

RIBBLE VALLEY BOROUGH COUNCIL

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Dear Councillor

The next meeting of the **PLANNING AND DEVELOPMENT COMMITTEE** is at **6.30PM** on **THURSDAY, 12 JANUARY 2012** at the **TOWN HALL, CHURCH STREET, CLITHEROE.**

I do hope you can be there.

Yours sincerely

CHIEF EXECUTIVE

To: Committee members (copy for information to all other members of the Council)
Directors
Press
Parish Councils (copy for information)

AGENDA

Part I – items of business to be discussed in public

1. Apologies for absence.
- ✓ 2. Minutes of the meeting held on 8 December 2011 – copy enclosed.
3. Declarations of Interest (if any).
4. Public Participation (if any).

DECISION ITEMS

5. References from Overview and Scrutiny Committee (if any).
- ✓ 6. Planning Applications – report of Director of Community Services – copy enclosed.

- ✓ 6a. Observations in relation to Housing at Land north of The Hills, Longridge Road, Grimsargh – report of Director of Community Services – copy enclosed.
- ✓ 7. Revised Capital Programme 2011/12 and Proposed Capital Programme 2012/15 – report of Director of Resources – copy enclosed.
- ✓ 7a. Revised Revenue Budget 2011/12 and Original Estimate 2012/13 – report of Director of Resources – copy enclosed.
- ✓ 8. Pre-application Charges – Revised Fees – report of Director of Community Services – copy enclosed.
- ✓ 9. Extension to the Delegation Scheme in Relation to Determination of Planning Applications – report of Director of Community Services – copy enclosed.
- ✓ 9a. Biodiversity Offsetting – report of Director of Community Services – copy enclosed.
- ✓ 9b. Memorandum of Agreement for the Forest of Bowland AONB – report of Director of Community Services – copy enclosed.

INFORMATION ITEMS

- ✓ 10. Appeals:
 - (a) 3/2010/0751/P – Proposed residential development (39 dwellings) at Whalley New Road, Billington – appeal allowed with conditions.
 - (b) 3/2010/0751/P – Costs decision – awarded to Acland Bracewell Ltd.
 - (c) 3/2009/0968/P – Proposed residential development (9 dwellings) at Fell View, Barnacre Road, Longridge – appeal allowed with conditions.
- 11. Report of Representatives on Outside Bodies (if any).

Part II - items of business **not** to be discussed in public

None.

INDEX OF APPLICATIONS BEING CONSIDERED MEETING DATE 12 JANUARY 2012					
	<u>Application No:</u>	<u>Page:</u>	<u>Officer:</u>	<u>Recommendation:</u>	<u>Site:</u>
A	APPLICATIONS REFERRED BACK TO COMMITTEE FOR APPROPRIATE CONDITIONS:				
				NONE	
B	APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR APPROVAL:				
	3/2011/0662/P	1	SW	AC	Calder Vale Park Simonstone
	3/2011/0749/P	4	GT	AC	Plot 3 Cherry Drive Brockhall
	3/2011/0768/P	9	GT	AC	Law Farm Trapp Lane, Simonstone
	3/2011/0858/P	11	RH	AC	Woodcroft Cottage 36 Pendleton Road, Wiswell
	3/2011/0881/P	13	GT	AC	Plot 1 Franklin Hill Brockhall
	3/2011/0882/P	17	GT	AC	Plot 2 Franklin Hill Brockhall
	3/2011/0940/P	22	CS	AC	Calderstones NHS Trust Mitton Road, Whalley
	3/2011/0947/P	30	JM	AC	Langden Brook Trough Road, Dunsop Bridge
				AC	
C	APPLICATIONS WHICH THE DIRECTOR OF COMMUNITY SERVICES RECOMMENDS FOR REFUSAL:				
	3/2011/0111/P	32	SW	R	Land to the east of Clitheroe Road (Lawsonsteads), Whalley
	3/2011/0312/P	97	GT	R	The Dene Hurst Green
D	APPLICATIONS UPON WHICH COMMITTEE DEFER THEIR APPROVAL SUBJECT TO WORK DELEGATED TO DIRECTOR OF COMMUNITY SERVICES BEING SATISFACTORILY COMPLETED:				
				NONE	
E	APPLICATIONS IN 'OTHER' CATEGORIES:				
				NONE	

LEGEND

A	Approved	JM	John Macholc	GT	Graeme Thorpe
AC	Approved Conditionally	SW	Sarah Westwood	RH	Rachel Horton
R	Refused	CS	Colin Sharpe	CB	Claire Booth
M/A	Minded to Approve	AD	Adrian Dowd		

**RIBBLE VALLEY BOROUGH COUNCIL
REPORT TO PLANNING AND DEVELOPMENT COMMITTEE**

Agenda Item No

meeting date: THURSDAY, 12 JANUARY 2012
title: PLANNING APPLICATIONS
submitted by: DIRECTOR OF COMMUNITY SERVICES

PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990:

APPLICATION NO: 3/2011/0662/P (GRID REF: SD 377730 433332)
PROPOSED ERECTION OF A RESEARCH AND DEVELOPMENT BUILDING AT CALDER VALE PARK, SIMONSTONE PARK, SIMONSTONE LANE, SIMONSTONE

PARISH COUNCIL: No objections.

ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No objections in principle on highway safety grounds.

UNITED UTILITIES: No objections.

ENVIRONMENT AGENCY: No objections subject to the imposition of conditions.

HEALTH & SAFETY EXECUTIVE: Does not advise on safety grounds, against the granting of planning permission.

COAL BOARD: Initially objected to the development as a coal mining risk assessment report had not been submitted as part of the application. Further to a letter submitted by GRM Development Solutions (dated 13 June 2011) the Coal Authority is able to withdraw its objection as no specific mitigation measures are required at this stage to address coal mining legacy issues. However, further more detailed consideration of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.

ADDITIONAL REPRESENTATIONS: No comments received.

Proposal

This is a full application for the erection of a research and development building with overall approximate dimensions (as amended 17 November 2011) of 38m x 27m x 8.8m in height with a further 30m x 6m x 4m in height to a single storey section on the southern elevation. Construction materials would be smooth facing brick coloured red with Kingspan composite wall panels above and a roof of Kingspan roof panels – the colour of the latter to be confirmed. The building principally contains a single large workshop suitable for B1 (office) and B2 (general industrial) uses. The southern section of the building would accommodate offices, plant room, works and a canteen. A small mezzanine floor is proposed at the eastern end of the building for a drawing office and meeting rooms.

Site Location

The Calder Vale Business Park site is set to the west of Simonstone Lane on land that is excluded from the green belt in the Districtwide Local Plan. The application building would be located to the south of building 'S' on land that currently consists of a small area of gravel hard standing. To the immediate south and south east of this site is a woodland with open fields to the west.

Relevant History

3/2011/0222/P – Proposed extension to rear of building 'S'. Erection of stand alone ancillary facilities building. Approved with conditions 27 May 2011.

3/2007/0983/P – New warehouse units. Approved with conditions.

3/2006/0924/P – External refurbishment of the first bay of building 'S' and the erection of an extension together with the creation of a new car park and works of landscaping. Approved with conditions. 22 December 2006.

Other applications relate to the remainder of the Calder Vale Business Park.

Relevant Policies

Policy G1 - Development Control.

Policy G3 - Settlement Strategy.

Policy EMP7 - Extensions/Expansions of Existing Firms.

Policy EMP8 - Extensions/Expansions of Existing Firms.

PPS1 – Delivering Sustainable Planning.

PPS4 – Planning for Sustainable Planning Growth.

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application are the principle of development, highway safety, visual and residential amenity.

In terms of principle, the building would be sited on land that is currently in use in connection with the overall business operations of the applicant. It would contain existing operations from across the site and forms a vital part of an ongoing programme of investment in the Simonstone Site to consolidate existing operations whilst enabling the continued growth of the company. I am of the opinion that the scheme would in principle comply with the requirement of plan policy. Having regard to highway safety matters it is evident from the observations of the County Surveyor that no objections are raised to this development. The scheme does not provide any additional parking spaces on the grounds that the building is to contain operations from across the site nor does it have an external service yard as this is not considered relevant for the nature of its use for research and development operations. Both of these factors will have been considered by the County Surveyor in reaching his conclusions on the highway implications of the development.

As stated the building is to be set to the rear of building 'S' with a woodland area separating this from the Altham Pumping Station. In long-range views, I am of the opinion that given its close

relationship with the other buildings on site that are of a large scale, it would not prove significantly detrimental to the visual amenities of the area.

In respect of residential amenities, the application forms indicate that unrestricted hours of operation are sought. The location of this building to the south of the site is the furthest point away from the residential properties on Railway Terrace and there would be the existing buildings on the remainder of the business park between those dwellings and this new structure. I am also mindful that there are properties on Burnley Road to the south east beyond the woodland area. Given the distances involved (approximately 220m to Railway Terrace and 160m to the other dwellings) and that this is a relocation of existing activities on site, I do not consider that there would be any significant detriment to residential amenity were this development to proceed.

Therefore having carefully considered all the above, I recommend accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity, nor would it have an adverse visual impact or be to the detriment of highway safety.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

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

2. This permission shall be implemented in accordance with the proposal as detailed on drawings 11057/PL01; 11057/PL02 REVA (amended 17 November 2011); 11057/PL03; 11057/PL04 REVB (amended 17 November 2011).

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

3. Precise specifications or samples of walling and roofing materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved in writing by the Local Planning Authority before their use in the proposed works.

REASON: In order that the Local Planning Authority may ensure that the materials to be used are appropriate to the locality in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

4. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

REASON: To reduce the increased risk of flooding in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

5. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

REASON: To reduce the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

NOTE(S):

1. This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge directly into the adjacent watercourse and may require the consent of the Environment Agency.
2. The proposed development lies within a coal mining area, which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities, which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

APPLICATION NO: 3/2011/0749/P (GRID REF: SD 369909 436638)
PROPOSED CONSTRUCTION OF A FIVE-BEDROOM DETACHED DWELLING INCLUDING ATTACHED DOUBLE GARAGE WITH OFFICE SPACE ABOVE AT PLOT 3, CHERRY DRIVE, BROCKHALL VILLAGE, OLD LANGHO, NR BLACKBURN, LANCASHIRE, BB6 8HJ.

PARISH COUNCIL: The Parish Council objects strongly to this application as they feel that the number of dwellings originally agreed to be built on this site will have increased and be over the original quota agreed. In addition to this, there are no facilities for the local residents, which was another one of the original conditions of the building of the area. The infrastructure of the local area will also be affected.

LCC ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No observations or comments received within the statutory 21-day consultation period.

ADDITIONAL REPRESENTATIONS: No additional representations have been received.

Proposal

The application relates to the construction of a detached dwelling within the residential settlement of Brockhall as defined by the Ribble Valley Districtwide Local Plan. This proposal relates to Plot 3 within a development of seven detached houses off Cherry Drive, Brockhall

Village. Permission was granted on Appeal under reference 3/2007/1071/P. The dwelling originally approved on this plot was a five-bedroom property with a single storey live/work unit and an attached double garage.

Site Location

The site is located within the Generally Developed Area (GDA) of the Brockhall Village development, as designated by the Ribble Valley Districtwide Local Plan.

Relevant History

3/2008/0567/P - 15no Live/Work apartments over 3 floors in traditional build with parking and garages. Separate office block, 2no blocks on 3 floors traditional build – Granted Conditionally.

3/2007/1071/P - 7no. detached dwellings each with associated work unit together with associated infrastructure (Resubmission) – Refused (Allowed on Appeal).

3/2007/0740/P - 7no. Detached dwellings each with associated work unit, together with associated infrastructure – Withdrawn.

3/2005/0315/P - Redevelopment of remaining areas of former hospital to provide employment uses (B1, C1, C2, D1 and D2), 38 dwellings, village hall and associated open space, kick-about area, formal garden area and garden store – Granted Conditionally.

3/2004/0570/P - 14 Live/Work Units, 24 apartments, swimming pool/gymnasium, village hall – Refused.

3/2002/0687/P - Outline Application: Development of a Village Hall and Laying out of open space. Construction of New Footpaths. Laying out of additional open space on land with Permission for Residential Dev – Withdrawn.

3/1999/0198/P - Outline Application for Development of Remainder of Village (with exception of sewage treatment plant) to provide 261 new homes & 10,500 sq.m. of Employment Space (Resubmission of 3/98/0426/P) – Granted Conditionally.

3/1994/0532/P - Re-Development and Re-Use of Brockhall Hospital to form a mixed use Village consisting of Employment Uses and Residential Development up to 400 additional houses – Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.

Policy G4 – Settlement Strategy.

Policy T7 – Parking Provision.

SPG – “Extensions and Alterations to Dwellings”.

PPS3 - Housing.

Affordable Housing Memorandum of Understanding (AHMU).

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application involve the effects of the development on visual amenity, the amenities of nearby residents and any potential impact on trees to the rear of the site with TPO's on. The main change with regards to the house type is that a Timber Frame Company have been instructed to erect the building. There is no objection in terms of the principle of the development as the previous consent (3/2007/1071/P) was approved and extant. Therefore, the proposal is considered acceptable in principle when considered in relation to the current housing policies and guidance, and will not add further to housing supply as suggested by the Parish Council.

This application now seeks permission for a 5 bedroom, two-storey property, of a similar, linear design that now runs parallel to Cherry Drive. Externally, the first floor windows have been positioned so they do not overlook the amenity areas of neighbouring properties, and nor do they directly look at first floor windows of these neighbouring properties. One en-suite bathroom window faces the rear garden areas of Plot 2, however this will be obscurely glazed. The scheme also includes the provision of an attached double garage within the site, and the live/work element of the previously approved scheme has been removed. The dwelling and garage will be constructed in brick and render, with a slate roof finish, and will have upvc windows throughout.

Considering the variety of house types on this stretch of road, that there are no habitable windows in the side elevation of the adjacent dwelling and that the balcony will be screened from the adjacent property, it is considered that the proposed dwelling type will have no significantly detrimental impact on the amenity of the neighbours by reason of overlooking or loss of light or privacy.

In relation to the design, size and height of the proposed dwelling, it is considered similar to other residential properties in the nearby vicinity, both existing and currently being constructed/approved, and is considered to be acceptable given the difference in house types all over the Brockhall Village development.

Visually, any development of the site will affect the street scene and views around and through the site, however in order to refuse a development the harm of a proposal must be demonstrated. The dwelling has been designed to be closely related to the variety of properties in the nearby vicinity in terms of its principle elevations, and its size and massing is considered to be acceptable as the property carry's the same form and is similar in scale to other properties on this road, with similar sized openings. The dwelling is considered to provide sufficient amenity space around it to ensure it does not appear cramped within the street scene. On this basis, the visual impact is considered to be minimal, and the scale, design and massing of the proposed dwelling and detached garage are considered to be visually acceptable within the street scene.

Whilst no formal comments have been received from the LCC Highways Officer, I do not perceive there to be any potential issues with the proposed scheme or layout given the satisfactory level of on-site parking provided and the visibility splays provided at the access.

There are protected trees on adjacent land that are within influencing distance of the development, and as such further details were requested from the Agent in order to calculate the required Root Protection Area for the trees in question. On the basis of this information, the Council's Countryside Officer has raised no objection to the proposal providing that the bund

remains in place as it affords the trees some physical protection. In addition, he has recommended a site-specific tree protection planning condition.

With regards to the views of the Parish Council, this application is substitution of house type application for a dwelling granted planning permission in 2007, therefore it is already part of the original number of units envisaged for this location. With regards to there being no facilities for local residents, the village hall has been a long running issue between residents and its owner, never coming to fruition for various reasons, and as previous attempts at providing shops at this location have provided fruitless, there seems no genuine planning reason to refuse permission for this reason.

It is considered that the scheme submitted complies with the relevant Local, Regional and National Policies, therefore, bearing in mind the above comments, and whilst I am mindful of the views of the Parish Council, I recommended the scheme accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposal is in accordance with the relevant policies and guidance relating to new residential development and would not have any seriously detrimental effects upon visual amenity, the amenities of nearby residents or highway safety.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:

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

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

2. The permission shall relate to the development as shown on Plan Drawing Reference No's 01/01, 01/02 and 033.

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

3. This permission shall be implemented in accordance with the proposal as amended by letter and plan received on the 10 November 2011.

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

4. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2008 (or any order revoking or re-enacting that Order) any future extensions or external alterations to the dwelling, including any development within the curtilage, hard standing or fences, as defined in Schedule 2 Part 1 Classes A to H, and Part II Class A, shall not be carried out without the formal consent of the Local Planning Authority.

REASON: In order that the Local Planning Authority shall retain effective control over the development to ensure compliance with Policy G1 of the Ribble Valley Districtwide Local Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking or re-enacting that Order) the building shall not be altered by the insertion of any window or doorway without the formal written permission of the Local Planning Authority.

REASON: In order to safeguard nearby residential amenity in accordance with Policies G1 and H10 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance – “Extensions and Alterations to Dwellings”.

6. The dwelling hereby approved shall be constructed with the first floor, en-suite window in the north facing elevation (facing Plot 2) obscurely glazed; and also fitted with restrictors limiting the degree of opening of each opening light to not more than 45°. Thereafter it shall be maintained in that condition in perpetuity to the satisfaction of the Local Planning Authority.

REASON: In order to protect nearby residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

7. The proposed garage shall not be used for any purpose (including any purpose ordinarily incidental to the enjoyment of the dwelling house as such) which would preclude its use for the parking of a private motor vehicle.

REASON: In the interests of visual amenity and to facilitate adequate vehicle parking and/or turning facilities to serve the dwelling in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance “Extensions and Alterations to Dwellings”.

8. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services, any trees to be retained on the site shall be protected in accordance with the BS5837 [Trees in Relation to Construction].

The root protection zone shall be 12 x the DBH and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented without prior written consent, which will only be granted when the local authority is satisfied that it is necessary, will be in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development are afforded maximum physical protection from the adverse affects of development. In order to comply with Planning Policy G1 of the District Wide Local Plan.

INFORMATIVE

Ribble Valley BC imposes a charge to the developer to cover the administration, and delivery costs in providing wheeled bins to each household within a new build property or provision. Details of current charges are available from the RVBC Contact Centre on 01200 425111.

APPLICATION NO: 3/2011/0768/P (GRID REF: SD 377945 435087)
ALTERATIONS TO ACCESS, INCLUDING RE-SITING GATEWAY FURTHER BACK FROM ROAD TO CREATE A LARGER SPLAY. EXTENDING THE EXISTING WALL TO REACH THE NEWLY POSITIONED GATEWAY. ERECTING A POST AND RAIL FENCE FROM THE NEWLY POSITIONED GATEWAY TO THE EXISTING FARM BUILDINGS AT LAW FARM, TRAPP LANE, SIMONSTONE.

PARISH COUNCIL: No observations received.

LCC ENVIRONMENT DIRECTORATE
(COUNTY SURVEYOR): No objections in principle on highway safety grounds.

ADDITIONAL REPRESENTATIONS: No observations received.

Proposal

Permission is sought to alter the existing vehicular/farm access into the site in order to improve the safety of vehicular access. Works are to include re-siting the gateway 6 metres back from Trapp Lane in order to create a larger splay. The existing wall to the site is to be extended to reach the newly positioned gateway at a height of 1 metre, a post and rail fence is to be erected from the newly positioned gateway to the existing farm buildings and a new gated field access is to be created in order to access the paddock to the north of the main access.

Site Location

Law Farm is a relatively large agricultural holding located off Trapp Lane outside any settlement boundary, but within 800 metres of the settlement boundary of Read/Simonstone. A small portion of land north of the new access is within a Biological Heritage Site.

Relevant History

None.

Relevant Policies

Policy G1 – Development Control
Policy G5 – Settlement Strategy
Policy ENV3 – Development in Open Countryside
Policy ENV9 – Important Wildlife Site

Environmental, AONB, Human Rights and Other Issues

The application is to be determined by committee, as the applicant is related to a member of staff.

As works are to be carried out to an existing access and the materials to be used in the construction of the proposed fencing and extension to the wall are appropriate within this rural location, I consider that the proposal will not have a materially harmful effect upon the visual amenity of this area of designated Open Countryside.

With regards to any impact upon highway safety the County Surveyor has confirmed that he has no objection to the application, and considers that the works can safely accommodate the anticipated impact of the proposed development and will also provide an improvement to the existing vehicular access.

A portion of land north of the main access is within a Biological Heritage Site; therefore Bowland Ecology was commissioned by the agent to undertake an extended phase 1 habitat survey. Their report confirms that the habitats to be impacted by the proposals are of low ecological value within the context of the surrounding area. In order to mitigate any impact to breeding birds the report recommends that all tree or scrub clearance works should be completed between September and February, outside the breeding bird season and that if there is potential for sediment to enter the stream, EA PPG5 should be implemented during the works, I would therefore recommend that any consent be suitably conditioned.

Therefore, in consideration of the above I do not consider this application would cause a significant detrimental impact on the visual amenity of the area or have an adverse impact on highway safety. As such, the application is recommended accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposal represents an appropriate form of development and would not result in visual detriment to the surrounding countryside, nor would its use have an adverse impact on highway safety.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

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

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

2. This permission shall relate to Drawing No. WHITW/03 in relation to the location plan, Drawing No. WHITW/03 Dwg 02 in relation to the existing site plan and Drawing No. WHITW/03 Dwg 03 in relation to the proposed site plan.

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

3. The development shall be carried out in strict accordance with the recommendations and mitigation measures on page 2 and 3 of the submitted phase 1 habitat survey report conducted by Bowland Ecology dated the 14th of December 2011.

REASON: In the interests of protecting nature and conservation issues in accordance with Policies G1 and ENV9 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2011/0858/P (GRID REF: SD 374646 437471)
PROPOSED ERECTION OF A SUMMER HOUSE TO REPLACE THE REMOVED GARDEN SHED AT WOODCROFT COTTAGE, 36 PENDLETON ROAD, WISWELL.

PARISH COUNCIL: Have no objections to a summer house in general but the roof design and height of the proposed building are of concern in a conservation area as the roof would be clearly seen above the existing hedge.

ADDITIONAL REPRESENTATIONS: Two letters have been received from neighbouring residents who wish to raise the following objections:

- Significant visual impact due to exposure over the present top level of the hedgerow.
- Not in-keeping with the property.

Proposal

Consent is sought to erect a detached summerhouse in the rear (southern) garden of the property. The design of the proposal is octagonal with the footprint measuring a maximum width and length of 2.8 metres. The height to the eaves is to measure 2 metres and to the ridge 3.8 metres. The walls will be constructed of timber with glass panels and the roof spire is to be finished in lead.

Site Location

Woodcroft Cottage is a detached two-storey property situated on a prominent roadside frontage to the eastern side of Pendleton Road within the main settlement of Wiswell, and the designated Conservation Area. The original 19th century cottage (in which the western gable elevation fronts the roadside) has been incrementally extended over the years resulting in an 'l-shaped property'.

Relevant History

None.

Relevant Policies

Policy G1 – Development Control
Policy ENV16 – Development Within Conservation Areas
Policy H10 – Residential Extensions
Policy SPG – “Extensions and Alterations to Dwellings”

Environmental, AONB, Human Rights and Other Issues

Matters for consideration are the visual impact of the proposal upon the appearance of the property, Wiswell Conservation Area and the potential impact on neighbouring residential amenity. In response to the concerns raised by the Parish and neighbouring residents with regards to the height of the proposed summerhouse and its visual prominence as viewed within the street scene, discussions have taken place with the agent who has subsequently sent a revised location plan of the summerhouse.

The summerhouse is now to be located away from the roadside edge, to the south-eastern corner of the applicants rear garden, set back approx. 12.5 metres from the high hedgerow that fronts Pendleton Road. In this revised location it is now considered that the proposal will not prove visually prominent within the street scene, and as such any visual impact of the proposal upon the visual amenity of the property or the appearance of Wiswell Conservation Area will be minimal.

The revised location minimises any impact of the proposal upon the amenity of neighbouring residents, with properties fronting Pendleton Road. The nearest residential property to the proposal is 'Old Barn' to the immediate south of Woodcroft Cottage. It is considered that any impact of the summerhouse upon the amenity of residents at this property will be minimal. The proposal will be partially screened by a high mature hedgerow to the south-eastern corner of the applicants curtilage, the summer house is to be sited 9 metres from the north-eastern gable elevation of this property and the 'l-shaped' building to the south-east of the proposal serves a garage, stable and hay store for the owners of 'Old Barn'.

Therefore, in consideration of the above I do not consider this application would cause a significant detrimental impact on the preservation or enhancement of Wiswell Conservation Area, or on the residential amenity of the occupiers of the surrounding properties. As such, the application is recommended accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity nor would it have an adverse visual impact.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

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

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

2. This permission shall be implemented in accordance with the proposal as amended by plan received on the 9th of December 2011 (Drawing No. 2816/103a) in relation to the revised location of the summerhouse. Also Drawing No. 2816/203 in relation to the floor plan and elevations of the proposed summerhouse.

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

APPLICATION NO: 3/2011/0881/P (GRID REF: SD 370064 436679)
DETACHED DWELLING WITH ATTACHED GARAGE – SUBSTITUTION OF HOUSE TYPE
ON PLOT 1, FRANKLIN HILL, BROCKHALL VILLAGE, LANGHO, BLACKBURN,
LANCASHIRE.

PARISH COUNCIL: The Parish Council objects strongly to this application as they feel that the number of dwellings originally agreed to be built on this site will have increased and be over the original quota agreed. In addition to this, there are no facilities for the local residents, which was another one of the original conditions of the building of the area. The infrastructure of the local area will also be affected.

LCC ENVIRONMENT
DIRECTORATE (COUNTY
SURVEYOR): No objections.

ADDITIONAL
REPRESENTATIONS: No additional representations have been received.

Proposal

This application seeks permission for the substitution of house type of a previously approved, detached house with attached garage, and the creation of a garden area and modification of an existing vehicular access on the site. The site is the former maintenance depot on Franklin Hill, Brockhall Village. This application is one of two applications for the site, with this particular proposal considering Plot 1.

Site Location

The site is located within the Generally Developed Area (GDA) of the Brockhall Village development, as designated by the Ribble Valley Districtwide Local Plan.

Relevant History

3/2011/0664/P - Application to discharge condition no.8 (tree protection) of planning consent 3/2011/0088P – Granted.

3/2011/0088/P - Erection of a detached house with an attached garage. Creation of a garden area and modification of the vehicle access. (Plot 1) – Granted Conditionally.

3/2005/0315/P - Redevelopment of remaining areas of former hospital to provide employment uses (B1, C1, C2, D1 and D2), 38 dwellings, village hall and associated open space, kick-about area, formal garden area and garden store – Granted Conditionally.

3/2004/0570/P - 14 Live/Work Units, 24 apartments, swimming pool/gymnasium, village hall – Refused.

3/2002/0687/P - Outline Application: Development of a Village Hall and Laying out of open space. Construction of New Footpaths. Laying out of additional open space on land with Permission for Residential Dev – Withdrawn.

3/1999/0198/P - Outline Application for Development of Remainder of Village (with exception of sewage treatment plant) to provide 261 new homes & 10,500 sq.m. of Employment Space (Resubmission of 3/98/0426/P) – Granted Conditionally.

3/1998/0426/P - Outline Application for Development of remainder of village to provide 262 new homes and 10,500 sq.m. of Employment Space – Granted Conditionally.

3/1994/0532/P - Re-Development and Re-Use of Brockhall Hospital to form a mixed use Village consisting of Employment Uses and Residential Development up to 400 additional houses – Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.

Policy G4 – Settlement Strategy.

Policy T7 – Parking Provision.

SPG – “Extensions and Alterations to Dwellings”.

PPS3 - Housing (June 2010).

Affordable Housing Memorandum of Understanding (AHMU).

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application involve the effects of the development on visual amenity, the amenities of nearby residents and any potential impact on trees to the rear of the site with TPO's on. The main change with regards to the house type is that a Timber Frame Company have been instructed to erect the building. There is no objection in terms of the principle of the development as the previous consent (3/2011/0088/P) was approved and therefore considered acceptable in principle when considered in relation to the current housing policies and guidance.

VISUAL IMPACT OF THE DEVELOPMENT

The existing maintenance depot building is a single storey, portal framed building with a pitched roof, constructed in green coloured sheeting for both the walls and for the roof. The depot site as a whole is surrounded on all sides by a tree-planting belt, with the trees planted in a bund on the north, east and west boundaries of the site. With regards to this Plot, the trees on the east, south and west boundaries provide a large level of screening from other properties to the east and west of the site. Whilst using a Timber Frame Company for the build, the design, size and height of the proposed dwelling is still similar to other residential properties in the nearby vicinity, both existing and currently being constructed, and is considered to be acceptable given the difference in house types all over the Brockhall Village development. The dwelling proposed is a six-bedroom property, with an attached double garage to the rear (east) of the site, and whilst having the same footprint, it will measure 0.55m taller than the previously approved dwelling (9.58m as opposed to 9.03m in height). The scheme still has rooms spread over two floors, with another two bedrooms within the roof space, and also incorporates two additional windows for en-suite bathrooms within the two side elevations.

Visually, any development of the site will affect the streetscene and views around and through the site, however in order to refuse a development the harm of a proposal must be demonstrated. The dwelling has been designed to be closely related to the variety of properties in the nearby vicinity in terms of its principle elevations, and its size and massing is considered

to be acceptable as the property carry's the same form and is similar in scale to other properties on this road, with similar sized openings. The dwelling is considered to provide sufficient amenity space around it to ensure it does not appear cramped within the streetscene. On this basis, despite the slight increase in height, the visual impact is still considered to be acceptable.

With regards to the bund to the rear of the property (on the eastern boundary), a further outline permission (app no 3/99/0198/P) of June 1999 has an attached Section 106 agreement which (page 5) refers to a scheme for landscaping, management and maintenance of open space shown edged in green on an attached plan (called "Proposed revisions under 3/99/0198"). This map, which is on a large scale, appears to carry this green edged open space along the eastern boundary of the site, and site visits and satellite photography seem to identify this green space as the bund running along the site. On this basis, provided the bund and the trees planted nearby are kept as they are on site, then there is no objection to the proposal.

On this basis, the scale, design and massing of the proposed new dwelling and replacement garage are considered to be visually acceptable within the streetscene.

IMPACT ON RESIDENTIAL AMENITY

One of the main concerns in regards to the proposed development is the potential overlooking/loss of privacy caused by both the position and design of the dwelling. The guidance provided within the SPG – "Extensions and Alterations to Dwellings" discusses a distance of 21m between existing dwellings and the proposed first floor windows of habitable rooms in new developments. However, given the proposed retention of the existing boundary treatment to the front boundary of the site and that there is approximately 29 metres between the front elevation of the proposed property and the rear elevation of Dickens Court, I do not consider that the scheme will have a detrimental impact on the residential amenity of adjacent neighbouring properties.

IMPACT ON TPO'S

There are protected trees on adjacent land to the east of the site that are within influencing distance of the development, and as such further details were requested from the Agent including the Diameter of the trees at breast height in order to calculate the required Root Protection Area for the trees in question. On the basis of this information, the Council's Countryside Officer has raised no objection to the proposal providing that the bund remains in place as it affords the trees some physical protection. In addition, he has recommended a site-specific tree protection planning condition.

With regards to the views of the Parish Council, this application is substitution of house type application for a dwelling granted planning permission in 2007, therefore it is already part of the original number of units envisaged for this location. With regards to there being no facilities for local residents, the village hall has been a long running issue between residents and its owner, never coming to fruition for various reasons, and as previous attempts at providing shops at this location have provided fruitless, there seems no genuine planning reason to refuse permission for this reason.

Bearing this in mind, it is considered that the scheme submitted complies with the relevant Local, Regional and National Policies. Therefore, bearing in mind the above comments and whilst I am mindful of the points of objection from the Parish Council, I recommended the scheme accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposal is in accordance with the relevant policies and guidance relating to new residential development and would not have any seriously detrimental effects upon visual amenity, the amenities of nearby residents or highway safety.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:

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

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

2. The permission shall relate to the development as shown on Plan Drawing Reference No's 2011-T/0-414-04 and 2011-T/0-414-06.

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

3. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2008 (or any order revoking or re-enacting that Order) any future extensions or external alterations to the dwelling, including any development within the curtilage, hard standing or fences, as defined in Schedule 2 Part 1 Classes A to H, and Part II Class A, shall not be carried out without the formal consent of the Local Planning Authority.

REASON: In order that the Local Planning Authority shall retain effective control over the development to ensure compliance with Policy G1 of the Ribble Valley Districtwide Local Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order amending, revoking or re-enacting that Order) the building(s) shall not be altered by the insertion of any window or doorway without the formal written permission of the Local Planning Authority.

REASON: In order to safeguard nearby residential amenity in accordance with Policies G1 and H10 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance – "Extensions and Alterations to Dwellings".

5. The dwelling hereby approved shall be constructed with the windows in the north and south facing, side elevations at first floor, obscurely glazed, details of which shall be submitted to, and agreed in writing, by the Local Planning Authority before development commences; and also fitted with restrictors limiting the degree of opening of each opening light to not more than 45°. Thereafter it shall be maintained in that condition in perpetuity to the satisfaction of the Local Planning Authority.

REASON: In order to protect nearby residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

6. The proposed garage shall not be used for any purpose (including any purpose ordinarily incidental to the enjoyment of the dwelling house as such) which would preclude its use for the parking of a private motor vehicle.

REASON: In the interests of visual amenity and to facilitate adequate vehicle parking and/or turning facilities to serve the dwelling in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance "Extensions and Alterations to Dwellings".

7. The bund and planting belt on the eastern, southern and western boundaries of the site shall be retained and maintained on site in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to retain the existing levels of privacy afforded to both the site and the adjacent properties in compliance with Policy G1 of the Local Plan.

8. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services the multi stemmed Sycamore [*Acer pseudoplatanus*] shall be protected in accordance with the BS5837 [Trees in Relation to Construction].

The root protection zone shall be 10 x the DBH [$10.80\text{m} + 20\% = 12.96\text{m}$] and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented with out prior written consent, which will only be granted when the local authority is satisfied that it is necessary, will be in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development and included in a Tree Preservation Order are afforded maximum physical protection from the adverse affects of development. In order to comply with Planning Policy G1 of the District Wide Local Plan.

INFORMATIVE

Ribble Valley Borough Council imposes a charge to the developer to cover the administration, and delivery costs in providing wheeled bins to each household within a new build property or provision. Details of current charges are available from the RVBC Contact Centre on 01200 425111.

APPLICATION NO: 3/2011/0882/P (GRID REF: SD 370056 436696)
DETACHED DWELLING WITH ATTACHED GARAGE – SUBSTITUTION OF HOUSE TYPE
ON PLOT 2, FRANKLIN HILL, BROCKHALL VILLAGE, LANGHO, BLACKBURN,
LANCASHIRE

PARISH COUNCIL: The Parish Council objects strongly to this application as they feel that the number of dwellings originally agreed to be built on this site will have increased and be over the original quota agreed. In addition to this, there are no facilities for the local residents, which was another one of the original conditions of the building of the area. The infrastructure of the local area will also be affected.

LCC ENVIRONMENT DIRECTORATE (COUNTY SURVEYOR): No objections.

ADDITIONAL REPRESENTATIONS: No additional representations have been received.

Proposal

This application seeks permission for the substitution of house type of a previously approved, detached house with attached garage, and the creation of a garden area and modification of an existing vehicular access on the site. The site is the former maintenance depot on Franklin Hill, Brockhall Village. This application is one of two applications for the site, with this particular proposal considering Plot 2.

Site Location

The site is located within the Generally Developed Area (GDA) of the Brockhall Village development, as designated by the Ribble Valley Districtwide Local Plan.

Relevant History

3/2011/0665/P - Application to discharge condition no.8 (tree protection) of planning consent 3/2011/0087P – Granted.

3/2011/0087/P - Erection of a detached house with an attached garage. Creation of a garden area and modification of the vehicle access. (Plot 2) – Granted Conditionally.

3/2005/0315/P - Redevelopment of remaining areas of former hospital to provide employment uses (B1, C1, C2, D1 and D2), 38 dwellings, village hall and associated open space, kick-about area, formal garden area and garden store – Granted Conditionally.

3/2004/0570/P - 14 Live/Work Units, 24 apartments, swimming pool/gymnasium, village hall – Refused.

3/2002/0687/P - Outline Application: Development of a Village Hall and Laying out of open space. Construction of New Footpaths. Laying out of additional open space on land with Permission for Residential Dev – Withdrawn.

3/1999/0198/P - Outline Application for Development of Remainder of Village (with exception of sewage treatment plant) to provide 261 new homes & 10,500 sq.m. of Employment Space (Resubmission of 3/98/0426/P) – Granted Conditionally.

3/1998/0426/P - Outline Application for Development of remainder of village to provide 262 new homes and 10,500 sq.m. of Employment Space – Granted Conditionally.

3/1994/0532/P - Re-Development and Re-Use of Brockhall Hospital to form a mixed use Village consisting of Employment Uses and Residential Development up to 400 additional houses – Granted Conditionally.

Relevant Policies

Policy G1 - Development Control.

Policy G4 – Settlement Strategy.

Policy T7 – Parking Provision.

SPG – “Extensions and Alterations to Dwellings”.

PPS3 - Housing (June 2010).

Affordable Housing Memorandum of Understanding (AHMU).

Environmental, AONB, Human Rights and Other Issues

The matters for consideration in the determination of this application involve the effects of the development on visual amenity, the amenities of nearby residents and any potential impact on trees to the rear of the site with TPO's on. The main change with regards to the house type is that a Timber Frame Company have been instructed to erect the building. There is no objection in terms of the principle of the development as the previous consent (3/2011/0087/P) was approved and therefore considered acceptable in principle when considered in relation to the current housing policies and guidance.

VISUAL IMPACT OF THE DEVELOPMENT

The existing maintenance depot building is a single storey, portal framed building with a pitched roof, constructed in green coloured sheeting for both the walls and for the roof. The depot site as a whole is surrounded on all sides by a tree-planting belt, with the trees planted in a bund on the north, east and west boundaries of the site. With regards to this Plot, the trees on the east, south and west boundaries provide a large level of screening from other properties to the east and west of the site. Whilst using a Timber Frame Company for the build, the design, size and height of the proposed dwelling is still similar to other residential properties in the nearby vicinity, both existing and currently being constructed, and is considered to be acceptable given the difference in house types all over the Brockhall Village development. The dwelling proposed is a five-bedroom property, with an attached double garage to the rear (east) of the site, and whilst having the same footprint, it will measure 0.36m taller than the previously approved dwelling (9.39m as opposed to 9.03m in height). The scheme still has rooms spread over two floors, with another bedroom within the roof space.

Visually, any development of the site will affect the streetscene and views around and through the site, however in order to refuse a development the harm of a proposal must be demonstrated. The dwelling has been designed to be closely related to the variety of properties in the nearby vicinity in terms of its principle elevations, and its size and massing is considered to be acceptable as the property carries the same form and is similar in scale to other properties on this road, with similar sized openings. The dwelling is considered to provide sufficient amenity space around it to ensure it does not appear cramped within the streetscene. On this basis, despite the slight increase in height, the visual impact is still considered to be acceptable.

With regards to the bund to the rear of the property (on the eastern boundary), a further outline permission (app no 3/99/0198/P) of June 1999 has an attached Section 106 agreement which (page 5) refers to a scheme for landscaping, management and maintenance of open space shown edged in green on an attached plan (called "Proposed revisions under 3/99/0198"). This map, which is on a large scale, appears to carry this green edged open space along the eastern boundary of the site, and site visits and satellite photography seem to identify this green space as the bund running along the site. On this basis, provided the bund and the trees planted nearby are kept as they are on site, then there is no objection to the proposal.

On this basis, the scale, design and massing of the proposed new dwelling and replacement garage are considered to be visually acceptable within the streetscene.

IMPACT ON RESIDENTIAL AMENITY

One of the main concerns in regards to the proposed development is the potential overlooking/loss of privacy caused by both the position and design of the dwelling. The guidance provided within the SPG – "Extensions and Alterations to Dwellings" discusses a distance of 21m between existing dwellings and the proposed first floor windows of habitable rooms in new developments. However, given the proposed retention of the existing boundary treatment to the side and front boundary of the site, that there are no habitable room windows facing onto the property to the north of the site (no. 1 Chapel Close) and that there is approximately 29 metres between the front elevation of the proposed property and the rear elevation of Dickens Court, I do not consider that the scheme will have a detrimental impact on the residential amenity of adjacent neighbouring properties.

IMPACT ON TPO'S

There are protected trees on adjacent land to the east of the site that are within influencing distance of the development, and as such further details were requested from the Agent including the Diameter of the trees at breast height in order to calculate the required Root Protection Area for the trees in question. On the basis of this information, the Council's Countryside Officer has raised no objection to the proposal providing that the bund remains in place as it affords the trees some physical protection. In addition, he has recommended a site-specific tree protection planning condition.

With regards to the views of the Parish Council, this application is a substitution of house type application for a dwelling granted Planning Permission in May this year, therefore the development of this land for housing is already accepted and will not further add to housing numbers. With regards to there being no facilities for local residents, the Village Hall has been a long running issue between residents and its owner, never coming to fruition for various reasons, and as previous attempts at providing shops at this location have provided fruitless, there seems no genuine planning reason to refuse permission for this reason.

Bearing this in mind, it is considered that the scheme submitted complies with the relevant Local, Regional and National Policies. Therefore, bearing in mind the above comments and whilst I am mindful of the points of objection from the Parish Council, I recommended the scheme accordingly.

SUMMARY OF REASONS FOR APPROVAL

The proposal is in accordance with the relevant policies and guidance relating to new residential development and would not have any seriously detrimental effects upon visual amenity, the amenities of nearby residents or highway safety.

RECOMMENDATION: That planning permission be GRANTED subject to the following conditions:

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

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

2. The permission shall relate to the development as shown on Plan Drawing Reference No's 2011-T/0-414-04 and 2011-T/0-414-11.

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

3. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2008 (or any order revoking or re-enacting that Order) any future extensions or external alterations to the dwelling, including any development within the curtilage, hard standing or fences, as defined in Schedule 2 Part 1 Classes A to H, and Part II Class A, shall not be carried out without the formal consent of the Local Planning Authority.

REASON: In order that the Local Planning Authority shall retain effective control over the development to ensure compliance with Policy G1 of the Ribble Valley Districtwide Local Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order amending, revoking or re-enacting that Order) the building shall not be altered by the insertion of any window or doorway without the formal written permission of the Local Planning Authority.

REASON: In order to safeguard nearby residential amenity in accordance with Policies G1 and H10 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance – "Extensions and Alterations to Dwellings".

5. The dwelling hereby approved shall be constructed with the windows in the north and south facing, side elevations at first floor, obscurely glazed, details of which shall be submitted to, and agreed in writing, by the Local Planning Authority before development commences; and also fitted with restrictors limiting the degree of opening of each opening light to not more than 45°. Thereafter it shall be maintained in that condition in perpetuity to the satisfaction of the Local Planning Authority.

REASON: In order to protect nearby residential amenity in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan.

6. The proposed garage shall not be used for any purpose (including any purpose ordinarily incidental to the enjoyment of the dwelling house as such) which would preclude its use for the parking of a private motor vehicle.

REASON: In the interests of visual amenity and to facilitate adequate vehicle parking and/or turning facilities to serve the dwelling in accordance with Policy G1 of the Ribble Valley Districtwide Local Plan and the adopted Supplementary Planning Guidance "Extensions and Alterations to Dwellings".

7. The bund and planting belt on the north, west and eastern boundaries of the site shall be retained and maintained on site in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to retain the existing levels of privacy afforded to both the site and the adjacent properties in compliance with Policy G1 of the Local Plan.

8. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services the multi stemmed Sycamore [*Acer pseudoplatanus*] shall be protected in accordance with the BS5837 [Trees in Relation to Construction]. The root protection zone shall be 10 x the DBH [$10.80\text{m} + 20\% = 12.96\text{m}$] and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented with out prior written consent, which will only be granted when the local authority is satisfied that it is necessary, will be in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development and included in a Tree Preservation Order are afforded maximum physical protection from the adverse affects of development. In order to comply with Planning Policy G1 of the District Wide Local Plan.

NOTE(S):

Ribble Valley Borough Council imposes a charge to the developer to cover the administration, and delivery costs in providing wheeled bins to each household within a new build property or provision. Details of current charges are available from the Ribble Valley Borough Council Contact Centre on 01200 425111.

APPLICATION NO: 3/2011/0940/P (GRID REF: SD 372382 437803)
PROPOSED LOW SECURE UNIT WITH DAY FACILITIES AND SECURITY FENCING, INCLUDING PERIMETER OF ADJACENT BUILDING;; NEW VEHICULAR ACCESS TO PENDLECROFT; AND IMPROVEMENTS TO MAIN HOSPITAL ACCESS FROM MITTON ROAD (RESUBMISSION) AT CALDERSTONES PARTNERSHIP NHS FOUNDATION TRUST, MITTON ROAD, WHALLEY

PARISH COUNCIL:

No representations have been received at time of report preparation. In relation to the original application, 3/2011//0272/P. the Parish Council confirmed that it had no observations to make).

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

The County Surveyor has confirmed that his observations in relation to this current application are the same as those made in relation to the original application as follows:

No objection to the application in principle on highway safety grounds.

The increased secure provision to be provided on the site will have minimal impact on the adjacent local highway network, with the exception of a marginal increase in servicing and deliveries to the site. I have had detailed discussions with the applicants highway engineer concerning the proposed access improvements at the junction of Chestnut Avenue with Mitton Road.

The site plan drawing H-048849-02-SK3 is the agreed junction design, providing swept path realignment to both north and south sides of the junction and improvements in pedestrian facilities. There is also an alternative design, -SK4, and this could be considered should the proposed footway provision affect the root protection area of trees to the north side of Chestnut Avenue. The revised arrangement would retain the pedestrian facilities and acceptable sight lines.

In view of the retained highway benefits, I would have no objection to either of the junction improvement schemes that are being suggested, but it should be noted that the scheme – SK3 provides additional benefits and is to be progressed as a priority. Only in circumstances where – SK3 cannot proceed, due to an adverse impact on the root protection areas, should SK4 be taken forward.

ENVIRONMENT
DIRECTORATE
(CONTRIBUTIONS
OFFICER):

Confirmed in relation to the original application that details of the application had been circulated to the relevant contacts but no requests for any planning contributions were received.

UNITED UTILITIES:

Has confirmed that its comments in relation to this current application are the same as those made in relation to the original application.

In relation to the original application, United Utilities expressed no objections to the proposal for the following reasons:

- This is a brownfield site and the proposed new accommodation will replace existing/previous accommodation with basically no overall change in the number of persons resident at the site.
- Surface water is dealt with by the hospital's private system and therefore has no implications for the public treatment works.
- Due to the first point above, the amount of foul discharge from the proposed development to the public system would represent a very small (if any) increase on the existing situation at the site.

ADDITIONAL
REPRESENTATIONS:

None received.

Proposal

This application is the resubmission of application 3/2011/0272/P that was approved subject to conditions by the Committee on 16 June 2011.

There were four main elements to that previous application as follows:

- A The erection of a new 25 bedroom low secure unit with day facilities. This is in the form of an L shape building that would adjoin the southern and eastern edges of the existing X shaped phase I building. The building would be predominantly single storey but the day unit at the southwestern corner of the building would be two storey. The two legs of the 'L' would have overall lengths of approximately 104m and 85m.

Although there are different roof heights to provide interest in the design, the lowest eaves height and the maximum ridge height of the single storey part of the building are approximately 3m and 5.9m respectively. The two storey day unit has eaves/ridge heights of approximately 6m/9.7m.

The proposed external materials include the following:

1. Slate grey coloured interlocking concrete roof tiles.
2. Red multi facing brickwork.
3. A contrasting dark brick up to 150mm above finished floor level and to a number of feature panels.
4. Coloured render.
5. Horizontal and vertical cladding of a colour to be confirmed.
6. Rainwater goods, eaves, soffits, window frames and doors are to be white UPVC except for aluminium coated sliding doors and adjacent window frames to the main entrance.

- B The provision of 3.5m high dark green coloured security fencing around the proposed facility and also around other existing buildings. Much of this fencing is internal to the hospital complex but, on the northern edge of the site, it would be close to residential properties and close to an area of open space on the south side of Calderstones Drive.
- C The widening of an internal road and new turning area at Pendlecroft. Pendlecroft is an industrial type unit which currently provides a toilet and changing room for the garden centre and a variety of activity workshops providing day facilities for the service users of Maplewood phase 1 and those who will occupy phase 2. These functions are to be transferred on a smaller scale to the new day unit comprised in this current application, and the small printing facility will be transferred to Ribble Lodge. The garden centre toilet will remain, but the vacated parts of Pendlecroft will then become a facilities department base with workshop, storage and a delivery point for all large vehicles to the site.
- D Improvements to the junction of the main site access road with Mitton Road to assist the turning movements of large commercial vehicles. There are two alternative options for this improvement in the original application, both of which would impact upon surrounding trees. The preferred option of the County Surveyor (drawing number SK3) was the option that was considered and approved under reference 3/2011/0272/P.

The plans submitted with that previous application also showed a detailed landscaping scheme; details of external lighting and details of three new external CCTV cameras.

In this current application, the main changes to the previous permission are as follows:

1. The first floor level administrative offices have been omitted. The building is now single storey, with services access only in the roof void. Supporting office accommodation will remain in other existing buildings on the site.
2. The internal layout of the building has been simplified with the residential accommodation to now be within 4, 8-person flats rather than 11 flats of smaller but varied sizes as previously approved. The revised proposal now therefore accommodates 32 beds (the approved scheme comprised 25 beds) but there is still no increase in the occupancy of the whole site.
3. The footprint of the building has been modified but is broadly in the same location. The northern end of the building is now to be slightly further away from the adjacent houses on Calderstones Drive.
4. The 3.5m high security fencing has been omitted around the garden centre and Pendlecroft, which significantly reduces the visual impact on the adjacent houses on Calderstones Drive and also allows 5 existing trees to be retained.
5. The adjustment to the fence line has resulted in alterations to the footpath along Church Drive to provide a safe pedestrian route to the garden centre, St Luke's and Pendlecroft.
6. Splayed corners have been added to the main security fence to improve security.
7. Landscaping and internal fencing within the security fence had been amended to suit the changes referred to above; and fencing within the secure perimeter has also been amended for clinical reasons.

8. Previously approved covered canopy areas outside the lounges facing north and west have been omitted to discourage smoking in these areas.
9. All the elevations have been amended to suit the revised internal layout, but the elevations remain broadly within the scope and character of the previous approval.
10. Condition number 3 of the previous permission required the submission for approval of details of external materials. Precise details of all proposed external materials are included in this current application.

Site Location

The application relates to the existing Calderstones Hospital located off the western side of Mitton Road, Whalley and to the south of the housing development of Calderstones Park. The main part of the proposed development is in the north eastern corner of the hospital complex. A separate part of the application site is around the junction of Chestnut Drive (the main access road into the hospital) and Mitton Road.

Relevant History

1994/0241 – All weather play area. Approved.
2000/0224 – Reconstruction of junction of Chestnut Drive and Mitton Road. Approved.
2000/0425 – Erection of internal fencing. Approved.
2000/0552 – erection of polytunnel. Approved.
2000/0898 – new build 20 bed unit (Maplewood phase I). Approved with conditions.
2000/899 – new two storey ward accommodation. Approved with conditions.
2003/0022 – gate house on main driveway. Approved.
2005/0252 – new build 36 bed medium secure unit to replace existing unsuitable accommodation. Outline permission granted subject to conditions.
2005/0912 – new build 36 bed medium secure unit to replace existing unsuitable accommodation. Full planning permission granted subject to conditions.
2006/0437 – new external generator and oil tank. Approved with conditions.
2011/0272/P – proposed 25 bed low secure unit with day facilities and security fencing, including perimeter of adjacent building, new vehicular access to Pendlecroft and improvements to main hospital access from Mitton Road. Approved with conditions.

Relevant Policies

Policy G1 - Development Control.
Policy G5 - Settlement Strategy.
Policy ENV3 - Development in Open Countryside.
Policy A3 Calderstones Area Policy.

Environmental, AONB, Human Rights and Other Issues

The planning permission for Maplewood phase 1 (3/00/0898/P) was granted in February 2001 and included a linked two storey day unit building with a floor area of 646m² which was intended as a later phase of development on the current application site. The day unit has not been constructed but the permission is still valid as it was part of the original application that has been partially implemented. The facilities that were to be included in the day unit are now included in

the current proposals in a different location to combine with the function of a main entrance to Maplewood phases 1 and 2.

Concurrently with the permission for Maplewood phase 1, outline permission 3/00/0899 was granted in February 2001 for new build two storey ward accommodation on the current application site comprising floor space of 4240m², to replace the buildings demolished for the construction of Maplewood phase 1. That outline permission has now lapsed.

This current application is for 2926m² gross internal floor area. This is less than the recent previous permission 3/2011/0272/P which was for 3397m² including the first floor, and is substantially less than the previous outline approval and the unbuilt day unit originally intended (4240 + 646 = 4886m² in total). It is also worthy of note that the current proposal is now fully single storey, with substantially less impact on neighbouring properties than all previous permissions.

Planning permission 3/2000/0224/P was granted in May 2000 for the reconstruction of the junction of Chestnut Drive and Mitton Road. The approved work has not been implemented and that permission has now therefore lapsed. An alternative scheme of improvements to the junction was recently approved under application 3/2011/0272/P. That approved scheme (as shown on a drawing numbered SK3) remains unchanged in this current application. As with that recent previous application, the County Surveyor therefore has no objections to this current application on highway safety grounds.

The new building as now proposed would accommodate 32 service users who are currently housed in unsuitable accommodation on Chestnut Drive. The existing building on Chestnut Drive has a capacity of 35 service users and will be vacated apart from residual staff ancillary accommodation which will remain. The applicant's agent has advised that future proposals for the building on Chestnut Drive will be submitted in due course which will be the last major stage of modernising the hospital. This current application, therefore, although for slightly more users than the recent previous permission, still does not increase the occupancy of the hospital, but will facilitate one further potential of redevelopment of redundant buildings on Chestnut Drive which will be vacated by service users at the completion of this currently proposed development.

As with the previous application, 3/2001/0272/P, the agent has advised that there has been no significant change to the occupants of Maplewood phase 1 since its first occupation. However, when this now amended phase 2 is completed, it is proposed that the phase 1 building will be occupied predominantly by females. Phase 2 will be the same low secure registration, but constructed to current national standards which are slightly enhanced from phase 1 in terms of ceiling heights, fencing and robustness. Phase 2 will therefore provide accommodation predominantly for male service users. Both buildings are divided into flats allowing flexibility as ratios between males and females change. It is proposed that the less challenging service users will be accommodated in the existing building closest to the boundary with the adjacent housing.

The main element of application 3/2011/0272/P (ie the construction of the low secure unit with day facilities) effectively comprised an amended means of providing new accommodation/facilities for which planning permissions have previously been granted. For that reason, and as the development is within the confines of the existing hospital complex, there were no objections in principle to that main element of the previous proposal. As this current

application is for a slightly smaller, now entirely single storey, building, this main element of the proposal therefore remains acceptable in principle.

With regards to matters of detail, the design and external materials of the building proposed by 3/2011/0272/P were acceptable (although a condition on that permission required precise details of the external materials to be submitted for approval at a later date). As the use of the building (in both the recent application and this current application) is similar to the existing Phase 1 building, I consider this to be acceptable with regards to its relationship with the adjoining residential properties.

In this current application, precise details of all external materials have been submitted, the main elements of which comprise a red rustic main facing brick with a Staffordshire blue smooth faced contrasting/feature brick and grey concrete interlocking roof tiles with integrated black coloured solar photovoltaic tiles. All of the submitted external materials are in keeping with existing buildings on the site and are therefore acceptable for use in this development. In the event of permission being granted, a condition requiring the submission of external materials will therefore not be required.

The changes to the internal road layout proposed in this application are the same as those approved under reference 3/2011/0272/P to which the County Surveyor has no objections. These alterations to the internal road layout do, however, have implications for existing trees on this part of the site. Subject to the imposition of a tree protection condition, however, the Countryside Officer had no objections to this, or to any other element of the previous application.

The amendment to the fence line proposed in this current application, however, has also necessitated the extension of an existing footpath within the site to provide a safe pedestrian route to the garden centre, St Luke's and Pendlecroft. This new path would necessitate the felling of two additional trees from those shown in the survey submitted with the previous application. The two trees concerned, however, are within a group and, individually, they are of no particular amenity value. Subject to the implementation of the previously approved landscaping scheme, that includes replacement tree planting, the Countryside Officer has no objections to this amended proposal. The final element of the proposal relates to the erection of 3.5m high dark green coloured security fencing. In the previous application, this included the erection of such fencing on the external boundary of the site immediately behind a 2m high wall in front of two dwellings on Chestnut Drive. The occupiers of those dwellings objected to that particular element of the previous proposal. In this current application, however, that particular section of fencing has been deleted from the proposal. No letters have been received from any neighbouring residents in respect of this current application.

The amended scheme therefore represents an improvement on the approved scheme with regards to its effects upon visual amenity and the amenities of nearby residents.

As in the previously approved scheme, the proposed three new CCTV camera installations are not unduly close to any residential properties; and I consider that the proposed lighting scheme has also been designed such that it would not adversely affect nearby residents.

Overall, I can see no sustainable objections to any aspects of the amended proposed development, which is a smaller scheme than previously approved.

SUMMARY OF REASONS FOR APPROVAL

The proposal will result in improved facilities for the existing established hospital, an improved access into the site and improved road layout within the site without any serious detriment to the visual amenities of the locality, the amenities of nearby residents or highway safety.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

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

2. This permission shall relate to the proposed development as shown on the submitted drawing numbers as follows:

- 08-0905-108 REVC – Tree works plan
- 08-0905-110 REV2D – Proposed site plan
- 08-0905-111 REVG – External works plan
- 08-0905-112 REVB (sheet 1) – Proposed site levels
- 08-0905-113 REVC (sheet 2) – Proposed site levels
- 08-0905-120 REVW – Proposed floor plans
- 08-0905-135 REVC – Proposed roof plan
- 08-0905-145 REVA – Proposed building footprint
- 08-0905-151 REVE – Proposed elevations
- 08-0905-152 REVN – Proposed elevations
- CS-048270-800-001 REVJ – Proposed drainage layout
- CS-047949-E-6008 REVP4 – External lighting and external CCTV cameras
- CAL-LA-900-001 REVP3 – Landscape general arrangement
- CAL-LA-900-002 REVP2 – Landscaping staff break area
- CAL-LA-900-003 REVP1 – Landscaping widened access road
- H-048849-02-SK3 REVI01 – Access design

REASON: For the avoidance of doubt and to ensure compliance with the submitted plans.

3. Prior to commencement of any site works including delivery of building materials and excavations for foundations or services all trees included in the Calderstones Tree Preservation Order and identified in the arboricultural/tree survey dated the 3 May/13 May 2001 to be retained shall be protected in accordance with the BS5837 [Trees in Relation to Construction] the details of which, including, a tree protection monitoring schedule, shall be submitted, agreed in writing and fully implemented.

The root protection zone shall be 12 x the DBH and shall remain in place until all building work has been completed and all excess materials have been removed from site including soil/spoil and rubble.

During the building works no excavations or changes in ground levels shall take place and no building materials/spoil/soil/rubble shall be stored or redistributed within the protection zone, in addition no impermeable surfacing shall be constructed within the protection zone.

No tree surgery or pruning shall be implemented with out prior written consent, which will only be granted when the local authority is satisfied that it is necessary, will be in accordance with BS3998 for tree work and carried out by an approved arboricultural contractor.

REASON: In order to ensure that any trees affected by development and included in the Calderstones Tree Preservation Order and considered to be of visual, historic or botanical value are afforded maximum physical protection from the adverse affects of development in order to comply with Policies G1 and ENV13 of the Ribble Valley Districtwide Local Plan.

4. The landscaping scheme (as shown on drawing numbers CAL-LA-900-001 REVP3, 002 REVP2 and 003 REVP1) shall be implemented in the first planting season following occupation or use of the development whether in whole or part and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, or dies, or is seriously damaged, or becomes seriously diseased, by a species of similar size to those originally planted.

REASON: In the interests of the amenity of the area and to comply with Policy G1 of the Ribble Valley Districtwide Local Plan.

APPLICATION NO: 3/2011/0947/P (GRID REF: SD 365660 450050)
PROPOSED LAYING OF DRAINAGE OUTFALL PIPE AND RE-GRADING OF
AGRICULTURAL LAND TO ACCOMMODATE FALLS TO LANGDEN BROOK, TROUGH
ROAD, DUNSOP BRIDGE

PARISH COUNCIL: No objection.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

ENVIRONMENT AGENCY: No objection in principle to the proposed development.

ADDITIONAL REPRESENTATIONS: One letter of representation has been received which raises concern with the possible disturbance to the ecology and possible loss of trout in relation to the Dunsop Trout Farm. Should there be leakage that gets into the intakes this could cause considerable problems.

Proposal

This proposal is for the re-grading of land and the insertion of a drainage outfall pipe on land adjacent to the recently approved residential development for affordable housing off Trough Road, Dunsop Bridge. The pipes would go into the Langden Brook and would be effectively

screened by proposed embankment as a result of the re-grading of the agricultural land. It is evident that the only visual impacts then would be the re-grading of the land would involve some topographical change to the landscape.

Site Location

The land in question is adjacent to the recently approved affordable housing site and Dunsop Bridge Village Hall and would extend as far as Langden Brook.

Relevant History

None specific to this part of the land.

Relevant Policies

Policy G1 - Development Control.

Policy ENV1 - Area of Outstanding Natural Beauty.

Environmental, AONB, Human Rights and Other Issues

The main issues in this instance relate to the visual impact caused by the re-grading of the land and insertion of pipe and the outfall structure onto Langden Brook. The site is within the Area of Outstanding Natural Beauty and as such it is important to ensure there is no significant harm. I am of the opinion that the re-grading as a result of the new pipeline would not detract from the overall landscape value would only have a localised impact.

It is evident that concern has been expressed regarding the possibility of spillage into the Langden Brook which could result in harm in connection with the local Trout Farm but it is evident that the relevant consent for the outfall structure into Langden Brook has been issued by the Environment Agency. Should there be any subsequent issues then this would infact be a civil matter.

SUMMARY OF REASONS FOR APPROVAL

The proposal has no significant detrimental impact on nearby residential amenity nor would it have an adverse visual impact.

RECOMMENDATION: That planning permission be GRANTED subject to the following condition(s):

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

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

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

APPLICATION NO: 3/2011/0111/P (GRID REF: SD 373758 436488)
PROPOSED OUTLINE APPLICATION FOR A MIXED USE DEVELOPMENT COMPRISING RESIDENTIAL (C3), NURSING HOME (C2) AND PRIMARY SCHOOL (D1) AND ASSOCIATED ACCESS, CAR PARKING AND ANCILLARY LANDSCAPING AT LAND TO THE EAST OF CLITHEROE ROAD (LAWSONSTEADS), WHALLEY

WHALLEY PARISH
COUNCIL:

Whalley Parish Council is opposed to any residential development in the village without resolution of issues with regard to the infrastructure of the village. This application is premature and opportunistic before the Local Development Framework has been produced following consultation.

Specific objections are made on the following grounds:

1. Education

- Already primary school children are leaving the village and secondary school from Whalley are leaving the Ribble Valley for their education due to there being insufficient places.
- The existing primary school has already expanded as far as is reasonable. There are already split classes and over 40 pupils in reception class of 2010.
- Secondary school demand is already at capacity, and students are being required to travel outside the borough.
- It is also important to bear in mind the nearby properties under construction or for which permission has already been granted.
- The applicant offers a site for a one form entry primary school and a commuted sum for education of pupils. This does not ensure the construction of a school which is outside the power of the applicant. In any event, should this application be granted, consideration should be given to a two form entry school to avoid the duplication of expense and of unreasonable competition between schools.

2. Housing Types

- Whilst this is only an outline application the Parish Council only supported affordable housing in their response to the core strategy and where affordable housing was contemplated, such housing should be subject to requirements for it to be kept affordable

and for people with a connection to the village. However even this type of development should not be allowed without prior work to the infrastructure.

3. Traffic in the Village

- This is already a major issue, as illustrated by recent problems for fire services and ambulances on King Street.
- The applicant seeks to address the outcome of their consultation by reference to an intention to engage with Lancashire County Council regarding restricted parking. It is apparent that this has not been done, and merely appears to be an attempt to placate. This exercise has been carried out several times in the past by various bodies and to date this has met with refusal to contemplate restricted parking without long-stay car parks for which the application makes no provision.

4. Consultation

- This exercise has demonstrated that this proposed development is not wanted by the people of Whalley.
- The public meetings in response to the Core Strategy have illustrated the depth of concern that this village wishes to remain an integrated community and not lose its identity. This proposal has been the subject of much criticism and no support at these meetings.
- The overwhelming local response to the consultation for this application has been to oppose both at meetings and in writing.
- The result of the Housing Needs Survey for Whalley is imminent and should be considered in respect of any application.

5. Drainage

- This is an outline scheme which leaves detail to be submitted at the time of reserved matters. However this proposal leaves the same amount of water passing through the watercourses and into the inadequate culvert under King Street.
- The proposed scheme would reduce the permeability of much of the site, which will increase surface water run-off. The proposal is to contain the surface water run-off within 3 ponds. If the banks of any of the ponds fail, then there will be an

additional impact on the water passing into the culvert. The pond system depends on alterations of land levels, which will have its own impact on drainage, and create other issues.

- The Parish Council consider that this outline scheme is likely to exacerbate problems with an already inadequate system.

6. Exit from the Site to the A671

- This is a fast, dangerous road and the Parish Council do not consider that the proposal is adequate despite additional lighting being promised.
- The ghost island would be located soon after traffic from the south has moved from 2 lanes to 1 lane which currently results in potential conflict on a stretch of road with a known high incident rate. The introduction of a 'T' junction at this location which would also involve traffic waiting in the centre of the road to turn right from the north, creates further unacceptable conflict.

7. Proportionality

- The proposed development is disproportionate for the village of Whalley. The planning statement misleadingly refers to the area to be impacted as having 9% of the population of the Ribble Valley whilst later conceding that this includes Billington, Wiswell and Barrow. It suggests that this scheme would address 9% of the Ribble Valley demand. It ignores existing plans and permissions. It ignores the fact that Whalley with 6% of the population of Ribble Valley has already grown by approximately 50% in recent years with the development of Calderstones and other sites which has already saturated the provision of the infrastructure for issues such as education, medical care and traffic.
- The proposal is outside the settlement boundary in the existing Districtwide Local Plan which is still applicable.

8. Existing Policy

- Policy G5 contemplates only small-scale development outside settlement boundaries and even then the proposal has to satisfy various requirements. This application does not comply with this policy.

- Policy ENV3 recognises the need to protect and enhance open countryside and contemplate protection and conservation of natural habitat and traditional landscape features. This application contemplates removal of an existing tract of open landscape and replacement with housing however sympathetically designed cannot address this issue.

9. Wildlife/Conservation

- Surveys remain outstanding with regard to bats and nesting birds.
- There will inevitably be an impact on wildlife and conservation on the site and adjoining the site.
- The Districtwide Local Plan identified Lawsonsteads tank as being a site for amphibians in its schedule of Lancashire County Biological Heritage sites.
- The application will have a major impact on conservation and wildlife and is adjacent to significant ancient woodland of Spring Wood.

10. Amenity

The site is in a prominent position to the north east of the centre of the village. Photographs taken supplied by the applicant are selective and appear to be taken from angles which diminish the significant loss of urban countryside adjacent to an already intensively developed village.

11. Impact on Neighbours

The proposal to raise the land for drainage purposes immediately behind Woodlands Park and then to build terraces of affordable homes will be overbearing for the occupiers of properties in Woodlands Park.

WISWELL PARISH
COUNCIL:

In view of previous applications being refused for large scale developments in Whalley, the Parish Council could see no reason to support this scheme. Such development would not improve Whalley in any way and indeed by reason of its size would have a detrimental effect on traffic, parking and all the public services (health, school etc) which would be affected and are indeed presently fully or over stretched.

ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

There have been several sets of comments from the County Surveyor in respect of this application due to ongoing negotiations and submission of revised information. Members are referred to the file for full details of all of these but they can be summarised as follows:

The initial comments to the application were received on **12 May 2011** and key areas of concern are summarised as follows:

These comments relate to the Transport Assessment (dated December 2010) and associated Travel Plan (dated February 2011) prepared by Bryan G Hall Ltd. LCC is responsible for providing and maintaining a safe and reliable highway network. With this in mind the present and proposed traffic systems have been considered in and around the area of the proposed development.

I have the following comments regarding the means of access to the proposed development and the consequent high safety and capacity impacts.

It is proposed that the site will be reached from two new points of access, at the A671 Whalley Easterly Bypass and from Clitheroe Road, Whalley. The route from the bypass, A671, is the most appropriate means of access for the majority of the traffic generated by the development and will allow the site to develop without a negative impact on the village of Whalley. However, the provision of suitable cycle, public transport and pedestrian facilities is necessary to secure advantageous links between the village and the opportunities offered on site.

1. Comments on the Transport Assessment

b. Access Strategy

There is an issue regarding the capacity of Clitheroe Road at its junction with Station Road and as it leads into King Street. With this in mind, it will be prudent to consider alternative access arrangements that will minimise the level of additional traffic associated with the development site that is required to access the village directly, via Clitheroe Road.

It is acknowledged that the creation of a direct access onto A671 Whalley Easterly Bypass from the proposed site will reduce the overall impact of site traffic onto Clitheroe Road and the immediate highway network. There will also be benefits in respect of access for service vehicles and emergency access.

The TA states that the two accesses will provide an opportunity to consider the promotion of a through bus service, however, this does not appear to have been taken any further within the TA.

The creation of a new through route from the A671 to Clitheroe Road is a significant concern when considering the impact of the development on the local highway infrastructure and I will expand upon the options and opportunities for alternative solutions that may be available.

c. Traffic Flows

Existing AM and PM peak period traffic flows are presented in the TA. LCC arranged for a series of automatic traffic counts to be undertaken and these were carried out between 24 February and 4 March 2011, and are consistent with those provided.

e. Trip Generation

LCC have compared the derived trip rates with estimates derived from the TRICS database (the standard TA approach). This analysis showed that the observed residential trip rates presented in the TA are a reasonable basis upon which to carry out that specific element of the assessment, and are therefore considered acceptable.

It is important to note that there were no new trips considered within the TA associated with either the proposed nursing home or the primary school. If these facilities are appropriate to support the needs of the wider surrounding area, as well as Whalley, it is incorrect to assume that they will attract no new trips on the local network.

The Transport Assessment should follow guidance as set out in PPG13 and present an analysis that considers a full multi modal assessment. The TA should therefore provide trip generation for all modes and for all elements of the proposal.

For the reasons stated above, it is considered that the overall trip generation presented in the TA, on the immediate local network, for all elements of the proposed development is not considered acceptable.

f. Trip Distribution

I do not agree with the distribution approach used in the TA regarding southbound trips from the proposed development.

While there is clearly justification for a proportion of southbound journeys routing via the A59/A671 roundabout, I believe the TA takes an overly simplistic approach which ignores many of the other influencing factors involved in route choice.

The result of the approach taken in the TA is to minimise, and in my opinion, underestimate the impact of trips from the proposed development through Whalley village centre. I do not consider the approach a sound basis upon which to assess the impact of this development.

h. Impact on Junctions and Junction Modelling

I consider the much of the Base modelling presented in the TA to be a good representation of the existing traffic conditions at key junctions on the local highway network within Whalley.

At the B6246 King Street/Accrington Road mini roundabout a number of the parameters appear generous. This is a key junction within Whalley centre that operates at capacity, at times, during the peak period. No queue length observations have been provided within the TA, therefore it is unclear on what basis the model has been validated.

i. Pedestrians and Cyclists Access

Reference is made to Public Rights of Way footpaths 28, 29, 30 and 31 that pass through or connect directly with the development site.

The footway on the northwest side of Clitheroe Road, opposite the proposed site entrance is a pinch point of less than a metre. There is an opportunity to consider widening the footpath in this location to provide a more suitable width for pushchairs and wheelchairs.

j. Public Transport

The TA states that the two accesses will provide an opportunity to consider the promotion of a through bus service, however, there is no further mention within the TA of either a through route or the penetration of the site by public transport.

In considering the access options from Clitheroe Road, taking into account my concerns with the creation of a through route within the site, the provision of improved Public Transport facilities on Clitheroe Road are a priority. All aspects of the proposed development are within 400m of existing facilities, all of which would benefit from improved provision.

k. Road Safety

I have reviewed the latest accident data on the immediate highway network surrounding the development. I would note that there have been a number of serious and one fatal accident on the highway network considered within the TA.

The proposals include gateway measures and traffic calming on the local highway network to address concerns, particularly on Clitheroe Road, with vehicles travelling in excess of the speed limit.

l. Parking Standards

There is no reference in the TA regarding parking proposals for the school, the nursing home or for the private dwellings.

m. Travel Plan

An Interim Framework Travel Plan (IFTP) has been produced as part of this planning application to improve accessibility of the site by sustainable modes.

A contribution of £18,000 is required to enable LCC Travel Planning team to provide a range of services as described in 2.1.5.16 of the Planning Obligations in Lancashire paper dated September 2008.

p. Construction Period

The impact from construction traffic for any development in this location will be significant. Careful consideration would need to be given to the routing of construction traffic and phasing of the development should planning permission be granted.

q. Planning Obligations

Should the LPA be minded to approve this development, the County Council would seek planning obligation contributions from this development to fund measures that support sustainable transport.

A Highways contribution of £427,000 will be sought.

s. Conclusion

The proposals will result in increased flows on the existing transport network in and around Whalley village. There will be increased vehicle turning movements and impacts on pedestrian movements at junctions in the vicinity of the development and at a number of junctions in Whalley village centre.

I believe that the Transport Assessment as presented underestimates the likely impact.

I would strongly recommend that further discussions between LCC, your council and the developer are held in order to consider the additional information that is required.

2. Proposed Junction Treatments

a. Clitheroe Road/Site Access Priority Junction

The preliminary design, Drawing No. 10/228/TR/007 shows proposed traffic calming measures along Clitheroe Road and Wiswell Lane and also at the proposed site access priority junction on Clitheroe Road.

However, the introduction of traffic calming measures in Whalley is incongruous with its Conservation Area status and the visual aesthetic within the village. It would be more appropriate to manage speeds on Clitheroe Road through the introduction of other associated engineering works to increase footway widths and encourage compliance with a reduced Speed Limit.

b. Proposed site access with A671 Whalley Easterly Bypass

On the eastern side of the Bypass there is an existing access that is used for agricultural purposes. I would note that it is not proposed to provide pedestrian/cycle (other than on road) access to/from A671 at this location and that there are no footways along the road in the immediate vicinity. While there is no apparent demand for improved pedestrian facilities at this point at this time, there is likely to be some future demand for recreational purposes (exercising of dogs etc) and suitable links to Spring Wood should be considered for both pedestrians and cyclists.

However, this raises the question of how to accommodate a potential crossing movement on the Bypass. I would suggest that the means of access at this point warrants more detailed consideration.

c. Revised Treatment of vehicular accesses at Clitheroe Road and A671 Whalley Easterly Bypass.

c1. A671 Whalley Easterly Bypass:

In order to minimise the impact of the traffic generated by the proposed development and provide a secure means of access, the creation of a single vehicular access for all residential dwellings located from a signalised junction with A671 Whalley Easterly Bypass would allow the successful resolution of capacity, traffic management and highway safety issues.

This would allow the site to develop with a minimal impact on the existing village infrastructure. The provision of suitable cycle and pedestrian facilities would secure advantageous links between the village and the opportunities offered on site. In addition, a signalised junction would allow the introduction of a specific pedestrian/cycle phase, encouraging safe links to the Spring Wood site.

While the detail of the internal site layout will be addressed as part of the subsequent reserved matter applications, the principle of establishing whether the site is served by a through route must be resolved as a priority due to its impact on subsequent highway design and engineering considerations.

However, should the internal layout be revised to remove the opportunity for a through route between A671 and Clitheroe Road, a design based on the proposed ghost island junction (as detailed on Drawing No. 10/228/TR/006) would be appropriate. This drawing does not provide any assistance for pedestrians, such as refuges or other facilities that would secure a safer crossing point. The inclusion of such measures would have to be incorporated into any subsequent junction designs.

The creation of an additional route from A671 through a residential environment introduces a number of highway safety issues and associated design issues that would require detailed consideration of the specifications for the treatment of the internal site layout.

c2. Clitheroe Road:

I would suggest that there are three options to consider here, the suitability of each dependant on the resolution of an agreed internal layout.

Option A, would see the introduction of a priority junction, as identified on Drawing No. 10/228/TR/007, with the provision of the junction tables and other traffic management features subject to further discussion.

Option B, would see the introduction of a priority junction serving the proposed primary and nursing home.

Option C, would have no direct vehicular access to the site from Clitheroe Road, with all on site development served from the proposed ghost island junction (as detailed on Drawing No. 10/228/TR/006).

d. A671 Whalley Easterly Bypass

The existing lay-by to the south west of the proposed site entrance falls within the required visibility splay and is not a suitable location. Therefore, an alternative location on A671 must be determined.

The lay-by to the northeast of the access is in a suitable location.

The National Speed Limit presently operates on A671 past the proposed access. There are considerable highway safety benefits in recommending that this Limit be reduced to 50mph. The application has identified that street lighting on A671 Whalley Easterly Bypass are to be improved, securing a continuous provision from north of the Spring Wood signalised junction to south of the Wiswell Lane junction. This is to be entirely welcomed.

3. Proposed Action Points

a. Traffic Regulation Orders

The introduction of a number of TRO's may be required to secure improved highway safety benefits or to assist with the safe movement of vehicles and pedestrians as direct consequence of the proposed development. The precise extent of these Orders would be established following more detailed consultations and discussions.

b. Public Transport

Good access to public transport services will be important factors in helping to reduce dependence on the private car for users of this development.

c. Highway design

While I agree that the route from the A671 Whalley Easterly Bypass is the most appropriate means of access for the majority of the traffic generated by the development, I have serious reservations concerning the creation of a new through route. A parallel route already exists along Wiswell Lane and the application does not identify any specific benefits in replicating this provision. Indeed, as a focus for new residential and school journeys, this new route would draw additional traffic through the town centre and across the mini-roundabout junction of Station Road and King Street.

By removing the opportunity for through movements on the proposed site, vehicular activity is more easily managed away from Clitheroe road and will allow the site to develop without a negative impact on the village of Whalley.

Conclusion

In conclusion, the anticipated traffic generated by the proposed development has the potential to have a significant impact on the operation of the local highway network.

In my response, I have highlighted the main areas of concern with regards to the safe movement of pedestrians, cyclists and motorists and the residential amenity enjoyed by residents of Whalley village.

The improvements to the highway infrastructure that have been requested offer the opportunity to address these areas of concern and reduce the immediate detriment.

However, the long term sustainability of the site remains a concern and I have tried to identify further measures that will be required in order to address these deficiencies.

Further dialogue took place between the applicant and County Surveyor with an exchange of correspondence in September 2011 and members are referred to the file for details of this. A revised Transport Assessment was submitted to the Local Planning Authority on **3 November 2011**. The key comments received on 2 December 2011 in relation to that document are summarised below:

I refer to recent correspondence of 27 October 2011 from Bryan G Hall Ltd concerning the above application. Further to previous discussions concerning some of the highway parameters, a revised (two-part) Transport Assessment has been provided.

Unless otherwise detailed, the following comments relate to the Transport Assessment of November 2011 prepared by Bryan G Hall Ltd. This latest contribution follows correspondence and discussions with Richard Spencer on behalf of Bryan G Hall Ltd and has concerned the parameters influencing traffic distribution, traffic generation, access and other essential highway matters for two potential development scenarios at this site. These scenarios involve a through route within the site from A671 Whalley easterly Bypass to Clitheroe Road and a "split" site, where the two accesses were developed but with no direct through link.

Comments on the Transport Assessment

1.3 The TA provides for two distinct access strategies for the site, both involve creating access points from the site onto Clitheroe Road and the A671 Whalley Bypass where one scenario would have a through route between the two, while the other would not.

1.4 The Transport Assessment outlines the proposal for a residential development of 300 residential dwellings, together with a 50 bed nursing home and a one form entry (210 pupil) primary school.

There have been discussions concerning the provision of a long-stay public car park within the site, accessed from Clitheroe Road. However, the highway impact of this proposed feature has not been factored into any of the subsequent TA scenarios and no reference is made on either the original Master Plan or subsequent documentation.

3.11 This section refers to a "high level of on street parking ". However, some of the data taken as part of the survey from October 2010 and its interpretation may be open to a different interpretation. However, I would concur with the view that there is no discernible shortage of on street parking within the village.

Sections 4 to 7 – Existing Traffic Conditions; Committed Development; Base Traffic Operating Conditions; The Proposed Development.

Concerns over the assessment of the safe and efficient operation of the immediate highway network through Whalley village are understandable. The nature of on street parking patterns, the volume of through traffic and the operation of the two mini-roundabouts make for a complex set of highway parameters with sensitive outcomes.

Whilst individual junctions in Whalley may experience some periods of delay with the existing demands being placed on the highway infrastructure, these delays appear to be very localised and typical of a compact road network serving a large village where the main street has to serve the conflicting interests of deliveries, public transport, parking, pedestrians and through traffic.

The revised TA incorporates the committed development at the Co-op site, accessed from Hayhurst Road and indicates higher levels of delay and queuing.

The modelled outcomes reveal a number of issues regarding the future, safe operation of some junctions and their ability to operate effectively in response to the levels of additional vehicular movements directly attributable to traffic generated by the proposed development.

I have identified five main areas of concern from these figures and, for the purposes of simplicity, have focused on a comparison between the Base 2016 figures and the through route results.

In this instance the TA demonstrates that the development will have material impact on the highway network beyond the established Base 2016 levels.

At the locations identified the increase in vehicular activity will have a detrimental impact on the local highway network, with the threat of a worsening situation to the extent that congestion could result.

As I recognise that it is not appropriate to pursue the introduction of a TRO through a condition of the planning consent as this is not within the applicant's control to secure such a provision, the provision of suitable physical works or other volume reducing measures should be pursued.

It is my concern that the traffic associated with the development proposal cannot be accommodated without having a negative impact on the safe operation of the immediate local highway network.

The impact of the increased activity on pedestrians and cyclists is equally significant. As well as the loss of residential amenity, the increased queuing may encourage pedestrians to cross within areas of standing traffic, where visibility is limited and protection minimal.

On this basis, it is my understanding that the development could adversely affect the operation of the local highway network to the detriment of highway safety.

However, as these negative impacts are based on small changes in vehicular activity, the sensitivity of the capacity calculations present in Whalley must be taken into account. In addition, the proposed development could fund specific measures that can benefit pedestrian activity and crossing movements on Clitheroe Road; a new zebra crossing, and on King Street; an upgraded zebra crossing. Therefore, subject to the applicant providing suitable measures designed to mitigate against the detrimental impact of the additional site generated traffic, I continue to have no objection in principle to this application on highway safety grounds.

Comparison of Access Scenarios.

A comparison of the traffic generation figures and traffic distribution data identifies some marginal variations in results between the access scenarios for the development; a split site or a through road, in terms of the operation of the two mini-roundabouts. However, it is there is noted that there is an additional journey link via Wiswell Lane for some traffic when the through route is not available.

On balance the through route would be preferable, particularly when looking at the operation of local roads adjacent to the site.

Proposed Primary School site.

In relation to the proposed 210 Pupil Primary School Development, the TA argues that the primary school element of the development will have a marginal impact on car trips within the school catchment area.

No account has been taken of the pupil generation for Secondary pupils as a result of these developments.

Unfortunately, I am not in a position to quantify this number or to infer how it would impact on the operation of the junctions assessed in the TA.

Pedestrian Movements

In respect of comments concerning school-based pedestrian activity and more general pedestrian movements within Whalley, the upgrading of the existing Zebra crossing on B6246 King Street should be considered as a priority.

The existing crossing location is convenient for the main shopping thoroughfare and the bus stop and is an important highway safety feature. The upgrading of this facility will improve pedestrian confidence and provide an essential link within the village.

Public Transport

The introduction of a through route between Clitheroe Road and Whalley Bypass, presents an opportunity for enhanced public transport penetration within the site. While there are no existing services that this route would benefit and none that would transfer, for instance, from Wiswell Lane, it offers a potential route for future services.

The accessibility of bus and rail services is always an important consideration and any measures associated with this application must look to bringing these features up to an appropriate standard.

Travel Plan

Further to my previous comments regarding the provision of a formal Travel Plan, the effectiveness of this feature could be enhanced by focusing more explicitly on the development of personal travel plans for individual residents.

The level of contribution required in this respect will be higher than the initial estimate of £18,000.

Planning Obligations

The level and breakdown of Highways contribution remains the same at this time = £427,000

Summary and Conclusions

For the purposes of clarity I have addressed relevant matters as they are set out and developed in the Transport Assessment.

12.3 – I would again reiterate that no public car park proposal is included in the schematic for this site and that subsequent alterations to Traffic Regulations Orders are not proposed that would introduce limited waiting on B6246 King Street.

12.4 – Two new access points are being created to serve this site and both will be designed to comply with appropriate LCC standards. Pedestrian, cycle and footway links will also be maintained and/or introduced.

12.5 – The provision of a robust Travel Plan, with a focus on encouraging personal travel by non-car modes, and the accessibility of a range of public transport facilities will make possible a variety of possible travel modes from the proposed development.

12.6 – The TA provided indicates that the anticipated traffic generated by the proposed development has the potential to have a significant impact on the operation of the local highway network, to the extent that additional mitigation measures are required to maintain suitable parameters of highway safety and maintain highway capacity at the two mini-roundabouts in the village.

While maintaining my view that I have no objection to the application in principle, the TA highlights (in all scenarios tested) capacity issues at the existing mini-roundabouts following the development of the site. However, as these negative impacts have been achieved as a consequence of mostly marginal increases in traffic flow, I will require that improvements are made to the design and/or operation of the mini-roundabouts.

I would recommend that details of any revised junction modelling, in addition to any proposed highway improvements, should be submitted for examination prior to consideration of this proposed development for planning consent.

12.7 – The Speed Limit changes and the introduction of a zebra crossing proposed for Clitheroe Road are to be welcomed and the provision of the coloured surface treatments will act to highlight activity at the adjacent junctions.

However, in relation to the coloured surface treatments, I am conscious of the proximity of the Conservation Area, the visual impact and ongoing maintenance requirements of these treatments. Therefore, their introduction will be subject to further detailed discussions.

12.8 – An examination of the road safety record in Whalley has not highlighted a pattern of collisions or causes that would warrant further investigation, while the proposed highway improvement measures will aim to benefit conditions for all road users.

12.9 – I would concur with the view that there is no discernible shortage of on street parking within the village. The offer of land to be safeguarded for the provision of a public car park is not supported at this time and its consideration does not form part of your TA or this response.

12.12 – Subject to further consideration from the Applicant concerning the safe and efficient operation of the mini-roundabout facilities within Whalley village and the submission of detailed information concerning how these improvements will be achieved and secured, I continue to have no objection in principle to the proposed development.

Following receipt of these observations there was further discussion and the applicants submitted additional information on 12 November. The final set of observations from the County Surveyor in respect of these dated **21 December 2011** are summarised as follows:

I refer to recent correspondence of 13 December 2011 from Richard Spencer at Bryan G Hall Ltd and 20 December from Sarah Williams at Indigo Planning Limited concerning the above application.

My comments continue to refer to an Outline Planning Application with all matters reserved for future determination except for the means of access. This Application is for a development of up to 300 residential dwellings, with a 50 bed nursing home and a one form entry (210 pupil) primary school.

The most recent correspondence has been supplied following my comments concerning the operation of the existing mini-roundabout junctions within Whalley and suggestions that improvements/alterations could be made to improve their operation.

In his letter, Mr Spencer provides a detailed account of minor physical alterations to the available road width, amendments to road markings and lengths of prohibition of waiting that would serve to satisfy the potentially detrimental conditions I have highlighted.

I am satisfied that the proposals provide for highway measures that allow the proposed development to operate safely and efficiently within the existing local highway infrastructure. This has been achieved by securing additional capacity through minor alterations to the physical layout of the junctions and alterations in road markings, without any detriment to the amenity of local residents.

While reiterating the position that no long stay car park is being proposed as part of this present proposal, the introduction of such a measure would have to be implemented before any other Traffic Regulation Orders relating to limited waiting were considered elsewhere within Whalley.

The provision of a long stay car park is either an integral feature of the site, required as mitigation against the impact of the anticipated additional traffic generated by the development and is factored into the TA and included in the draft S106 agreement, or it is not required to facilitate the development. I do not consider it appropriate to include the car park as part of a general amenity contribution.

In my response of 18 November 2011 I highlighted locations where I had specific concerns regarding the impact of the proposed development on the local highway infrastructure. In my comments I recognised that the additional traffic generated may not meet some of standard triggers for action, such as being beyond the upper levels of daily traffic fluctuations, the impact of the modelling warranted attention.

The revised modelling details include an additional element incorporating trip generation figures for approximately 70 pupils to the proposed primary school. This is consistent with our previous conversations and I am satisfied that the details provided are acceptable.

In considering the addition of another priority crossing location in the centre of the village, I have reviewed my previous comments concerning the upgrading of the existing zebra to the north of George Street. Bearing in mind the intention to have a 20mph Speed Limit through the village, the introduction of the additional crossing point and with a view towards the nature of the existing traffic movements along King Street, the introduction of a signal controlled crossing appears incongruous. Furthermore, it would be more visually intrusive than the existing crossing.

Therefore, I am satisfied that the upgrading of the zebra at George Street is no longer a requirement, but that a review of the condition and operation of the crossing be included to allow for any physical improvements that might improve its safe operation.

I welcome the commitment from Mr Spencer on behalf of Bryan G Hall Ltd, that the agreed works will be funded by the applicant. However, the highway improvements will be part of a S278 Agreement rather than a S106 Agreement.

This provides the Highway Authority with the necessary financial and legal protection and is a more robust means of securing the highway improvements required for the safe and efficient operation of the proposed development.

The correspondence of 20 December from Ms Williams sets out the extent of anticipated contributions and a draft Heads of Terms (HoT). Detailed observations are provided on these within the response of the County Surveyor and Members are referred to the file for details of those.

LANCASHIRE COUNTY
COUNCIL (ARCHAEOLOGY):

No objections subject to imposition of conditions.

LANCASHIRE COUNTY
COUNCIL (PLANNING
CONTRIBUTIONS
OFFICER):

Have considered the application as originally submitted and comment as follows:

Transport

There is likely to be a contribution request for sustainable transport measures in relation to this development. This however has not yet been determined.

Education

Initially commented on 17 June 2011 in an e-mail to the applicant's agent as follows:

Based upon 300 dwellings and an assumption that all dwellings are of 2 or more bedrooms

Primary schools within 2 miles of site

Whalley CE

Barrow Primary

Langho and Billington St. Leonard's CE

Current places in these schools 26

Forecast places in 5 years time 30

However, this forecast does not take into account the pupils likely to be generated by other housing developments in this area which are pending or have recently been approved outside of the 5 year Housing land Supply. The potential yield of these developments which will impact upon this group of schools is 79.

Therefore, even without this development, a shortfall is anticipated. Therefore, we would be seeking a contribution for Lawtonsteads for the full potential yield of this development. i.e. 105 places:

At the current rate of £12,257 x 0.9 x 1.1072 per place = £12,214 per place so 105 x £12,214 = £1,282,470

In accordance with the Lancashire Planning Obligations Policy Paper, we are also able to request a site from developers of over 150 houses, should a new school be necessary in order to ensure the delivery of education places.

As per our conversations, we have very limited scope for expansion of the existing schools in the Whalley area and, to this end, would be seeking to secure land of 1.1 hectares in suitable condition for a new primary school.

Secondary schools within 3 miles of the site

St. Augustine's RC High School

Ribblesdale High School/ Technology College

There are currently no spare places in these two schools, so any pupils yielded by this development in the short term could not be guaranteed a place in a local school.

In 5 years' time, there are forecast to be 60 spare places in the schools. However, this forecast does not take into account the pupils likely to be generated by other housing developments in this area which are pending or have recently been approved outside of the 5 year Housing land Supply. The potential yield of these developments which will impact upon this group of schools is 112.

Therefore, even without this development, a shortfall is anticipated so we would be seeking a contribution for Lawtonsteads for the full potential yield of this development. i.e. 75 places:

At the current rate of £18,469 x 0.9 x 1.1072 per place = £18,404 per place so 75 x £18,404 = £1,380,300

Therefore, the total amount would be £2,662,770 together with the school site.

However, the most recent response from the Education Team at LCC dated 16 November 2011 specifies the following in terms of contributions requests:

Development details: 300 dwellings (latest known position at November 2011)

Primary place yield: 105 places

Secondary place yield: 75 places

Local primary schools within 2 miles of development:

Whalley CE

Barrow

Langho & Billington St. Leonard's CE

Projected places available in 5 years: 30

Local Secondary schools within 3 miles of the development:

St. Augustine

Ribblesdale

Projected places available in 5 years: 23

Requirement based on projections and impact of other developments:

Primary

Latest projections¹ for the local primary schools indicate that there will be 30 places available in 5 years' time. These projections take into account the current numbers of pupils in the schools, the expected take up of pupils in future years based on the local births, the expected levels of inward and outward migration based upon what is already occurring in the schools and the housing development within the local 5 year Housing Land Supply document, which has already had planning permission.

However, approval has been given to the development at Barkers Garden Centre with a yield of two primary pupils. Therefore, the number of remaining places would be 30 less 2 = 28 places.

Therefore, we would be seeking a contribution from the developer in respect of a proportion of the full pupil yield **of this development**, i.e. 77 places.

(105 Yield from development less 28 places available = 77)

Other developments pending approval or appeal decision which will impact upon these primary schools:

There are also a number of additional housing developments which will impact upon this group of schools which are pending a decision or are pending an appeal. Details are as follows:

Petre House Farm*

Old Manchester Offices*

Effect on number of places:

The proportion of the combined expected yield from these developments which is expected to impact upon this group of primary schools is 27 pupils. Therefore, should a decision be made on any of these developments (including the outcome of any appeal) before agreement is sealed on this contribution, our position may need to be reassessed, taking into account the likely impact of such decisions.

Secondary

*Latest projections*¹ for the local secondary schools indicate that there will be approximately 23 places available in 5 years' time. With an expected pupil yield of 75 pupils from this development, there would be an expected shortfall of 52 places generated by this development and, therefore, should no further development receive approval, we would have been seeking a contribution from the developer for 52 secondary places.

However, planning applications have already been approved for the former Cobden Mill, Barkers Garden Centre and Victoria Mill which have the potential to yield 20 additional pupils which are expected to attend one of these secondary schools. Therefore, the number of remaining places would be 23 less 20 = 3 places. (75 Yield from development less 3 places available = 72)

Other developments pending approval or appeal decision which will impact upon these secondary schools:

There are also a number of additional housing developments which will impact upon this group of schools which are pending a decision or are pending appeal. Details are as follows:

Chatburn Old Road*

Old Manchester offices*

Petre House Farm*

Land at Dene Hurst Green*

Effect on number of places:

The proportion of the combined expected yield from these developments which is expected to impact upon this group of secondary schools is 10 pupils. Therefore, should a decision be made on any of these developments (including the outcome of any appeal) before agreement is sealed on this contribution, our position may need to be reassessed, taking into account the likely impact of such decisions.

Cumulative Effect (need for school site):

The cumulative effect of a number of developments in this area is that a new school would need to be provided in order to accommodate the aggregated yield of pupils. For this reason and because of the significant size of this development, we would be seeking to secure a school site suitable for a one form entry Primary School of at least 1.1 hectares (in accordance with the Department for Education Building Bulletin 99 Guidance).

Summary of response:

The latest information available at this time was based upon the 2011 annual pupil census and resulting projections.

Based upon the latest assessment, LCC would be seeking a contribution for 77 primary school places and 72 secondary places.

Calculated at 2011 rates, this would result in a claim of:

Primary places: 77 @ (£12,257 x 0.9) x 1.1072 = £940,467

Secondary places: 72 @ (£18,469 x 0.9) x 1.1072 = £1,325,087

Total contributions: **£2,265,554**

Less valuation of school site:

The Estates Unit at Lancashire County Council Property Group have undertaken a valuation of the development site and have valued it at £5000 per acre.

For a 1.1 hectare site, this would value the potential school site (2.717 acres) at £13,585.

Lancashire County Council is therefore proposing to deduct the value of the land from the contribution sought, reducing the total contribution to **£2,251,969**

(£2,265,554 Total Contribution less £13,585 Cost of Site = £2,251,969)

NB: If any of the pending applications listed above are approved prior to a decision being made on this development the claim for primary school places could increase to a maximum of 104 and secondary school provision could increase up to maximum of 75 places.

(Primary – shortfall of 77 places less 27 pending applications = shortfall of 104 places)

(Secondary - shortfall of 72 places less 10 pending applications = shortfall of 82 places and a claim for full pupil yield would be required as a result)

Calculated at 2011 rates, this would result in a maximum secondary claim of:

Primary places: 104 @ (£12,257 x 0.9) x 1.1072 = £1,270,241

Secondary places: 75 @ (£18,469 x 0.9) x 1.1072 = £1,380,300

The total of the claim would therefore increase to a maximum of: **£2,650,541**

* - Indicates that a claim has been made against these developments for an education contribution. If an education contribution is secured against any of these developments they will not be counted towards the impact upon the shortfall of places and thus the maximum claim for primary and secondary school provision would consequently reduce accordingly.

¹ Latest projections produced at spring 2011, based upon Annual Pupil Census January 2011

Waste Management

The County Council makes vital major investments in waste management infrastructure for reasons of environmental protection and sustainability. Also the necessity to secure the County Council's budget position as a waste disposal authority, through investing in an early switch away from landfilling, has become all the more apparent, since the recent announcement on the rise in landfill tax in this year's National Budget. Every district in the County is being provided with advanced treatment facilities to treat waste prior to landfilling, either directly or via purpose designed transfer stations. Since each and every new house, wherever it is in the County, has to be provided with this basic service and the Council has to comply with significant new requirements relating to the management of waste, it is considered that the Council is justified in requesting a contribution towards waste management. Based upon the Policy Paper methodology for Waste Management, the request is £144,000.

ENVIRONMENT AGENCY: Initially commented on 15 March 2011 as follows:

The application as submitted is accompanied by the following report:

- Utility study for land to the east of Clitheroe Road (Lawsonstead's Farm, Whalley, for Commercial Estates Group by WSP (December 2010); reference 11171409).

Appendix C of the above report includes a foul drainage statement prepared by Weetwood Environmental Engineering (dated 7 December 2010; reference 1695/101207/FDN).

We have reviewed the utilities report and associated foul drainage statement and we wish to **OBJECT** to the proposed development as submitted on the following grounds:

Government policy as set out in Planning Policy Statement (PPS) 23 notes the key role that the planning system plays in determining the location of development which may give rise to pollution, either directly or indirectly, and in ensuring that other uses and developments are not, as far as possible, affected by major existing or potential sources of pollution.

The reports by WSP and Weetwood Environmental confirmed there is currently sufficient capacity at Whalley Waste Water Treatment Works (WWTW) to accommodate an additional 80 to 100 dwellings. The proposed development would exceed the capacity of the WWTW. It is suggested that to overcome this, United Utilities can upgrade the WTW, the developer could fund an upgrade of the treatment works or foul sewage could be treated by an onsite package treatment plant. The report goes on to recommend that a scheme for foul drainage be conditioned as part of any subsequent approval.

Based on the details submitted, we do not consider that the applicant has demonstrated that the site can be served by a satisfactory method of foul drainage. There is no scheme in place to improve the WWTW, and it cannot be assumed that an application by United Utilities to OFWAT to fund improvements at Whalley WWTW will be approved. If the developer is to fund improvements to Whalley WWTW, details of what would be required and how such works would be implemented should be submitted with the planning application to demonstrate that the improvement works are deliverable. In relation to on-site treatment as the third option, it cannot be assumed that on-site treatment by a package treatment plant would be acceptable.

Further correspondence from the Agency dated 1 April detailed the following observations:-

I refer to the above application, and our previous response dated 15 March 2011 objecting to the proposed development. **Our objection to the proposal has not been withdrawn, and our previous comments regarding foul drainage and infrastructure are still applicable.** However, in the event that our objection is resolved, or you wish to determine the application in spite of our concerns, we recommend that any subsequent approval is conditioned as follows:-

Flood Risk

The application is accompanied by the following Flood Risk Assessment (FRA):

- Level 2 Scoping Study Flood Risk Assessment at Land East of Clitheroe Road, Whalley for Commercial Estates Group by Weetwood Services Ltd (4 February 2011; 1695/Level 2 FRA)

We are comfortable with the runoff rate identified for the site as a whole, but more details will be required at the detailed application in relation to the bank improvement works proposed on watercourse C. Similarly it might be that Finished Floor Levels for plots nearest to the watercourses on site are raised above surrounding ground levels to mitigate against flood risk from the ordinary watercourses.

Based on the conclusions of the FRA, we recommend that any subsequent approval of the planning application is conditioned to ensure the mitigation measures detailed within the FRA are implemented:

We also recommend that a detailed drainage design be submitted with any Reserved Matters application pursuant to the Outline approval to ensure that SUDS are utilised in accordance with the FRA and that they are included within subsequent proposals.

Land Quality

The application is accompanied by the following desk study:

- Preliminary Appraisal (Desk Top Study) of Land East of Clitheroe Road, Whalley for Commercial Estates Group by Sirius Geotechnical and Environmental Ltd (C4023 Rev 1; December 2010)

We have reviewed the above report in relation to the risk to controlled waters.

There are no known historical landfills within 250 metres of the boundaries of the proposed development. However, we note that a reservoir was present in the south-eastern corner of the development area up to 1938 on the OS maps but which has subsequently been filled.

The report proposes further intrusive investigations and, given the above and the possible risk to controlled waters, we concur with these recommendations.

Biodiversity

The application is accompanied by the following report:

- Extended Phase 1 report at land East of Clitheroe Road for Commercial Estates Group by Baker Consultants (File reference 078.01_001_rep_kc.doc; December 2010)

Development that encroaches on watercourses has a potentially severe impact on their ecological value. This is contrary to government policy in Planning Policy Statement 1 and Planning Policy Statement 9 and to the UK Biodiversity Action Plan. Land alongside a watercourse is particularly valuable for wildlife and it is essential this is protected. Article 10 of the Habitats Directive also stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.

Further comments were submitted by the Environment Agency on 22 December 2011 as follows:

On the basis that the sewerage undertaker has no objection to the proposed development and the applicant no longer needs to pursue a system of non mains drainage in a publically sewered area, we withdraw our objection to the proposed development provided that the conditions were recommended by United Utilities are attached to any subsequent approval.

UNITED UTILITIES:

Initially commented on 9 March 2011 that they must object to the proposed development. Members are referred to the file for full details of their comments which can be summarized as follows:-

Whalley Wastewater Treatment Works is at capacity and cannot accept the additional wastewater flows.

The Haweswater Aqueduct crosses the proposed development area and without any details at this point in time as to how the Aqueduct will be protected I must object to the current proposals. The developer needs to have sight of our Standard Conditions for work adjacent to Aqueducts.

A public sewer crosses the North of this site and we will not permit building over it. We will require an access strip width of 6 metres, 3 metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement.

Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary.

Further comments were received on 20 December 2011 that state on the basis of the information currently available and the committed development in the catchment area for Whalley Waste Water Treatment Works, United Utilities confirm that it has no objection on capacity grounds subject to the imposition of conditions as follows:

1. The site must be drained on a separate system with only foul drainage connecting into the public sewer. No surface water shall be allowed to drain into the public sewer.
2. Unless otherwise agreed in writing by the local planning authority no part of the development other than:
 - a) 222 dwelling units (Use Class C3); or
 - b) 161 dwelling units (Use Class C3) and the proposed nursing home (Use Class C2)

shall be occupied before the date which is 54 months (being four years and six months) from the date of this planning permission.

Reason: To allow the sewerage undertaker to address capacity at the Whalley Wastewater Treatment Works and the capacity of the sewer network serving the development and feeding into the Whalley Wastewater Treatment Works.

3. (a) Prior to the commencement of development of each phase, a scheme for foul and surface water drainage for that phase shall be submitted to the local planning authority and agreed in writing; and

(b) Each drainage scheme submitted pursuant to 3(a) above shall ensure that the foul water flows from the development as a whole shall not exceed a rate of 4 litres per second until the date specified in Condition [2] above, unless otherwise agreed in writing with the local planning authority; and

(c) For each phase of the development the foul and surface water drainage scheme shall be implemented in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

CPRE LANCASHIRE
BRANCH:

Object to the application for the following summarised reasons (please refer to the file for more detailed comments on each aspect):

1. Non conformity with the development plan.
2. Premature development pending the adoption of the Core Strategy.
3. Development outside the main settlement boundary.
4. Development within open countryside.
5. Adverse impact on heritage assets of the Conservation Area of Whalley as a direct result of the increased traffic from this development.

ADDITIONAL
REPRESENTATIONS:

232 letters of objection have been received to this development. Members are referred to the file for full details of these which can be summarised as follows:

1. No application should be determined until the results of the Core Strategy are decided – it is opportunistic.
2. The applicant has failed to demonstrate the merits of developing this site in relation to other potential locations in the district having regard to sequential testing requirements.
3. The applicants have made the assumption that inclusion in the SHLAA is an implicit acceptance of a development opportunity. There is no pressing need for a development of this kind on this particular site. Lawsonsteads is one of 12 identified in the SHLAA for Whalley – there are other sites available in the wider area which are preferable in sequential and rural sustainability terms.
4. There are 500 plus planning permissions awaiting development/completions across Ribble Valley, which need to be taken into account in relation to housing requirements.

5. The results of the current housing needs survey have not been considered and analysed to help identify what housing is actually required in Whalley.
6. There are houses being built less than a mile away in Barrow. How many executive type houses do we need in Ribble Valley. Surely if there is a need to build more houses, they should be affordable.
7. The land is Greenfield and must be preserved.
8. Such a rapid increase in housing and being located on a limb outside the settlement boundary does not encourage a cohesive community.
9. Contrary to Policy G2 – the site is outside the settlement boundary and is above one hectare and is not therefore considered appropriate and is not in scale or keeping with the existing village nor rounding off development.
10. Contrary to Policy G5 – the site is outside the settlement boundary and cannot be considered small scale.
11. The Districtwide Local Plan refers to this land as lowland fringe farmland – landscape detractors to which are intrusive and inappropriate modern developments on the fringe of historic villages.
12. Contrary to PPS6 and PPS7 – the development will not enhance the intrinsic qualities of the countryside but will destroy an important valued landscape in Whalley.
13. PPG13 – the developer considers that residents of the development will use public transport, walk or cycle but this is purely conjecture on their part without sufficient evidence of proof.
14. Building should only be considered on brownfield sites.
15. Question if the Council is in a position to consider passing this application when consultation is continuing on the Core Strategy.
16. Question who the houses are for – first time buyers will be unable to afford these properties.
17. The scheme is not a mixed development in the context of government objectives. As such, it would perpetuate the increasing dormitory status of Whalley as a settlement without contributing materially to the local economy or assist in promoting sustainable travel initiatives.
18. It appears a similar application was put forward in 2001 on the farm but refused (3/2001/0037/P – outline residential development). There has been no material change in circumstance.
19. The village does not offer scope for expansion or development to meet the needs of a substantially larger resident population without significantly damaging its historic core and general character.
20. Contrary to ENV3, PPS1 and PPS3, ENV16, ENV17, G1.

21. The environmental impact in visual amenity terms cannot be mitigated by any landscaping measures.
22. Land is not allocated for residential development in the Local Plan.
23. No planning application should be approved until a new planning policy is implemented by the new government.
24. If further development is absolutely necessary in Ribble Valley, then the Council should look at regenerating dying villages where services are limited, schools are undersubscribed or under threat of closure.
25. Question where the 160 houses per year has come from and why so many houses are earmarked for Whalley rather than more urbanised parts of Lancashire.
26. There is no need for new houses in Whalley. 100s of houses are for sale already in the village plus new houses are being built on Calderstones Drive and Barrow. This is therefore non essential development.
27. The phrase central Lancashire city region is used – where is the evidence for the democratic acceptance of this designation for Ribble Valley.
28. No need to use Greenfield anywhere as there are plenty of brownfield sites available.
29. The proposed traffic calming measures are completely over the top.
30. The submitted traffic assessment is questioned and it fails to tackle the considerable traffic congestion problems within the village being a reflection of one day only and not portraying the experience of existing residents.
31. The transport assessment is based on 2010 traffic flow densities. Should it not be looking at projected densities for 2016?
32. Whalley has no public car park so where will the 300 park when stopping off in the village?
33. Concerns over implications that additional traffic and parking requirements would place on an already constricted high street – traffic in the village is already untenable, parking in the village causes problems, volume of traffic at school times with parents picking up children who already abuse parking regulations.
34. We already have a number of traffic accidents in the area, some of which are fatal.
35. The A671 would become even more dangerous with the proposed access on to it.
36. Putting speed bumps along Clitheroe Road and making parking restrictions on King Street will make people park on residential streets causing residents problems.
37. Raised speed bump type calming measures are well known to damage vehicles, the road surface is hazardous to emergency services. Would such

- measures be advisable on a central route into Whalley?
38. Whalley centre residents without garages/drives would be put to intolerable inconvenience by cars utilising their street space.
 39. No traffic figures have been included for the school.
 40. The road through the development to the A671 would create a rat run for short cuts.
 41. Traffic will be increased to an unmanageable level creating total gridlock of the village.
 42. Houses on Clitheroe Road shake with the existing traffic – this should be a material consideration.
 43. There are already problems trying to emerge from Woodlands Drive with parked cars on double yellow lines.
 44. Reference to habitat survey which refers to the need for a nesting bird survey. The report also refers to significant bat activity and a further two bat activity surveys are proposed which begs the question as to how the application can be approved when there is the potential to commit criminal acts under the Wildlife and Countryside Act 1981.
 45. The site provides grazing for sheep all year round.
 46. Spring Wood would be adversely affected as a recreation attraction.
 47. This land and all the pasture land around Whalley is fertile sheltered agricultural land with the potential to grow crops.
 48. Implications for Whalley bird life which has been in decline for several years due to urbanisation and will be dealt a further blow if this development goes ahead. The site is rich for wildlife and enables birds to move to and from Spring Wood in safety. The pond was restored by naturalists some years ago.
 49. The wildlife survey makes no mention of deer that graze in the field.
 50. Abundance of animals in the field – hares, deer, owls, rabbits, kestrels.
 51. There is potential for prehistoric remains being on the site and the archaeological aspects of the site should be taken into consideration.
 52. Effect on wildlife due to digging.
 53. For the bat population to have a chance of survival, there should be no further development within half a mile of either side of the trees identified as bat roosts and the corridor they use.
 54. The credibility of the application is undermined by the existing footpath being shown in the wrong place on the parameters plan.
 55. Concerns that a potential landslip at the sloping rear of Manorfields development.

56. The proposal by virtue of its scale, nature and position would have a deleterious urbanising effect on the rural setting of the village. Being on rising ground, visible over a wide area, it would be particularly visible at night from light pollution – car headlights, street lighting and domestic security lighting spilling over into the surrounding countryside.
57. The proposed development includes high density compact dwellings which is totally unsympathetic to existing land uses in the adjacent Conservation Area.
58. The plans include apartments, surely cottages would be more in-keeping with the historic area.
59. Whalley has already more than met any moral obligation to provide extra homes to the point of detriment and turning our village into a town.
60. Whalley is very much a village and needs to remain so to ensure we protect our Greenfield areas and do not succumb to greed by corporate companies who are able to use their wealth to pursue ventures which are not welcomed by the people who have to reside in the area.
61. Concerns regarding relationship with Conservation Area – in the Listed Building and Conservation Area Act (1990) sections 16 and 66 state that they require authorities to have special regard to the desirability of preserving the setting of any listed building that maybe affected by the grant of planning permission and section 72 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
62. If passed, will mean that Whalley and Barrow effectively become one large housing area turning a lovely village into urban sprawl.
63. In the last 10 years, Whalley a village with a population similar to that of Mellor has had to cope with 33% of the Ribble Valley's new development. The village has expanded to such an extent, it cannot cope with further expansion.
64. The supporting HAR under estimates the definition of setting obtained within appropriate guidance (PPS5, PPS5 practice guide and English Heritage guidance) this is set in both from within and looking into the Conservation Area.
65. Grouping the low cost housing together is contrary to planning advice which advocates low cost housing should be mixed in with higher premium houses in order not to create a ghetto effect.
66. There are plans to raise the land level in the field to the rear of Woodlands Drive for drainage purposes and the effect of those terraces of affordable homes on existing dwellings would be totally overbearing and out of place.

67. LCC are making spending cuts so it seems highly unlikely that they will be able to fund such a scheme let alone staff it.
68. Schools in the area have huge class numbers for each year.
69. CEG would neither build the school they propose nor fully fund its construction, therefore its mention is a red herring.
70. Reference to school site on Calderstones that was promised and not delivered.
71. Whilst the developers say they will create a primary school, what about secondary school places?
72. Does Whalley want two primary schools? Shouldn't the plan be to build a primary school big enough to cater for the whole of the local demand for the foreseeable future and to reduce class sizes to a more successful 30 pupils.
73. Surface water is currently absorbed by the green fields between Whalley village and Spring Wood.
74. The stream that runs down the side of Brookside Close is liable to flooding.
75. Brookes Lane is classed as flood zone 1 but was flooded as recently as 2007.
76. Whalley does not have the range of shops or the available resources to provide them and the current shops would not have the capacity to support additional incomes.
77. The sewage system is very much under pressure – in heavy rainfall the manhole covers raise with the force of water and it spills into the area which could in turn cause health issues.
78. The water table is near the surface of this site making any houses liable to flooding or subsidence.
79. Whalley Waste Water Treatment Works cannot accommodate the development and the option of an on site plant is not acceptable.
80. Reference to historic problems with the culvert on Brookside Close/King Street. The development will exacerbate the situation and although there is mention of suds in the form of holding tanks and ponds, these ultimately discharge into the culvert and there is no mention of who would maintain the suds.
81. It is unlikely that Whalley Medical Centre/surgery/dentists could expand anymore.
82. There are restricted banking facilities.
83. The economy in Whalley is tourist driven – although a small Spar shop caters for basic needs residents travel to Clitheroe, Burnley, Blackburn and Accrington for shopping.

84. There are no leisure facilities in Whalley – only a privately owned gym and sports hall which is part of the facilities of Oakhill College.
85. Reference to the Whalley Action Plan (August 2010) and range of services required to support the village.
86. Increased air pollution.
87. Increased noise pollution.
88. Loss of view.
89. Devaluation of house prices.
90. Effect on privacy.
91. More houses equals more dog fouling which is already a problem.
92. If the development went ahead, Whalley would no longer be a safe village with crime increasing substantially over time.
93. Directing foot traffic through Brookes Lane would lead to increased use with resultant loss of amenity to residents of Brookes Lane.
94. CEG give the impression that residents concerns about the application have been resolved following public consultation. They do not mention how many members of the public actively supported the application and how many opposed it. They also fail to mention the mass protest outside their consultation which even featured on TV.
95. The applicants supporting documents lack balance.
96. CEG claim we need these houses but the vast majority of people in Whalley would disagree and are against them. You only need to look around the village at the many placards and posters expressing clear objections to any more development in our village.
97. Ribble Valley has a declining population so this amount of new housing is totally unnecessary.
98. To cover schooling, street lighting, refuse collections and policing alone on a 300 plus housing development will have to be met by an increase in Council Tax by local people who do not want the development. This is wholly unfair.
99. Question the consultation exercise undertaken by CEG and in particular the plans at that stage only showed a single access on to Clitheroe Road whereas the application shows an access on to the A671 – have they manipulated the process to make it appear that they have listened to objectors concerns.
100. What are the arrangements for the rest home? Will it again be no more than a space on site for which the Council will have to find the necessary funding.
101. CEG suggestion of a vision for Whalley is a front for their own vision of a large profit for themselves.
102. It appears the only ones in favour of this development are the officials in LCC and RVBC.

103. To proceed without the permission and support of the villagers who this will affect would be irresponsible and negligent.
104. Whalley is a historic village and prime attraction in the Ribble Valley – it is the duty of RVBC to protect this for future generations.
105. Whalley residents travel further to work than the average Lancashire resident, therefore 300-600 more cars is only going to exacerbate the present problems.
106. Whalley is a village not a town.
107. Reference to the pre-application advice correspondence the contents of the letter have drawn comments as the apparent assistance not to say encouragement for the development by your office which would fly in the face of the local community's wishes.

Proposal

This is an application made in outline with all matters reserved except for access for a residential-led mixed use scheme comprising up to 300 dwellings (including 30% affordable); a 50 bed nursing home and new one form entry (210 pupil) primary school with associated access, parking and landscaping as follows:

Residential (12.9 hectare)

The scheme comprises 300 dwellings based on an approximate mix of sizes and types of housing. The residential element of the scheme will cover an approximate site area of 12.9 hectare with an average density of 23 dwellings per hectare. An illustrative layout is submitted as part of the Design and Access Statement in support of the application which is based on an indicative layout comprising 87 terraced town houses (2 and 3 bedrooms), 102 semi-detached homes (2, 3 and 4 bedrooms), 85 detached homes (3, 4, and 5 bedrooms) and 26 apartments (1 and 2 bedrooms). This shows the possible distribution of housing types with more dense town housing towards the village centre and more detached houses on the higher areas of the site away from the village centre. The residential development will be a maximum of 2½ storeys in height, with maximum/minimum heights given as 9m/7.5m respectively.

It is proposed that 30% of the total number of units will be affordable (90 units) and comprise a mixture of tenures to meet local needs.

Nursing Home (0.5 hectares)

The proposal includes provision of a 50 bed nursing home (C2). This would be a maximum of 3 storeys in height, approximately 2000m² in size and occupy a site area of 0.5 hectare. It would be positioned on the part of the site that lies to the rear (east) of numbers 32 and 34 Clitheroe Road. This would be accompanied by ancillary parking and landscaping.

Primary School (1.2 hectare)

The scheme includes provision for a new primary school (to include associated playing field and parking areas) based on a site area of 1.2 hectare. It is envisaged that the maximum height of

the school will be 2 storeys with a note on the proposed parameters plan detailing that a single storey sports hall for the school may be a maximum of 10m in height. The school will be positioned to the east of the nursing home. A draft Section 106 Agreement was initially submitted as part of the application with a subsequent Heads of Terms document and details that what is being offered as part of this proposal is the safeguarding of the school site for a set number of years for LCC to promote a new school and should the terms of the Section 106 not be met/taken up by LCC for whatever reason within a specified period, then the land as described would no longer be made available for that purpose.

Public Open Space (2.5 hectare)

The scheme makes provision for public open space including both formal and informal recreational areas. The details submitted incorporate a network of green open space through the site equating to approximately 2.5 hectare. This has been designed to retain existing trees on site and maintain the existing footpath link to Spring Wood with the parameters plan denoting a reserved landscape corridor through the site from Brookes Lane towards the western boundary of the site. No specific details are provided at this stage of formal recreational areas.

Highways

The site will be designed to create suitable and attractive pedestrian and cyclists routes which will link with the local highway and footway provision in order to encourage travel on foot and by cycle. The layout will also retain the public access to fields bounding the site and further to the west including Spring Wood.

Two vehicular access points are proposed to the site, one at the north eastern corner of the site off the A671 and one in the centre of the western site frontage off Clitheroe Road. These two accesses will be linked by an internal link road which will have a footway on one side of it and a shared footway/cycleway to the other side.

Works to create the access off the A671 would include a right turn ghost island and a deceleration lane. The layout will include improvements to street lighting on the A671 to link the currently unlit section to the existing highway at the Wiswell Lane junction and to the lighting immediately to the north of the A671/B6246 Accrington Road. Access to the site from Clitheroe Road would be way of a simple priority controlled junction.

A traffic calming/traffic management scheme is proposed on a 550m length of Clitheroe Road aimed at reducing traffic speeds on the south bound approach to Wiswell Lane. The traffic measures will comprise the following as detailed in the revised TA.

- a) Proposed 30/20mph gateway feature at the existing point of speed limit change approximately 250m north of the Wiswell Way priority junction.
- b) Introduction of a 30mph speed limit from Barrow to A59 underpass.
- c) Proposed variable message speed sign on the approach to the junction of Wiswell Lane.
- d) Proposed localised widening along the site frontage with Clitheroe Road to widen the footway on the western side.

- e) Proposed zebra crossing some 65m south of the proposed site access priority junction including widened footway at the point of crossing.
- f) Proposed contrasting coloured surfacing at the junctions with Wiswell Lane, site access, Hayhurst Road and Station Road.

The revised TA also makes reference to the potential for the introduction of two hour on street parking restrictions in the village centre and an on site public car park.

Timing of Delivery

The planning statement submitted in support of the application indicates that it is envisaged the development will commence mid to late 2012 with completions from 2013 dependent upon time taken to obtain outline planning permission. Based on provision of 210 open market dwellings and assuming average market conditions and sale rate of 35 open market dwellings per annum, the build programme is expected to last 6 years (2012/2013 to 2018/2019). This is based on a single residential developer delivering the scheme. It is expected that 30% affordable housing will be provided in parallel in a similar time frame. Should the scheme be delivered by two separate developers, the sales rate could increase which would result in a shorter build programme of just over 3 years (2012/2013 – 2015/2016).

The timing of the delivery of the school will be determined by LCC as local education authority but the Section 106 Agreement will ensure that the land with a financial contribution is available at an appropriate time in order to meet the needs of the development.

It is expected that the proposed nursing home will come forward early in the site development either in parallel with or shortly after the first phase of residential development.

Site Location

The application site lies to the east of Clitheroe Road having a frontage area that fills the gap between numbers 34 Clitheroe Road and number 2 Wiswell Lane and extending up to the boundary with the A671 to the east. To the north it is bounded by Oakhill College, playing fields and residential development on Wiswell Lane. The site also extends in a southerly direction to utilize the field that is bounded by Woodlands Park and Sydney Avenue. The site lies outside the defined settlement limit of Whalley within land designated open countryside in the Ribble Valley Districtwide Local Plan. The recently extended Whalley Conservation Area boundary which takes in Brookes Lane crosses its site boundary at the end of that lane. Leading from Brookes Lane is a public right of way which extends in a south easterly direction towards Spring Wood and dissects the site. Part of Spring Wood – a designated County Biological Heritage Site and Ancient Woodland abuts the eastern boundary of the application site alongside the A671. TPO No 1 1957 covers trees throughout the site with the Haweswater Aqueduct running northwest/southeast through site from Hayhurst Road to Spring Wood. There is a pumping station located at the south eastern corner of the site. Whilst outside the application site, there is a reserved access corridor across the site between the facility and Brookes Lane. The site is green field, extending to approximately 14.6 hectare in size and has a topography rising west to east from Clitheroe Road to the boundary with the A671.

Relevant History

None.

Relevant Policies

Policy G1 - Development Control.
Policy G2 - Settlement Strategy.
Policy G5 - Settlement Strategy.
Policy G11 - Crime Prevention.
Policy ENV3 - Development in Open Countryside.
Policy ENV6 - Development Involving Agricultural Land.
Policy ENV7 - Species Protection.
Policy ENV9 - Important Wildlife Site
Policy ENV10 - Development Affecting Nature Conservation.
Policy ENV13 - Landscape Protection.
Policy ENV14 - Ancient Monuments and Other Important Archaeological Remains.
Policy ENV16 - Development Within Conservation Areas.
Policy ENV17 - Details Required with Proposals in Conservation Areas.
Policy H2 - Dwellings in the Open Countryside.
Policy H20 - Affordable Housing - Villages and Countryside.
Policy H21 - Affordable Housing - Information Needed.
Policy RT8 - Open Space Provision.
Policy RT18 - Footpaths and Bridleways - Improvements.
Policy RT19 - Development Which Prejudices Footpaths.
Policy T1 - Development Proposals - Transport Implications.
Policy T7 - Parking Provision.
Affordable Housing Memorandum of Understanding.
Whalley Conservation Area Appraisal and Management Guidance.
Core Strategy Topic Paper – Discussion on the Approach to Preferred Option (November 2011).
Policy DP1 – Spatial Principles – North West of England Regional Spatial Strategy to 2021.
Policy DP2 – Promote Sustainable Communities - North West of England Regional Spatial Strategy to 2021.
Policy DP7 – Promote Environmental Quality - North West of England Regional Spatial Strategy to 2021.
Policy L1 – Health, Sport, Recreation, Cultural and Education Services Provision - North West of England Regional Spatial Strategy to 2021.
Policy L4 – Regional Housing Provision - North West of England Regional Spatial Strategy to 2021.
Policy L5 – Affordable Housing - North West of England Regional Spatial Strategy to 2021.
PPS1 – Delivering Sustainable Development.
PPS3 – Housing.
PPS5 – Planning for the Historic Environment.
PPS7 – Sustainable Development in Rural Areas.
PPS9 – Biodiversity and Geological Conservation.
PPG13 – Transport.
PPG17 – Planning for Open Space, Sport and Recreation.
PPS22 – Renewable Energy.
PPS23 – Planning and Pollution Control.
PPS25 – Development and Flood Risk.

Environmental, AONB, Human Rights and Other Issues

Matters for consideration in the determination of this application are the principle of development, highway safety, infrastructure provision, ecological considerations, impact on

heritage assets, visual and residential amenity. For ease of reference these are broken down into the following sub headings for discussion.

Establishing whether the principle of residential development is acceptable/prematurity

The Council's Head of Housing and Regeneration has been consulted on this proposal and has offered the following detailed observations:

The application presents a number of important considerations from a policy context. As I have previously indicated, a site of this scale is best addressed by way of the strategic plan making process, as it will deliver significant change to the scale of the settlement and extends beyond the intent of the saved Local Plan. Progress with the emerging Core Strategy is important to give consideration to, although I acknowledge the need to make a judgement on the matter of weight to apply to that process. There are however, a number of other important issues that need to be taken into account in determining the application.

In terms of the existing development plan, this comprises (pending its imminent abolition) the Regional Strategy and the saved policies of the Local Plan. The most relevant policies of the Regional Strategy are those that relate to housing requirements (Policy L4) and affordable housing (Policy L5).

The Council has established that it will determine planning applications against the existing RS figure of 161 dwellings per year. Even though the Council is currently undertaking a review of its housing requirements as part of the plan making process, any increase in requirement will need to be addressed through the Core Strategy Examination, whilst some responses seek to promote an increase in the requirement the current and correct basis of judging supply is against the RS requirement. The Council cannot demonstrate a five year supply against that requirement, therefore the provisions of PPS3 - Housing, paragraph 71 is significant, with the tests of paragraph 69 being material. The presumption in favour applies if the tests can be met to the satisfaction of the Local Planning Authority.

In the saved Local Plan, the key considerations in relation to the principle of the scheme revolve around settlement policies, namely Policies G2 (main settlement boundary) and Policy G5 (land outside main settlements) together with Policy ENV3 – open countryside.

The proposed development is a large, significant scheme comprising up to some 300 dwellings, a 50-bed nursing home and includes provision for a school and associated open spaces and access. It does not, in my view, comply with the existing provisions of Policy G2 as it is clearly not within the main settlement boundary and does not comprise development that would be wholly within the built part of the settlement and is a scale and form that would not be considered rounding off. The proposal in my view is effectively a large urban extension. Similarly, the relative scale of the proposal falls outside the scope of the small -scale developments envisaged within Policy G5 that essentially seeks to protect the countryside from inappropriate development. The proposal as submitted, therefore fails to comply with the saved Local Plan Policies G2 and G5.

By virtue of the change it would bring to the landscape, consideration would need to be given to policy ENV3 and a view taken on the extent to which the proposal will impact upon landscape character.

The policies of the saved Local Plan were of course formulated during the 1990s, with the Plan being adopted in 1998. The basis of the Plan's formulation was framed around the strategic framework set by the Lancashire Structure Plan, against which the Plan established its settlement boundaries to reflect the applicable planned housing requirement and the necessary allocation of land to meet that at that time. It should be acknowledged that clearly we are sometime on from when those boundaries were established and that there will clearly be a need to identify how any boundaries would need to address identified requirements that are relevant now and that have been set, in our instance through the Regional Strategy. The original extents of the boundaries were not established to address subsequent housing requirements other than a limited number of areas designated as 'open land' reserves adjacent to designated greenbelt. Whilst I do not consider, given the basis of their derivation and the circumstances the Council needs to take into account now, the settlement boundaries are consequently sacrosanct, I believe that in relation to Whalley, the proposed expansion and any change to the settlement boundary should be dealt with through the applicable strategic process that the Council is progressing. That way, a strategic approach can be taken to consider the impact and scale of proposals and gives the opportunity to compare site options to bring the most appropriate strategy forward. This is particularly so, in my view, where a significant growth in a settlement would be generated such as in this case.

Of course as I have outlined, National Policy is an important material consideration to which weight needs to be attached. In considering Planning Policy Statement 3 – Housing and tests of paragraph 69 in particular, the presumption in favour of residential development is clear. However, it is not an unfettered presumption. I do not take any issue with the ability to achieve high quality housing, nor the test to use land efficiently and effectively that the proposal would be capable of delivering. The following tests however do need to be examined more closely from a policy viewpoint: -

- ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular families and older people;
- the suitability of a site for housing, including its environmental sustainability; and
- ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in and the spatial vision for the area and does not undermine why the policy objectives, for example addressing housing market renewal issues.

With regard to the first point, it is important to be satisfied that our identified needs are being addressed and that the Strategic Housing Officer is satisfied that requirements are being met. I understand that some concerns remain in relation to the mix of housing offered. If this is not resolved to the Council's satisfaction, then the test has not been fully met.

In relation to the second point regarding the suitability of the site for housing and sustainability, I hold the view that the site is capable of being developed but the consideration of the proposals impact due to its scale and visual impact, must be taken into account as to whether the site is suitable. If it is agreed that Whalley is a suitable location for development of this scale, then the location close to the centre, access to services and the transport hub, together with the fact that the proposal makes provision for infrastructure is an important consideration. If it is agreed that Whalley is a sustainable location for development of this scale, then the location close to the centre with access to services and a transport hub as well as open space and other supporting infrastructure, means that the site is capable of being sustainable in my view. In addition, the

very scale of the site brings with it the capacity to contribute to necessary infrastructure, provide affordable homes and meet housing requirements which is an important consideration in support of the proposal. All of these elements together, support the sustainability of the site in general and I do not consider that the site is incapable of being considered a sustainable location.

With regard to the third point, I consider the proposed development is capable of meeting the planning for housing objectives, as set out in paragraph 10 of PPS3. The proposal is also capable of meeting the housing requirements of the development plan for the area and would clearly contribute to that. It does not reflect however, the spatial vision for the area as set out in the saved Local Plan, nor does it reflect the emerging spatial vision being developed by the Council through its Core Strategy by virtue of its proposed scale. Approval of the scheme would undermine the approach recently agreed by Members to the emerging Core Strategy that is reaching an important stage in its process. These aspects in themselves would mean the proposal does not fully accord with the tests of PPS3.

Other national policy is similarly material in the consideration of the proposal. PPS1 – Delivering Sustainable Development sets out the national context and establishes some key principles that should be given regard in order to ensure that decision taking on planning applications contribute to the delivery of sustainable development overall. These are primarily set out in paragraph 13 of PPS1 and in summary highlight a need for the authority to pursue sustainable development in an integrated manner. In my view, the best way to achieve this is through the Local Development Framework, particularly when dealing with sites of this size and the extent of change they would bring. It should also be noted that national policy recognises the importance of community involvement (paragraphs 40-44 of PPS1) to help shape the places where people live and work. Given the current position in relation to the Government's localism agenda, local involvement in the process is clearly viewed as important. In my view, the most considered approach to achieving this where proposals are of a relative significant scale is through the plan making process.

If community involvement is to be worthwhile, the views of the community need to be acknowledged, considered and responded to in a meaningful way. The Council has committed to this through the preparation of the Core Strategy the process for which provides the proper opportunity to integrate the development pressures facing the area and co-ordinate the consideration of infrastructure in a sustainable manner – reflecting government policy. It also has to be recognised that the incremental release of land impacts upon the choices available to the Council in formulating its planning framework and that the principles of a plan led system remains at the heart of the planning system itself.

As you are aware, the Council is now progressing towards the Preferred Option stage of the Core Strategy. A recent report considered and agreed by Members, highlights the current thoughts in terms of direction of travel based on consultation and work undertaken so far. The approach anticipates a Development Strategy that will direct development towards the three main settlements of Clitheroe, Longridge and Whalley including a strategic location south of Clitheroe. The preferred approach to managing growth is one of relationship with existing size and scale measured in the first instance by existing population proportions and also taking account of services and facilities and the ability to implement infrastructure. The proposed development would far exceed the planned requirement identified within that strategy.

It is anticipated that the Preferred Option will be considered by Members and be published for consultation in February 2012. The Council expect to be in a position to have formally

submitted the Core Strategy to the Secretary of State by May 2012, with an Examination completed by November with the receipt of the Inspector's report. I would envisage the Core Strategy being adopted by December 2012 on this programme dependent upon issues that may arise. Extensive consultation and public engagement has been undertaken so far and I am concerned, given the position that we are at with the Core Strategy, the release of this site at this key stage in the Development Plan process would serve to undermine that process and public confidence in the planning system. The proposal would also restrict the choice of sites available to the Council and in effect pre-determine the scale of growth at Whalley.

Whilst the Council is unable to demonstrate a five-year land supply, it can demonstrate a supply position that would address any immediate pressures, with schemes in the pipeline that will continue to address supply pressures bringing a position closer to the five-year threshold. With the current LDF programme it can be anticipated that provisions to address supply within a relatively short period will be in place. At this stage, the need to consider all large sites in particular should be addressed through that LDF process.

The site is a large proposal that will bring a significant scale of development to Whalley. The Council's current strategic consideration for Whalley does not support the scale of growth proposed. Within that context, the proposed development would represent an over development of the area by virtue of its scale and setting. It would serve to pre-determine the emerging spatial vision for the area, leading to a lack of confidence in the planning system and the intentions of national policy with regard to community involvement as set out in PPS1. The proposal would not comply with the spatial vision as set out in the saved Districtwide Local Plan and in particular the provisions of Policy G2 and G5. In the context of these two policies and that of the emerging Core Strategy, the proposal fails to meet the tests of PPS3, paragraph 69 in that it would conflict with the current and emerging spatial vision for the area.

It is important to note that PPS3 highlights that proposals should not be refused on the grounds of prematurity alone. If the balance of considerations is that prematurity measured against the emerging Core Strategy was the only basis for refusal, then the application should not be refused on the grounds of prematurity. However, for the reasons I have raised above, whilst prematurity is an issue for the Council, there are clearly additional factors that fall against the proposal at this stage. In the light of these considerations, the additional concern of prematurity becomes relevant and would not be out of accord with the provisions of PPS3 in my view. My conclusion is that the proposal, should be recommended for refusal because as a principle it does not comply with the provisions of national policy as set out in PPS1 or adequately satisfy the tests required in paragraph 69 of PPS3 by virtue of its scale, extent and conflict with the spatial vision for the area.

The application, again by virtue of its size, proposed land uses and location clearly conflicts with Policies G2 and G5 of the saved Districtwide Local Plan.

The application also conflicts with the emerging Core Strategy and would pre-determine the outcome of the plan making process in relation to Whalley in particular, restricting the Council's choice of Greenfield sites in developing the Local Development Framework, undermining public confidence in the planning process and is therefore considered premature at this time given the stage the process has reached.

Affordable Housing

In considering the affordable housing element of the proposal it is important to have regard to Policies H20 and H21 of the Ribble Valley Districtwide Local Plan and the Council's Affordable Housing Memorandum of Understanding (AHMU). The latter requires that on sites over three dwellings or 0.1 hectare or more the Council will seek 30% of the units on site to be affordable.

The scheme is made in outline for 300 units. A draft Heads of Terms document has been submitted outlining that 30% of these will be affordable comprising a mix of two bedroomed dwellings (60%) and three bedroomed dwellings (40%). The tenure split offered is one third social rented, one third affordable rent and one third intermediate (shared ownership).

The Council's Housing Strategy Officer has examined the details submitted and has commented as follows:

The heads of terms provided sets out the tenure as requested in previous meetings however the house type offered is not as requested. The Council Strategic Housing Working Group agreed to request 25 x2 bed, 25 x3 bed and 18x 4 bed. Also within the affordable housing offer there is no mention of housing for the elderly and we would request that 15% of the site are bungalows to meet housing for the elderly.

The phasing proposed is different to that requested we would require that only 25% of the market dwellings are complete within a phase before the Registered Provider is secured. Also that no more than 50% of the market units within any phase are occupied before 100% of the affordable units are completed.

Given the difference between the offer discussed with the Strategic Housing Working Group in March 2011 and the content of this draft heads of terms I will need to reconsult the Strategic Housing Working Group before I can provide a formal response.

In response to this I would comment that the requirement for elderly provision is not in the adopted AHMU but in the revised 'Addressing Housing Need in Ribble Valley' document that, whilst having been out for public consultation, has not been reported back to Committee. Therefore at the time this application is determined there is no specific requirement for the provision of elderly accommodation but as time progresses this requirement will come into force.

The applicant has stated that the approach taken to the delivery of the affordable housing units will ensure that the development is viable given the number of other contributions that are required. The exact content of the suggested Heads of Terms in respect of affordable provision are specified later within this report but members will need to take account of the fact that without taking these back to the Strategic Housing Working Group they have not been agreed by the Housing Strategy Officer. Consideration will need to be given to a number of factors by the working group but it is hoped that this matter can be addressed prior to the meeting at which this application will be considered and a verbal update given as to whether the group consider the terms acceptable.

Highway Safety

As Members will note from the summary of comments received from the County Surveyor, as detailed earlier within this report, there have been negotiations ongoing throughout the time this

application has been live. The comments provided earlier highlight what the key areas of concern were from the County Surveyor and Members are reminded that full copies of those extensive letters are available to view on the main file.

The scheme provides for a new vehicular access on to Clitheroe Road and one on to the A671 Whalley easterly bypass. The illustrative master plan indicates that there will be a new through route from the A671 to Clitheroe Road and as is evident in the observations of the County Surveyor, this was initially a significant concern when considering the impact of the development on the local highway infrastructure. There were various concerns raised in respect of the initially submitted transport assessment as it was felt that as presented, it underestimated the likely impact of the development on the existing transport network in and around Whalley village. Reference was also made to the proposed traffic calming measures and relationship with the conservation area and this matter shall be dealt with elsewhere within this report.

A revised transport assessment was received by the Council on 3 November 2011 and its submission followed correspondence and discussions with the applicant's traffic consultant regarding the parameters influencing traffic distribution, traffic generation, access and other essential highway matters for two potential development scenarios ie a through route from the A671 to Clitheroe Road and a split site where the two accesses were developed but with no direct link through.

A single vehicular access for all dwellings located from a signalised junction with the A671 would allow the site to develop with a minimal impact on the existing village and its infrastructure. In terms of access arrangements on to Clitheroe Road, the following options were considered by the County Surveyor. Option A would see the introduction of a priority junction with the provision of junction tables and other traffic management features subject to discussion. This would be the outlet point for the through route leading from the A671. Option B would see the introduction of a priority junction serving the proposed primary school and the nursing home and providing direct access for the school and nursing home aspects of the development would introduce new turning movements on Clitheroe Road. These would be focused at particular times of the day. It was considered that the provision of parking for the nursing home and the potential of some facility for parents to manoeuvre to drop and pick up pupils could be considered. This option also offered the opportunity to consider if long term public parking could be included within the development (a matter I shall return to later). The final option would have no direct vehicular access to the site from Clitheroe Road and whilst removing the facility for additional turning movements on Clitheroe Road, there would be pedestrian access to the school and this could result in parents parking or dropping off in this vicinity with a detrimental impact on highway safety.

The revised TA compared the traffic generation figures and traffic distribution data for the access scenarios – a split site or a through road in terms of the operation of the two mini roundabouts. There were few material differences in the operation of the access points. The County Surveyor acknowledges that a through route allows for more straight forward journeys to the primary route network and more accessible linked journeys. Additional manoeuvring for residential and school traffic would be avoided. There are also benefits for Wiswell Lane by the proposed introduction of a 20mph speed limit. Therefore, having assessed revised TA, the County Surveyor has concluded that notwithstanding his earlier reservations, a through route would be preferable particularly when looking at the operation of local roads adjacent to the site.

The County Surveyor has considered the implications of the development on the safe and efficient operation of the immediate highway network through Whalley – the nature of on street

parking patterns, the volume of through traffic and the operation of two mini roundabouts make for a complex set of highway parameters with sensitive outcomes. On the basis of the revised TA areas of concern have been highlighted as follows:

1 – Clitheroe Road (a.m. peak) at the Station Road and King Street mini-roundabout, where the mean vehicle delay has risen from 1.14mins to 2.3mins corresponding to a vehicle queue length of 7.7 and 18.9 vehicles.

2 – B6246 King Street (a.m. peak) at the Accrington Road mini-roundabout, where the mean vehicle delay has risen from 3.76mins to 4.67mins, corresponding to a vehicle queue length of 50.4 and 64.3 vehicles.

3a – King Street (a.m. peak) at the Accrington Road mini-roundabout, where the mean vehicle delay has risen from 1.00min to 1.53mins corresponding to a vehicle queue length of 11.5 and 14.3 vehicles.

3b – King Street (p.m. peak) at the Accrington Road mini-roundabout, where the mean vehicle delay has risen from 2.29mins to 3.17mins corresponding to a vehicle queue length of 24.5 and 36.6 vehicles.

4 – B6246 King Street (p.m. peak) at the Station Road and Clitheroe Road mini-roundabout, where the mean vehicle delay has risen from 1.30mins to 2.12mins, corresponding to a vehicle queue length of 15 and 27.4 vehicles.

For this reason the County Surveyor indicated that a range of options should be considered that would aim to benefit the operation of the mini-roundabouts in the centre of the village, including physical engineering measures to improve approach widths or other geometrical aspects.

The final set of correspondence from the applicants to address the concerns raised demonstrates that suitable measures can be provided by way of increased carriageway width and alterations in road markings. Detailed comments have been made in respect of the proposed Heads of Terms by the County Surveyor and Members are referred to the file for full details of these.

To summarise, the considered view of the County Surveyor is that he is now satisfied that the proposals provide for highway measures that allow the proposed development to operate safely and efficiently within the existing local highway infrastructure. This has been achieved by securing additional capacity through minor alterations to the physical layout of the junctions and alterations in road markings without detriment to the amenity of local residents. Therefore, there is no justifiable reason to withhold consent on highway safety grounds.

Proposed offer of long stay public car park

Members will have noted that the detailed observations of the County Surveyor refer specifically to the fact that the TA outlines proposals for a residential development of 300 dwellings, together with a 50 bed nursing home and one form entry (210 pupil) primary school. There have been discussions between the highway consultant and the County Surveyor concerning the provision of a long stay public car park with the site accessed off Clitheroe Road. However, the highway impact of this feature has not been factored into any of the TA scenarios and no mention is made on either the original masterplan or subsequent documentation. The first mention of a car park was in a letter from Bryan G Hall (on behalf of the applicant) to the County

Surveyor dated 27 July 2011. Clarification was sought from the applicants planning agent on this matter with a letter from Indigo Planning dated 3 November 2011 outlining the following:

The proposal involves the provision of a long stay public car park on the site to serve shoppers, visitors and businesses within Whalley Village. This would be linked to the proposed introduction of a two-hour on-street parking restriction in the centre (through a Traffic Regulation Order) to increase the availability of short-term parking. The on-site car park would be provided over and above any parking that is required associated with the proposed residential, school and nursing home uses. It is envisaged that the car park would accommodate approximately 30-40 spaces (including disabled access and provision for cyclists).

In terms of justification for providing the car park and how this would be delivered the applicant has offered the following explanation.

Notwithstanding the site's location within convenient walking distance of the centre and any Travel Plan measures that will be implemented to help reduce the use on the private car, the proposed residential development will inevitably result in some new residents driving into the centre when visiting the local shops, etc. This may increase the use of on-street short-term parking during peak times. Therefore, it could be concluded that it is necessary to mitigate this potential impact, as identified by LCC (Highways), as part of the proposed residential development. As a result of the applicant's discussions with LCC, the proposed mitigation comprises:

- 1. A financial contribution (amount to be agreed) towards the highway authority's reasonable costs of making and implementing a Traffic Regulation Order (TRO) required to introduce a two-hour on-street parking restriction in the centre.*
- 2. In the light of this, land will be reserved on the site for a long-stay public car park (30-40 spaces) to serve the displaced long-stay parkers in the event that such a facility is considered necessary after the TRO(s) have become operational and the residential development has begun to be occupied. If considered necessary by the Council, the land would then be transferred to the Council with a financial contribution towards the Council's costs of laying out and providing the car park.*

The proposal has not been revised to give specific details of the car park area and the applicants propose that this matter be dealt with as part of the S106 Agreement. They are of the opinion that this approach is wholly consistent with the application proposals as currently presented in terms of the description of development and plans contained within the submitted Design and Access Statement.

There are a number of factors to consider in respect of this. Firstly the County Surveyor has in his response to the revised TA stated that he concurs with the view that there is no discernible shortage of on street parking within the village. The offer of land to be safeguarded for the provision of a public car park is not supported at this time and its consideration does not form part of the TA or indeed his consultation response to this application. Secondly, when the matter of the possible offer of land for a car park was formally put to the Council this was raised with the Director of Community Services and the Head of Engineering Services. Our response to the applicants was that the Council doesn't have the resources to fund our existing truncated capital programme (which is reduced to the essential investment needed to operate our services) and thus it would be unwise to suggest that we would be confident of finding even a contribution to the construction of a car park.

We also raised concerns at the suggestion that waiting restrictions be put in place and after some unspecified number of units is occupied we carry out a survey, consider the need to build a car park and only at that stage does the developer transfer the land and a contribution (unspecified) for the Council then to set about building a car park in a position that we would not select if we were to set out to find the right strategic location. From the Council's point of view, there are a number of risks associated with that proposal, including financial, reputational, legal and technical.

At the very least, we would expect the car park to be built before cars are displaced from the town centre or the problem will simply relocate and drivers will form a new set of habits (that will possibly still be more convenient than the new car park). Furthermore, if the Council were to take on the offer, under current policy the car park would be pay-and-display, and again it may be too much to ask that motorists sacrifice convenience for the right to pay to park and have to walk farther.

On that basis, it was suggested that a better idea would be for the developer to build the car park and that it should be built before traffic restrictions are introduced in the town centre and marketed as the new alternative. Whether the Council took it over at some point in the future could be the subject of discussions to come.

To summarise we informed the applicant that whilst we wouldn't reject the idea of a car park, it's the specific proposal that doesn't work.

This however does not get around the fundamental issue that the car park offer is only made to the Council within the terms of a S106 Agreement and is detailed within the proposed Heads of Terms document as discussed elsewhere within this report. This has been discussed with one of the Council's Solicitors with the conclusion reached being that they disagree with the developers conclusions on this matter. If this matter proves key to the determination of this application, they suggest Committee may wish to seek external expert advice on this matter.

Public Open Space

Policy RT8 of the Districtwide Local Plan requires that residential sites over 1 hectare provide adequate and usable public open space. The supporting text notes that community open space within new residential areas provides a useful informal recreational facility for residents of the neighbourhood and a particular requirement will be for the provision of children's play areas.

The site layout does not specify any areas set aside for formal or informal play but contains a network of green open space within which such facilities will be provided. The supporting documentation indicates the total area to be set aside for such a use (approx 2.5ha). Subject to details of the layout of these areas being submitted at reserved matters stage I am of the opinion that in principle the amount of public open space provided is adequate and thus the requirements of Policy RT8 of the plan have I consider been met.

The applicants have been made aware that it would not be the intention of the Council to take on any management/maintenance responsibilities for such areas and that a separate management/maintenance regime will need to be arranged. They have not made reference to such facilities within the submitted draft Section 106 Agreement and thus appropriate conditions would need to be imposed on any consent granted to ensure the continued provision of such facilities for the benefit of future residents.

Education

This is a subject raised by many of the objections received to this development. As Members will see from the consultation response from the Planning Contributions Team at LCC a scheme of this size would result in a claim of £940,467 towards primary provision and £1,325,087 towards secondary places i.e. a total of £2,265,554. However, the applicant has offered a school site and thus the Estates Unit at LCC Property Group have undertaken a valuation of the site and would propose to deduct the value of the land from the contribution sought (£2,265,554 total contribution less £13,585 cost of site = £2,251,969 final contribution sought). The applicant is aware of the contributions and has included provision within the draft Heads of Terms.

The submitted Heads of Terms are also drafted with clauses associated with the reservation of land for a school site and the solicitors at LCC have been looking into the proposed Heads of Terms suggested in this respect. There is a section later within this report that deals specifically with the proposed legal agreement but for Members information there has been some correspondence between the applicant and LCC regarding the suggested clauses, in particular the period of time for which the land would be reserved. Subject to agreement over the clauses within the agreement there are no objections raised in principle from officers at LCC to the proposed educational aspects of this proposal.

Objectors have referred back to a historic situation with the redevelopment of the Calderstones Hospital Site and potential school site there. Whilst mindful of events that have occurred in the past, it is important for Committee to focus on the response of colleagues at LCC in response to this particular scheme.

Flooding/Drainage/Water Supply

There have been many objections to the development on the grounds that drainage is inadequate and there would be potential increased risk of flooding.

United Utilities were consulted on the application and as Members can see from their response initially they raised objections to this development commenting that Whalley Waste Water Treatment Works is at capacity and cannot accept additional flows. I am aware that the applicant has been involved in extensive discussions with United Utilities about this scheme since that consultation response was received and also that United Utilities have been undertaking some modelling work on the Treatment Works. As a result of these the updated position of United Utilities is as stated earlier within this report i.e. no objection but they have requested some stringent conditions be imposed regarding phasing as follows:

1. The site must be drained on a separate system with only foul drainage connecting into the public sewer. No surface water shall be allowed to drain into the public sewer.
2. Unless otherwise agreed in writing by the local planning authority no part of the development other than:
 - a) 222 dwelling units (Use Class C3); or
 - b) 161 dwelling units (Use Class C3) and the proposed nursing home (Use Class C2)

shall be occupied before the date which is 54 months (being four years and six months) from the date of this planning permission.

Reason: To allow the sewerage undertaker to address capacity at the Whalley Wastewater Treatment Works and the capacity of the sewer network serving the development and feeding into the Whalley Wastewater Treatment Works.

3. (a) Prior to the commencement of development of each phase, a scheme for foul and surface water drainage for that phase shall be submitted to the local planning authority and agreed in writing; and

(b) Each drainage scheme submitted pursuant to 3(a) above shall ensure that the foul water flows from the development as a whole shall not exceed a rate of 4 litres per second until the date specified in Condition [2] above, unless otherwise agreed in writing with the local planning authority; and

(c) For each phase of the development the foul and surface water drainage scheme shall be implemented in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

As Members can see the suggested conditions would limit the extent of development that could take place prior to set dates in order that capacity issues can be addressed. It is worth noting that this response from United Utilities is a reflection of the current position in respect of committed developments.

The application has been submitted with a Flood Risk Assessment. The site is in flood zone 1 which is defined as having little or no probability of flooding and the Environment Agency are comfortable with the runoff rate identified for the site as a whole but outline that more details would be required at the detailed application stage in relation to bank improvement works. They have requested a condition to require submission of a scheme for the improvement, protection and maintenance of existing flood defences and a detailed surface water drainage scheme be submitted at a later date should consent be forthcoming. They have also commented on the Preliminary Appraisal desk study in respect of land quality and have noted that the report proposes further intrusive investigations and given the need to ensure there is no risk to controlled water concur with those recommendations. Suitably worded conditions could be imposed to secure the submission of these details. Members will note that they did however raise an objection in connection with the Waste Water Treatment Works and they have subsequently withdrawn that in light of the revised position from United Utilities on this matter.

Therefore, on the basis of the responses received to this application from statutory consultees, I must conclude that notwithstanding the concerns raised, the development of this site in the manner outlined on the submitted forms and detailed in the Design and Access Statement as expressed on the illustrative masterplan would not lead to significant issues in respect of flooding, drainage and water supply.

Nature Conservation – Protected Trees/Landscape/Trees

This is a Greenfield site and there are trees and hedgerows within and aligning the site's established field boundaries. As part of the application an arboricultural report has been submitted with preliminary recommendations given with a view to the long term management of sustainable tree cover. All trees within the site with a stem diameter above 75mm are included and where applicable, trees outside the site boundary, but close enough to be affected by the proposed development are included. The report notes that specific design of any proposal development is not generally taken into account at this stage. The report states that the

indicative master plan seeks to retain the majority of trees at the perimeter of the site and makes provision for a landscape corridor through the site.

Species surveyed include Sycamore, Elm, Ash, Elder, Hawthorn, Oak, Cyprus, Hazel, Holly, Crab apple, Goat Willow, Beech, Rowan and Alder. The predominant species are Sycamore, Oak and Hawthorn with other species being occasional or even single specimens. There is a tree preservation order on this site (TPO No 1 1957) with the survey indicating that in the main, protected trees would require no action, in some cases the removal of Ivy and re-inspection suggested and in others the removal of dead wood recommended. The tree survey revealed a total of 48 items of vegetation (25 individual trees, 17 groups of trees and 6 hedgerows). Four trees are suggested for removal (in paragraph 5.2.2 of the submitted report) as part of the development and all of these are identified within the TPO covering the site. An e-mail from the applicant's agent dated 20 December 2011 says no trees would be removed.

In terms of facilitating the proposed access to the A671 a small section of trees have been suggested for removal. Further details of this aspect to the proposal were submitted to the Council in the form of an arboricultural implications assessment. The Council's Countryside Officer is satisfied with the details provided and considers the removal of the identified trees would not significantly affect the overall character of the area and that should consent be forthcoming, there would be opportunities to enhance existing planting throughout the overall site.

The application is also accompanied by a phase 1 habitat survey dated December 2010 and a breeding birds survey and bat survey – both of the latter surveys dated June 2011.

The habitat survey identifies that the site is predominantly improved pasture fields. Other habitats include streams, riparian woodland, broad leaved woodland, mature/veteran trees, hedgerows and marshy grassland. The site shares its eastern boundary with Spring Wood Biological Heritage Site (BHS) which is ancient woodland. Spring Wood has previously been fragmented by the A671 road which has split the BHS into two. The majority of woodland is on the eastern side of this road with the woodland next to the application site being approximately 1.6 hectare in size. The survey notes that the proposed development has the potential to have a direct and indirect impact towards the woodland. Direct impacts could potentially be an increase of light pollution affecting wildlife, damage of tree roots and soil compaction on the boundary edge and further fragmentation of the woodland from the wider landscape. Other indirect impacts would be an increase of disturbance from members of the public, new home owners and dog walkers, acts of vandalism, garden rubbish and non native garden escapes. In terms of mitigation, it recommends that a hedgerow and fence be erected between the proposed development site and Spring Wood BHS to create a barrier and deter access and disturbance. Also during construction activities, heavy vehicles must be kept at least 30m from the woodland boundary to prevent soil compaction.

The habitat survey states that there were no signs of otters or water vole during the surveys. The streams were walked and checked for signs of these but none were found and thus it concludes that no impacts towards the species are anticipated as a result of this development. In respect of badgers, no signs were located during the survey and no records of these have been provided. Badgers are a highly mobile species and can colonise an area at any time. As they are currently not present on site, the report concludes no impact towards this species are anticipated. The habitat assessment of the two streams shows that they have some limited potential for crayfish but it is considered unlikely that they would be present due to the small size and shallowness of the stream. Therefore, no impact towards this species is anticipated.

The survey has also assessed for reptiles and great crested newts and again concludes that no impacts are anticipated. Himalayan Balsam is present and the proposed development could spread this across the site and into the neighbouring woodland and thus appropriate mitigation is suggested should consent be forthcoming. At the time phase 1 habitat survey was carried out, further work was recommended in terms of nesting birds and bats in order to complete a detailed assessment of potential impacts and that is why two later surveys were submitted dated June 2011. The breeding birds survey report identifies that there are eight species of bird confirmed or probably breeding within the survey area and further species present in the habitat that has the potential to support breeding. In terms of potential impact on these, the report considers that if the whole site were to be developed and no habitats for birds retained, then a loss of biodiversity would be likely to occur. However, the aims of PPS9 can be achieved within the design plan of the proposed development by retaining as far as possible those habitats which support biodiversity and by the provision of garden areas and green space within the development. Features within the landscape such as hedges and tree lines to provide links through the site to other habitats in the broader landscape. The significance of the potential impacts will be highly dependent on the area of the site to be developed, the location of the development and the design of the habitat and landscape features. It is considered that such matters can be incorporated into the detailed matters of design of this scheme and at this outline stage, the illustrative master plan and supporting documents indicate that landscape corridors are maintained. Thus, after discussing this with the Council's Countryside Officer, it is suggested that should Committee be minded to approve the application, appropriate conditions be imposed in this respect.

The bat survey outlines a significant number of common Pipistrelle bats were observed and recorded using the site for commuting and foraging purposes, particularly the southern stream towards Spring Wood. The stream area is to remain as part of the development and therefore no significant impact towards foraging bats is anticipated. Mitigation measures are recommended which to summarise include avoidance of unnecessary light spill and the retention of existing features used by foraging/commuting and possibly roosting bats.

Heritage

As stated previously, the site lies adjacent to the Whalley Conservation Area with an encroachment into that designation at its westerly extreme where it adjoins Brookes Lane. Policy ENV14 of the Districtwide Local Plan highlights the importance of preserving nationally important archaeological remains and their settings. Policy ENV16 concerns the preservation or enhancement of the character or appearance of conservation areas in respect of development: within conservation areas; affecting the setting of conservation areas and affecting views into or out of conservation areas. Policy ENV17 relates to additional information requirements in the consideration of developments within or affecting conservation areas.

The originally submitted heritage statement was considered deficient by the Council's Design and Conservation Officer in respect to: lack of consideration to the conservation area's traffic issues identified by The Conservation Studio consultants in the Whalley Conservation Area Appraisal; the impact of proposed development upon the setting of the conservation area and the impact of proposed development upon views into and out of the conservation area. This was conveyed to the applicant and an addendum to the heritage statement was submitted on 3 November 2011.

In the opinion of the Council's Design and Conservation Officer the proposed development would be unduly harmful to the setting of, and views into and out of Whalley Conservation Area.

He concurs with the conclusions of The Conservation Studio (which led to extension of the conservation area to the south of the River Calder – see Appraisal ‘Green Spaces, Trees, Hedges’) that there are impressive and important views over the rest of the Conservation Area from the public vantages of Nab Wood, Moor Lane and the land above Painter Wood Farm. A striking and significant feature of these views is the containment of the built heritage by undulating open countryside. Indeed, Whalley is framed to the east by the application site which rises in elevation to meet Spring Wood. This framing is only interrupted by Sydney Avenue and the ‘Poultry houses’ salients.

Whilst ‘Seeing the History in the View’ (English Heritage 2011) notes that the responsibility for undertaking a Phase B assessment of the impact of a proposed development on heritage significance within a view lies with the developer (PPS5 HE6.2), the assessment model in this document does suggest that the overall impact on the above view is at least ‘Moderate’. A view having medium value/importance (Table 2, page 20) *‘is likely to be of importance at the County, Borough or district level...and/or contain heritage assets such as grade II listed buildings...conservation areas...or other locally identified heritage resources whose heritage significance is well represented in the view and which benefit from being seen in combination with each other’*. A ‘medium adverse’ impact is where *‘the development erodes to a clearly discernable extent the heritage values of the heritage assets in the view, or the view as a whole, or the ability to appreciate those values’* (Table 3, page 22).

The Council’s Design and Conservation Officer is also concerned at the loss of the important backdrop to ambulatory views on Brookes Lane which emphasise the proximity of surrounding hills and the rural, open character of the conservation area (see Appraisal ‘Summary of Special Interest’).

Lawsonsteads House (identified as a Building of Townscape Merit in the Appraisal) is shown with its existing open and agricultural south-eastern aspect on Greenwoods’ 1818 Map of Lancashire. In the opinion of the Council’s Design and Conservation Officer and on consideration of Policies HE9.5 and HE10.1 of PPS5, the proposed development will be harmful to the individual setting of Lawsonstead’s House.

The important inter-visual relationship between Whalley and surrounding hillsides is also threatened by the proposed development of the land to the north of Sydney Avenue which will be harmful to views of The Nab (i.e. into the Conservation Area) from a large part of the site.

Policy ENV16 of the Ribble Valley Districtwide Local Plan states:

‘Within conservation areas development will be strictly controlled to ensure that it reflects the character of the area in terms of scale, size, design and materials. Trees, important open spaces and natural features will also be protected as appropriate. The desirability of preserving or enhancing the character or appearance of a conservation area will also be a material consideration in deciding development proposals outside the designated area which would affect its setting or views into or out of the area’.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides the duty on the Borough Council that in the exercise of planning functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

The now defunct Planning Policy Guidance Note 15 'Planning and the Historic Environment' (September 1994) stated that *'the desirability of preserving or enhancing the area should also, in the Secretary of State's view, be a material consideration in the planning authority's handling of development proposals which are outside the conservation area but would affect its setting, or views into or out of the area'* (paragraph 4.14).

PPS5 Policy HE9.5 states *"Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. The policies in HE9.1 to HE9.4 and HE10 apply to those elements that do contribute to the significance. When considering proposals, local planning authorities should take into account the relative significance of the element affected and its contribution to the significance of the World Heritage Site or Conservation Area as a whole.."*

PPS5 Policy HE10.1 states *"when considering applications for development that affect the setting of a heritage asset, local planning authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. When considering applications that do not do this, local planning authorities should weigh any such harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval"*.

The application submission does not fully address the additional and cumulative impact of traffic generation from the proposed site and other sites with planning permission relative to the 'busy traffic' issue identified by The Conservation Studio in 2005 as a 'Weakness' of the Conservation Area. Furthermore, there is insufficient discussion of the likely townscape impacts of new traffic regulation and parking schemes (traffic calming measures) on the Conservation Area. However, whilst the development is likely to result in a degree of harm to the character and appearance of the conservation area and its setting as a result of new traffic generation and its regulation, the Council's Design and Conservation Officer is satisfied from the County Surveyor's discussions with the applicant to date, that concerns are not insurmountable.

Having carefully considered the scheme as submitted, the Council's Design and Conservation Officer believes that it may be possible to develop the land to the north of Lawsonsteads barn and immediately to the east of Clitheroe Road without undue harm to the setting or views into/out of Whalley Conservation Area. However, he considers that the development proposal as a whole would be detrimental to the character, appearance and significance of Whalley Conservation Area because of harm to its setting and views into and out of the conservation area.

Layout/Scale/Visual Amenity

As stated previously this is an outline application with the only detailed matter being applied for at this time being the means of access. However there is a requirement for submissions to provide a basic level of information in respect of use, amount of development, indicative layout and scale parameters in order for a Local Planning Authority to make detailed consideration on the use and amount of development proposed.

An illustrative plan and a parameters plan have been submitted to show how the scheme would fit into the immediate surroundings.

In respect to the actual layout of the scheme, there are a number of potential issues that the County Surveyor has raised which would need further consideration at reserved matters stage. For completeness these are summarised here but Members are reminded that the layout as put forward is indicative at this stage. The Design and Access Statement indicates that an average spine road gradient of 1:16 is likely due to the topography of the site. At the proposed site access location the gradient should not exceed 5% when rising towards junction and 4% when falling towards the junction. At other locations within the site, care will need to be taken to ensure that access for emergency, service and refuse vehicles can be accommodated within acceptable gradients. It is also noted that in many areas of this development the narrow lanes and general layout (turning areas) shown on the illustrative master plan may present difficulties for the aforementioned vehicles.

Having regard to the general layout of the development I would comment that this places the care home and school on the lower areas of the site as these would have the greatest scale and massing. The layout has been designed to make use of the topography of the site and is in part constrained by the presence of the Haweswater Aqueduct and need to retain the green swathe of trees the subject of a Preservation Order. The area of the site that immediately abuts the edges of the conservation area does not have any residential development in order to form a green buffer to that boundary with the site boundary to Clitheroe Road accommodating 2 apartment buildings to continue the ribbon of frontage development to the main road approaching to Whalley. The southern part of the site to the rear of Woodlands Park would accommodate the majority of the terraced units with the eastern most boundary to the A671 and Spring Wood formed by semi-detached dwellings with detached houses to either side of the proposed new site access. Detached dwellings are in the main on the rising ground of the site with a line of terraces abutting the green corridor that would run east/west through the site. The scheme does provide for a mix of house types with most of the development running north/south across the site on feeder roads leading from the main spine through route that would link the A671 and Clitheroe Road. Whalley itself does not consist of just one type or style of housing but a range from small terraces to large detached properties. The dwellings here would be a maximum of 2¹/₂ storeys in height with a maximum height given not being dissimilar to those on Woodlands Park. Clearly detailed matters of design are reserved for future submission and Members should use the indicative layout and scale as a guide in the determination of this application. The layout put forward would retain the route of the public right of way crossing the site adjacent to the tree belt leading to Spring Wood and this will be retained and enhanced.

In respect of the visual impact of the proposal the Council commissioned an independent and impartial landscape assessment of the site be carried out by a chartered landscape architect. The assessment has been carried out in accordance with the Guidelines for Visual and Landscape Assessments produced by the Landscape Institute and the Institute for Environmental Management Assessment and provides the following observations:

Whalley lies at the boundary of two landscape character areas as described by Natural England, Character Area 35, Lancashire Valleys to the south and Character Area 33 Bowland Fringe and Pendle Hill to the north. The landscape type classification is undulating lowland farmland. The extensive open grassland of the site at Lawsonsteads and ancient woodland of Spring Wood beyond, provides an attractive backdrop to the village generally, and specifically to properties bounding the site

The setting of the village of Whalley is physically constrained on two sides by man made features, the A59 and the railway viaduct to the west and the A671 to the east, and by the River

Calder to the south. Although not publically accessible, the wide open Lawsonsteads site, rising up to the edge of Spring Wood, provides an important breathing space within the bounds of the village site. In contrast the main footpath from the village into Lawsonsteads leads through a smaller scale landscape, passing well kept housing and onto the track that skirts the edge of Lawsonsteads. Here the landscape is more diverse with mature parkland trees framing the views over Lawsonsteads and the track becomes increasingly enclosed by the trees in the narrow woodland strip on its north side, and the over grown hedge bordering the ditch to the south. To the south of the wooded spine, and crossing the ditch, the landscape opens up again with views westwards across pasture, to the existing edge of Whalley village and Archbishops Wood, a small area of predominantly birch woodland.

The proposed development site lies to the north east of the village of Whalley, on pasture that is contiguous to the existing village. The main part of the proposed site slopes from northeast to southwest towards Whalley, at its high point the site is approximately 30m above the village in its' valley bottom location.

The larger Lawsonsteads field is not divided by field boundaries apart from at the western most edge where it abuts Clitheroe Road. To the south there is a spine of mature trees and woodland that bounds the stream and the track running eastwards from the village. This forms the dividing line between the two parts of the site, and south of the track on the far side of the stream is a smaller pocket of land.

The proposals neatly abut the edge of the existing built area of the village, retaining a compact settlement pattern, responding to the existing landscape features, and including buffer zones to reduce the impact of the new development on the backs of the existing residential properties.

The scheme includes enhancement of the existing pedestrian routes through the site, and the mature tree belt. However, the open landscape of Lawsonsteads is important to the whole village, forming part of the rural setting of Whalley, and this is an intrinsic feature of Whalley's village identity. This rural setting would be substantially affected by the proposals: extending the built area on the east side of the village to the edge of the A671, and thus taking away the function of the open land as a breathing space for the village. This is illustrated by the views from Bridleway /footpath 34 on Whalley Nab where the green swathe of pasture curving round the east side of the village, would be lost. The significance of this view over Whalley has been reinforced by the recent extension to the Conservation Area to include the fields in this section of Whalley Nab "because they are so important for views in to and out of the Conservation Area.

The proposed buffer planting which will protect the properties backing onto the development site, will ensure that a green spine can be retained along the edge of the development allowing walkers to continue to use the route out towards Spring Wood. However this will become a suburban experience rather than a rural one as walkers will lose the sense of openness, and will be aware of the built up character of the new development, and the consequent loss of their natural surroundings.

The main area of the proposed development rises up the slope of Lawsonsteads to the edge of Spring Wood and the A671. Located on rising ground it will be visually prominent from all round the village particularly from Clitheroe Road, Station Road, Hayhurst Road and the northern edge of the Conservation Area, and perceived as a significant expansion of the built up area of the village. The landscape appraisal undertaken identifies that the proposals will have an effect in terms changes to visual amenity for 4 specific categories of people - residents with properties backing onto the site; local people and visitors using the footpath network on the east side of

Whalley; residents of properties not immediately adjacent to the site but with views into the site and local people and visitors passing through and around Whalley.

The footpath network east of Whalley is very well used by both local people, walking dogs etc, and visitors who may be using this section of the footpath network to link into other areas such as Spring Wood or the weir on the River Calder so are an important resource for the whole of the village. Within Spring Wood, the proposals would be less visible in summer, but in winter would be clearly visible from the lower part of the wood, particularly in those areas which have been recently cleared due to the Phytophthora outbreak. The proposed development would also be clearly visible from the footpaths around the north side of Whalley Nab.

The Lawsonsteads site is overlooked from a number of points both within the village and beyond its bounds. The nature of the development site, extending up the higher ground at the foot of Spring Wood will make it more prominent, and out of character with the rest of the village which utilises the flat ground beside the Calder.

The views into Lawsonsteads are limited from Clitheroe Road / King St, the main north south route through Whalley, because of a high hedge bounding the east side of the road, on the north side of the village, and the urban fabric itself interrupting views. However, the developers propose removing the tall roadside hedge, to open up long views to Spring Wood, and while this will enable drivers and pedestrians to appreciate the longer view, the proposed development in the foreground will then become visible. From Station Road, which runs west from Whalley, the site is more prominent and would be increasingly visible, as the viewer approaches the junction with Clitheroe Road.

Within the Conservation Area, southeast of King St, in the vicinity of the church and Abbey, Spring Wood can be seen from many places, the intrusion of the development into the view is likely to be no more than slight, though this depends on the configuration and heights of the proposed buildings which is not known at this stage.

The impact of street lighting and the increased light pollution which would be caused by the proposed development, should be considered. Even if methods are put in place to keep light pollution to a minimum level, lighting will be introduced into an area which has previously been dark. The extent of the impact is not possible to quantify at this stage but is likely to be at least moderately intrusive. Travellers along the A671 will perceive a change as the proposed development would be noticeable from some sections of the road, this will be less so in summer when there is more foliage. The impact would be greatest at the site of the proposed junction onto the A671 as there will be an opening into the site here with some minor loss of roadside vegetation.

The proposed development is of a large scale relative to the size of Whalley village, consequently some of its effect on the setting of Whalley itself and individual receptors within the community are correspondingly large. The greatest landscape impact will be on users of the public rights of way between Whalley and Spring Wood; users of the public rights of way on Whalley Nab and residential properties which abut the proposed development site. The impact on each of these would be substantial: for walkers enjoying the area around Lawsonsteads, because of the potential change of landscape character compounded by the loss of some of the veteran trees; for those using paths in the Conservation Area on Whalley Nab, because of the impact of the change in the long views of the setting of Whalley; and for properties backing onto the proposed development because of the potential loss of views and change in outlook from open and rural to enclosed and suburban.

The landscape character of a swathe of countryside bounding the eastern side of Whalley will be changed from rural to suburban. This will have an impact not just immediately adjacent the site but also from some distance away. The scale of the development will be apparent to people walking or driving around Whalley, and while the effects may be no more than moderately intrusive, they may fundamentally alter the way local people perceive Whalley, from a village within a rural setting to a small dormitory town. The proposals seek to mitigate some of these effects by retaining some of the natural features within the site and incorporating buffer zones to protect those properties that will be most sensitive to the proposed development. The effects of these mitigation measures will be more successful on the lower part of the site, nearest Clitheroe Road, but as the site rises up towards Spring Wood, it will become increasingly difficult to screen. The buffer zones, will provide screening to block the view of the new development but will also, in doing so, block out long views to Spring Wood, and take away any sense of openness, so locally the landscape character will be quite changed. Conversely, the opening up of the site on Clitheroe Road, by the removal of the existing hedge, will reintroduce long views but the new development would be unavoidably visible.

Therefore, having very carefully assessed the visual impact of this scale of development it is concluded that the scheme would prove detrimental to the visual amenities of the area and thus contrary to the saved policies of the Ribble Valley Districtwide Local Plan in this respect.

Residential Amenity

In considering residential amenity it is important to assess the relationship with properties outside of the site as well as that between units proposed as part of this scheme. To the east of the site are properties on Clitheroe Road and Woodlands Park, to the south east Sydney Avenue and to the north are dwellings that front onto Wiswell Lane.

The properties on Woodlands Park would back on to the development towards the area of the site that would have the majority of the terraced dwellings. The existing properties have their rear elevations approximately 10m from the site boundary with the illustrative masterplan denoting a green buffer separating the respective areas of dwellings. Whilst it is not possible to scale off the masterplan submitted I am of the opinion that there would be sufficient distance to respect privacy levels. I have also considered the dwellings on Sydney Avenue and arrived at the same conclusion.

The proposed nursing home is to be set to the east of properties fronting Clitheroe Road and at this outline stage again I am of the opinion that in terms of separation distances between built form the distances are acceptable.

I am mindful of the topography of the site and fact that there is a rise in levels of approximately 30m from Clitheroe Road to the A671. However, the application has been submitted with illustrative site sections to show the relationship between new built form and those existing on Woodlands Park and Clitheroe Road. On the basis of these I do not consider that the levels immediately adjoining existing built form would mean the development would have an overbearing and oppressive impact on existing residents. It is noted that the Flood Risk Assessment makes reference to the fact that some areas of the site may need to be raised but at this outline stage we do not have such details. If consent were to be granted conditions could be imposed requiring submission of such details in order to properly assess the potential impact on adjoining areas.

Properties to the north on Wiswell Lane are I consider set sufficient distance away so as not to be significantly affected by the development in terms of privacy.

In respect of the internal relationship of the development site, the illustrative layout shows properties facing onto internal access roads leading from the main through route linking Clitheroe Road and the A671. From the submitted illustrative sites sections plan it would appear that the separation distance between facing blocks of development are around the 21m advocated in the Council's SPG on Extensions and Alterations to Dwellings. However, it is important to remember that this is a new development and that potential purchasers will be fully aware of the relationship between various residential blocks prior to buying a certain property. It is also worth remembering that this is an outline scheme with matters of layout reserved for future submission. Whilst the details submitted set the broad parameters of development there would be scope for a minor repositioning of the blocks to achieve a greater separation distance if considered necessary at a later stage.

Noise

Given the site's proximity to the A671 a noise assessment has been submitted to consider the noise impacts of the surrounding area on the proposed development site. That report states that buildings closest to the A671 will provide shielding to the properties further into the site. Based on the illustrative site layout, mitigation in the form of a 3m barrier along part of the eastern boundary closest to the A671 is recommended to reduced noise levels to properties at the closest approach to that road. The report acknowledges that the effectiveness of such mitigation would be reduced since access into the site is required on the eastern boundary closest to the A671. The barrier could be formed by a bund, wall, fence or any combination eg a bund with fence on top achieving a total height of 3m above ground level. No specific details of a suitable noise barrier are provided at this outline stage and indeed the proximity of dwellings to the boundary may be at a greater distance at detailed design stage in which case the aforementioned mitigation may not be necessary. Noise levels have been predicted at the facades of dwellings with measures proposed to limit indoor ambient noise levels. The noise levels predicted within rear garden areas proposed on the illustrative master plan show that noise levels are likely to exceed a level considered acceptable by the Council's Head of Environmental Health Services for those on the boundary of the site closest to the A671. A condition has been suggested by the applicant that would require submission of noise mitigation measures for each phase prior to commencement of development in preference to specifying noise levels at this stage that should not be exceeded. The applicant is not in agreement with the noise levels that we have proposed and the response from the Council's Head of Environmental Health Services to the suggested condition is that the wording proposed would still give opportunity to agree precise limits at the time more information was known about the exact layout and design of each property and thus he would not wish to raise an objection at this outline stage as mitigation measures could be incorporated at subsequent application stages.

Renewable Energy

Whilst this is an application made in outline it is important to set out at this stage that the Local Planning Authority will be seeking a commitment towards renewable energy in line with Government Guidance. Therefore, should Committee be minded to look upon this scheme favourably, it is suggested that a condition be imposed requiring the developer to submit a scheme identifying how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods. The application has been submitted with a Renewable Energy Assessment that has reviewed low and zero carbon

technologies and identifies that technologies considered viable for this site would be solar photovoltaic panels, solar hot water heating, air source heat pumps, ground source heat pumps and to the nursing home natural gas fired CHP.

Section 106 Agreement Content

The application is submitted with a draft Heads of Terms document that has been drafted to cover matters of affordable housing, wheeled bin contribution, school land, education and highways. Not all of the matters put forward had been agreed or deemed appropriate by the Council at the time the report was drafted given the details were received on 20 December 2011. Members are referred to the file for full details of this correspondence with the key issues identified below:

1. Affordable Housing

- 30% of the dwellings (calculated on a “round half up” basis) to be constructed on the Site shall be Affordable Housing.
- 60% of the Affordable Housing Units shall be 2-bedroom dwellings and 40% shall be 3-bedroom dwellings.
- The tenure of the Affordable Housing Units shall be:
 - (a) one third Social Rented;
 - (b) one third Affordable Rented; and
 - (c) one third Intermediateunless otherwise agreed in writing with the Council.
- The Affordable Housing Units will be delivered on a “phase by phase” basis unless otherwise agreed.
- Each phase will have its own Affordable Housing Scheme which will identify those dwellings within the phase which are to be affordable
- The starting point for an Affordable Housing Scheme will be that the number, type and tenure of Affordable Dwellings within a phase will be calculated on a pro rate basis by reference to the requirements across the site as a whole.
- Not more than 50% of the Market Dwellings within a Phase can be occupied until the Affordable Housing Units within that Phase have been offered to an Affordable Housing Provider in accordance with the relevant Affordable Housing Scheme.
- Not more than 75% of the Market Dwellings within a Phase can be occupied before 100% of the Affordable Housing Units within that Phase have been Practically Completed.
- A ‘fallback’ mechanism addresses the circumstances in which, despite reasonable endeavours having been used by the Owners, the Affordable Dwellings in a phase have not been purchased by an Affordable Housing Provider. In those circumstances the Affordable Dwellings would (subject to the Council’s prior approval) be sold on the open market free of restrictions.

2. Wheeled Bin Contribution

- A wheeled bin contribution to be calculated at £90 per dwelling

The contribution will be payable in three phases as follows:

- (a) One third shall be payable prior to occupation of any dwellings;
- (b) One third shall be payable prior to the occupation of 150 dwellings; and
- (c) The final third shall be payable prior to the occupation of 250 dwellings.

3. School Land

- Prior to the Commencement of Development the developer shall agree with the Education Authority (EA) the location of a parcel of land within the Site comprising 1.1 hectares for the purposes of constructing and operating a Single Form Entry Primary School
- From the date of Commencement of Development the School Land shall be reserved for the stated purpose for a "Reservation Period". The Reservation Period referred to shall run from the Commencement of Development until either the date which is either 10 years from the Commencement of Development or the date which is 3 years from the date of occupation of 270 dwellings, whichever is the later.

4. Primary School Education Contribution

- The Primary School Education Contribution is provisionally £940,467 but this is subject to:
 - (a) The total number of dwellings being finalised through reserved matters; and
 - (b) The precise figure being calculated in accordance with the methodology set out in the Lancashire County Council response of 16 November 2011; and
 - (c) An agreed deduction being made for the valuation of the Primary School Land.
- The Primary School Education Contribution will be payable as follows:
 - (a) 25% prior to commencement of development;
 - (b) 25% prior to occupation of more than 75 dwellings;
 - (c) 25% prior to occupation of more than 150 dwellings;
 - (d) 25% prior to occupation of more than 225 dwellings.

5. Secondary School Education Contribution

- The Secondary School Education Contribution is provisionally £1,325,087 but this is subject to:
 - (a) The total number of dwellings being finalised through reserved matters; and
 - (b) The precise figure being calculated in accordance with the methodology set out in the Lancashire County Council response of 16 November 2011; and
- The Secondary School Education Contribution will be payable as follows:
 - (a) 25% prior to commencement of development;
 - (b) 25% prior to occupation of more than 75 dwellings;
 - (c) 25% prior to occupation of more than 150 dwellings;
 - (d) 25% prior to occupation of more than 225 dwellings.

6. TRO Contribution

- A payment of £10,000 is to be made towards traffic regulation orders on or before the commencement of development as follows:
 - (a) £5,000 for a TRO to reduce the speed limit on Clitheroe Road (part).
 - (b) £5,000 for a TRO to extend existing waiting restrictions as follows:
 - 1) TRO extensions within vicinity of Clitheroe Road/Brookes Lane/B6246 King Street/B6246 Station Road mini roundabout.
 - 2) TRO extension within vicinity of B6246 King Street/B6246 Accrington Road/King Street mini roundabout.
 - 3) General TRO to restrict on street parking within the centre of Whalley to a maximum stay of two (2) hours, linked with the provision of a long stay car park on the Lawsonsteads site.

Highway Works Contribution

- A contribution of £195,000 is to be made towards additional highway improvements/safety measures relating to the development, being:
 - (a) Traffic calming to Clitheroe Road = £35,000
 - (b) Conversion of existing Zebra crossing to Pelican crossing at King Street = £70,000
 - (c) Improvements to Clitheroe Road/King Street/Station Road mini roundabout = £53,000
 - (d) Improvements to King Street/Accrington Road mini roundabout = £17,000
 - (e) Upgrading Bus Stops on Clitheroe Road (Including Real Time Information) = £20,000
- It is proposed that the contribution shall be payable in full prior to the occupation of any dwellings.

8. Travel Plan Sum

- A sum of £18,000 will be paid to the County Council to fund the provision of assistance with respect to Travel Plan support, promotion, monitoring and evaluation.
-
- It is proposed that the sum shall be payable in full prior to the occupation of any dwellings.

9. Car Park

- From the commencement of development, an agreed part of the site shall be reserved for the long stay public car park for an agreed period of time, or until the occupation of a certain number of dwellings, whichever is the later. The s106 Agreement will detail the nature/purpose/details of the long stay public car park for which the land is being reserved.
- Lancashire County Council will be able to implement the TROs referred to above.
- Following implementation of the TROs and the occupation of a certain number of dwellings (to be agreed), the developer will fund (up to a maximum of £1,750) the Council's reasonable costs for the completion of a parking survey to assess the impact upon Whalley centre of the implementation of the TROs together with the residential development.
- If (having regard to the conclusions of the parking survey) the Council deems that the provision of the car park is necessary then the developer shall transfer the car park land to the Council together with a financial contribution of up to a maximum of £90,000 for the Council's reasonable costs for the laying out/provision of the car park.
- The transfer will contain provisions regarding the continued use of the car park land as a car park and its return to the transferee if it is no longer so used.
- The transfer will also ensure that the developer has the necessary rights to and across the car park land to ensure the construction and use of the development is preserved.

10. Covenants by the Council and the County Council

- Standard 'clawback' provision which requires the return of any unspent part of the contributions plus interest if the contribution is not spent 5 years after the date of payment.

Members will note that it is not proposed to request the sum LCC requested in respect of waste management i.e. £144,000. The contribution sought by LCC is in accordance with their Policy Paper on Planning Obligations in Lancashire which has not been formally adopted by this Council. A report presented to Planning and Development Committee on 18 December 2008 identified priorities for this Council when seeking contributions – namely affordable housing, transport safety, open space and education. However given the scale of development Members may wish to include waste management in the contributions sought under the Section 106 Agreement.

Miscellaneous

There are a number of points raised by objectors that do not sit easily within the headings given to consider the main issues associated with this scheme. Some of the points raised are either

matters of opinion eg the consultation exercise undertaken by CEG, which are not for the Local Planning Authority to pass comment on, or more statements of fact as opposed to points of concern/objection. However, I shall attempt to address the other issues raised.

Many objectors have questioned the need to develop this site for housing, given the number of dwellings available for sale and currently being constructed. As Members are aware the Council are required to have a five-year land supply and thus new land for development within the borough needs to be sought out and permission granted should the scheme comply with plan policies that are in place at the time of determination.

In respect of the suitability of other sites within the district for housing Committee need to treat each application on its own merits. It may be that sites objectors consider to be more suitable may not be held to comply with policy.

Reference has been made to the ability of Whalley to cope with the additional properties in terms of shops and medical facilities. Whalley is identified as a high ranking settlement in Settlement Strategy outlined in the saved policies of the Districtwide Local Plan which reflects the level of services it has to offer. I have made enquiries with the Whalley Practice who have commented that the Practice is aware of all the potential building. They have already terminated some outside GP work to match their appointment capacity. Also they have had a very large extension and created 2 extra consulting room to cope with the future additional demand. They commented that they were also in the process of purchasing the redundant toilet block adjacent to the surgery to keep their options open and could utilise Sabden Surgery and open all day instead of the half days Tuesday to Thursday. On the basis of this response I am satisfied that the Practice would be able to cope with additional demand arising as a result of this development.

Objectors have raised loss of view and effect on house prices but as Members will be aware, these are not material planning considerations.

Conclusion

Therefore, having carefully considered all of the above matters, there are two key areas where concerns are raised that cannot satisfactorily be mitigated against if the application were to be implemented in its submitted form.

Concerns have been raised by the Council's Design and Conservation Officer regarding the site's relationship with the Conservation Area and comment has been made that whilst it may be possible to develop the land to the north of Lawsonsteads Barn and immediately to the east of Clitheroe Road without harm to the setting or views into/out of the Conservation Area, the scale of development proposed here would prove harmful. This view is echoed by the landscape architect who was commissioned by the Council to undertake an independent and impartial landscape assessment of this site. I acknowledge that the comments within that assessment and summarised within this report for Members may not take as restrictive an approach to the suitability of parts of this site for development as the Council's Design and Conservation Officer but nonetheless the common opinion shared is that the scale of this submission relative to the size of Whalley would prove detrimental to the visual amenities of the area. Furthermore, given the advice of the Head of Regeneration and Housing, it is evident that the scale and size of the development is clearly contrary to the spatial vision set out in the adopted and saved policies of the Ribble Valley Districtwide Local Plan and of the emerging Core Strategy which also carries

some weight in any decision making process. It is for these reasons that I recommend accordingly.

RECOMMENDATION: That planning permission be REFUSED for the following reason(s):

1. The proposed development, by virtue of its detrimental impact on the setting of and views into and out of Whalley Conservation Area, would have an unduly harmful impact upon the character, appearance and significance of Whalley Conservation Area. This is contrary to Policy ENV16 of the Ribble Valley Districtwide Local Plan.
2. The proposed development by virtue of its scale and location outside the defined settlement boundary of Whalley is considered to represent an urban extension into the open countryside which would change the character of this swathe of countryside to the detriment of the visual amenities of the area. It is thus contrary to Policies G1 and ENV3 of the Ribble Valley Districtwide Local Plan.
3. The proposed development by virtue of its scale, proposed land use and location does not comply with the spatial vision as set out in saved Policies G2 and G5 of the Ribble Valley Districtwide Local Plan. In the context of these two policies and that of the emerging Core Strategy, the proposal fails to meet the tests of PPS3, paragraph 69 in that it would conflict with the current and emerging spatial vision for the area. Approval at this time would therefore be premature leading to a lack of confidence in the planning system.

APPLICATION NO: 3/2011/0312/P (GRID REF: SD 368423 437962)
OUTLINE PLANNING APPLICATION FOR THE ERECTION OF 13 NO. DWELLINGS AND A VILLAGE STORE AND TEAROOM ON LAND AT THE DENE, HURST GREEN, CLITHEROE.

AIGHTON, BAILEY &
CHAIGLEY PARISH
COUNCIL:

The Parish Council strongly object to this development on the following grounds:

1. Unsafe access onto The Dene (a single track road with severe gradient and a single passing place),
2. Increased traffic on a minor road,
3. Highway safety,
4. Insufficient visibility splays provided,
5. The Dene and Shire Lane are restricted to access only due to blind bends, severe gradients, a weight restricted bridge and poor visibility at each end,
6. During severe weather, access to The Dene is near impossible for cars let alone any other vehicle,
7. Is the site suitable for dwellings due to its access, the topography and concerns regarding landslip,
8. There is concern regarding the extensive engineering works and retaining walls required to even create an access road let alone build houses,
9. How stable is the site?

10. Drainage concerns,
11. Impact on the character of the Conservation Area, and
12. Impact upon the A.O.N.B.

LCC ENVIRONMENT
DIRECTORATE
(COUNTY SURVEYOR):

The Highways Officer objects to the proposal on the following grounds:

1. During consultations between the developer and the County Surveyor in May 2010, it was specified that the access road within the site should be a minimum of 4.5 metres throughout with a 5.5 metre width for the first 10 metres to ensure that vehicles entering and leaving the development will not conflict with traffic on The Dene. This has not been achieved,
2. Due to the severity of the gradients at the site, a dedicated and continuous footway should be provided along the access road within the development at a minimum width of 1.3 metres. No such footway provision has been detailed on the proposed plans.
3. No evidence of the visibility splay at the access point to the site has been shown on the plans.
4. The access road within the site has a gradient of 1 in 8 (12.5%) for over 50 metres of its length, which is too steep.
5. The proposed village store and tearoom located within the site shows a parking area to the front suitable for two vehicles. It is not clear whether these are for the use of customers or staff. Whilst the facility would be within walking distance of the rest of the village it is inevitable that some customers would arrive by car and try to park adjacent to the building and this needs to be addressed within the proposals.
6. A pedestrian route to the site is proposed from Avenue Road. Right of access over this land needs to be demonstrated.

LCC PLANNING OFFICER
(CONTRIBUTIONS):

With regard to the proposed development, based upon the Policy Paper 'Planning Obligations in Lancashire', Lancashire County Council Services outlines the Planning Contribution request for Education and Waste. Using the LCC Planning Obligations Policy Paper, a yield of 0.35 primary and 0.25 secondary pupils per house has been used. Therefore, there is a possible yield from this proposal of 5 primary and 3 secondary aged pupils.

PRIMARY EDUCATION

There is already forecast to be a shortfall of places in the local primary schools in 5 years time. Therefore, LCC is seeking a contribution from the developer for the full pupil yield of this development i.e. 5 places.

SECONDARY EDUCATION

A shortfall of places is already forecast in the local secondary school, a contribution is sought after from the developer in respect of the full pupil yield of this development i.e. 3 places.

SUMMARY RESPONSE

There are insufficient primary and secondary places to accommodate this development and the maximum contribution which could be sought would be for a full pupil yield of this development is as follows:

Primary places:

5 places @ £12,257x (0.9) x 1.1072 = £61,069

Secondary places:

3 places @ £18,469x (0.9) x 1.1072 = £55,212

TOTAL = £116,281

Based upon the Policy Paper methodology for Waste Management, there is also request for £6240 towards waste management from LCC.

These requests were put to the Applicant but we have received no answer in response to either request for contributions.

LCC PLANNING OFFICER
(ECOLOGIST):

No objections to the proposal. There appear to be few ecological issues arising from these proposals. Provided some basic mitigation measures can be secured by planning condition the proposals should be in accordance with planning policy, guidance and legislation.

LCC SENIOR LANDSCAPE
ARCHITECT (A.O.N.B.):

The Officer wishes to make the following comments in relation to the proposal as a whole:

- The relatively small scale of the proposed housing development, site location and vernacular style appearance of the buildings means that any associated landscape and visual impacts would not have significant effects on the AONB as a whole and the primary purpose of the AONB designation would not be compromised.

- The proposed housing development would however result in a loss of an area of significant open space as identified in the Conservation Area Appraisal document.
- The setting of the Conservation Area in views from the east would be significantly affected.
- The landscape amenity impacts for the residents in close proximity to the site would be significant and adverse.

The Officer also notes a number of weaknesses with the proposed schemes design principals:

1. Properties 1-6 would be very close to the eastern and northern site boundaries, with no mitigation proposed to offset landscape and visual impacts. In fact there would be no space to do any mitigation work.
2. The hedging along the western site boundary would not be retained. This would maximise the visual impact.
3. Most of the spaces for low-level shrub planting are too small, restricting the species that could be planted. In addition, the absence of any space for vehicle overhang and/or protective barrier would make the planting vulnerable to damage.
4. The proposed scheme would therefore be contrary to the key test of RSS Policy EM1 owing to the net loss of open green space and trees/hedging, and the applicant has no proposals to mitigate or compensate for these losses.

ENVIRONMENT AGENCY: No objection in principle to the proposed development subject to the inclusion of conditions that meet certain requirements. The Application Site borders Flood Zone 3, defined as high probability of flooding in PPS25, and to ensure the development does not exacerbate flood risk downstream, surface water run-off from the development should be restricted to existing Greenfield rates.

NATURAL ENGLAND: No objections in principal to the scheme, and they note the following:

- As the proposal lies within the A.O.N.B. we recommend seeking advice from an appropriate Officer,
- The site does not appear to support any protected species, and
- Any proposal should seek to create opportunities for enhancing biodiversity through delivery of Local Biodiversity Action Plan targets (LBAP).

UNITED UTILITIES: No objections in principal to the proposal subject to certain conditions being met.

LANCASHIRE BADGER
GROUP:

No comments or objections to offer regarding the application.

ADDITIONAL
REPRESENTATIONS:

57 letters have been received from nearby neighbours, as well as a petition sent in on behalf of 23 other residents of Hurst Green, who wish to raise the following points of objection:

1. Proposal consists of inappropriate development,
2. Proposal is not compliant with any of the relevant Local Plan (LP) Policies,
3. Proposal is not compliant with Policies DP2, RDF2 or CLCR2 of the NW Regional Spatial Strategy (RSS),
4. Proposal is not compliant with PPS3,
5. The inclusion of the site within the SHLAA (Strategic Housing Land Availability Assessment) does not provide sufficient material consideration to overturn this non-compliance,
6. Inappropriate 'back land' development,
7. The likely impact of traffic generation on the local highway network is likely to be significant,
8. Access to The Dene is already challenging, and large vehicles struggle to travel on it (e.g. Refuse Wagons),
9. Insufficient parking proposed on site,
10. Access proposed for the development is entirely unsafe and provides inadequate visibility splays, gradient or width on site,
11. Extensive engineering and ground works required will significantly impact on the visual qualities of the area,
12. Site lies outside the village boundary so is contrary to LP Policy G4,
13. Site is not small-scale so therefore does not comply with LP Policy G5,
14. Scheme does not provide 100% 'Affordable' Housing so is contrary to LP Policies H2 and H20,
15. Visual impact on the landscape, neither protecting, conserving or enhancing the Forest of Bowland A.O.N.B. and therefore contrary to LP Policy ENV1,
16. Proposal will involve the loss of 'Special Open Space',
17. Proposal does not reflect the character of the area in terms of scale, size, design or materials, having a detrimental impact on the visual quality and character of the Hurst Green Conservation Area, and therefore contrary to LP Policy ENV16,
18. The Application is contrary to Policy ENV17 as it fails to outline why the proposal in 'Outline' form is acceptable. This Policy clearly states that 'Outline Applications' will not be acceptable,

19. No Heritage Statement has been provided to comply with ENV17 or PPS5 to address the impact on the Conservation Area, a Heritage Asset,
20. The Applicant fails to justify the need for a shop, or the likely viability of such a business. Committee will be aware that there is no such business in Hurst Green due to previous commercial failure,
21. The points system relating to the SHLAA would bring a different score now compared when originally carried out as there is no food shop available in the locality,
22. The lack of five year supply of housing is not sufficient reason to grant this proposal,
23. Contrary to RSS Policies (although these are now revoked following the arrival of the Localism Act 2011),
24. Increase in traffic congestion on The Dene,
25. The site is not the most suitable or practical location to meet the needs of the present and future housing need in Hurst Green,
26. Scheme will put pressure on local infrastructure,
27. The Core Strategy is at an early stage and the Council will be looking at preferred options, however this provides no material justification to justify such a clear departure from the current Local Plan,
28. In winter, surely there will be accessibility issues on an estate with such a steep road,
29. Three and four storey buildings are completely out of keeping with Hurst Green,
30. The shop will add to the traffic problem, and how will goods be delivered?
31. Serious issues regarding existing and future pedestrian safety on The Dene,
32. There are a number of properties for sale around the Hurst Green area, why do we need more?
33. Historic value of Hurst Green will be eroded,
34. Loss of hedgerow on roadside frontage will be lost,
35. Scale of development seems aimed primarily at profit as opposed to 'efficient use of land',
36. Only one property appears to be 'environmentally friendly' using Solar panels,
37. Surely carrying out an ecological survey in January will bring you a false result?
38. No disabled access to the shop,
39. The retaining wall visible from The Dene will be a monstrosity,

40. Loss of privacy and enjoyment of gardens,
41. Concerns regarding subsidence following engineering works needed,
42. Light pollution,
43. Insufficient plans for waste storage,
44. The access path from Avenue Road is not a Public Right of Way,
45. Noise pollution,
46. No public transport to the area after 7pm,
47. Nuisance caused by smoke drift from new chimneys,
48. Lack of technical engineering drawings provided in relation to retaining walls, slab construction and enabling highway works,
49. The development will impact on the amenity of the area and spoil walks around the site.
50. Run-off, drainage and sewer capacity concerns, and
51. There is a significant bat population in the area, which has not been picked up by surveys.

Two letters of support have also been received, and they note the following positives of the proposal:

1. Village needs 'Affordable Housing',
2. The location proposed is superb, as it is tucked away on a piece of land that is neither used or tended to,
3. Location is central to the village, and would create a new branch to the community,
4. The village needs to grow but there is nowhere to achieve this,
5. The site is infill and is an appropriate development, and
6. There is concern that the village will become a dormitory hamlet with no services at all.

Proposal

This is an Outline Application proposing the construction of thirteen dwellings and a village store /tearoom on land off The Dene, Hurst Green. Four of the properties (Plots 1-4 on the plans) are proposed as 'Affordable' dwellings, however the type and tenure has not been stipulated within the draft Section 106 Agreement that has been submitted with the Application. The housing mix will be split as follows:

- Six 5 bed dwellings (over four floors),
- Two 4 bed dwellings (over three floors),
- Four 3 bed dwellings (over three floors), and
- One detached 3-bed dwelling (over three floors).

The matters of Access, Appearance, Layout and Scale have been submitted for consideration, with the details of Landscaping reserved for future consideration.

Site Location

The application site comprises a parcel of Greenfield agricultural land (approximately one acre in size), and is located on the edge of the village settlement boundary of Hurst Green. The site also lies within the newly designated Hurst Green Conservation Area (designated in April 2007), and within the Forest of Bowland Area of Outstanding Natural Beauty.

Relevant History

N/A

Relevant Policies

Policy G1 - Development Control.

Policy G5 – Settlement Strategy.

Policy ENV1 – Area of Outstanding Natural Beauty.

Policy ENV16 – Development within Conservation Areas.

Policy ENV17 – Details Required with Proposals in Conservation Areas.

Policy H2 – Dwellings in the Open Countryside.

Policy H20 – Affordable Housing – Villages and Countryside.

Policy H21 – Affordable Housing – Information Needed.

Regional Spatial Strategy (RSS) Policy DP2 – Promote Sustainable Communities.

RSS Policy RDF2 – Rural Areas.

RSS Policy EM1 – Integrated Enhancement and Protection of the Region's Environmental Assets.

RSS Policy EM18 – Decentralised Energy Supply.

Draft National Planning Policy Framework.

PPS1 - Delivering Sustainable Development.

PPS3 - Housing.

PPS5 – Planning for the Historic Environment.

PPS7 – Sustainable Development in Rural Areas.

PPS9 – Biodiversity and Geological Conservation.

PPS25 – Development and Flood Risk.

Planning (Listed Buildings and Conservation Areas) Act 1990.

Hurst Green Conservation Area Appraisal (The Conservation Studio 2005).

Hurst Green Conservation Area Management Guidance (The Conservation Studio 2005).

Affordable Housing Memorandum of Understanding (AMOU).

The Conservation of Habitats and Species Regulations 2010.

The Wildlife and Countryside Act 1981 (as amended).

The Natural Environment and Rural Communities Act 2006.

The Protection of Badgers Act 1992.

Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System (DEFRA 01/2005, ODPM 06/2005).

'Setting of Heritage Assets: English Heritage Guidance' (EH, October 2011)

Environmental, AONB, Human Rights and Other Issues

This application has been submitted as an Outline Application, with details of the Access, Appearance, Layout and Scale having been submitted for consideration, with the details of Landscaping reserved for future consideration. Therefore, the main considerations of the proposal hinge on the principle of the development of the site to be used for housing, the visual

impact of the development (on both the streetscene, on the character of the surrounding area, on the A.O.N.B. and on the Conservation Area), the suitability of the Access, the impact on ecology on site, the impact on the residential amenity of nearby neighbours, the need for 'Affordable' units and whether there is a justification for a new shop.

In order to assess the principle of the proposed development, we must assess the scheme against the following relevant Planning DWLP Policies G1, G5, ENV1, ENV16, ENV17, H2, H20 and H21. The scheme must also be considered against the RSS Policies (which at the time of this reports submission remain a material consideration) DP2, RDF2, EM1 and EM18. Also, given that the Borough currently does not have a 5-year land supply for housing, this scheme should also be assessed against the criteria of Para 69 of PPS3 - Housing. Finally, given the location of the site within the Hurst Green Conservation Area, PPS5 – Planning for the Historic Environment is also a material consideration. The draft National Planning Policy Framework is also now a material consideration.

PRINCIPLE OF THE DEVELOPMENT

As the proposals are for the development of 13 residential units, Planning Policy Statement 3: Housing (PPS3) must be considered. Paragraph 72 of PPS3 states that where LPAs cannot demonstrate a 5-year supply of deliverable housing land, paragraph 69 should be considered in deciding planning applications. As at 1st October 2011, Ribble Valley can only demonstrate a 3.3-year supply of housing. Therefore, in assessing the proposals in relation to paragraph 69, Local Planning Authorities should consider:

- achieving high quality design,
- ensuring developments achieve a good mix of housing,
- the suitability of a site for housing, including its environmental sustainability,
- using land effectively and efficiently; and
- ensuring the proposed development is in line with planning for housing objectives.

Bullet point 3 above relates to the need for Local Planning Authorities to have regard to the suitability of a site for housing, including its environmental sustainability. As the site adjoins the settlement boundary and is closely related to a service centre with local amenities and services, the site could, in Policy terms, be considered to be located in a suitable location and therefore meet the PPS3 (bullet point 3) criteria.

However, bullet point three, and also four, must also consider the accessibility of the site as part of its assessment as to whether it is suitable. It is also be important to consider any potential visual impact of the scheme. Policy H2 of the adopted Districtwide Local Plan discusses this in greater detail and states that the impact of proposals on the countryside will be an important consideration in determining all planning applications, and that development should be appropriately sited and landscaped, and that scale, design, and materials used must reflect the character of the area, and the nature of the enterprise. These particular elements will be discussed later within this report.

At a Regional level, RSS Policy RDF2 discusses that *'In remoter rural areas, particularly the 'sparse' rural areas of the region, more innovative and flexible solutions to meet their particular development needs should be implemented and targeted towards achieving more equitable access to housing, services e.t.c. and provides for exceptional needs housing.'*

In relation to the level of affordable housing required on the site, a percentage of housing on the site would have to meet an identified housing need. The Affordable Housing Memorandum of Understanding (AMOU), which is a material planning consideration, is intended to be both complementary with and supplemental to the relevant policies contained within the Districtwide Local Plan. As the site lies outside the settlement boundary of Hurst Green, Policy G5 would require development to be 100% affordable. However, as stated the site is closely related to the settlement boundary and in such an instance, having regard to the current 5 year housing land supply situation and requirements of PPS3, the Council would adopt the approach outlined in paragraph 3.1 of the AMOU, i.e. *in all other locations in the borough [not Clitheroe or Longridge], on developments of 3 or more dwellings (or sites of 0.1 hectares or more irrespective of the number of dwellings) the council will seek 30% affordable units on the site.* This approach is taken because of the particular location of the site in relation to the identified settlement boundary and not because it is a qualifying development under the saved settlement strategy of the Districtwide Local Plan. The proposal includes four 'Affordable Dwellings' as part of the thirteen proposed, which is considered appropriate in this instance (30.7% of the site).

With more specific regard to Affordable dwellings, Policy H20 of the LP also notes that that this Policy allows for exceptions to normally restrictive Policies where an identified and proven local need exists, in full conformity to Government guidance on the subject of affordable housing in rural areas set out in PPS 3 Housing. In addition, Policy H21 discusses what information must accompany applications for local needs housing development, including details of who the accommodation will be expected to accommodate (which shall include a full survey of the extent of need and include persons who have expressed an interest in the property, and how the cost of the accommodation will be matched to the incomes of these target groups) and details of the methods by which the accommodation will be sold/let, managed and retained (S106 Agreement).

In considering the Section 106 supplied with the application, the Council's Strategic Housing Officer notes that there are a number of issues with the draft document namely that:

- the preference would be for a Registered Provider to be party to the agreement and to deliver the affordable housing, as it would give a greater tenure choice and increased security of delivery,
- the number, type and tenure of the affordable units should be stated within the agreement, they are not,
- there is no reference to the phasing of development of the site, and
- In addition to the local connection requirement we would also want eligibility criteria to be included.

That said, the type of the properties proposed does meet the identified need as reported in the Aighton, Bailey and Chaigley Housing Needs Survey 2009, as eight households identified a need for 3 bed properties.

In conclusion, whilst the site could, in strict Policy terms, be considered to be located in a suitable location (given its location adjacent to the village settlement boundary) and therefore meet some elements of the PPS3 (bullet point 3) criteria, there are still a number of issues relating to this proposed development. One issue at this early stage relates to the Draft S106 submitted, as despite the lack of supporting detail submitted with the application in relation to Policy H21, having discussed the existing Housing Needs Survey for Hurst Green with the Council's Housing Officer, there appears to be sufficient evidence to satisfy that the

development proposed is compliant with the relevant Policies as it could provide housing to meet an identified local need. However, in respect of the submitted draft Section 106 agreement provided by the applicant, the proposal does not conform to the provisions indicated within Policy H20, more specifically points a) to f). As such, whilst the development of the site to provide 'Affordable' dwellings is accepted in principle, the 'Affordable' dwellings proposed are not.

Following the report by the Head of Regeneration and Housing on the Planning and Development Committee Agenda on the 8th of December 2011, relating to the Council's outline approach to the LDF Core Strategy, preferred option and direction of travel, a request for a revised Policy view on this scheme has been sent to the Planning Policy section. Their response will be reported verbally on the night of the meeting, however I do not consider it likely to significantly alter from the advice already given and outlined here.

The other two issues relate to the visual impact of the scheme (and subsequent impacts on the A.O.N.B. and the Conservation Area) and the accessibility of the site, and these are considered the key considerations in relation to the principal of the development of this site. Indeed, Policy H2 of the LP notes that the impact of proposals on the countryside will be an important consideration in determining all applications, and that such development should be appropriately sited and landscaped.

VISUAL IMPACT OF THE DEVELOPMENT (CONSERVATION AREA ISSUES)

As noted, the site lies within the recently designated Hurst Green Conservation Area, and sits within the Forest of Bowland Area of Outstanding Natural Beauty. The merits of the scheme in relation to the Conservation Area will be discussed first, and I will refer to comments made by the Council's Principal Planning Officer (Design and Conservation), Adrian Dowd.

In order to consider its provenance for designation, The Conservation Studio consultants carried out a Conservation Area Appraisal for Hurst Green in 2005. The Conservation Area was designated and the Appraisal adopted by the LPA, following public consultation, and without alteration on 3 April 2007. The Appraisal is a succinct assessment of the character, appearance and significance of Hurst Green Conservation Area and its constituent elements. It includes a Townscape Appraisal Map and Conservation Area Strengths, Weaknesses, Opportunities and Threats ('SWOT') analysis for consideration during the assessment of development proposals. Following this process, this site was designated as a 'Significant Open Space' and it would appear to be a continuum of the *'Well tree'd steep east bank of Dean Brook' referred to in 'Green spaces, trees and other natural elements'*. The 'Summary of special interest' also includes 'Dean Brook', 'wooded east bank of Dean Brook' and 'views of surrounding countryside', and the 'Recommendations' section notes that the Hurst Green Conservation Area boundary was drawn to enclose (amongst other areas) the steeply sloping east bank of Dean Brook.

The 'General character and plan form' element of the Appraisal recognises that Hurst Green's historic C19 layout of individual buildings and short rows located haphazardly has been disrupted by higher density C20 development, with the 'Significant open spaces' element confirming that the historic C19 layout, where it survives, is 'a feature of Conservation Area character/appearance', hence this area of land being designated as such as the site was considered to be 'a secluded open space on steep slope' to the west of C20 development.

The Hurst Green Conservation Area Management Guidance (The Conservation Studio 2005) does state that ‘there are few development opportunities within the Hurst Green Conservation Area’, and the introductory paragraph to the Management Guidance ‘General principles for new development’ section emphasises that ‘all development must respond to its immediate environment, its ‘context’, in terms of scale, density, form, materials and detailing’. Indeed, one of the weaknesses identified within the ‘SWOT’ analysis include ‘Modern infill detracting from an otherwise historic character and appearance’, and the ‘Mix of old and new buildings without cohesive character and appearance’. Indeed, having visited the site I consider it contributes greatly to maintaining the rural context of the east bank of Dene Brook and the Conservation Area as a whole, and the views on the descent from the village centre along The Dene (passing No. 3, which is a Building of Townscape Merit) are noted as being of particular significance.

In terms of national guidance, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to *‘pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas in the exercise of planning functions’*.

With regards to recent guidance relating to ‘Heritage Assets’, which Conservation Areas are now designated, PPS5 - Planning for the Historic Environment states at Policy HE7.1 of PPS5 states *‘in decision making local planning authorities should seek to identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal’*. In this case, the site is considered to be a ‘Significant Open Space’ within the Hurst Green Conservation Area, and there must be justification to allow its development. Indeed, PPS5 Policies HE7.1 and HE7.2 emphasise the importance of identifying the significance of heritage assets as the basis for decision-making, and that it is best practice to produce a conservation area appraisal (see paragraph 1.6 - 1.10 of ‘Understanding Place: Conservation Area Designation, Appraisal and Management’, English Heritage March 2011; subject of consultation until July 2011) on which to better base decisions.

With more specific regard to the principle of the development of this site, Policy HE 9.1 that, *‘there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated asset, the greater the presumption in favour of its conservation should be. Once lost, heritage assets cannot be replaced and their loss is a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification.’* The justification provided in this case by the Agent is the current lack of a five year housing land supply, and the provision of ‘much needed’ ‘Affordable’ dwellings within the village, and this must be weighed against the visual harm the scheme may have on the Conservation Area. In respect to designated heritage assets, PPS5 Policy HE9.2 states that where the application will lead to substantial harm to or total loss of significance local planning authorities should refuse consent unless it can be demonstrated that:

- (i) the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss; and
- (ii) (a) the nature of the heritage asset prevents reasonable uses of the site;

- (b) no viable use of the heritage asset itself can be found in the medium term that will enable its conservation;
- (c) conservation through grant-funding or some form of charitable or public ownership is not possible; and the harm to or loss of the heritage asset is outweighed by the benefits of bringing the site back into use”.

Despite the lack of a specific Heritage Statement in relation to the impact on the Heritage Asset, the Agent seeks to justify the ‘substantial harm to or loss of significance of the heritage asset’ by outlining the scheme will help provide to the current lack of a five year housing land supply, and provide ‘much needed’ ‘Affordable’ dwellings within the village, however I do not consider that the harm and loss to the heritage asset can be outweighed by the benefits proposed by the Agent and Applicant, and therefore cannot support this application in principle based on the significant and irreversible harm the proposal will have on the Heritage Asset.

The draft NPPF is also now a material consideration, with Paragraph 177 of the draft National Planning Policy Framework (July 2011) stating that *‘the Government’s objectives for planning for the historic environment are to conserve heritage assets in a manner appropriate to their significance’*. Paragraph 183 of the draft NPPF also states *‘as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification’*.

The following points from the document ‘Setting of Heritage Assets: English Heritage Guidance’ (EH, October 2011) are also worth considering:

- The cumulative impact of incremental small-scale changes may have as great an effect on the setting of a heritage asset as a large-scale development,
- Entire towns also have a setting, which, in a few cases, has been explicitly recognised in green belt designations. A Conservation Area that includes the settings of a number of listed buildings, for example, will also have its own setting, as will the town in which it is situated. The numbers and proximity of heritage assets in urban areas means that setting is intimately linked to considerations of townscape and urban design,
- The recognition of, and response to, the setting of heritage assets as an aspect of townscape character is an important aspect of the design process for new development, and will, at least in part, determine the quality of the final result,
- Arguments about the sensitivity of a setting to change should not be based on the numbers of people visiting it. This will not adequately take account of qualitative issues, such as,
- the importance of quiet and tranquillity as an attribute of setting,
- or the importance of the setting to a local community, and
- The harmony of other townscape settings may be unified by a common alignment, scale or other attribute that it would be desirable for new development to adopt.

With specific regard to the scale, design and appearance of the development proposed, Ribble Valley Districtwide Local Plan Policy ENV16 (Conservation Areas) states in the explanatory text that *‘The main elements of Council policy are retention and enhancement’*, and that *‘Within conservation areas development will be strictly controlled to ensure that it reflects the character of the area in terms of scale, size, design and materials’*. Policy G1 states that *‘Proposals will be expected to provide a high standard of building design and landscape quality, and development which does so will be permitted unless it adversely affect the amenities of the surrounding area’*,

and also that, *'Particular emphasis will be placed upon visual appearance and the relationship to surroundings as well as the effects of development on existing amenities.'*

The site has a steep gradient and the topography of the site does not lend itself to creating an access road let alone build houses. The proposal seeks to utilise these significant changes in land levels by incorporating properties with accommodation over four floors, the end result is a collection of large scale dwellings within a cramped layout on site, with an imposing and visually harmful 5m high retaining wall facing onto The Dene that is required due to the significant engineering works required to create the access to and within the site. Whilst design elements of the dwellings proposed are considered acceptable, and the use of traditional materials in the build (stone and slate) are welcomed, only the design of the dwellings for plots 1-4 is considered sympathetic to the surrounding area, and this is due to their simplistic nature. Plots 5-6 include attached garages that further enclose their location on site and enhance the already cramped appearance, and Plots 7-12 are considered entirely inappropriate due to their height and scale, and the overbearing and dominate massing effect they would have on The Dene and the surrounding Conservation Area. Plot 13 attempts a more modern dwelling on a larger plot of land, and whilst examples of modern schemes can be outlined within the local area, this particular scheme appears over-elaborate with its many areas of glazing and varying roof styles and pitches, and again would be an incongruous addition to this location.

Nationally, one of the key principles outlined within PPS1 is that, *'(vi) Planning policies should promote high quality inclusive design in the layout of new development and individual buildings in terms of function and impact, not just for the short term but over the life time of the development. Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted.'* In respect of protection and enhancement of the environment, the statement also makes clear in paragraph 17 that, *'The Government is committed to protecting and enhancing the quality of the natural and historic environment, in both rural and urban areas. Planning policy should seek to protect and enhance the quality, character and amenity value of the countryside and urban areas as whole.'* Ministerial advice on development in the countryside is contained within PPS7, which states as one of its key principles, *'(iv) All development in rural areas should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness.'*

Therefore, in my opinion development of this site would be harmful in principle as there are no significant mitigating public benefits that would outweigh the proposed form of development. The proposal would be unduly harmful to the character, appearance and significance of Hurst Green Conservation Area because of the destruction of a Significant Open Space identified within the Hurst Green Conservation Area Appraisal (adopted April 2007) and the incongruous scale, density, massing, dominance, form and detailed design of proposed new build, contrary to National and Local Plan Policies.

VISUAL IMPACT OF THE DEVELOPMENT (A.O.N.B. ISSUES)

With respect to the Local Plan Policies, Policy ENV1 must also be considered which states, *'The landscape and character of the A.O.N.B. will be protected, conserved and enhanced, and in addition, development will also need to contribute to the conservation of the natural beauty of the area. The design, materials, scale, massing and landscaping of development will be important factors in deciding planning applications.'* Policy G1 states that *'Proposals will be expected to provide a high standard of building design and landscape quality, and development which does so will be permitted unless it adversely affect the amenities of the surrounding area'*,

and also that, *'Particular emphasis will be placed upon visual appearance and the relationship to surroundings as well as the effects of development on existing amenities.'*

Nationally, one of the key principles outlined within PPS1 is that, *'(vi) Planning policies should promote high quality inclusive design in the layout of new development and individual buildings in terms of function and impact, not just for the short term but over the life time of the development. Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted.'* In respect of protection and enhancement of the environment, the statement also makes clear in paragraph 17 that, *'The Government is committed to protecting and enhancing the quality of the natural and historic environment, in both rural and urban areas. Planning policy should seek to protect and enhance the quality, character and amenity value of the countryside and urban areas as whole.'* Ministerial advice on development in the countryside is contained within PPS7, which states as one of its key principles, *'(iv) All development in rural areas should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness.'*

The visual impact has been reflected to in my previous paragraphs and I consider this to be equally harmful to the AONB for reasons outlined earlier.

Whilst I appreciate the view of the LCC Landscape Architect in that the relatively small scale of the proposed housing development, site location and vernacular style appearance of the buildings may not have significant effects on the AONB 'as a whole' and that the primary purpose of the AONB designation would not be compromised 'in itself', given that the development of the proposed site for housing would result in a loss of an area of *"significant open space"* as identified in the *Hurst Green Conservation Area Appraisal* document, in landscape terms it is an important open space. In views looking east from Shire Lane and public footpath 58 to Hurst Green the application site is an important component of the Conservation Area's setting. The site's open space appears to extend the countryside right up to the village edge and 'check' the sprawl of built development along Avenue Road. If the site were to be filled with built development, then the village would exert a much greater visual influence on the landscape and local landscape character of areas to the west, subsequently altering the setting of the Conservation Area significantly in views from the east. The site provides visual amenity for residents along The Dene and Avenue Road, and as the proposed residential development would be of a relatively high density, there would be a loss of most of the site's open space and a complete change of its landscape character.

There are also concerns regarding the lack of potential mitigation to offset the landscape and visual impacts, specifically near properties 1 – 6 and 12, in fact there would be *no* space to do any mitigation work along these boundaries. The hedging/trees along the western site boundary would also not be retained, therefore opening up views of the site maximising the potential visual impact on the locality.

In conclusion, the landscape and character of the A.O.N.B. will not be protected, conserved or enhanced by this proposal, and the development is not considered to contribute to the conservation of the natural beauty of the area. Approval of the scheme would be visually harmful to the character, appearance, significance and context of this location within the Area of Outstanding Natural Beauty by virtue of the loss of the openness of the site, and the incongruous scale, density, massing, dominance, form and detailed design of proposed new build. In addition, due to the net loss of open green space and trees/hedging without sufficient mitigation proposed, the scheme will detrimentally affect important views through the site and

the sites rural context, harming the character, appearance and significance of this location within the A.O.N.B. Therefore, in my opinion development of this site would be harmful in principle as there are no significant mitigating public benefits that would outweigh the proposed form of development, and the ultimate loss of this important open site within the A.O.N.B., meaning that the scheme does not comply with the relevant National, Regional or Local Plan Policies.

ACCESS

The Access to the site was the subject of Pre-Application discussions between the developer and the LCC Environment Directorate Highways Engineers in early May 2010, and at this time certain details were specified as being required. It was specified that the access road within the site should be a minimum of 4.5 metres throughout with a 5.5 metre width for the first 10 metres to ensure that vehicles entering and leaving the development will not conflict with traffic on The Dene. This has not been achieved on the plans. It was also specified that due to the severity of the gradients at the site a dedicated and continuous footway should be provided along the access road within the development at a minimum width of 1.3 metres. No such footway provision has been detailed on the proposed plans.

The scheme also shows no evidence of the visibility splay at the access point to the site shown on the plans, and the access road within the site has a gradient of 1 in 8 (12.5%) for over 50 metres of its length, which is too steep. The proposed village store and tearoom located within the site shows a parking area to the front suitable for two vehicles, although it is not clear whether these are for the use of customers or staff. Whilst the facility would be within walking distance of the rest of the village it is inevitable that some customers would arrive by car and try to park adjacent to the building and this has not been addressed within the proposals. Finally, a pedestrian route to the site is proposed from Avenue Road, however a right of access over this land has not been demonstrated by the Agent, but a claim to the ownership of the land HAS been made by a nearby neighbour, therefore rendering this element unusable.

On this basis, the vehicular access onto the site, and the vehicular access within the site, are not considered to be acceptable, and therefore contrary to Policy G1 of the Local Plan which states that *'A safe access should be provided which is suitable to accommodate the scale and type of traffic likely to be generated'* and that *'Developments should provide adequate arrangements for servicing and public utilities'*.

IMPACT ON AMENITY

The site provides visual amenity for residents along The Dene and Avenue Road, and as the proposed residential development would be of a relatively high density, there would be a loss of most of the site's open space and a complete change of its landscape character. The resultant landscape amenity impacts for the residents in close proximity to the site would therefore be significant and adverse, and contrary to Policy G1 of the Local Plan which states *'Development should be sympathetic to existing and proposed land uses in terms of its size, intensity and nature'* and *'The density, layout and relationship between buildings is of major importance. Particular emphasis will be placed on visual appearance and the relationship to surroundings as well as the effects of development on existing amenities'*.

IMPACT ON ECOLOGY AND TREES

Neither the LCC Ecologist or the Council's Countryside Officer have raised objections to the proposed development with regards to its impact on ecology or trees adjacent to the site, however the LCC Landscape Architect has raised concern regarding the net loss of open green space and hedging surrounding the site. Whilst it is accepted that there is no mitigation proposed within the Application, such details could be dealt with via a planning condition if the Application were to be approved. Therefore, there are no objections to the scheme in this aspect.

Policy G1 of the Districtwide Local Plan states that in determining planning applications, development should:

- Make adequate provision for car parking,
- Provide a safe access, suitable to accommodate the scale and type of traffic likely to be generated, and that they should be
- Sympathetic to existing and proposed land uses.

RSS Policy EM1 notes that *'Schemes should identify, protect, maintain and enhance natural, historic and other distinct features that contribute to the character of landscapes and places within the North West. They should also be informed by and recognise the importance of the special qualities of the environment associated with the nationally designated areas of the Forest of Bowland Area of Outstanding Natural Beauty.'*

Therefore, given the fact that the pedestrian access to the east of the site, via The Avenue, has been raised as not being a Public Right of Way and the concerns from the Highways Officer regarding the access road off The Dene, I do not consider that this element provides sufficient parking or indeed a suitable access. In addition, given the close proximity of the proposal to the proposed and existing dwellings, it is likely that the proposal would detrimentally harm the residential amenities of the occupiers of the adjacent dwellings, thereby contrary to RSS Policy EM1 and Local Plan Policy G1.

RENEWABLE ENERGY PROVISION

RSS Policy EM18 notes that *'All residential developments comprising 10 or more units should secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources.'* Whilst no details have been provided with this Application in relation to identifying how a minimum of 10% of the energy requirements generated by the development will be achieved by renewable energy production methods, as this Application is at Outline stage, this could have been satisfied by Planning Condition had the recommendation been favourable.

CONCLUSION

The steep gradient and its current clear and distinct openness is an outstanding characteristic of this site, and comparing this location to the residential development that surrounds the site, it is clear why this area of land has not been developed already. The topography of the site does not lend itself to creating an access road let alone build houses on, whilst the proposal seeks to utilise these significant changes in land levels by incorporating properties with accommodation over four floors, the end result is a collection of large scale dwellings within a cramped layout on site, with an imposing and visually harmful 5m high retaining wall facing onto The Dene that is

required due to the significant engineering works required to create the access to and within the site.

The landscape and character of the A.O.N.B. and the Hurst Green Conservation Area will not be protected, conserved or enhanced by this proposal, and the development is not considered to contribute to the conservation of the natural beauty of the area. Approval of the scheme would be visually harmful to the character, appearance, significance and context of this location by virtue of the loss of the openness of the site, and the incongruous scale, density, massing, dominance, form and detailed design of proposed new build. Therefore, development of this site would be harmful in principle as there are no significant mitigating public benefits that would outweigh the proposed form of development, and the ultimate loss of this important open site meaning. The proposal is considered unacceptable, incongruous and contrary to Local, Regional and National Plan Policy, and the application is recommended accordingly.

RECOMMENDATION: That planning be REFUSED for the following reasons:

1. The proposal is considered contrary to PPS1, PPS7, RSS Policy EM1 and Districtwide Local Plan Policies ENV1, G1, G5 and H2 of the Districtwide Local Plan, as approval of the scheme would be visually harmful to the character, appearance, significance and context of this location within the Area of Outstanding Natural Beauty by virtue of the loss of the openness of the site, and the incongruous scale, density, massing, dominance, form and detailed design of proposed new build.
2. The proposal would be unduly harmful to the character, appearance and significance of Hurst Green Conservation Area (a designated Heritage Asset) because of the destruction of a Significant Open Space identified within the Hurst Green Conservation Area Appraisal (adopted April 2007) and the incongruous scale, density, massing, dominance, form and detailed design of proposed new build, without sufficient justification. This would be contrary to PPS1, PPS5, PPS7, Policies ENV1, ENV16, G1, G5 and H2 of the Ribble Valley Districtwide Local Plan and the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
3. The resultant landscape amenity impacts for the residents in close proximity to the site would therefore be significant and adverse, and therefore approval of this proposal would be contrary to the guidance within Policy G1 of the Districtwide Local Plan. The site provides visual amenity for residents along The Dene and Avenue Road, and as the proposed residential development would be of a relatively high density, there would be a loss of most of the site's open space and a complete change of its landscape character.
4. By virtue of the insufficient information provided within the submitted S106, in relation to show how the development proposed would meet a proven local need, the application is considered to be contrary to Districtwide Local Plan Policy H20 and RSS Policy RDF2.
5. The proposed access onto The Dene, the access road on-site and the position of the Village Store/Tearoom on site are considered unacceptable, and approval of this proposal would lead to conditions to the detriment of highway, vehicular and pedestrian safety, and therefore contrary to Policy G1 of the Local Plan.

ITEMS DELEGATED TO DIRECTOR OF COMMUNITY SERVICES UNDER SCHEME OF DELEGATED POWERS AND

The following proposals have been determined by the Director of Community Services under delegated powers:

APPLICATIONS APPROVED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2010/0407/P	One 'V' shaped tray sign mounted above the main entrance doors and one 'Angled' sign on galvanised posts in raised turf area at the main entrance from the road	Bowland County High School Sawley Road Grindleton
3/2010/0974/P	Application for listed building consent 3/2008/0005/P for refurbishment and rearrangement of the self catering units in the former Home Farm buildings. Extend the self catering units to form storage areas. Refurbishment staff accommodation in Rose Cottage. Adjust access track to allow for better disabled access including the demolition of storage shed. Landscape the front of the building including the erection of terraces	Waddow Hall Waddington Road Clitheroe
3/2011/0008/P	Proposed conversion of traditional building to form two dwellings and a double garage	Carr House Farm, Longsight Road Clayton-le-Dale
3/2011/0243/P	Removal of a modern staircase and changes to first floor layout	Horton Grange Cottage Horton
3/2011/0561/P & 3/2011/0818/P	Reduction in height and rebuilding of English Martyrs Church perimeter stone wall to make safe	English Martyrs Church The Sands, Whalley
3/2011/0583/P (LBC)	Replace first floor rear window with a white painted wooden double glazed window of similar appearance to the existing	21 Church Street Ribchester
3/2011/0615/P	Installation of solar photovoltaic (pv) cells on the roofs of Ribchester St Wilfrid's C of E Primary School, aspects south, south west	St Wilfrid's C of E Primary School Church Street Ribchester
3/2011/0673/P	Conversion of a redundant agricultural barn to create a canine hydrotherapy and rehabilitation centre	Howgill Farm Howgill Lane, Rimington
3/2011/0722/P	Proposed raising of the existing roof by no more than 1m and single storey rear extension	2 Bushburn Drive Langho
3/2011/0736/P	Installation of a 4Kw black solar PV array to rear facing aspect of the detached garage	Cross House, Back Lane Grindleton

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0743/P	Extension to the rear and dormer window to existing loft room	14 Hawthorne Place Clitheroe
3/2011/0774/P	Change of use of agricultural land to residential curtilage to accommodate double garage element of proposed new building (new building will comprise of domestic double garage and agricultural workshop/garage)	New Hall Farm Blackburn Road Ribchester
3/2011/0782/P (LBC)	Take down unsafe retaining wall to the corner of Stork Cottage Garden, and rebuild to match existing. Take down retaining wall fronting Wiswell Lane, adjoining Stork Cottage, build concrete block behind the rebuild, existing to match original on front face	Stork Cottage Pendleton
3/2011/0787/P	Proposed amendments to planning consent 3/2003/1029P, to complete the pitched roof over the existing garage and build the first floor extension over the existing ground floor kitchen. New flue stack, window at first floor level to side elevation and alterations to windows to rear elevation of extension	31 Beaufort Close Read
3/2011/0791/P	Application for the variation of condition No 1 of planning consent 3/2005/0289/P to allow plots N1 to N25 to be available for 12 months, only for the purpose of holiday lets and not as a permanent residence	Todber Caravan Park Burnley Road Gisburn
3/2011/0806/P	Replacement house type to that previously approved under application 3/2009/0233/P with one additional velux roof light	The Beehive adjacent 17 Chesterbrook Ribchester
3/2011/0812/P	Proposed two-storey side extension and single storey rear extension	16 Moorland Crescent Clitheroe
3/2011/0813/P	Proposed change of use of agricultural barn to residential unit and to include retention of existing detached garage to be used as domestic garaging	Wheatley Farm Four Acre Lane Thornley-with-Wheatley
3/2011/0814/P	Proposed ground mounted solar panel installation	Bay Tree Farm 104 Mellor Brow, Mellor
3/2011/0816/P	Proposed erection of a UPVC conservatory upon dwarf walls	2 Beacon View Chipping Road, Longridge
3/2011/0827/P	Application for discharge of condition no. 2 (materials) and condition no. 3 (garage door details) of planning consent 3/2009/0236/P	The Coach House 20 Castle Gate Clitheroe
3/2011/0829/P	Installation of photovoltaic solar panels to the roof of an existing agricultural building to the South Eastern elevation	New Higher Alston Farm Preston Road, Ribchester

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0834/P	Proposed single storey extension to side and rear, conversion of existing garage into bedroom and erection of open-sided car port to side elevation	1 St Mary's Drive Langho
3/2011/0836/P	Proposed dormers to rear roofslope. Re-submission of 3/2011/0461	44 Padiham Road Sabden
3/2011/0842/P	Material amendment to approved hotel extension (3/2008/0548/P and 3/2011/0265/P) to form additional gymnasium accommodation and extended bar area	Stanley House Preston New Road Mellor
3/2011/0846/P	First floor extension above the existing garage (Resubmission)	51 Warwick Drive Clitheroe
3/2011/0850/P	Alterations to windows of Woodcroft Cottage to become more uniform in village street scene. Alterations to porch to allow for safer access. Re-submission of application 3/2011/0634	Woodcroft Cottage 36 Pendleton Road Wiswell
3/2011/0855/P	Application to discharge condition no.6 (landscaping) and condition no. 7 (tree protection measures) of planning consent 3/2011/0330/P	Plot 5 Weavers Loft Brockhall Village Old Langho
3/2011/0856/P	Erection of 1.8m high mesh fencing and gate (BetaFence Securifor 3d)	St. John's C of E School Straits Lane Read
3/2011/0868/P	Construction of a slatted walkway/starting platform, aerial ropeway/zip wore and termination post	Hothersall Lodge Field Centre Hothersall Lane Hothersall
3/2011/0872/P	Proposed single storey rear annex extension	14 Kirklands Chipping
3/2011/0899/P	Change of use from the existing wine merchants to a mixed use comprising of the manufacture, wholesale distribution and retailing of ceramic tiles	Unit 18 Deanfield Court Clitheroe
3/2011/0901/P	Proposed replacement dwelling (existing dwelling to be demolished)	1 Ribblesdale Place Osbaldeston Lane Osbaldeston
3/2011/0902/P	Proposed alteration to 1) S.E. rear elevation to change existing combined door and window opening into a full width window opening, with new vertical boarded panel below. 2) S.W. rear elevation to change existing window opening into a door opening with new glazed external door	Alston Cottage Farm Alston Lane Longridge
3/2011/0905/P	Proposed side extension	Bolton Close, Gisburn Road Bolton by Bowland

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0907/P	Replacement of asphalt flat roof porch of brick, timber and glass construction with a slate pitched roof porch of brick, upvc and glass construction, on the same footprint as the existing porch	Moonrakers 88 Whalley Road Wilpshire
3/2011/0912/P	Proposed amendments to planning consent 3/2011/0296P, to reduce the set back at first floor level from 750mm to 500mm in order to increase floorspace in bedroom/ensuite room at front elevation, and to reduce the set back of the garage from 1000mm to 750mm	15 Somerset Avenue Clitheroe
3/2011/0921/P	Application for a Lawful Development Certificate for a proposed single storey rear extension and conversion of existing garage	11 Meadowlands Low Moor Clitheroe
3/2011/0923/P	Non-material amendment to planning consent 3/2011/0923P, for the alteration and insertion of window and door openings to the elevations and roofslope of the previously approved extension	12 Stoneygate Lane Knowle Green
3/2011/0942/P	Proposed single storey rear extension	89 Peel Street, Clitheroe
3/2011/0950/P	Discharge of condition attached to planning permission	3 Southport Barn Cottages Sawley
3/2011/0955/P	Outline Application for residential development (up to 200 dwellings), public open space and ancillary works (all matters reserved) on land North	The Hills, Longridge Road Grimsargh

APPLICATIONS REFUSED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2010/0239/P (LBC)	Replace existing windows	4 Church Street Clitheroe	The proposal would be unduly harmful to the character (including setting) and significance of the listed building, the setting and significance of nearby listed buildings and the character, appearance and significance of Clitheroe Conservation Area because of the

Cont/

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
Cont...			unconvincing and conspicuous form of glazing bar replacement. Insufficient information has been submitted to understand the impact on the special architectural and historic interest of the listed building of window frame replacement.
3/2011/0624/P (LBC)	Fit secondary glazing	Vicarage House Vicarage Fold, Wiswell	The proposal would be unduly harmful to the character (including setting) and significance of the listed building because the secondary glazing would be conspicuous and incongruous and visually intrusive to the building's interior and exterior.
3/2011/0729/P	Demolition of redundant agricultural sheds. Conversion and extension of existing barns to 1no. new dwelling and improvements to existing access	Lawson House Farm Bolton-by-Bowland Road Sawley	G1, ENV1, H15, H17 & H18 – Unsympathetic alterations detracting from the original character of the barn to the detriment of the visual amenity of the Area of Outstanding Natural Beauty.
3/2011/0778/P	Retrospective installation of a new window to the side elevation	Strathaven Whalley Road Billington	Policy G1, H10 and the Council's SPG on Extensions and Alterations to Dwellings – detriment affect on
Cont/			

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
Cont...			neighbouring amenity due to direct overlooking of neighbours garden.
3/2011/0790/P	Proposed conversion of a redundant field barn into residential use	Jacksons Barn Sawley Road Sawley	Policies G1, G5, ENV1, H2, H15, H16, H17, and PPS1: Sustainable Development, PPS3: Housing, PPS5: Planning for the Historic Environment and PPS7: Sustainable Development in Rural Areas – unsustainable location for the creation of a new dwelling and contrary to Local Plan Policy, with potentially detrimental effects upon the appearance of the historic barn and character of the locality.
3/2011/0793/P	Proposed new build holiday cottage development creating 2no. holiday cottages, and demolition of ruined former cart shed and granary	Standen Hey Whalley Road Clitheroe	Given the position, size, scale, massing and location of the scheme, it is considered to be a dominant and incongruous building, detrimental to the visual amenity of the area, and detrimental to the amenities of the occupiers of the neighbouring dwellings. Contrary to Policies G1, G5, ENV3 and RT1 of the Districtwide Local Plan.

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>	<u>Reasons for Refusal</u>
3/2011/0820/P	Application for the removal of condition no. 15 (length of occupancy) of planning consent 3/2006/0836/P, to allow the holiday let to be used as permanent residential accommodation	Burons Laithe Horton	Policies G1, G5, ENV1, H2, H15, H23, and PPS3: Housing – unsustainable location for the creation of a new dwelling and contrary to Local Plan Policy, with potentially detrimental effects upon the appearance and character of the locality.
3/2011/0931/P (LBC)	Installation of 21 solar panels to south roof slope of a former barn	Dutton Hall Gallows Lane Ribchester	The proposed photovoltaic array is unduly conspicuous, incongruous and visually intrusive to the prominent roof slope of the Grade II listed barn (further compromising the barn's agricultural character and significance) and the harmonic setting of the listed building group (including disruption to the historic front elevation of the Grade II* listed Hall).
3/2011/0992/P	Application for a non-material amendment to planning consent 3/2011/0271P, to allow replacement of the first floor extension above the kitchen with a 45 degree roof pitch (replacing the existing 40 degree roof) and providing additional bathroom and en-suite facilities within the new roof void. The height of the new eaves and ridge will be significantly reduced from those heights approved	Sunnymede Ribblesdale Avenue Clitheroe	This scheme in respect of works to the southern gable is of such a nature that it is not considered appropriate to determine as a non-material amendment given that it would result in potential overlooking of a neighbouring property.

SECTION 106 APPLICATIONS

<u>Plan No</u>	<u>Location</u>	<u>Date to Committee</u>	<u>Progress</u>
3/2009/0732P	27 Cringle Way Clitheroe	Delegated 27/11/09	Applicant contacted, expected to withdraw the application
3/2009/1011P	Land adj Petre House Farm Whalley Road Langho	4/2/10	Not Signed yet With applicants agent
3/2010/0078P	Old Manchester Offices Whalley New Road Billington	20/5/10	Ongoing negotiations in relation to contribution issues
3/2010/0929P	Land between 36 and 38 Henthorn Road Clitheroe	14/7/11	Not Signed yet With applicants solicitor
3/2011/0039P	Land at Hambledon View Simonstone	17/3/11	Not Signed yet With applicants agent
3/2011/0129P	Victoria Mill Watt Street Sabden	14/7/11 8/12/11	Not Signed yet With applicants solicitor
3/2011/0247P	Land off Chapel Close Low Moor Clitheroe	13/10/11	Not Signed yet With LCC
3/2011/0307P	Barrow Brook Business Village Barrow	13/10/11	Not Signed yet With applicants solicitor
3/2011/0316P	Land off Preston Road Longridge	10/11/11	Not Signed yet With applicants solicitor
3/2011/0541P	Dilworth Lane/Lower Lane Longridge	10/11/11	Not Signed yet With applicants solicitor. Disputing LCC Highway requirement
3/2011/0482P	Brown Leaves Hotel Longsight Road Copster Green	8/12/11	Not Signed yet With Legal
3/2010/0324P	The Freemasons Arms 8 Vicarage Fold Wiswell	15/7/10	Signed 24/11/11
3/2010/0934P	Black Bull Hotel Church Street Ribchester	13/10/11	Signed 15/12/11
3/2010/1014P	11 Stubbins Lane Sabden	7/4/11	Signed 28/11/11
3/2011/0460P	Land at Whalley New Road Billington	15/9/11	Signed 8/11/11

CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0676/P	Application for a Lawful Development Certificate for conversion of existing attached garage for habitable use to include replacement of garage roof and alterations to elevations	Norbeck 47 Whalley Road Langho
3/2011/0852/P	Application for a Lawful Development Certificate for the construction of a rear conservatory	9 Timbrills Avenue Sabden
3/2011/0854/P	Application for a Lawful Development Certificate for a proposed loft conversion, internal works and fitting of Velux rooflights in the roof slope	Maveril Ribchester Road Clayton-le-Dale
3/2011/0921/P	Application for a Lawful Development Certificate for a proposed single storey rear extension and conversion of existing garage	11 Meadowlands Low Moor Clitheroe

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995 PARTS 6 & 7 PRIOR NOTIFICATION OF AGRICULTURAL AND FORESTRY BUILDINGS AND ROADS PRIOR APPROVAL REQUIRED

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0866/N	Portal frame building for storage of machinery, equipment and materials	Clough Barn, Proctors Farm Woodhouse Lane, Slaidburn

APPLICATIONS WITHDRAWN

<u>Plan No:</u>	<u>Proposal:</u>	<u>Location:</u>
3/2011/0306/P	Change of use of land and construction of four three storey houses	Chatburn Village Sawley Road Chatburn
3/2011/0516/P	Erection of timber clad building rear of St Leonard's Church for gardening equipment ancillary to maintenance at the churchyard	St Leonard's Church Commons Lane Balderstone
3/2011/0517/P	Erection of timber clad building rear of St Leonard's Church for gardening equipment ancillary to maintenance at the churchyard	St Leonard's Church Commons Lane Balderstone
3/2011/0751/P	Barn to store feed and machinery	Whittakers Farm Back Lane Read

APPEALS UPDATE

<u>Application No:</u>	<u>Date Received:</u>	<u>Applicant/Proposal/ Site:</u>	<u>Type of Appeal:</u>	<u>Date of Inquiry/Hearing:</u>	<u>Progress:</u>
3/2010/0751 O	20.7.11	Acland Bracewell Ltd Outline application for a residential development for 39no. dwellings Land off Whalley New Road Billington	WR	–	APPEAL ALLOWED AND COSTS AWARDED 25.11.11
3/2009/0968 O	22.8.11	Mr A Patel Residential development comprising 9no. new dwellings Fell View Barnacre Road Longridge	WR	–	APPEAL ALLOWED 28.11.11
3/2010/0719 O	29.9.11	Gladman Developments Ltd Proposed development of up to 270 residential dwellings, doctors surgery, landscape, open space, highways and associated works Land off Henthorn Road Clitheroe	–	Inquiry – to held 24.1.12 (scheduled to last for four days)	
3/2010/0159E NF	7.10.11	Mr L P Dolman & Miss S Faragher Insertion of a first floor window in the roadside gable elevation of the property Old Chapel Barn Preston Road Alston	WR	–	AWAITING DECISION
3/2011/0472 D	27.10.11	Mr Duncan Weisters Proposed extensions to create new living space and a double garage 1 The Walled Garden Woodfold Park Mellor	Householder appeal	–	AWAITING DECISION

<u>Application No:</u>	<u>Date Received:</u>	<u>Applicant/Proposal/ Site:</u>	<u>Type of Appeal:</u>	<u>Date of Inquiry/Hearing:</u>	<u>Progress:</u>
3/2011/0205 & 0206 D	25.10.11	Mr D Outhwaite-Bentley Retrospective application for extensions and alterations at the dwelling and rear patio and decking walkways Mellor Lodge Gatehouse Preston New Road Mellor	WR	—	Awaiting site visit
3/2011/0582 Non-determination	9.11.11	Mr & Mrs A J & J P Miller Outline application for the erection of two detached dwellings with detached garages (Resubmission of 3/2010/1013P) 46 Higher Road Longridge	WR	—	Awaiting site visit
3/2011/0557 D	17.11.11	Mr & Mrs R Lancaster Application for the removal of condition no.2 (occupancy period) of planning consent 3/2004/0523P, to allow the holiday let to be used as permanent residential accommodation Burons Laithe Horton	WR	—	Awaiting site visit
3/2011/0326 Non-determination	25.11.11	Ms D Barnes Single attached garage extension to Plum Tree Cottage. Single attached garage and ground floor extension together with alterations to retaining wall at Cherry Tree Cottage Plum Tree Cottage & Cherry Tree Cottage Clitheroe Road Waddington	WR	—	Notification letter sent 5.12.11 Questionnaire sent 8.12.11 Statement to be sent by 5.1.12 Awaiting site visit

<u>Application No:</u>	<u>Date Received:</u>	<u>Applicant/Proposal/ Site:</u>	<u>Type of Appeal:</u>	<u>Date of Inquiry/Hearing:</u>	<u>Progress:</u>
3/2011/0671 D	1.12.11	Miss L Charnock Two-storey side extension with single storey wood store, water filtration system and double garage Shays Farm Tosside	Householder appeal	—	Notification letter sent 6.12.11 Questionnaire sent 7.12.11 AWAITING DECISION
3/2011/0725 D	8.12.11	Mr Stephen Bennett Proposed first floor bedroom over the existing ground floor extension 4 Branch Road Mellor Brook	Householder appeal	—	Notification letter sent 14.12.11 Questionnaire sent 15.12.11 AWAITING DECISION
3/2011/0641 D	14.12.11	Mr & Mrs Mark & Victoria Haston Carr Meadow Barn Carr Lane Balderstone	WR	—	Notification letter sent 16.12.11 Questionnaire sent 21.12.11 Statement to be sent by 25.1.12
3/2011/0245 D	14.12.11	Mr & Mrs A O'Neill Proposed conversion of existing offices above a shop into 2no. flats. (Change of use from class A2 to class C3) 18-20 Berry Lane Longridge	WR	—	Notification letter sent 19.12.11 Questionnaire sent 22.12.11 Statement to be sent by 25.1.12
3/2011/0508 D	14.12.11	Mr & Mrs A O'Neill Proposed change of use of the existing offices above a shop from class A2 to form two flats (class C3). Re-submission of planning application 3/2011/0245P 18-20 Berry Lane Longridge	WR	—	Notification letter sent 19.12.11 Questionnaire sent 22.12.11 Statement to be sent by 25.1.12

<u>Application No:</u>	<u>Date Received:</u>	<u>Applicant/Proposal/ Site:</u>	<u>Type of Appeal:</u>	<u>Date of Inquiry/Hearing:</u>	<u>Progress:</u>
3/2011/0481 D	19.12.11	Huntroyde Estate Demolition of the stone building and piggeries Dean Farm Sabden	WR	–	Notification letter sent 21.12.11 Questionnaire sent 23.12.11 Statement to be sent by 30.1.12

LEGEND

- D – Delegated decision
- C – Committee decision
- O – Overturn

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: 12 JANUARY 2012
title: OBSERVATIONS TO ANOTHER LOCAL AUTHORITY – OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT (UP TO 200 DWELLINGS), PUBLIC OPEN SPACE AND ANCILLARY WORKS (ALL MATTERS RESERVED) ON LAND NORTH OF THE HILLS, LONGRIDGE ROAD, GRIMSARGH, PRESTON, LANCASHIRE
submitted by: DIRECTOR OF COMMUNITY SERVICES
principal author: GRAEME THORPE

1 PURPOSE

- 1.1 To request Committee's views in relation to a recent Outline Application for 200 dwellings on land off Longridge Road, Grimsargh that is to be determined by Preston City Council.

2 BACKGROUND

- 2.1 The planning application in question was received on the 3 November 2011 by Preston City Council, and a letter was sent to Ribble Valley Borough Council on the 15 November 2011 requesting this Local Authorities comments or views on the Application.
- 2.2 The planning application is submitted with 'All Matters' reserved, so the proposal is looking mainly at the principle of the development of this site.
- 2.3 As a brief summary, the proposal is described as follows:
1. A site area of 11.58 hectares,
 2. Up to 200 dwellings built on an area of approximately 5.74 hectares,
 3. A housing mix of 2 to 5 bedroom properties,
 4. Properties will be two (Maximum of 9m) to two and a half storeys (Maximum of 10m) in height,
 5. An offer of 20% of the dwellings on the site to be 'Affordable', approximately 40 dwellings, however the full details have been requested to be discussed with Officers upon approval of this Outline Application,
 6. Vehicular access will be provided from the B6243 (Preston Road, Grimsargh),
 7. Approximately 5.84 hectares of Green Infrastructure developed on site (Public Open Space),
 8. Two ponds containing Great Crested Newts were identified on site, however no other protected species constraints have been identified. These ponds will be protected as part of the mitigation measures outlined with the Site's Masterplan, and as part of the Green Infrastructure on site (Point 7),
 9. Provide/improve existing/proposed safe pedestrian and cycle routes in the area, and
 10. Provide traffic calming measures on Longridge Road.

2.4 The thoughts of the Council's Head of Regeneration and Housing were sought early on, and he noted that given its locality, he has no comments to make on this Application from a Policy, Regeneration or Strategic Housing viewpoint.

3 ISSUES

3.1 With regards to proposals of this scale in such close proximity to the Borough boundary, they will undoubtedly have some impact on the locality. The question is to what extent, and whether the impact would be to the significant detriment of the Longridge/Alston area.

3.2 The scheme proposes to:

1. Contribute to the current shortfall in the 5-year housing land supply within the City of Preston.
2. Provide additional Social/Affordable housing.
3. Provide extensive areas of Public Open Space to:
 - a) Protect and enhance wildlife habitats and biodiversity,
 - b) Provide areas of informal recreation for existing and new residents,
 - c) Provide children's local play space, and
 - d) Provide a landscaped setting for the new residential development.
4. Provide/improve existing/proposed safe pedestrian and cycle routes in the area.
5. Provide traffic calming measures on Longridge Road.

3.3 It is important to assess the proposal in relation to its impact on Borough Council Policies and I am satisfied that given the advice of the Head of Regeneration and Housing that there are no significant issues. In relation to Development Management issues, such as highways, these need to be considered by the determining authority who will no doubt have regard to highway safety.

4 **RECOMMENDED THAT COMMITTEE**

4.1 That Committee advise Preston City Council that Ribble Valley Borough Council raise NO OBJECTIONS.

DIRECTOR OF COMMUNITY SERVICES

BACKGROUND PAPERS

Application 6/2011/0882/P

For further information please ask for Graeme Thorpe, extension 4520.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

Agenda Item No

meeting date: 12 JANUARY 2012
 title: REVISED CAPITAL PROGRAMME 2011/12 AND PROPOSED PROGRAMME 2012/15
 submitted by: DIRECTOR OF RESOURCES
 principal author: NEIL SANDIFORD

1 PURPOSE

- 1.1 To approve the revised programme for the current year and also the future three-year capital programme for this Committee.

2 BACKGROUND

- 2.1 This report will review the following:

- i) The current year's programme.
- ii) Draft programme of schemes to be carried out in the following three years (2012/13 to 2014/15).

3 ORIGINAL PROGRAMME 2011/12 – CURRENT FINANCIAL YEAR

- 3.1 The original capital programme for the current year had one approved scheme relating to Clitheroe Market Redevelopment.
- 3.2 This was to have been a joint scheme with Lancashire County Council at an estimated total cost of £30,000. Financing of the scheme was to be shared equally, with the County contributing £15,000 of the cost.

4 REVISING THE CURRENT YEAR'S PROGRAMME

- 4.1 Revisions to the concept of developing the market area in isolation from the remainder of the town centre has meant that the initial scheme has now been abandoned in its current form. As such the scheme has been withdrawn from the capital programme at the revised estimate. Any future proposals will be submitted as a new capital bid for consideration.
- 4.2 The revised programme for this committee is shown in the table below, together with the original programme that was approved.

Budget Analysis					Expenditure Analysis
Original Estimate 2011/12 £	Slippage from 2010/11 £	Additional Approvals 2011/12 £	Total approved Budget 2011/12 £	Revised Estimate 2011/12 £	Actual to date 2011/12 £
30,000	0	0	30,000	0	0

5 DRAFT PROGRAMME 2012/13 TO 2014/15

- 5.1 In August 2011, the Budget working Group agreed a focus for the future capital programme, based on three years and split into categories of capital spend. At this time Heads of service were invited to submit scheme bids for the 2012/13 to 2014/15 programme.
- 5.2 One new bid has been submitted for this Committee. Details of the bid is attached at Annex 2 and includes how the scheme links to the Council's ambitions.
- 5.3 The table below provides details of how the proposal falls in the three year programme

Scheme Title	2012/13 £	2013/14 £	2014/15 £	Total £
Economic Development initiatives	100,000			100,000
Total	100,000	0	0	100,000

- 5.4 It should be noted that this is a potential programme that will require further consideration by the Budget Working Group and by Policy and Finance Committee, who will want to ensure that it is affordable and achievable in both capital and revenue terms.
- 5.5 To this end, Corporate Management Team are due to meet to discuss the proposals within this report at the beginning of January 2012. Any feedback from this meeting will be provided to members verbally at the time of the Committee meeting.
- 5.6 Members should therefore consider the forward programme as attached and put forward any amendments they may wish to make at this stage, whilst being mindful of the limited capital resources that the council has available.

6 RECOMMENDED THAT COMMITTEE

- 6.1 Approve the revised capital programme for 2011/12 as set out in paragraph 4.2.
- 6.2 Consider the future three-year programme for 2012/13 to 2014/15 as shown at paragraph 5.3 and attached at Annex 1, with any suggested amendments.

TECHNICAL ACCOUNTANT

PD2-12/NS/AC
15 DECEMBER 2011

**Planning and Development Committee
Proposed Three Year Capital Programme Bid**

RIBBLE VALLEY BOROUGH COUNCIL
Capital Programme Bids - 2012/13 to 2014/15

BID 1: Economic Development Initiatives

Service Area: Regeneration

Head of Service: Colin Hirst

Brief Description:

The project is to establish a general source of pump-priming and pre-investment funding to support the delivery of the Council's economic priorities. The bid particularly seeks to support our high growth sectors in the provision of land and premises or tourism infrastructure where applicable. The Council needs to be able to develop and respond to initiatives that will support delivery of business growth. In order to develop schemes, funding needs to be available to undertake works in areas such as valuation and feasibility assessments, due-diligence, initial planning and design work. As projects progress funding needs to be available to support acquisition, marketing and development. Specific funding for land or premises would be the subject of separate bids as required.

Early projects include identifying options to deliver employment land, schemes to support high growth business opportunities and necessary infrastructure to support our rural business base including Tourism.

Overriding aim/ambition that the scheme meets:

To sustain a strong and prosperous Ribble Valley

Government or other imperatives to the undertaking of this scheme:

This bid supports the Governments Growth aspirations and the emerging joint working with Partner Lancashire districts and The LEP.

Improving service performance, efficiency and value for money:

The funding will enable a range of potential projects to be brought forward to address the councils agreed aims and objectives. Specialist resources will be commissioned as necessary or to add to delivery capacity within the Council. In regard to sites it could be anticipated that either an asset would be realised with enhanced value if disposed or would generate an income stream for the Council depending upon the nature of the scheme.

Consultation:

Specific schemes would be subject to member agreement and public consultation as appropriate. Schemes would be consistent with the Councils Economic Development Strategy and Town centre Action Plans that have been subject to consultation. The project will also support delivery of the adopted Community Strategy and the Local Development Framework both of which have the benefit of widespread community consultation.

Start Date, duration and key milestones:

The project would be implemented from April 2012, with pre- development work to inform that start, taking place from November 2011. Key milestones would depend upon the individual projects developed. It is anticipated that Committee would consider an initial report on employment land options by no later than June 2012.

Financial Implications – CAPITAL:

Breakdown	2012/13 £	2013/14 £	2014/15 £
Total	100,000	0	0

Financial Implications – ANNUAL REVENUE:

Breakdown	£
Unspecified - General revenue costs would be anticipated to be contained within existing budgets	-

Useful economic life:

Dependent upon the nature of the project

Additional supporting information:

None

Impact on the environment:

Schemes would be expected to make a positive contribution to the environment to deliver Sustainable Development.

Risk:

- **Political:** *The Council has stated its intentions to support our local economy and deliver economic growth*
- **Economic:** *The bid is targeted towards economic development initiatives and supports the governments growth agenda*
- **Sociological:** *A strong local economy underpins a strong society and provides the means to deliver on all aspects of the Councils priorities.*
- **Technological:** *Initiatives can support High Growth Knowledge and Advanced Manufacturing sectors.*
- **Legal:** *The Council will need to undertake enhanced due-diligence steps in connection with some projects*
- **Environmental:** *projects will support the delivery of Sustainable Development and the Councils' ambitions to safeguard the qualities of the local environment through appropriate site provision.*

RIBBLE VALLEY BOROUGH COUNCIL
REPORT TO PLANNING AND DEVELOPMENT COMMITTEE

DECISION

Agenda Item No

meeting date: 12 JANUARY 2012
title: REVISED REVENUE BUDGET 2011/12 AND ORIGINAL ESTIMATE 2012/13
submitted by: DIRECTOR OF RESOURCES
principal author: TRUDY HOLDERNESS

1 PURPOSE

- 1.1 To agree a revised revenue budget for 2011/12, together with a draft revenue budget for 2012/13, for submission to Policy and Finance Committee.

2 BACKGROUND

- 2.1 The grant settlement for the next financial year was published on the 8 December 2011. This **confirmed** our formula grant for 2012/13 will be £2.902m which includes the second year of council tax freeze grant of £78,660. This is a reduction of 12.8% from that received for the 2011/12 financial year.
- 2.3 The two year settlement announcement last year was notably worse than had been anticipated for this council. The Government awarded 'transitional grant' to those authorities previously in receipt of Area Based Grant and other funding including Working Neighbourhoods Fund monies. However, as we did not receive such funding we are not entitled to this transition grant
- 2.4 This confirmed the need for the Council to identify substantial savings in its base budget. The management structure review in 2010/11 resulted in substantial savings, which greatly eased the financial position in which the council found itself for 2011/12 onwards.
- 2.5 Further substantial savings of over £600,000 were needed in order to achieve an affordable budget for 2012/13 onwards. A detailed review was been completed of all council services and on 22 November 2011 Policy and Finance Committee considered and approved a package of savings totalling around £645,000..
- 2.6 The proposed budget **within this report** for the next financial year 2012/13 represents the base budget for this committee **taking into account** the service review savings proposals that were approved at Policy and Finance Committee.

3 REVIEW OF 2011/12 REVENUE BUDGET

- 3.1 When the budget was prepared for the current year provision was made for increases in prices of 3%. A small allowance was included for a pay award for those earning below £21,000. However, no pay increase was awarded for 2011/12.
- 3.2 The revised budget is **£72,450** higher than the original estimate. This is decreased to **£8,230** higher than the original estimate after allowing for transfers to and from earmarked reserves. A comparison between the original and revised budgets for each cost centre is shown below.

Cost Centre	Cost Centre Name	Original Estimate 2011/12 £	Movement in Expenditure £	Movement in Income £	Movement in Support Services £	Movement in Capital Costs £	Revised Estimate 2011/12 £
PLANG	Planning Control & Enforcement	120,890	101,550	-1,980	-23,870	0	196,590
PLANP	Planning Policy	155,890	0	0	1,640	0	157,530
PLDEV	Planning Delivery Grant	143,320	15,430	0	50	0	158,800
BCSAP	Building Control SAP Fees	-1,470	690	-530	70	0	-1,240
BLDGC	Building Control	69,620	-6,770	42,100	-22,890	0	82,060
AONBS	Area of Outstanding Natural Beauty	13,270	-560	0	-1,370	0	11,340
COMMG	Community Groups	19,260	0	0	-760	0	18,500
COUNT	Countryside Management	49,930	5,000	-16,830	-2,010	0	36,090
FPATH	Footpaths & Bridleways	5,550	0	0	-210	0	5,340
HIGHH	High Hedges	2,100	0	0	-40	0	2,060
CONSV	Conservation Areas	12,000	0	0	-180	0	11,820
ALBNM	Albion Mill	-3,060	0	1,630	220	0	-1,210
INDDV	Economic Development	109,610	-12,150	0	-24,450	0	73,010
PLSUB	Grants and Subscriptions	15,390	-720	0	0	0	14,670
CINTR	Clitheroe Integrated Transport Scheme	6,910	-1,040	1,040	0	0	6,910
FORBW	Forest of Bowland Bridleways	0	27,140	0	0	0	27,140
PENDL	Pendle Hill Users	0	0	-7,750	0	0	-7,750
NET COST OF SERVICES		719,210	128,570	17,680	-73,800	0	791,660

ITEMS ADDED TO/ (TAKEN FROM) BALANCES AND RESERVES							
PLBAL H268	Planning Delivery Grant	-109,770	0	-23,080	0	0	-132,850
PLBAL H274	Forest of Bowland Bridleways	0	0	-27,140	0	0	-27,140
PLBAL H234	Building Control Reserve Fund	-44,730	16,590	-42,100	41,880	0	-28,360
PLBAL H253	Local Development Framework	-11,580	3,830	0	0	0	-7,750
PLBAL H273	Pendle Hill Users	0	7,750	0	0	0	7,750
PLBAL H336	Planning Reserve Fund	0	0	-41,950	0	0	-41,950
NET BALANCES AND RESERVES		-166,080	28,170	-134,270	41,880	0	-230,300
NET EXPENDITURE		553,130	156,740	-116,590	-31,920	0	561,360

3.3 The difference between the revised and original estimate is an estimated increase in net spending of **£8,230**. The main reasons for this are identified below:

	MOVEMENT IN EXPENDITURE £	MOVEMENT IN INCOME £	MOVEMENT IN SUPPORT £	MOVEMENT IN CAPITAL £	TOTAL MOVEMENT £
<i>Planning Control and Enforcement</i>					
Transfer of planning specific budget provision such as microfilm maintenance, consultants fees, ordnance survey costs, statutory notices and decision notices from community services to planning control	63,850	-5,470			
Increase in Planning consultants fees as a result of planning inquiry (funded from earmarked reserve)	41,950				
Reduction in Geographic Information System (GIS) service costs, as a result of transfer of suppliers for the GIS service from LCC to one connect.	-7,840				
Increase in Planning fee refunds as a result of application fees paid in error	5,620				
Fewer agricultural referrals to LCC and also reduction in statutory notices	-2,130				
Reduction in income from planning history and decision notices		3,490			
Reduction in support costs from community services and Chief Executive's offset by an increase from legal due to changes in staff time allocated to service			-24,450		
Total Planning Control and Enforcement					75,020

	MOVEMENT IN EXPENDITURE £	MOVEMENT IN INCOME £	MOVEMENT IN SUPPORT £	MOVEMENT IN CAPITAL £	TOTAL MOVEMENT £
<i>Planning Delivery Grant</i>					
Expenditure on headroom analysis (a model for reviewing housing numbers). Expenditure was budgeted to come in 2010/11 but has slipped into new financial year	9,700				
Increase in consultants fees to carry out sustainability appraisal for core strategy	5,000				
Total Planning Delivery Grant					14,700
<i>Building Control</i>					
Reduction in professional fees, car allowances, printing and stationery and provision for consultants fees as a result of staff leaving and freeze on non essential expenditure	-6,770				
Reduced Income from building regulations fees and search fees. This is mainly due to current economic climate and also due to some organisations using private competitors.		42,100			
Reduction in support costs from Computer services and Chief Executive's due to a review of cost allocations			-21,610		
Total Building Control					13,720

	MOVEMENT IN EXPENDITURE £	MOVEMENT IN INCOME £	MOVEMENT IN SUPPORT £	MOVEMENT IN CAPITAL £	TOTAL MOVEMENT £
<i>Countryside Management</i>					
Expenditure on visual tree assessment and decay detection on trees in Clitheroe Castle, funded from Habitats & Climate change grant	5,000				
Increase in income from Habitats & Climate change grant not anticipated when original estimates prepared		-16,830			
Reduction in support costs from chief executives due to changes in staff time allocated to service			-1,930		
Total Countryside Management					-13,760
<i>Economic Development</i>					
Reduction in subscription as a result of termination in subscription paid to PLACE	-5,150				
Reduction in subscription as a result of a contribution to sustainability appraisal as approved by Planning Committee on 16 June 2011	-5,000				
Reduction in promotional activities as a result of a freeze on non essential expenditure	-2,000				
Reduction in support costs from ground maintenance, fewer hours being charged for the upkeep of industrial sites and also a reduction in support costs from chief executives mainly due to reduction in staffing levels			-24,340		
Total Economic Development					-36,490

	MOVEMENT IN EXPENDITURE £	MOVEMENT IN INCOME £	MOVEMENT IN SUPPORT £	MOVEMENT IN CAPITAL £	TOTAL MOVEMENT £
<i>Forest of Bowland Bridleways</i>					
Budget introduced to fund Expenditure on project work on Whitendale bridleway and Hodder roadside path (funded from earmarked reserve)	27,140				
Total Forest of Bowland Bridleways					27,140
<i>Pendle Hill Users</i>					
Contributions mainly received from LCC during year(to be added to earmarked reserve)		-7,750			
Total Pendle Hill Users					-7,750
<i>Reserve Funds</i>					
Increase in funding available from planning delivery reserve as a result of expenditure slippage from 2010/11 to 2011/12 and additional income received in 2010/11.		-23,080			-23,080
Funding from Forest of Bowland Bridleway reserve to fund expenditure		-27,140			-27,140
Reduction in funding from Building control reserve. This is mainly as a result of reduced service offset by a reduction in expenditure and support costs.	16,590	-42,100	-41,880		-16,370
Reduction in funds required from Local Development framework reserve to fund planning delivery expenses	3,830				3,830

	MOVEMENT IN EXPENDITURE £	MOVEMENT IN INCOME £	MOVEMENT IN SUPPORT £	MOVEMENT IN CAPITAL £	TOTAL MOVEMENT £
Increase in contribution to Pendle Hill users earmarked reserve as a result of contributions received during the year	7,750				7,750
Increase in contribution from planning reserve fund to cover planning inquiry expenses		-41,950			-41,950
OTHER	-800	2,140	-1,470		-130
TOTAL	156,740	-116,590	-31,920	0	8,230

4 2012/13 DRAFT REVENUE BUDGET

- 4.1 The three year forecast to Policy and Finance Committee in September highlighted the need for savings in the region of £600,000 in the 2012/13 financial year. There is continuing uncertainty surrounding the level of financial support the council will receive from the Government in future financial years, particularly following consultation papers on proposals to replace the current formula grant funding with an alternative based on the retention of business rates.
- 4.2 Due to this uncertainty, the three year forecast assumed a freeze on Government funding. Following the grant settlement in December, an updated budget forecast estimated the amount of savings needed for 2012/13 as £635,000. These figures will be updated further as detailed estimates are agreed by committees.
- 4.3 In addition, as always, there are a number of potential problems that will have a significant impact on the budget for 2012/13 and beyond. The immediate ones are:
- ❖ Future public sector funding
 - ❖ The continuing effect of the economic downturn on service income levels
 - ❖ The level of investment income received
- 4.4 As far as your budget is concerned, as stated earlier, the estimates have been prepared after allowing for savings from the service review savings package agreed at Policy and Finance Committee on 22 November 2011 and include provision for price increases of 2.5%. No allowance has been made for pay increases. Where possible budgets have been cash limited.
- 4.5 Whilst savings have been identified and incorporated into the base budget members are asked to consider any further potential areas for savings which they may be able to identify. These will be put forward for consideration by the Budget Working Group, be they for the 2012/13 budget or as proposals for any future years.

5 COMMITTEE SERVICE ESTIMATES

5.1 PLANNING CONTROL AND ENFORCEMENT

Service Description							PLANG
<i>Determination of planning applications, pre-application advice and investigation of authorised development.</i>							
Link to Ambitions							
To protect and enhance the existing environmental quality of our area.							
Budget Analysis	Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
	£	£	£	£	£	£	£
Supplies and Services	3,490	90	500	53,050	0	0	57,130
Third Party Payments	0	0	260	10,490	0	0	10,750
Support Services	496,560	0	0	0	38,790	0	535,350
Depreciation and Impairment	2,470	0	0	0	-2,470	0	0
Total Expenditure	502,520	90	760	63,540	36,320	0	603,230
Customer and Client Receipts	-381,630	-9,540	9,540	-2,540	0	-71,930	-456,100
Total Income	-381,630	-9,540	9,540	-2,540	0	-71,930	-456,100
NET	120,890	-9,450	10,300	61,000	36,320	-71,930	147,130
Comments							
<p>The increase in supplies and services and third party payments is due to a transfer from community services of the budgetary provision for planning specific items such as microfilm maintenance, consultant's fees, ordnance survey costs, statutory notices and decision notices to become a direct cost on planning control.</p> <p>There has been an increase in support costs from community services and legal services and a decrease in support costs from chief executives this is due to a combination of the service review and changes in staff time allocated to the service.</p> <p>Income from planning fees and pre- application advice have been increased to fund the two additional posts arising from the restructuring exercise and also to reflect an increase in demand for planning applications.</p>							

5.2 PLANNING POLICY

Service Description							PLANP
<i>The budget is for the local development framework.</i>							
Link to Ambitions							
To protect and enhance the existing environmental quality of our area.							
Budget Analysis	Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
	£	£	£	£	£	£	£
Support Services	156,120	0	0	0	34,500	0	190,620
Total Expenditure	156,120	0	0	0	34,500	0	190,620
Customer and Client Receipts	-230	0	0	0	0	0	-230
Total Income	-230	0	0	0	0	0	-230
NET	155,890	0	0	0	34,500	0	190,390
Comments							
Support costs from chief executives department have been increased due to the extension of the senior planning (Forward Planning) post to 31 December 2012 and also reflects the time being spent developing the Council's Core Strategy.							

5.3 PLANNING DELIVERY

Service Description							PLDEV
<i>To improve housing delivery and other planning outcomes in the area.</i>							
Link to Ambitions							
To match the supply of homes in our area with the identified housing need							
Budget Analysis	Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
	£	£	£	£	£	£	£
Employee Related	62,590	1,560	-1,560	-62,590	0		0
Transport Related	1,000	30	-30	-1,000	0		0
Supplies and Services	60,250	1,510	-1,510	-60,250	0		0
Support Services	19,480	0	0	0	-19,480		0
Total Expenditure	143,320	3,100	-3,100	-123,840	-19,480	0	0
NET	143,320	3,100	-3,100	-123,840	-19,480	0	0
Comments							
The planning delivery service was funded from the planning delivery grant set aside in an earmarked reserve. This reserve will be fully utilised by March 2012.							

5.4 BUILDING CONTROL SAP FEES

Service Description							BCSAP
<i>Procedure for estimating energy performance of dwellings</i>							
Link to Ambitions							
To protect and enhance the existing environmental quality of our area							
Budget Analysis	Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
	£	£	£	£	£	£	£
Employee Related	1,030	20	-20	310	-	-	1,340
Supplies and Services	340	10	0	0	0	0	350
Support Services	1,900	0	0	0	1,960		3,860
Total Expenditure	3,270	30	-20	310	1,960	0	5,550
Customer and Client Receipts	-4,740	-120	0	-330	0	0	-5,190
Total Income	-4,740	-120	0	-330	0	0	-5,190
NET	-1,470	-90	-20	-20	1,960	0	360
Comments							
Only accredited staff can carry out these inspections, the increase in employee costs is offset by additional income. Support costs from financial services have increased due to changes in staff time allocated to the service.							

5.5 BUILDING CONTROL

Service Description							BLDGC
<i>Determination of all types of building control applications and related legislation and standards, including dangerous buildings and elements of licensing</i>							
Link to Ambitions							
To protect and enhance the existing environmental quality of our area							
Budget Analysis	Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
	£	£	£	£	£	£	£
Employee Related	5,270	130	-80	-690	0	0	4,630
Transport Related	22,270	560	30	-3,440	0	0	19,420
Supplies and Services	24,270	640	-340	-4,190	0	-370	20,010
Support Services	253,210				-28,010		225,200
Total Expenditure	305,020	1,330	-390	-8,320	-28,010	-370	269,260
Customer and Client Receipts	-235,400	-5,880	50	25,850	0	0	-215,380
Total Income	-235,400	-5,880	50	25,850	0	0	-215,380
NET	69,620	-4,550	-340	17,530	-28,010	-370	53,880

Comments
The reduction in employee costs and transport costs is due to a reduction in professional fees and car allowances, as a result of the end of a fixed term contract of a member of staff in the building surveyors section. This is also reflected in a reduction of the support cost from the chief executive department.
In addition to the reduction in support costs from chief executive department there has been a reduction in support costs from community services and computer services. This is due to a review of cost allocations as part of an examination of the deficit on the building control account.
The reduced income from building control fees is anticipated to continue.

5.6 AREA OF OUTSTANDING NATURAL BEAUTY

Service Description							AONBS
<i>This relates to the cost of membership of National AONB Organisation and the annual contribution to the Joint Advisory Committee Partnership. Funding contributes to managements work and projects</i>							
Link to Ambitions							
To protect and enhance the existing environmental quality of our area.							
Budget Analysis	Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
	£	£	£	£	£	£	£
Third Party Payments	7,360	180	-180	0	0	0	7,360
Support Services	5,910	0	0	0	-1,380	0	4,530
Total Expenditure	13,270	180	-180	0	-1,380	0	11,890
NET	13,270	180	-180	0	-1,380	0	11,890

Comments
Support costs from chief executives department shows a small decrease this is due to savings from the structure review.

5.7 COMMUNITY GROUPS

Service Description							COMMG
<i>Support funding for biodiversity, conservation and environmental community projects.</i>							
Link to Ambitions							
To help make peoples lives safer and healthier.							
Budget Analysis	Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
	£	£	£	£	£	£	£
Transfer Payments	6,100	150	-150	0	0	0	6,100
Support Services	13,160	0	0	0	2,540	0	15,700
Total Expenditure	19,260	150	-150	0	2,540	0	21,800
NET	19,260	150	-150	0	2,540	0	21,800
Comments							
There has been a increase in support costs from chief executives department largely due to changes in staff time allocated to the service.							

5.8 COUNTRYSIDE MANAGEMENT

Service Description							COUNT
<i>The Council provides advice on countryside management matters and gives grants for trees, woodlands, hedgerows planting and environmental projects.</i>							
Link to Ambitions							
To protect and enhance the existing environmental quality of our area.							
Budget Analysis	Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
	£	£	£	£	£	£	£
Premises Related	10,000	250	-250	0	0	0	10,000
Supplies and Services	5,880	150	-150	2,650	0	0	8,530
Transfer Payments	19,050	480	-480	-2,650	0	0	16,400
Support Services	22,500	0	0	0	-1,260	0	21,240
Total Expenditure	57,430	880	-880	0	-1,260	0	56,170
Miscellaneous Recharges	-7,500	-190	190	0	0	0	-7,500
Total Income	-7,500	-190	190	0	0	0	-7,500
NET	49,930	690	-690	0	-1,260	0	48,670
Comments							
A movement in the types of bodies receiving grants from the council has resulted in some budget switching between supplies and services, and transfer payments.							
Support costs from chief executive's department show a small decrease this is due to savings from the structure review.							

5.9 FOOTPATHS AND BRIDLEWAYS

Service Description							FPATH
<i>The Council provides assist in footpath diversion orders</i>							
Link to Ambitions							
To protect and enhance the existing environmental quality of our area.							
Budget Analysis	Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
	£	£	£	£	£	£	£
Premises Related	290	10	-10	0	0	0	290
Supplies and Services	1,500	40	-40	0	0	0	1,500
Support Services	5,260	0	0	0	-1,110	0	4,150
Total Expenditure	7,050	50	-50	0	-1,110	0	5,940
Other Grants and Contributions	-1,500	-40	40	0	0	0	-1,500
Total Income	-1,500	-40	40	0	0	0	-1,500
NET	5,550	10	-10	0	-1,110	0	4,440
Comments							
A small reduction in support costs from community services department, mainly due to service review savings.							

5.10 HIGH HEDGES

Service Description							HIGHH
<i>The Council adjudicate on whether a hedge adversely affects a complainant's reasonable enjoyment of their property.</i>							
Link to Ambitions							
To protect and enhance the existing environmental quality of our area.							
Budget Analysis	Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
	£	£	£	£	£	£	£
Support Services	2,100				-40		2,060
Total Expenditure	2,100	0	0	0	-40	0	2,060
NET	2,100	0	0	0	-40	0	2,060
Comments							
A small reduction in support costs from community services department due to the service review savings.							

5.11 CONSERVATION AREAS

Service Description							CONSV
<i>The Council has the power to designate areas as Conservation Areas, these are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.</i>							
Link to Ambitions							
To protect and enhance the existing environmental quality of our area.							
Budget Analysis	Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
	£	£	£	£	£	£	£
Support Services	12,000	0	0	0	-120	0	11,880
Total Expenditure	12,000	0	0	0	-120	0	11,880
NET	12,000	0	0	0	-120	0	11,880
Comments							
Reduction in support costs from community department due to the service review savings.							

5.12 ALBION MILL

Service Description							ALBNM
<i>The Council leases industrial units at Albion Mill, Clitheroe and sublets these to tenants</i>							
Link to Ambitions							
To sustain a strong and prosperous Ribble Valley							
Budget Analysis	Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
	£	£	£	£	£	£	£
Premises Related	30,000	750	-750	0	0	0	30,000
Supplies and Services	1,540	40	0	0	0	0	1,580
Support Services	1,830	0	0	0	250	0	2,080
Total Expenditure	33,370	790	-750	0	250	0	33,660
Customer and Client Receipts	-36,430	-910	910	0	0	0	-36,430
Total Income	-36,430	-910	910	0	0	0	-36,430
NET	-3,060	-120	160	0	250	0	-2,770
Comments							
The costs of supplies and services have increased by an inflationary increase in the provision for legal fees							

5.13 ECONOMIC DEVELOPMENT

Service Description							INDDV
<i>This budget covers costs for economic development and regeneration works, including projects, partnership work and joint working, to support, maintain and enhance the local economy.</i>							
Link to Ambitions							
To sustain a strong and prosperous Ribble Valley							
Budget Analysis	Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
	£	£	£	£	£	£	£
Premises Related	3,460	0	0	0	-2,790	0	670
Supplies and Services	27,660	690	-200	0	0	-10,000	18,150
Support Services	78,490	0	0	0	-16,730	0	61,760
Total Expenditure	109,610	690	-200	0	-19,520	-10,000	80,580
NET	109,610	690	-200	0	-19,520	-10,000	80,580
Comments							
There has been a reduction in premises related expenses, particularly from the ground maintenance service on the level of upkeep needed on industrial development sites.							
There has also been a decrease in supplies and services mainly due to a reduction in hours worked by the Regeneration Project Officer as part of the savings identified from the subscription budget in the service review.							

5.14 GRANTS AND SUBSCRIPTIONS – PLANNING AND DEVELOPMENT COMMITTEE

Service Description							PLSUB
<i>Within this budget are various Grants, Contributions and Subscriptions paid by the Council from this committee</i>							
Link to Ambitions							
To protect and enhance the existing environmental quality of our area.							
Budget Analysis	Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
	£	£	£	£	£	£	£
Supplies and Services	15,390	380	-10	-480	0	0	15,280
Total Expenditure	15,390	380	-10	-480	0	0	15,280
NET	15,390	380	-10	-480	0	0	15,280
Comments							
Inflationary increase in the subscriptions paid to Lancashire archaeological service and East Lancashire partnership. Removal of the provision for the contribution to Ribble Valley Rail, not paid since 2004.							

5.15 CLITHEROE INTEGRATED TRANSPORT SCHEME

Service Description							CINTR
<i>The council makes a small contribution to the running costs of the County Council's bus and rail interchange in Clitheroe</i>							
Link to Ambitions							
To protect and enhance the existing environmental quality of our area							
Budget Analysis	Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
	£	£	£	£	£	£	£
Premises Related	1,140	30	-30	-1,040	0	0	100
Supplies and Services	30	0	0	0	0	0	30
Transfer Payments	5,150	130	0	0	0	0	5,280
Support Services	570	0	0	0	0	0	570
Depreciation and Impairment	1,190	0	0	0	-10	0	1,180
Total Expenditure	8,080	160	-30	-1,040	-10	0	7,160
Customer and Client Receipts	-1,170	-30	30	1,040	0	0	-130
Total Income	-1,170	-30	30	1,040	0	0	-130
NET	6,910	130	0	0	-10	0	7,030
Comments							
The reduction in premises related expenses and income is due to Ribble Valley staff no longer cleaning shelters on behalf of LCC.							
The increase in transfer payments is due to an inflationary increase in the contribution to the Clitheroe line rail partnership							

6 SUMMARIES

6.1 The draft budget is summarised in two ways. One over the cost of the service (objective) provided by the committee. The other is over the type of expenditure and income (subjective).

a) *Cost of Services Provided (Objective)*

Cost Centre	Service Name	BUDGET ANALYSIS						
		Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
PLANG	Planning Control & Enforcement	120,890	-9,450	10,300	61,000	36,320	-71,930	147,130
PLANP	Planning Policy	155,890	-10	10	0	34,500	0	190,390
PLDEV	Planning Delivery Grant	143,320	3,100	-3,100	-123,840	-19,480	0	0
BCSAP	Building Control SAP Fees	-1,470	-90	-20	-20	1,960	0	360
BLDGC	Building Control	69,620	-4,550	-340	17,530	-28,010	-370	53,880
AONBS	Area of Outstanding Natural Beauty	13,270	180	-180	0	-1,380	0	11,890
COMMG	Community Groups	19,260	150	-150	0	2,540	0	21,800
COUNT	Countryside Management	49,930	690	-690	0	-1,260	0	48,670
FPATH	Footpaths & Bridleways	5,550	10	-10	0	-1,110	0	4,440
HIGHH	High Hedges	2,100	0	0	0	-40	0	2,060
CONSV	Conservation Areas	12,000	0	0	0	-120	0	11,880
ALBNM	Albion Mill	-3,060	-120	160	0	250	0	-2,770
INDDV	Economic Development	109,610	690	-200	0	-19,520	-10,000	80,580
PLSUB	Grants and Subscriptions	15,390	380	-10	-480	0	0	15,280
CINTR	Clitheroe Integrated Transport Scheme	6,910	130	0	0	-10	0	7,030

Cost Centre	Service Name	BUDGET ANALYSIS						
		Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
NET COST OF SERVICES		719,210	-8,890	5,770	-45,810	4,640	-82,300	592,620
ITEMS ADDED TO/(TAKEN FROM) BALANCES AND RESERVES								
PLBAL H253	Local Development Framework	-11,580	0	0	11,580	0	0	0
PLBAL H268	Planning Delivery	-109,770	0	0	109,770	0	0	0
PLBAL H234	Building Control Reserve Fund	-44,730	0	0	43,650	0	0	-1,080
NET BALANCES & RESERVES		-166,080	0	0	165,000	0	0	-1,080
NET EXPENDITURE		553,130	-8,890	5,770	119,190	4,640	-82,300	591,540

b) Type of Expenditure/Income (Subjective)

	Original Estimate 2011/12	Inflation at 2.5%	Inflation above or below 2.5%	Unavoidable Changes to Service Cost	Support Services & Capital	Service Review Savings	Original Estimate 2012/13
Employee Costs	68,890	1,710	-1,660	-62,970	0	0	5,970
Premises Costs	44,890	1,040	-1,040	-1,040	-2,790	0	41,060
Transport Costs	23,270	590	0	-4,440	0	0	19,420
Supplies and Services	140,350	3,550	-1,750	-9,220	0	-10,370	122,560
Third Party	7,360	180	80	10,490	0	0	18,110
Transfer Payments	30,300	760	-630	-2,650	0	0	27,780
Support Services	1,069,090	0	0	0	9,910	0	1,079,000
Depreciation & Impairment	3,660	0	0	0	-2,480	0	1,180
TOTAL EXPENDITURE	1,387,810	7,830	-5,000	-69,830	4,640	-10,370	1,315,080
Customer & Client Receipts	-659,600	-16,680	10,730	24,020	0	-71,930	-713,460
Other grants and reimbursements	-1,500	-40	40	0	0	0	-1,500
Miscellaneous Recharges	-7,500	0	0	0	0	0	-7,500
TOTAL INCOME	-668,600	-16,720	10,770	24,020	0	-71,930	-722,460
NET COST OF SERVICES	719,210	-8,890	5,770	-45,810	4,640	-82,300	592,620
ITEMS ADDED TO/ (TAKEN FROM) BALANCES AND RESERVES							
PLBAL/H253 : Local Development Framework	-11,580			11,580			0
PLBAL/H268: Planning Delivery	-109,770			109,770			0
PLBAL/H234: Building Control Reserve Fund	-44,730			43,650			-1,080
NET BALANCES & RESERVES	-166,080	0	0	165,000	0	0	-1,080
NET EXPENDITURE	553,130	-8,890	5,770	119,190	4,640	-82,300	591,540

6.2 Net costs for this committee after allowing for transfers to and from earmarked reserves, have increased by £38,410. This change is due to a number of large fluctuations as detailed below:

- ❖ Reduced planning delivery employee costs of £62,500 and consultancy fees of £60,000 offset by reduced contribution from reserve fund due to service ending
- ❖ Transfer of £58,380 planning specific budgets from community services to planning control.
- ❖ Extension to the post of Senior Planner (Forward Planning) to 31 December 2012 making the Assistant Planning Officer's post permanent and creating a new post of part time Planning Assistant to deal with pre-planning advice to be part funded from increased income from planning fees of £58,310 and pre-application advice of £13,620. Reduction in building control fees of £23,750

7 FEES AND CHARGES

- 7.1 Fees and charges for this Committee were agreed in November 2011, and have been increased by 2½%, or more if the increase could be sustained. Detailed rates are contained in the Council's fees and charges book and the new rates will be applicable from 1 April 2012.

8 RECOMMENDED THAT COMMITTEE

- 8.1 Approve the revised budget for 2011/12.
- 8.2 Agree the revenue budget for 2012/13 and to submit this to the Special Policy and Finance Committee subject to any further consideration by the Budget Working Group.

SENIOR ACCOUNTANT

PD1-12/TH/AC
17 January 2011

RIBBLE VALLEY BOROUGH COUNCIL

REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: 12 JANUARY 2012
 title: REVISED CHARGES IN RELATION TO PRE-APPLICATION PLANNING ENQUIRIES
 submitted by: DIRECTOR OF COMMUNITY SERVICES
 principal author: JOHN MACHOLC – HEAD OF PLANNING SERVICES

1 PURPOSE

1.1 To request Committee's authorisation to revise the current pre-application charging levels in relation to pre-application discussions on development proposals. It also requests Members to authorise charging fees on previous services which were not charged and this relates to domestic enquiries, listed buildings, advertisement consent proposals and hedgerow and tree matters.

1.2 Relevance to the Council's ambitions and priorities

- Council Ambitions - }
- Community Objectives - } To be a well-run and efficient Council.
- Corporate Priorities - }
- Other Considerations - }

2 BACKGROUND

2.1 In January 2010 a charge for pre-application advice was first introduced to the Council following Committee's ratification on 17 December 2009, which was subject of a previous Committee report in July 2009.

2.2 The current scheme of charging is for:

- minor developments;
- intermediate developments;
- major developments.

2.3 The fee varied from £50 - £300 depending on the category and whether a meeting was requested. There was no charge for householders, advertisement proposals and listed building advice.

2.4 In 2010 from January to December, the total fee received was approximately £24,000 and there was a total number of 433 enquiries. The majority of the enquiries still related to householder domestic enquiries. In December 2011 there was a total fee of approximately £26,000 and number of enquiries 379.

2.5 Due to workload commitments and a need to prioritise other tasks from within the Head of Planning Services function, it has not always been possible to deliver a reasonable level of service when dealing with pre-application requests. As a result at the discretion

of the Head of Planning Services, some fees have been refunded with advice still given as it was considered that the level of service was inadequate.

- 2.6 Members will be aware that following on from the agreed restructure, a new post has been created which is a Senior Planning Officer under the Development Management function has been established. A critical role of this post will be to give advice on pre-applications and attend the requisite meetings resulting from pre-application proposals. It is considered that as the post will predominantly be dedicated to give pre-application advice it will enable a prompt response to such enquiries.
- 2.7 It is clear that since the introduction of pre-application fees by Ribble Valley in 2010, the vast majority of Councils across the country now operate such a system. The level of charging and the type of services that are charged varies across districts, but it is clear that many now charge for householder advice. Locally, this has been introduced by both Hyndburn and Blackburn with Darwen districts and I understand it is been currently considered by many other districts.
- 2.8 I now consider it appropriate to increase the level of charging for the existing pre-application services and also introduce charges for the following categories:
- Domestic enquiries.
 - Advertisement proposals.
 - Listed building and Conservation Area consent proposals.
 - Hedgerow and tree advice.
- 2.9 In relation to the level of the services, I consider that in the case of major enquiries that the required fee should be for up to two meetings often the first meeting being an introductory meeting in identifying key issues and requirements and the second meeting with many of the key stakeholders in attendance. A written response would then be issued. Should there be a request for a further follow up meeting, then this would incur an additional cost at a reduced rate to the initial pre-application charge.
- 2.10 It is evident that a significant time is spent in determining domestic/householder pre-application advice. There has been nearly 200 enquiries in 2010 and approximately 150 enquiries in 2011. In certain circumstances, due to developers requesting a meeting in relation to householder/domestic enquiries, they have often forwarded a fee for the basic minor enquiry meeting of £100, which indicates a willingness for people to pay for such a service. This fee has been refunded in all instances as currently there is no charging for such a service. I now consider it appropriate to charge for domestic enquiries and that this should also be on two levels; one in which no meeting is requested and the second for when a meeting is requested. (The revised fee charging scheme is submitted as Appendix A).
- 2.11 I also now consider it appropriate to charge for advertisement proposals although I do not anticipate that this would generate a significant level of enquiries.
- 2.12 The Council has limited resources available in relation to design and conservation advice and it is clear that a lot of time is spent giving pre-application advice for both enquiries relating to repairs on listed buildings and also detailed development proposals. I do not consider it appropriate to charge for advice in relation to minor repair work on listed buildings but I do believe it would be acceptable to pay for advice in relation to pre-application on listed building enquiries that constitute development work more than just minor repairs. These proposals are often complicated and generate a significant amount

of officer time and on that basis I consider it reasonable to charge a limited fee which will cover some of the costs or time involved.

- 2.13 I recognise that the introduction of additional charges is often unwelcome by some users but my experience of the existing system is that it has been operating reasonably successfully and that people have not objected to the charge itself but have more concerns in relation to the timescale of response. It is hoped that the introduction of the new post within the Development Management function, which will not only free up existing officer time, but will also enable an officer to focus their work on pre-application advice and therefore give a quicker response and have more ability to meet with the developers at an earlier time.
- 2.14 In dealing with written responses, it will be made clear that the views expressed are given in good faith and given without prejudice to the formal consideration of any future application. Furthermore, it is expected that the applicant be fully aware of the advice based on current policy and should local and national policies change, that this might affect the advice given.

3 RISK ASSESSMENT

3.1 The approval of this report may have the following implications

- Resources – no significant impact as the serviced will continue to be met via existing resources and with the appointment of a part time senior planner who would be responsible for pre-application advice it should be possible to improve the service.
- Technical, Environmental and Legal – none.
- Political – none.
- Reputation – AS there will be additional charges it is essential that a good service is delivered in relation to pre-application advice and with the appointment of a planning officer this should be possible to be delivered.

4 RECOMMENDED THAT COMMITTEE

4.1 Accept the revised charges and the introduction of the additional charges for pre-application advice and the other procedures and that the revised charges operate from 1 March 2012.

DIRECTOR OF COMMUNITY SERVICES

For further information please ask for John Macholc, extension 4502.

GUIDANCE NOTES FOR PRE-APPLICATION ENQUIRY FEES

As from 1 March 2012 charges will be introduced for certain planning enquiries.

A flat rate of £30 plus VAT will be introduced for site history requests.

Confirmation of valid consents – a flat rate fee of £100 plus VAT.

	COST	VAT	TOTAL
<u>Site History</u>	£30	£6	£36
<u>Permitted Development Rights (check if removed)</u>	£30	£6	£36
<u>Minor Developments</u>	£150	£30	£180
<ul style="list-style-type: none"> • Less than 3 dwellings • Offices/research/business and light industry < 500m² or .5 ha • General industry/manufacturing/storage and warehousing < 500m² or < .5ha • Retail proposals • All other minor developments 			
<u>Intermediate Developments</u>	£300	£60	£360
<ul style="list-style-type: none"> • 3 to 9 dwellings • Offices/research/business and light industry 500m² – 1000m² or .5ha – 1 ha • General industry/manufacturing/storage and warehousing 500m² – 1000m² or .5ha – 1ha • Retail proposal 500m² – 1000m² or .5ha – 1ha • All other developments 			
<u>Major Developments</u>			
Schemes that involve development in excess of 1000m ² or 1ha (up to 2 meetings)	£600	£120	£720
Additional meeting	£300	£60	£360
<u>Householders</u>			
1. Without meeting	£40	£8	£48
<u>Householders</u>			
2. With meeting (10 day guaranteed fee returned if not)	£75	£15	£90
<u>Listed Buildings/Conservation Areas</u>			
Repair works	£0	£0	£0
All other proposals	£75	£15	£90
<u>Trees</u>			
Services in relation to high hedge or tree issues prior to formal application	£40	£8	£48
<u>Advertisements</u>			
Advice on advertisement	£40	£8	£48
Prior notification and telecommunications	£75	£15	£90

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: 12 JANUARY 2012
 title: EXTENSION TO THE DELEGATION SCHEME IN RELATION TO DETERMINATION OF PLANNING APPLICATIONS
 submitted by: DIRECTOR OF COMMUNITY SERVICES
 principal author: JOHN MACHOLC – HEAD OF PLANNING SERVICES

1 PURPOSE

1.1 To request minor changes to the scheme of delegation in relation to the determination of planning applications.

1.2 Members may be aware that most recent revisions to the delegation scheme was on the 14 January 2010 to take into account the changes to the planning legislation which introduced a new application type in relation to minor amendments and non-material amendments. Prior to that the most recent change was in April 2009 when it was revised to allow approval of household applications subject to no more than 3 objections from different addresses.

1.3 Relevance to the Council's ambitions and priorities:

- Council Ambitions – }
 - Community Objectives - }
 - Corporate Priorities - }
 - Other Considerations - }
- To be a well-managed Council providing efficient services based on identified customer need.

2 BACKGROUND

2.1 It is evident that the Government has expressed concerns in relation to the possible delay that the present system has caused and its impact on driving the economy. Part of the impact has been the delay in the determination of planning applications. It is important to explore ways of a enabling quicker decisions without significant harm to the planning process.

2.2 Part of the way forward is to explore whether or not it is possible to increase the level of delegation on planning applications so that more applications could be determined without the need to go to a Planning and Development Committee. Many Members will be aware that this is a sensitive issue and when the scheme was revised to increase the level of delegation on household applications it was first done as a temporary measure with the objective to review the process after 12 months. This was carried out and in overall terms the scheme resulted in a speedier determination rate without any significant impact on the planning process. Initially, some concerns were expressed in relation to the inability to speak at Committee but these have been limited and over the last 12 months I cannot recall any complaints.

2.3 Planning Advisory Service previously identified how some planning authorities are achieving better planning outcomes by improving the effectiveness and efficiency of the way they make planning decisions by delegation. The common factors characterising this good practice were identified as:

- Maximising the number of delegated planning decisions – delegating higher than 90% of planning decisions, which gives planning committees more time to focus on complex and controversial applications.

2.4 It is intended that the current scheme of delegation be altered so that all applications with the exception of major proposals be delegated to the Director of Community Services/Head of Planning Services where there is no more than 3 objections from single households. The attached Appendix A – Proposed Delegation Scheme, gives further details with Appendix B showing the existing Delegation Scheme.

3 ISSUES

3.1 In assessing the revision proposed I do not consider this would have a significant detrimental impact on the planning process and key applications would still need to be determined by the Planning and Development Committee. I envisage that this proposed revised delegation scheme allowing delegation on minor commercial schemes as well as minor residential developments would speed up the process of determination of planning applications. The type of applications I envisage to be determined on this process will be ones where there have been one or two objections from either a Parish Council or a competitor of a business but these applications would not be of particular significance that would normally need to be determined by Planning and Development Committee. Examples in the past have been when either a Parish Council have consistently objected to a substitution of house type or because they either perceive this as a new dwelling or object on the basis of historical facts.

3.2 The current delegation scheme has been around 79% over the last four years, whereas nationally the Government still would wish to see a delegation scheme of between 90%-95%. This change will bring us more in line with similar Councils and I hope will also free up officer time and member time to be available on key applications with the fact that less applications would need to go to Planning and Development Committee.

3.3 I have not been able to fully analyse the effects that this revised delegation scheme would have on the length of the agenda but it is clear that it would, in some instance, reduce the number of planning applications on the agenda by between 30-50% on a regular basis would have the effect of significantly increasing the delegation level towards the 90% target *85%). This should enable quicker decisions to be made.

3.4 It is also requested that the wording of the delegation scheme to be altered to refer to Director of Community Services and Head of Planning Services rather than relate to Director of Development as this post is no longer in the establishment.

3.5 It is also requested that the delegation scheme be revised to make it clear that any application can be taken to the Planning and Development Committee even if it falls within the delegation scheme should be Director of Community Services or Head of Planning Services considered it appropriate.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – any changes could be met with existing staffing and it may also free up some member and officer time.
- Technical, Environmental and Legal – none.
- Political – none.
- Reputation – it may lead to a minority of people expressing concerns about inability to express their views and that the system is less democratic.

5 **RECOMMENDED THAT COMMITTEE**

5.1 Endorse the revised changes to the delegation scheme on determination of planning applications to include:

- applications for up to 3 new dwellings;
- all other minor developments, including minor commercial extensions, changes of use and developments of up to 3 new dwellings;
- delegation to Director of Community Services or Head of Planning Services to decide to take applications to Planning and Development Committee even if they fall within the delegated procedure if it is deemed appropriate.

DIRECTOR OF COMMUNITY SERVICES

BACKGROUND PAPERS

1 Current Delegation Scheme.

For further information please ask for John Macholc, extension 4502.

PROPOSED DELEGATION SCHEME UPDATED 12 JANUARY 2012

- RIBBLE VALLEY BOROUGH COUNCIL
- PLANNING AND DEVELOPMENT COMMITTEE
- SCHEME OF DELEGATION OF DEVELOPMENT CONTROL AND COUNTRYSIDE MATTERS
- LAST REVISED 12 JANUARY 2012

This note is designed to clarify when applications received by the Council in relation to planning, countryside and some other related matters will be decided by the Planning and Development Committee and when those decisions will be delegated to officers of the Council. Many of the delegated items date from the inception of Ribble Valley Borough Council. Where dates are known for later additions they are given. Details of planning decisions made under delegated powers will be reported to Committee for information.

From time to time legislative change may rename or make minor amendments to some of the listed delegated items. Whilst the scheme of delegation will be amended to reflect these changes, there may be periods where the clear intention must be respected even if precise wording or legislative reference has changed.

These powers are delegated to the Director of Community Services.

1. GENERAL DEVELOPMENT CONTROL
 - (a) Determination as to whether applications are county matters or district matters under Schedule 1 of the Town and Country Planning Act 1990.
 - (b) The statutory or the discretionary need to advertise various types of applications.
 - (c) What statutory or other consultations/notifications are required.
2. APPLICATIONS FOR A CERTIFICATE OF LAWFULNESS AND DISCHARGE OF CONDITIONS
 - 2.1 There are two types of application for a Lawful Development Certificate.

These are:

 - (a) Determination of applications for a Certificate of Lawfulness of existing use or development under Section 191 of the Town and Country Planning Act 1990.
 - (b) Determination of applications for a Certificate of Lawfulness of proposed use or development under Section 192 of the Town and Country Planning Act 1990.
 - 2.2 Applications for the discharge of conditions placed on planning approvals.

2.3 Since all these types of application relate to issues of fact, both refusals and approvals are delegated to the Director of Community Services. **These applications remain delegated even if representations are received.**

3. DETERMINATION OF PLANNING APPLICATIONS

3.1 Applications submitted on behalf of family members of councillors and officers should be placed before the Planning and Development Committee even if they fall within the below categories.

Approvals 1

3.2 The following types of planning applications are delegated to the Director of Community Services [providing no objections are received:

- Applications for up to 3 new dwellings (14/1/12)
- Substitute dwellings on existing plots within an existing housing estate
- Applications for new access points wither on classified or unclassified roads.
- Applications for a change of use (26/5/94)
- Extensions or ancillary buildings within the curtilage of industrial or commercial buildings subject to the alterations not constituting a major proposals, ie it should be no more than 100 square metres floorspace (this includes temporary buildings). (6/3/03 then 18/12/08)
- Proposals for new shop fronts on existing shops
- Applications for consent to display advertisements
- Applications for agricultural buildings (11/4/90 then 18/12/08)
- Proposals to reinforce existing overhead power lines.
- Applications for listed building consent
- Applications for conservation area consent (11/4/90 and 30/04/09)
- All applications about which the observations of the Council are requested (23/4/98 and 18/12/08)
- Renewals of previously approved schemes (23/4/98)
- Renewals of temporary consents (15/6/99)
- Applications for temporary buildings (15/6/99)
- Reserved matters applications
- Modification of conditions that were not part of an original Committee
- Minor material amendments (14/1/10)
- Non material amendments (14/11/10)

Approvals II

3.3 The following types of planning application are delegated to the Director of Community Services providing fewer than three objections from separate addressed are received by the date of consultation closure. The total of these includes statutory consultees.

- (a) Ancillary development within the curtilage of a dwelling house (for example, domestic garages, conservatories, porches, greenhouses and means of enclosure etc) (40/4/09).
- (b) Extensions to dwellings (30/4/09).

- (c) All other minor developments including minor commercial proposals, change of use applications, and up to 3 new dwellings.

Refusals

3.4 Planning applications falling into these categories can be refused under delegated powers without prior reference to the Chairman (or if unavailable the Vice Chairman) of Planning and Development Committee.

- Household extensions and curtilage buildings
- Listed buildings
- New housing clearly contrary to Policy
- Applications raising design issues
- Advertisement proposals
- Buildings in the open countryside
- Change of uses that do not generate significant employment issues
- Reserved matters

Such delegated refusals can be issued with registered objections.

Planning applications falling into the three categories below will normally be discussed with the Chairman (or if unavailable the Vice Chairman) or Planning and Development Committee to decide whether they can be refused under delegated powers or should be referred to Committee.

- Developments that may have significant employment issues
- Modification of conditions
- Applications that may resolve bad neighbour developments

Section 106 Agreements

3.5 Negotiations leading to the satisfactory completion of Section 106 Agreements will be delegated to officers unless Committee have formally requested further involvement at the time of the original decision. This is subject to the Affordable Housing Memorandum of Understanding where it relates to affordable housing provision.

4. PRIOR NOTIFICATIONS

4.1 Proposals for agricultural buildings, demolition work and telecommunications apparatus within certain size and locational thresholds may benefit from permitted development rights. The developers are however required to serve a prior notification upon the Council.

This gives the local authority the opportunity to assess whether planning consent is required and also to seek technical alterations if appropriate. The Council has a limited time to respond; but as failure to issue a decision results in an automatic approval these items need to be delegated regardless of the decision reached.

5. ENFORCEMENT

- 5.1 In all cases where there is a breach of planning control, the Director of Community Services is authorised to take the necessary action to regularise the situation, including the service of notice on untidy sites.

6. BUILDING PRESERVATION NOTICES

- 6.1 In the case of an unlisted building that is of Special Architectural or Historic interest and is in danger of demolition or alteration, the Director of Community Services is authorised to serve a building preservation notice. (This is sometimes known as spot listing).

7. TREE PRESERVATION AND COUNTRYSIDE

- (a) The Director of Community Services is authorised to make provisional tree preservation orders where necessary because of the immediate threat to tree involved.
- (b) Decisions on applications for work on protected trees.
- (c) Confirmation of tree preservation orders when no objections have been received.
- (d) Decisions on notifications under the Hedgerow Regulations.
- (e) Confirmation of public rights of way diversion orders.
- (f) Responses to Lancashire County Council on the consultation stage of footpath diversion orders in liaison with Committee Chairman (or if unavailable the Vice Chairman) and ward member(s).

8. OTHER MATTERS

- 9.1 Decisions on whether an application is needed for consent to demolish a building.
- 8.2 Decisions on whether an environmental impact assessment is required for any specific proposal.
- 8.3 The attachment of appropriate conditions to approvals following overturns of officer refusal recommendations to Committee (8/3/01).
- 8.4 Decisions whether or not to use consultants to prepare and present an appeal case is delegated but only following discussions with the Chairman (or if unavailable the Vice Chairman) of the Planning and Development Committee,
- 8.5 Proposed working amendments are delegated to officers even if the original application fell into category 3.1 above.
- 8.6 Delegation to Director of Community Services or Head of Planning Services to decide to take applications to Planning and Development Committee even if they fall within the Delegated procedure if it is deemed appropriate.

9. COUNCILLORS POWER TO REQUIRE A PLANNING APPLICATION TO BE DETERMINED BY COMMITTEE

- 9.1 A ward councillor will have the right to require that any application appearing on the weekly list is presented to Planning and Development Committee for decision providing that such an instruction is received by the Director of Community Services in writing within 14 days of the 'received week ending' of the relevant list.

APPENDIX B

EXISTING DELEGATION SCHEME UPDATED 14 JANUARY 2010

- RIBBLE VALLEY BOROUGH COUNCIL
- PLANNING AND DEVELOPMENT COMMITTEE
- SCHEME OF DELEGATION OF DEVELOPMENT CONTROL AND COUNTRYSIDE MATTERS
- LAST REVISED 14 JANUARY 2010

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: 12 JANUARY 2012
title: BIODIVERSITY OFFSETTING
submitted by: DIRECTOR OF COMMUNITY SERVICES
principal author: DAVID HEWITT, COUNTRYSIDE OFFICER

1 PURPOSE

1.1 To seek Committee approval to, through the planning process, introduce biodiversity offsetting and to register Primrose Lodge as a receptor site with the Environment Bank in order for the site to receive conservation credit funding.

1.2 Relevance to the Council's ambitions and priorities

- Council Ambitions – To help make peoples lives safer and healthier, biodiversity helps to safeguard the natural environment.
- Community Objectives – Safeguarding local vision amenity value.
- Corporate Priorities – To maintain the environmental quality of Ribble Valley.
- Other Considerations – None.

2 BACKGROUND

Biodiversity Offsetting

2.1 Biodiversity offsetting is a compensation for impacts of development on the environment through conservation efforts undertaken elsewhere.

2.2 It allows environmental loss to be calculated and compensated for elsewhere rather than just on site. In order to do this, receptor sites have to be identified for which developers can purchase conservation credits in order to discharge their environmental obligations and the funds from these credits pay for offsite biodiversity/conservation enhancement.

2.3 The process however does not allow the facilitation of developments by providing a licence to trash the environment and statutory site specific planning conditions will still apply for all developments.

Conservation Credit

2.4 Conservation credit is a measure of the quantity and quality of habitat or potential habitat and can be applied to Greenfield and Brownfield sites and therefore the various developments will require different types of conservation credits depending on their impacts.

Receptor Sites

- 2.5 Receptor sites are the conservation/restoration sites where conservation credits are generated and sold to developers as offsets. Receptor sites are permanent, protected and managed in the long term, a number of pilot projects are currently being run and the first one was with the Wild Fowl and Wetland Trust that through the process of conservation credits will receive 3.2 million over the lifetime of the project.

Environment Bank

- 2.6 The Environment Bank acts as independent broker for conservation credits by channelling private sector money into biodiversity this provides working capital for biodiversity, conservation and landscape enhancement.

Primrose Lodge

- 2.7 Primrose Lodge was included in 1992 Primrose Area Planning Brief produced in order to establish a proper framework for the development of Primrose Lodge and surrounding area. The planning brief recognised that Primrose Lodge has apparent ecological merit (Appendix 1) and has subsequently been designated as a County Biological Heritage Site (See Appendix 2).
- 2.8 County Biological Heritage Sites are non - statutory designations that recognises a site's nature conservation value within the context of the County of Lancashire – Primrose Lodge can be best described as an artificial habitat.
- 2.9 Primrose Lodge is a manmade reservoir built for manufacturing processes and generation of power for Primrose works. The site has always been considered for development that has public amenity with nature conservation value and has the potential through appropriate management to build on its biodiversity value.
- 2.10 Over the years the water levels have reduced due to silt accumulation and disrepair of the dam and associated infrastructure. As a consequence, the site requires considerable investment in order to create a condition that will serve both nature conservation and public amenity.
- 2.11 The current estimate for development of the land is £425,000 (See Appendix 3). Whilst some Section 106 Agreement money will be made available to a maximum of £250,000, there will still be a shortfall of approximately £175,000.
- 2.12 Other funding streams have been explored more recently remade Lancashire but as of 2011, this process has been largely dispended and reduced in scale, therefore as a consequence there are insufficient funds and resources available in order for the development to go ahead.
- 2.13 Registering Primrose Lodge as a receptor site with the Environment Bank has the potential to raise the outstanding capital required in order to carry out the schedule of works needed in order to create a site of biodiversity and public amenity value.

3 RISK ASSESSMENT

3.1 The approval of this report may have the following implications

- Resources – N/A
- Technical, Environmental and Legal – N/A
- Political – N/A
- Reputation – Enhances the councils reputation for working in partnership with agencies for the delivery of biodiversity action plans.

4 **RECOMMENDED THAT COMMITTEE**

4.1 Approve the use of biodiversity offsets to enable offsite biodiversity/nature conservation enhancement management work to be implemented and to register Primrose Lodge as the first receptor site in this process.

DIRECTOR OF COMMUNITY SERVICES

BACKGROUND PAPERS

1 Environment Bank statement.

For further information please ask for David Hewitt, extension 4505.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: 12 JANUARY 2011
title: MEMORANDUM OF AGREEMENT FOR THE FOREST OF BOWLAND AONB
submitted by: JOHN HEAP – DIRECTOR OF COMMUNITY SERVICES
principal author: DAVID HEWITT – COUNTRYSIDE OFFICER

1 PURPOSE

- 1.1 For Committee to confirm that it would not be appropriate for Ribble Valley Borough Council to become a signatory to the Forest of Bowland Area of Outstanding Natural Beauty (AONB) Memorandum of Agreement.
- 1.2 Relevance to the Council's ambitions and priorities:
- Council Ambitions – to safeguard the natural environment.
 - Community Objectives – to enhance and maintain amenity value.
 - Corporate Priorities – to maintain the natural environmental quality of Ribble Valley.
 - Other Considerations – none.

2 BACKGROUND

- 2.1 Some 70% of the Ribble Valley district lies within the Forest of Bowland AONB and as a member of both the Joint Advisory Committee and the Technical Officers' Group for the AONB the council is one of six District Councils that, along with Lancashire County Council, are working together to ensure that the natural beauty of the Forest of Bowland AONB is conserved, enhanced and protected for the benefit of all.
- 2.2 Each of the six Districts and Lancashire County Council, make an annual contribution to core costs and in total this provides 25% of the total core funding for the AONB countryside unit, the remaining 75% is provided by DEFRA.

3 ISSUES

- 3.1 Currently the district council funding partners are directly and indirectly responsible for protection and enhancement of the designated area of the AONB through the delivery of the aims and objectives of the management plan. This is a statutory requirement.
- 3.2 The current arrangement has been in place for over 20 years and is strongly supported by partners and relevant authorities. It has been a key factor in the introduction of a number of initiatives for the sustainable management of the AONBs natural assets, generating strategic funding and proactive management – ie the sustainable development fund, micro-renewable energy initiative, climate change activities and species recovery projects.

- 3.3 The Memorandum of Agreement is intended to bind partners to give medium-term security in order to match DEFRA's commitment to the AONB funding programme with In the four years comprehensive spending review period.
- 3.4 Although a four year commitment is being sought, the Memorandum of Agreement is worded to enable funding from the 2012/2013 financial year onwards to be subject to annual reviews for DEFRA and the relevant Local Authorities.
- 3.5 The agreement provides a framework for the determination of duties and obligations arising from part IIV of the Countryside & Rights of Way Act 2000 including the operation and management of an AONB Partnership and the publishing, reviewing, and monitoring of the management plan.
- 3.6 The Memorandum of Agreement includes a number of clauses designed to formalise existing working agreements. However the clause that covers redundancies is of concern because it has the potential to leave the council exposed to financial liabilities.
- 3.7 In the event that any funding partner withdraws from the agreement, the remaining funding partners will be held liable for any redundancies arising from the reduction in funding.
- 3.8 Previous funding agreements have been based on statements of intents subject to budget headings being maintained. In 2011 the first memorandum of agreement was drawn up but RVBC did not become a signatory due to the inclusion of a clause - inescapable contractual commitment.
- 3.9 Ribble Valley Borough Council's failure to sign the first Memorandum of Agreement has not impaired delivery of the objectives included in the AONB management plan or affected the working partnership process.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – N/A
- Technical, Environmental and Legal – N/A
- Political – N/A
- Reputation – N/A

5 **RECOMMENDED THAT COMMITTEE**

5.1 Confirm that negotiations should continue with DEFRA through the Forest of Bowland AONB until a satisfactory resolution of the issue of redundancies has been resolved and that until such time, it is recommended that Ribble Valley Borough Council does not become a signatory to the Memorandum of Agreement for the AONB.

DIRECTOR OF COMMUNITY SERVICES

BACKGROUND PAPERS

1 Copy of Draft Memorandum of Agreement.

For further information please ask for David Hewitt, extension 4505.