322:**Approval of details reserved by conditions 6 (schedule of works for scheme of conservation), 7 (boundary treatment), 8 (door framing and glazing details), 16 (archaeological record), 17 (landscaping), 21 (bird and bat boxes), 24 (non-native species removal), 26 (SW drainage scheme), 28 (Environmental Management Plan), 29 (construction management), 30 (road condition survey) and 32 (electric vehicle charging) of planning permission 3/2021/0311. (Approved)**2023/0181:**Proposed demolition of attached store, erection of single storey side and rear extension and in part raising of existing roof. (Approved)**2022/0423:**Proposed roof lift for loft conversion and two storey side extension. (Approved)**2022/0207:**Removal of condition 3 (occupancy) of planning permission 3/1985/0679 which limits occupancy to a person solely employed in the locality in agriculture or forestry. (Approved)**2021/0311:**Proposal to demolish and convert a number of agricultural buildings at Brockhall Farm, into 8 residential properties; construct a number of garages for the use of the residents; and re-develop the surrounding landscaping to incorporate parking, landscaping and amenity spaces for each property. Resubmission of 3/2020/0180. (Approved)**2020/0180:****Proposed conversion of existing barn complex to create eight dwellings, with associated demolition and creation of new curtilages, parking areas and garages. To include the formation of new parking and turning areas and the erection of garages for the existing dwellings on site. (Withdrawn)** |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** |
| **Proposed Development for which consent is sought:**The application seeks consent for the variation of condition 20 of planning permission 3/2021/0311 to allow for the commencement of development within the requisite time-period pursuant to condition 1 of the same consent, with ‘material operations’ pursuant to the consent being required to be undertaken no later than the 27th of August 2024.In this respect the applicant seeks to vary the triggers embodied within condition 20 to allow for a limited scope and spectrum of works to be undertaken without necessitating the need for a European Protected Species Mitigation Licence to be obtained from Natural England. With condition 20 currently being a ‘pre-commencement’ condition that precludes any development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal. In this respect condition 20 currently reads as follows:*‘Notwithstanding the submitted details, no development, including any site preparation, demolition, scrub/hedgerow clearance or tree works/removal shall commence or be undertaken on site until a European Protected Species Mitigation Licence has been submitted to and obtained from Natural England. A copy of the licence obtained shall then be submitted to and agreed in writing by local planning authority in consultation with Natural England.**The actions, methods & timings included in the mitigation measures identified and the conditions of the Natural England Licence shall be fully implemented and adhered to throughout the lifetime of the development**Reason: To ensure the protection of species/habitat protected by the Wildlife and Countryside Act 1981 (as Amended) and in the interests of biodiversity and to enhance habitat opportunities for species of conservation concern/protected species and to minimise/mitigate the potential impacts upon protected species resultant from the development’.*It is proposed that this condition be varied as follows:*‘Notwithstanding the submitted details, no works other than the digging of a trench to accommodate the foundations of the proposed garage structure (Garage - Property 6 and Garage -Property 7) as indicated on drawing ‘Proposed Site Plan Ground Floor Level: 08B ‘(amended 17.08.2021) shall be commenced on site until a European Protected Species Mitigation Licence has been submitted to and obtained from Natural England.* *A copy of the licence obtained shall then be submitted to and agreed in writing by the local planning authority in consultation with Natural England. The actions, methods & timings included in the mitigation measures identified and the conditions of the Natural England Licence shall be fully implemented and adhered to throughout the lifetime of the development.**Reason: To ensure the protection of species/habitat protected by the Wildlife and Countryside Act 1981 (as Amended) and in the interests of biodiversity and to enhance habitat opportunities for species of conservation concern/protected species and to minimise/mitigate the potential impacts upon protected species resultant from the development* |
| **Impact Upon Residential Amenity:**The proposed variations do not result in any changes to that of the external appearance of the consented proposal, nor alterations to the consented site configuration. With the submitted details seeking consent to vary condition 20 to allow for a limited scope of works to be undertaken prior to the need for a European Protected Species Mitigation Licence to be gained from Natural England. In this respect the proposed variation is unlikely to result in any adverse measurable impacts upon existing/future residential amenity.In this respect the proposal does not raise any significant direct conflicts with Policy DMG1 in respect of adequate standards of residential amenity nor is it considered that the proposal will result in measurable detrimental impact(s) upon nearby residential amenities. |
| **Visual Amenity/External Appearance:**The proposed variations do not result in any changes to that of the external appearance of the consented proposal, nor alterations to the consented site configuration. With the submitted details seeking consent to vary condition 20 to allow for a limited scope of works to be undertaken prior to the need for a European Protected Species Mitigation Licence to be gained from Natural England. As such the granting of consent for the variation to condition 20 is unlikely to result in any additional adverse measurable impacts upon the character or visual amenities of the area.In this respect the proposal does not raise any significant direct conflicts with Policies DMG1 nor DMG2 insofar that there will be no measurable significant harm to the character or visual amenities of the area. |
| **Highways and Parking:**The proposed variations do not result in any changes to that of the external appearance of the consented proposal, nor alterations to the consented site configuration or highways arrangement. With the submitted details seeking consent to vary condition 20 to allow for a limited scope of works to be undertaken prior to the need for a European Protected Species Mitigation Licence to be gained from Natural England. As such the granting of consent for the variation to condition 20 is unlikely to result in any additional adverse measurable impacts upon the safe operation of the immediate highway.As such the proposal raises no significant measurable conflict(s) with Key Statement DMI2 or Policy DMG3 which seek to ensure the continued safe operation of the highways network and to ensure adequate pedestrian infrastructure is brought forward to accommodate development. |
| **Landscape/Ecology:**The submitted details seek to vary condition 20 of permission 3/2021/0311 to allow for the revised wording of the condition to read as follows:*‘Notwithstanding the submitted details, no works other than the digging of a trench to accommodate the foundations of the proposed garage structure (Garage - Property 6 and Garage -Property 7) as indicated on drawing ‘Proposed Site Plan Ground Floor Level: 08B ‘(amended 17.08.2021) shall be commenced on site until a European Protected Species Mitigation Licence has been submitted to and obtained from Natural England. A copy of the licence obtained shall then be submitted to and agreed in writing by the local planning authority in consultation with Natural England. The actions, methods & timings included in the mitigation measures identified and the conditions of the Natural England Licence shall be fully implemented and adhered to throughout the lifetime of the development’.*In respect of the scope of works that would be permitted by virtue of the revised wording of condition 20, these would be limited to the digging of a trench to accommodate the foundations of a proposed garage structure towards the north-eastern extents of the site. In this respect, the scope of works that would be facilitated by the variation of condition 20 would not affect any of the buildings, structures nor existing green infrastructure that would necessitate the need for a European Protected Species Mitigation Licence to be gained. Nor is it considered that the digging of the trench, in isolation, would result in any adverse measurable impacts upon protected species nor species of conservation concern.As such, taking account of the above and the mitigation planting proposed, the proposal does not raise any significant measurable conflict(s) with Policies DME1, DME2 nor DME3 of the Ribble Valley Core Strategy. |
| **Observations/Consideration of Matters Raised/Conclusion:**As such, for the above reasons and having regard to all material considerations and matters raised that the application is recommended for approval. |
| **RECOMMENDATION**: |  |
| That the variation to condition 20 of planning permission 3/2021/0311 be granted. |